

Office of Surface Mining Reclamation and Enforcement

**OSM-HQ - OSM Headquarters**

**2022**

**S22AS00003**

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## **A. Program Description**

### **A1. Authority**

The authority to award this Cooperative Agreement is found in the Surface Mining Control and Reclamation Act of 1977, as amended; Public Law 95-87; 91 Stat. 445-532; in accordance with the Federal Grant and Cooperative Agreement Act of 1977, 31 USC 6301 et seq.; subject to the provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR § 200, 2 CFR Part 1402 - Financial Assistance Interior Regulation, Supplementing The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

15.255

### **A2. Background, Purpose and Program Requirements**

#### **Background and Purpose**

Mine Drainage Technology Initiative (MDTI) (formally known as the Acid Mine Drainage Initiative) provides a forum for collaboration and information exchange with the following goals:

- Develop an understanding of acidic and toxic mine drainage (MD) so as to better predict, avoid, monitor, and remediate mine drainage;
- Develop innovative solutions to acidic and toxic MD water-quality problems;
- Identify, evaluate, and develop “best science” practices to predict acidic and toxic MD prior to mining; and
- Identify successful remediation practices for existing sources of acidic and toxic MD and describe the best technology for its prevention.
- Develop an understanding of the availability and cost-effective feasibility of critical minerals (including rare earth elements) recovery from coal waste and acid mine drainage on coal mine sites.

OSMRE is looking for MDTI studies that address the goals listed above that have the potential for improving the effectiveness of both the coal industry and the regulatory authority to conduct and regulate surface coal mining and reclamation activities that protect the environment and the public.

#### **Program Requirements**

1. OSMRE is soliciting applications for financial assistance for Fiscal Year 2022.
2. The funding instrument used will be a Cooperative Agreement.
3. Anticipated start dates will be based on OSMRE funding schedule and timing of funding appropriations.
4. Applicants may request funding up to \$200,000.
5. The cooperative agreement will be for a period consistent with the proposal but not to exceed two years from date of award
6. The recipient grantee may apply for non-funded extensions of time up to one (1) year, as necessary to complete the project.
7. There are no limitations on the number of applications an applicant may submit under the announcement to include the submitting organization, individual investigator/program director, or both.
8. 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 U.S.C. 6101(3)]. OSMRE reserves the right to determine the extent of substantial involvement during the course of the approved project.
9. OSMRE will have substantial involvement in the Cooperative Agreement that will include, but is not limited to, one or more of the following areas:
  - a. Identification of projects;
  - b. Approval of the recipient's implementation plans;
  - c. Review of the recipient's monitoring and evaluation plans;
  - d. Approval of specified key personnel;
  - e. Concurrence in the substantive provisions of sub awards.
11. Funding for the program is contingent on availability of appropriations. Under no circumstance will OSMRE be responsible for the preparation costs incurred by any

applicant if this program fails to receive funding or is canceled because of Agency priorities. Publication of this NOFO does not obligate OSMRE or DOI to award funding.

12. There are no pre-application requirements with this NOFO.

13. Proposals will not be accepted that constitute quality control or consumer evaluations for commercial products.

## **B. Federal Award Information**

### **B1. Total Funding**

#### **Estimated Total Funding**

\$200,000

### **B2. Award Amount**

#### **Maximum Award**

\$200,000

#### **Minimum Award**

\$50,000

### **B3. Anticipated Award Funding and Dates**

#### **Anticipated Award Date**

January 02, 2023

### **B4. Number of Awards**

#### **Expected Number of Awards**

1

### **B5. Type of Award**

#### **Funding Instrument Type**

CA - Cooperative Agreement

1. In accordance with 2 CFR 200, 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 U.S.C. 6101(3)]. It is defined as a legal instrument of financial assistance between a Federal awarding agency and a recipient or a pass-through entity and a subrecipient that, consistent with [31 U.S.C. 6302-6305](#):

(a) Is used to enter into a relationship the principal purpose of which is to transfer anything of value to carry out a public purpose authorized by a law of the United States (see [31 U.S.C. 6101\(3\)](#)); and not to acquire property or services for the Federal Government or pass-through entity's direct benefit or use;

(b) Is distinguished from a grant in that it provides for substantial involvement of the Federal awarding agency in carrying out the activity contemplated by the Federal award.

OSMRE reserves the right to determine the extent of substantial involvement during the course of the approved project.

2. OSMRE's substantial involvement in the Cooperative Agreement will include, but is not limited to, one or more of the following areas:
  - a. Identification of projects;
  - b. Approval of the recipient's implementation plans;
  - c. Review of the recipient's monitoring and evaluation plans;
  - d. Approval of specified key personnel;
  - e. Concurrence in the substantive provisions of sub awards.

## **C. Eligibility Information**

### **C1. Eligible Applicants**

#### **Eligible Applicants**

06 – Public and State controlled institutions of higher education

11 – Native American tribal organizations (other than Federally recognized tribal governments)

12 – Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education

20 – Private institutions of higher education

25 – Others (see text field entitled “Additional Information on Eligibility” for clarification)

#### **Additional Information on Eligibility**

Federal Agencies

DOI's Minority Serving Institutions are encouraged to apply for funding. MDTI projects contribute to the goal of improving the quality of science and technology instruction in institutions that serve high concentrations of minority students who historically have been underrepresented in higher education.

### **C2. Cost Sharing or Matching**

#### **Cost Sharing / Matching Requirement**

No

### C3. Other

**Applicants must adhere to the following additional requirements:**

- a. Provide proof of non-profit 501(c)(3) status as determined by the Internal Revenue Service of non-profit organizations and institutions.
- b. Renewal of existing studies are not eligible to compete with applications for new Federal awards.
- c. Proposals must specifically address one of the identified goals outlined in the MDTI Program description.

OSMRE 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:

- a. Provide accurate, current, and complete financial information about Federal awards and sub-awards.
- b. 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.
- c. 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.

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; and 200.405.

**Suspension and Debarment:** Funds will not be awarded to any applicant that is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered 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, 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.

**Applicant Violator System (AVS):** All applicants, organization officers, and others having authority to make study 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.

**Federal Awardee Performance and Integrity Information System (FