

July 13, 2017

**NOTICE OF FUNDING OPPORTUNITY (NOFO)
Not-for Profit Acid Mine Drainage Watershed Cooperative Agreement
(WCAP) Programs**

EXECUTIVE SUMMARY

- **Federal Agency Name:** The Office of Surface Mining Reclamation and Enforcement (OSMRE), Department of the Interior
- **Funding Opportunity Title:** Watershed Cooperative Agreement Program (WCAP) Not-for-Profit Acid Mine Drainage (AMD) Reclamation Projects.
- **Announcement Type:** Initial
- **Opportunity Category:** Discretionary
- **Funding Opportunity Number:** S17AS00003
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 15.253 Not-for-Profit Acid Mine Drainage (AMD) Reclamation
- **Dates:** Applications will be considered on a continuing/rolling basis as they are received.
- **Application Submission Address:** Application must be submitted using Grants.gov.
- **Funding Opportunity Description:** The Not-for-Profit, Acid Mine Drainage (AMD) Reclamation - Watershed Cooperative Agreement Program (WCAP) seeks applications from eligible applicants to restore streams affected by AMD to a level that will support a diverse biological community and provide recreational opportunities for the community.
- **Anticipated Funding Amounts:** In FY 2017, OSMRE anticipates that up to approximately \$1,500,000 may be available to fund new WCAP projects.
- **Funding Instrument Type:** Cooperative Agreement.
- **Who is Eligible:** Eligibility is limited to not-for-profit IRS 501(c) (3) status organizations. Federal, state, local governments, colleges, and universities are not eligible to receive direct funding. (See Section C, Eligibility Information)
- **Cost Sharing Requirements:** No cost sharing required.

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FULL TEXT OF THE NOTICE

A. Program Description

The Statutory Authority for the Abandoned Mine Land Reclamation Program is the Surface Mining Control and Reclamation Act of 1977 (SMCRA), as amended, Public Law 95-87, 91 Stat. 445-532.

1. In accordance with Section 404 of the Surface Mining Control and Reclamation Act (SMCRA) lands and water eligible for reclamation or drainage abatement under Section 404 of Public Law 95-87 (the Act), Stat. 445-532 as amended, are those which were mined for coal or which were affected by mining, waste banks, coal processing, or other coal mining processes prior to August 3, 1977, and left in an unreclaimed or inadequately reclaimed condition, for which there is no continuing reclamation responsibility under state or other federal laws.
2. WCAP is designed to be partnered with other funding sources to assist groups such as small watershed organizations to complete local acid mine drainage (AMD) reclamation projects.
3. Funding is available to assist local 501(c)(3) status organizations and groups that undertake local acid mine drainage (AMD) reclamation projects to improve the water quality of streams impacted by acid mine drainage.
4. The funding priorities and technical focus for this announcement are to restore streams affected by AMD to a level that will support a diverse biological community and provide recreational opportunities for the public.

5. Non-Federal Entity's may use WCAP funds only for AMD problems related to SMCRA defined abandoned coal mining activities and processes, which include remediation of AMD, sources of AMD, and installation of "passive" or active water treatment systems, including repairs and renovations. Projects may also include reclamation of lands that are contributing sediment or acid forming materials to streams. For other provisions relating to lands and waters eligible for such expenditures, see Section 402(g) (4), Section 403(b) (1), and Section 409 of Public Law 95-87.

B. Federal Award Information:

OSMRE is accepting applications for financial assistance for the Fiscal Year (2017). The following conditions are applicable to OSMRE's WCAP:

1. The funding instrument that will be used is a Cooperative Agreement.
2. The total approximate allocation for this Program is estimated at \$1,500,000.
3. Cooperative agreements shall not exceed \$100,000 per award without sufficient justification to necessitate required agency and departmental approvals.
4. The estimated number of FY 2017 WCAP awards is twenty (20).
5. Anticipated start dates will be based upon date of receipt and evaluation of application, availability of funding appropriations, and project schedule.
6. Applications for rehabilitation, enhancement or maintenance of existing projects are eligible to compete with this application for new Federal awards.
7. Each cooperative agreement will be for a project period not to exceed two years from date of award.
8. Each recipient grantee may apply for non-funded extensions of time as necessary to complete the project up to one year.
9. In accordance with 2 CFR 200 § 24, a Cooperative Agreement creates an appropriate legal relationship between OSMRE and the performing organization to carry out a public purpose authorized by a law of the United States (see 31 USC. 6101(3). OSMRE reserves the right to remain substantially involved during the course of the approved project.
10. Substantial involvement will be limited to one or more of the following areas:
 - Approval of the recipient's implementation plans
 - Review of the recipient's monitoring and evaluation plans

- Approval of specified key personnel;
 - Concurrence in the substantive provisions of sub awards;
11. Funding for the program listed in this NOFO is contingent on availability of appropriations. In no event will OSMRE be responsible for the preparation costs incurred by any applicant if this program fails to receive funding or is cancelled because of Agency priorities. Publication of this NOFO does not obligate OSMRE or the Department of Interior to award funding.
12. Pre-Applications. There are no pre-applications with this NOFO.

C. Eligibility Information:

- I. An Eligible Applicant** is limited to not-for-profit IRS 501(c) (3) status organizations that meets the following conditions:
1. Proof of not-for-profit IRS 501(c) (3) status as determined by the Internal Revenue Service or an authorizing tribal resolution is required of nonprofit organizations and institutions.
 2. State/Tribal certification of project eligibility is required by the Surface Mining Control and Reclamation Act of 1977 (SMCRA) Section 404.
 3. Proposal must include details of how the project benefits communities and ecosystems impacted by polluted stream and or acid mine drainage.
 4. Written agreement between the applicant and property owner(s) must be secured for Right to Access.
 5. Include copies of all letters of support for the project from local community group, business and individuals.
 6. **Cost Sharing or Matching** : not required for WCAP

II. Other Requirements

1. The Office of Surface Mining Reclamation and Enforcement requires recipients to maintain financial data to provide for the safeguard and accountability of Federal funds, to include written procedures for purchases, accounting system, cash management; and organizational structure in accordance with 2 CFR §200. 303 Internal Controls examples include the following:
 - Provide accurate, current, and complete financial information about Federal awards and, for sub awards,

- Maintain records that adequately identify the sources of funds for federally assisted activities and the purposes for which the award was used, including authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and any program income. Accounting records must be supported by source documentation such as canceled checks, paid bills, payrolls, and time and attendance records.
 - Maintain effective control over and accountability for all cash, real and personal property, and other assets under the award; adequately safeguard those assets; and ensure that they are used only for authorized purposes.
2. Applicants are responsible for ensuring that proposed budget costs are allowable, allocable, and reasonable; in accordance with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Programs, 2 CFR.200 §§.403; 200.404. & 200.405,
 3. **Suspension and Debarment:** Funds will not be awarded to any applicant that is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily exclude from cover transactions by any Federal debarment or agency, or are presently indicted for or otherwise criminally or civilly charged by a government entity.

No funds will be awarded to recipients who have within a three-year period preceding this proposal have been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, and making false statements or receiving stolen property.
 4. **Applicant Violator System (AVS):** All applicants, organization officers and others having authority to make project related decisions will be screened through the Applicant Violator System (AVS). AVS is an automated information system owned and operated by OSMRE that contains information on applicants, permittees, operators, application and permit records, as well as unabated or uncorrected environmental violations of SMCRA.
 5. **Federal Performance and Integrity System (FAPIIS)** Prior to any award of Federal funds that exceeds \$150,000, the Federal award agencies will review and consider information about the applicant that is in Federal Performance and Integrity System FAPIIS. Applicants may review and comment on information about them in FAPIIS and the agency will consider any applicant comments in making award decisions; and address post-award grant reporting requirements and inform applicants about post-award FAPIIS reporting requirements, in accordance with (2 CFR 200 § 212(c)(5).

6. **Other Uniform Guidance requirements:** All non-Federal entities must comply with the Uniform Guidance requirements of Self-Reporting in accordance with 2 CFR. § 200.112 (Conflict of Interest);, Appendix XII and Subrecipients Monitoring Requirements in accordance with 2 CFR Part 200.331.
7. **Delinquency on Federal Debt:** Any organization or individual that is indebted to the United States, and has a judgment lien filed against it for a debt to the United States, is ineligible to receive a Federal grant. Applicants are required to indicate in their applications if they are delinquent on any Federal debt. By signing the SF-424, the applicant is certifying that they are not delinquent on federal debt in accordance with OMB Circular A-129. (Examples of relevant debt include delinquent payroll or other taxes, audit disallowances, guaranteed and direct student loans, benefits that were overpaid, etc.). If an applicant is delinquent on federal debt, they should attach an explanation that includes proof that satisfactory arrangements have been made with the Agency to which the debt is owed.

If the applicant discloses a delinquency, OSMRE may not award the grant until the debt is satisfied or satisfactory arrangements are made with the agency to which the debt is owed. In addition, once the debt is repaid or satisfactory arrangements made, and it will continue to take that delinquency into account when determining whether the applicant would be responsible with respect to an OSMRE grant, if awarded.

Anyone who has been judged to be in default on a Federal debt and who has had a judgment lien filed against him or her should not be listed as a participant in an application for an HHS grant until the judgment is paid in full or is otherwise satisfied. No funds may be rebudgeted following an award to pay such an individual. The OSMRE will disallow costs charged to awards that provide funds to individuals in violation of this requirement.

8. **Mandatory Disclosures:** The non-federal entity or applicant for a federal award must disclose, in a timely manner, in writing to the HHS awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award (45 CFR § 75.113). Failure to make required disclosures can result in any of the remedies described in 45 CFR § 75.371, including suspension or debarment. (See also 2 CFR parts 180 and 376, and 31 U.S.C. 3321). Submission is required for all applicants and recipients, in writing, to the awarding agency and to the DOI Office of Inspector General (OIG) all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to: OIG contact.
9. In accordance with 2 CFR § 200.300, applicants must comply with the Federal Funding Accountability and Transparency Act of 2006, 2 CFR. § 170.

10. Applicant's failure to meet an eligibility criterion by the time of an application deadline will result in the Federal awarding agency returning the application without review or, even though an application may be reviewed, will preclude the Federal awarding agency from making a Federal award.

D. Application and Submission Information:

1. **Address to Request Application Package.** The application is available at www.grants.gov under Funding Opportunity S17AS00003.

2. **Forms and Content of Application Submission**

The application must contain the following required forms and documents:

- a. **SF-424, Application for Federal Assistance.** The SF-424 must be signed by an authorized representative of the applicant organization.
 - b. SF-424, Item 12, should list the NOFO number S17AS00003
 - c. SF-424, Item 18, should list the total Estimated Budget amount to complete the project as defined in the application including the Federal amount requested and other funding being brought to the project.
 - d. **SF-424C, Budget information** - Construction Programs.
 - e. SF- 424D, Assurances Construction Program
 - f. Disclosure of Lobbying Activities (OMB 4040-0013)
 - g. Project/Performance site Location(s) (OMB 4040-0010)
 - h. Project Abstract (OMB # 4040-0010)
3. **Application Format**
 - a. **Paper, E-mail and Facsimile (fax) Submissions.** Only if forwarded directly to OSMRE representative identified in Section G of this NOFO.
 - b. **Font.** Use 12 pitch font and 1 inch margins.
 - c. Smaller type may be used in figures and tables but must be clearly legible.
 - d. Figures, Graphs, Images, and Pictures. Should be of a size that is easily readable or viewable and may be landscape orientation
 - e. The page limit of the Application Package must not exceed a total of 30 pages not including the required forms.
 - f. **Page Limit.** The Technical Proposal for Applications is limited to ten (15) pages.
 - g. Resumes are also excluded from the page count are limited to two pages.
 - h. **Page size.** 8 ½ inches by 11 inches
 - i. **Application language:** English
 - j. **Application Replacement Pages.** Applicants may not submit replacement pages

and/or missing documents once an application has been submitted. Any revisions must be made by submission of a new application that must be received by OSMRE by the submission deadline.

- k. **Pre-Applications.** There are no pre-applications with this NOFO
 - l. **Cover Sheet:** The cover sheet for the technical proposal should reference the Non-profit, Acid Mine Drainage (AMD) Reclamation - Watershed cooperative Agreement Program (WCAP) Funding Opportunity Number S17AS00003
 - m. **Page layout:** The Technical Proposal must be in portrait orientation
 - n. **Page numbering:** Number pages sequentially
 - o. **Table of Content:** include major sections and the corresponding page numbers.
4. **The full proposal must include the main documents and supplementary documents described below:**
- a. The technical Proposal is a document of no more than 15 pages. It should describe in depth the scope of the proposal, its goals, methods, its schedule, personnel working on the project their qualification and the instructional capabilities of the applicant.
 - b. **Executive Summary** is a concise summary/abstract of the proposed effort. The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies the name of the applicant, the project director/principal investigator(s), the project title, the objectives of the project, a description of the project, including methods to be employed, the potential impact of the project (i.e., benefits, outcomes), and major participants (for collaborative projects). The Executive Summary must not exceed one (1) single-sided page and counts toward the page limit of the Technical Proposal.
 - c. **Problems, Solutions and Technical Approach.** This is a description of the problems proposed to be solved. This section should explain what solutions are needed to overcome the problems, who would benefit from the solutions, and what the anticipated impacts are if the problems are solved.

This section should also include a description of the technical approach that the applicant plans to employ to solve the identified problems, to achieve the anticipated impacts and include water quality and flow results and analysis sufficient to allow OSMRE to evaluate the technical proposal. One year of flow and water quality measurements is recommended.

- d. **Statement of Work and Potential Impact of the Results.** This is a complete statement of work to meet the technical approach that directly addresses the problems described in the Problems, Solutions and Impact Statement of the Technical Proposal. The statement of work must include a schedule of milestones for the overall project, the applicant's plan to manage the project tasks, and metrics for measuring the success of the proposed efforts and potential impact of the results. A detailed construction estimate is required.
- e. **Qualifications and Experience of Key Personnel and Resources Availability.** This is a description of the qualifications, proposed roles, and level of planned effort of the project participants, including the proposed role of the project leader, key personnel and staff. A description of the applicant's access to the necessary equipment and facilities to accomplish the proposed objectives should be included.
- f. **Budget Narrative.** (This does not count toward the page limit). The Budget Narrative must provide a detailed breakdown of each of the object class categories as reflected on the SF-424 C. The budget justification should address all of the budget categories for which Federal funds are requested. The written justification should include the necessity and the basis for the cost. Proposed funding levels must be consistent with the project scope, and only allowable costs should be included in the budget. Information on allowable cost is available in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR. § 200.
- g. **Administrative and Legal Expenses:** At a minimum, the budget justification for all personnel should include the following: name, job title, commitment of effort on the proposed project in terms of average number of hours per week or percentage of time, salary rate, total direct charges on the proposed project, description of the role of the individual on the proposed project and the work to be performed.
- h. **Indirect Cost Rate Agreement:** If indirect costs are included in the proposed budget, provide a copy of the approved negotiated agreement if this rate was negotiated with a cognizant Federal audit agency. If the rate was not established by a cognizant Federal audit agency, provide a statement to this effect. OSMRE doesn't negotiate indirect cost agreement. Alternatively, in accordance with 2 CFR § 200.414(f) applicants that have never received a negotiated indirect cost rate may elect to charge indirect to an award pursuant to a de minimis rate of 10 percent of modified total direct cost (MTDC), in which case a negotiated indirect

cost rate agreement is not required. Indirect agreements with not be negotiated by OSMRE. Applicants proposing a 10 percent de minimis rate pursuant to 2 CFR. § 200.414(f) should note this election as part of the budget and budget narrative portion of the application.

5. Application submission must completely addresses the following:

- a.** The Applicant must have written measurable goals for the project.
- b.** Background information must provide a comprehensive description of the relevance of the project.
- c.** The remediation proposal should demonstrate that they have considered the best possible treatment option available with a high probability of success
- d.** The Applicant must have a plan to address ongoing operational and maintenance needs for the project.
- e.** The plan must identify how the applicant will monitor and assess the ongoing effectiveness of the project, and respond to treatment problems.
- f.** OSMRE funding should be the final funding source necessary for the project to proceed with construction.
- g.** If the total project costs include in-kind donations of services or materials, the applicant must provide the documentation that these service or materials are properly valued in accordance with 2 CFR § 200.306.

6. The following costs could be allowable under a WCAP agreement if they are necessary and reasonable for the project:

- a.** Award, Inspection, and Administrative costs directly associated with the approved project, such as financial and program administration of the cooperative agreement, preparing reports, traveling to the project site for monitoring purposes, and supply and laboratory costs for water quality sampling.
- b.** Pre-and post-construction water quality and quantity monitoring of an approved project.
- c.** The post-construction monitoring must not require an extension of the performance period of your cooperative agreement.
- d.** In accordance with 2 CFR. §200.403; §200.404. & §200.405, the non- Federal Entity is responsible for ensuring that costs charged to a projects are allowable,

allocable, and reasonable.

7. The following costs are not allowable under a WCAP project:

- a. Overhead.
 - b. Liability insurance.
 - c. Public relations.
 - d. Project groundbreaking and dedications.
 - e. Payments to an organization or individual that owes the Federal government money or is in violation of Federal regulations.
 - f. Equipment
 - g. Design Cost
- **Information that successful applicants must submit after notification of into to make a Federal award, but prior to a Federal Award.**
- **Unique entity identifier or DUNS number and System for Award Management (SAM):** Unless the applicant is an individual or Federal awarding agency that is exempt from the requirements under 2 CFR §25.11(b) or (c) or has an exception approved by the Federal awarding agency under 2 CFR §25.110(d) all recipients are required to (I) Be registered in SAM before submitting its application;(ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during with it has an active Federal award or an allocation or plan under consideration by the Federal warding agency. Registration instructions are at www.grants.gov/web/grants/applicants/organization-registration.html or www.sam.gov.
- Successful applications must provide evidence of compliance with the National Environmental Policy Act (NEPA) (42 U.S.C.4321- 4370h) Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), and other applicable federal and state law and regulation. OSMRE can provide assistance in meeting these requirements.

8. Submission Dates and Times:

- Applications will be considered on a continuing/rolling basis as they are received. To ensure consideration in the current fiscal year, applications must be received at Grants.gov no later than 11:59 p.m. Eastern Time, Saturday, September 30, 2017. Applications received after this deadline will not be reviewed or considered.
- Review of Applications, selection of successful applicants, and award processing is expected to be completed approximately 30–90 days after the end of the review process.

Important Grants.gov Information:

- Electronic application must be submitted via Grants.gov at www.grants.gov under announcement S17AS00003.
- Applications should carefully follow specific Grants.gov instructions to ensure the attachments will be accepted by the Grants.gov system. A receipt from Grants.gov indicating an application is received does not provide information about whether attachments have been received. For further information or questions regarding applying for the Not-for-profit AMD Reclamation (WCAP) S17AS00003 announcement, contact Proud Adams by phone at 202-208-2230 or by e-mail at padams@osmre.gov.
- Applicants must have a unique entity identifier number or DUNS and must maintain a current registration in the Federal government's primary registrant database, the System for Award Management (<https://www.sam.gov/>), as explained on the Grants.gov Web site.
- After registering, it may take several days or longer from the initial log-on before a new Grants.gov system user can submit an application. Only authorized individual(s) will be able to submit the application, and the system may need time to process a submitted application. Applicants should save and print the proof of submission they receive from Grants.gov.

If problems occur while using Grants.gov, the applicant is advised to do the following:

- If calling from within the United States or from a U. S. territory, please call 800-518-4726. If calling from a place other than the United States or a U. S. territory, please call 606-545-5035. Assistance from the Grants.gov Help Desk will be available around the clock every day, with the exception of Federal holidays. Help Desk service will resume at 7:00 a.m. Eastern Time the day after Federal holidays. For assistance using Grants.gov, you may also contact support@grants.gov.
- To find instructions on submitting an application on Grants.gov, Applicants should refer to the "Applicants" tab in the banner just below the top of the www.grants.gov home page. Clicking on the "Applicants" tab produces two exceptionally useful sources of information, Applicant Actions and Applicant Resources, which applicants are advised to review.
- Applicants should pay close attention to the guidance under "Applicant FAQs," as it contains information important to successful submission on Grants.gov, including essential details on the naming conventions for attachments to Grants.gov applications.

The application must be both received and validated by Grants.gov. The application is "received" when Grants.gov provides the applicant a confirmation of receipt and an application tracking number. If an applicant does not see this confirmation and tracking number, the application has not been received. After the application has been received, it

must still be validated. During this process, it may be “validated” or “rejected with errors.” To know whether the application was rejected with errors and the reasons why the applicant must log in to Grants.gov, select “Applicants” from the top navigation, and select “Track my application” from the drop-down list. If the status is “rejected with errors,” the applicant may still seek to correct the errors and resubmit your application before the deadline. If the applicant does not correct the errors, the application will not be forwarded to OSMRE by Grants.gov. Refer to important information in Section Submission Dates and Times, to help ensure your application is received on time.

- **Amendments.** Any amendments to this NOFO will be announced through Grants.gov. Applicants may sign up on Grants.gov to receive amendments by e-mail or may request copies from Proudta Adams by telephone at 202-208-2230 or by e-mail to proudta.adams@osmre.gov.
- Late applications will neither be reviewed nor considered.

E. Application Review Information

I. Evaluation Criteria: The review criteria are designed to enable the review panel to assess the quality of a proposed project and determined the likelihood of its success. Review criteria are outlined below with specific detail and scoring points:

Criterion 1: NEED ASSESSMENT (5 point)

Items under this criterion address Problems, Solutions and Technical Approach of the technical proposal

The extent to which the applicant demonstrates the problem and associated contributing factors to the problem. The application must clearly identify and establish the needs of the targeted population as evidence by:

- a) The extent the level of involvement the target community has held in identifying the needs of the community and in planning the project activities.
- c) The extent the applicant indicates that local, regional, Tribal, and State entities were involved with assessing needs and providing baseline data or research studies to support needs.
- d) The extent that application documents the adverse environmental impacts resulting from the impaired stream/watershed

Criterion 2: METHODOLOGY AND WORK PLAN (5 POINTS)

Items under this criterion address the Statement of Work and Potential Impact of the Results section of the Technical proposal

The extent to which:

- a) The proposed project responds to the objective included in the Notice of Funding Opportunity and directly relates with the information presented in the need assessment.
- b) The proposed project scope is capable of addressing the problem and attaining the project objective.
- c) The proposed goals and objectives have a clear correlation to addressing the identified needs as well as challenges and are measurable, realistic, and achievable in a specific timeframe.
- d) The strength and feasibility of the proposed project should be logical and easy to follow clearly addressing the project elements, collaborators, the timeline of the proposed activities, anticipated outputs, and the step must be taken to achieve each of the project goals
- e) There is a comprehensive watershed restoration plan, under which the project will be constructed.

Criterion 3: EVALUATION MEASURES (40 POINTS)

Items under this criterion address Statement of Work and Potential Impact of the Results. The effectiveness of the method proposed to monitor and evaluate the project results.

Evaluative measures must be able to assess:

- a) That the applicant has considered the best possible treatment option available with a high probability of success without the need for frequent and expensive system.
- b) The effectiveness of the proposed treatment technology to be used, i.e. pollutants removed, aquatic habitat improved or recreational fisheries restored and other streams uses restored.
- c) The strength of the post completion water quality monitoring plan both for the discharge and the receiving stream and established water quality limits to help determine what need for system maintenance and or additional land treatment
- d) The strength of the process by which comprehensive water quality and flow data/information has been collected, and analyzed, to assure selection of the most effective technology and water chemistry analysis; to the extent the analyses facilitates the ability to determine the probability of long-term success and any

possible maintenance issues?

- e) The cumulative effect of the project in restoring/improving the stream/watershed.
- f) For projects where land reclamation is being used to achieve AMD abatement, strength of proposal in achieving beneficial impacts of project in achieving stream restoration.

Criterion 4: IMPACT / BENEFITS (40 POINTS)

Item under this criterion address the Statement of Work and Potential Impact of the Results.

Reviewer will evaluate the extent to which:

- a) The Project will help restore the stream/watershed either alone, or in conjunction with other AMD treatment/land reclamation projects planned or constructed in the watershed.
- b) The applicant identifies aesthetic enhancement, community benefits, Outdoor Recreational Opportunities Enhanced, which can be attributed to the positive impacts to areas directly impacted by this proposed WCAP project.
- a) The applicant describes public outreach and/or educational opportunities which may be created by implementation of the WCAP proposal

Criterion 5: RESOURCES/CAPABILITIES (5 POINTS)

Items under the criterion address the Evaluation and Technical Support Capacity and Organizational Information section of the Program Narrative.

- a) To the extent that the roles and responsibilities clearly defined for each of the primary participants in the project.
- b) To the extent that each entity participating in the project has the ability to deliver the services, and otherwise meet the needs of the project.
- c) The capability of the applicant to implement and fulfill the requirement of the proposed project based the resources availability; the extent to which the applicant has broad based support, collaborators, and consultants to complete the project.
- d) The extent which applicant has been able to secure other funds for completion.

Criterion 6: FINANCIAL SUPPORT REQUESTED (10 POINTS)

The SF-424 C itemized budget along with the budget justification components of the budget narrative, are being used in the review of this section. Together, they will provide the reviewers with the information to determine the reasonableness of the requested support.

- a) The budget justification clearly documents how and why each line item request supports the goals and activities of the proposed project.
- b) The degree to which the estimated cost to the government of proposed activities appear reasonable.

II. REVIEW AND SELECTION PROCESS

1. Proposals, reports, documents and other information related to applications submitted to OSMRE and/or relating to financial assistance awards issued by OSMRE will be reviewed and considered by Federal employees or by non-Federal personnel who have entered into nondisclosure agreements covering such information, when applicable.
2. Initial Screening of all OSMRE Program Applications. All applications received in response to this NOFO will be reviewed as received on a rolling basis to determine whether they are eligible, complete, and responsive and aligned with the respective program objectives and research grant areas as described in the Program Description
3. Applications determined to be ineligible, incomplete, and/or non-responsive based on the initial screening will be eliminated from further review. However, OSMRE, in its sole discretion, may continue the review process for an application that is missing non-substantive information that can easily be rectified.
4. **Full Review of Eligible, Complete, and Responsive Applications** All applications that are determined to be eligible, complete, and responsive will proceed for full reviews in accordance with the review and selection processes set forth below for each of the respective programs.
5. OSMRE reserves the right to negotiate the budget costs with the applicants that have been selected to receive awards, which may include requesting that the applicant remove certain costs.
6. OSMRE may request that the applicant modify objectives or work plans and provide supplemental information. OSMRE also reserves the right to reject an application where information is uncovered that raises a reasonable doubt as to the responsibility of the applicant. OSMRE may select some, all, or none of the applications, or part(s) of any particular application. In some cases, OSMRE may ask applicants to consider combining projects. The final approval of selected applications and issuance of awards will be by

the OSMRE Field Officer Directors.

III. Evaluation, Review, Ranking and Recommendation

1. At least three objective reviewers, knowledgeable in the subject matter of this NOFO and its objectives, will evaluate each application based on the evaluation criteria (see Section V. of this NOFO).
2. While every application will have at least three reviews, applications may have differing numbers of reviews if specialized expertise is needed to evaluate the application. The reviewers may discuss the applications with each other, but scores will be determined on an individual basis, not as a consensus.
3. Each reviewer will assign individual scores to each criterion for each application.
4. The scores provided by each reviewer for each application will then be combined to form a composite score for each application, which serves as the basis for the relative ordering or ranking of applications.
5. OSMRE may select some, all, or none of the applications, or part(s) of any particular application.

IV. Selection Factors.

1. The Panel Lead, will compile and recommend applications for award based upon the relative ordering ranking of the applications.
2. The Selecting Official must prepare a Recommendation Memorandum for the Approving Official, who is the Field Office Director, which demonstrate that the evaluation and selection process was compliant with the procedures published in the NOFO.
3. The Approving Official may approve funding based on the Recommendation Memorandum however application may be awarded out of rank order based on one or more of the following selection factors:
 - a. The availability of Federal funds;
 - b. Alignment with program priorities,
4. If an application was selected out of rank order, there must be a detailed justification relative to the selection out of rank order.
5. **Notification to Unsuccessful Applicants:** Every unsuccessful applicant is entitled to a full explanation of why the application was not funded. The initial notice should provide

a complete explanation, where possible. However, a notice may contain limited information regarding the unsuccessful application and indicate that a more detailed explanation will be provided at a later date or upon request.

6. **Retention of Unsuccessful Applications.** A copy of each non-selected application will be retained for at least three (3) years for record keeping purposes in accordance with 2 CFR Part 200.333 Retention requirements for records.
7. **Federal Awarding Agency Review of Risk Posed by Applicants.** After applications are proposed for funding by the Approving Official and prior to the issuance of an award, the OSMRE Grants Office will conduct an assessment of the risk posed by the applicant in accordance with 2 CFR. § 200.205. In addition to reviewing repositories of government-wide eligibility, qualification or financial integrity information, the risk assessment conducted by OSMRE will conduct the following:
 - a. Review of applicants single audit submitted to Federal Audit Clearinghouse
 - b. Review of applicants most recent independent audit
 - c. Completion of financial capability questionnaire.
8. The financial stability of an applicant; quality of the applicant's management systems; an applicant's history of performance; previous audit reports and audit findings concerning the applicant; the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities. Upon review of these factors, if appropriate, specific award conditions that correspond to the degree of risk may be applied by the OSMRE Grants Office pursuant to 2 CFR § 200.207. In addition, OSMRE reserves the right to reject an application in its entirety where information is uncovered that raises a significant risk with respect to the responsibility or suitability of the applicant.
9. **Anticipated Announcement and Award Dates.** Review of applications, selection of successful applicants, and award processing is expected to be completed approximately 30 – 90 days after the end of the review process.

F. Federal Award Administration Information

1. **Notices Federal Award:** Successful applicant will receive a Financial Assistance award notifying them that the project has been approved for funding. This agreement will provide information pertaining to programmatic and financial reporting requirements. In addition, terms and conditions pertaining to managing the agreement will be provided. This document will also include, key contact information for personnel associated with the award.

If the Federal awarding agency determines that a Federal award will be made, special conditions that correspond to the degree of risk assessed may be applied to the Federal

award.

2. **Administrative and National Policy Requirements.** Uniform Administrative Requirements, Cost Principles and Audit Requirements. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR. § 200 apply to awards made pursuant to this NOFO. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>.
3. **Funding Availability and Limitation of Liability.** Funding for the program listed in this NOFO is contingent upon the availability of appropriations. In no event will OSMRE or the Department of Interior be responsible for application preparation costs if this program fails to receive funding or funding is cancelled because of agency priorities. Publication of this NOFO does not obligate OSMRE or the Department of Interior to award any specific project or to obligate any available funds.
4. **Electronic Funds Transfer:** Recipient will be required to establish an account in the U.S. Treasury's, Automated Standard Application for Payments system (ASAP), where OSMRE will disburse funding by means of an electronic funds transfer. The ASAP Account Settlement Report for the ASAP system should be referenced to reconcile with internal accounting system and to complete the semi annual SF-425. Refer to <http://asap.gov> to enroll.
5. **Financial Reports:** Each award recipient will be required to submit an SF-425 Federal Financial Report on a semi-annual basis for the period ending March 31 and September 30 or June 30 and December 31 of each year to the OSMRE Grants Specialist named in the award documents. Reports will be due 30 days after the end of the reporting period. A final financial report is due 90 day after the end of the project period.
6. **Performance (Technical) Reports:** Each award recipient will be required to submit a technical progress report to the regional grants office on a semi-annual basis for the periods ending March 31 and September 30 or June 30 and December 31 of each year. Reports will be due 30 days after the end of the reporting period. A final technical report shall be submitted within 90 days after the expiration date of the award. Technical progress reports shall contain information as prescribed in 2 CFR § 200.328 Monitoring and reporting program performance.
7. **Audits:** In accordance with the provisions of 2 CFR § 200, Subpart F -Audit Requirements, non-Federal entities that expend financial assistance of \$750,000 or more in Federal awards during its fiscal year must have a single or a program-specific audit conducted for that year.

Non-Federal entities that expend less than \$750,000 a year in Federal awards are exempt from Federal audit requirements for that year, except as noted in 2 CFR § 200.503. Applicants are reminded that OSMRE, the Department of Interior Office of Inspector

General or another authorized Federal agency may conduct an audit of an award at any time.

8. **Records:** Records for Federal financial assistance must be maintained in accordance with the provisions of 2 CFR § 200, Subpart D, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”.

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, be retained for at least three (3) years for record keeping purposes. (See CFR § 200.333 Retention for exceptions).

9. **Federal Funding Accountability and Transparency Act of 2006.** In accordance with 2 CFR. § 170, all recipients of a Federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282). In general, all recipients are responsible for reporting sub-awards of \$25,000 or more. In addition, recipients that meet certain criteria are responsible for reporting executive compensation. Applicants must ensure they have the necessary processes and systems in place to comply with the reporting requirements should they receive funding. Also see the Federal Register notice published September 14, 2010, at 75 FR 55663 available here <http://go.usa.gov/hKnQ>.

G. **OSMRE Federal Awarding Agency Contact(s)**

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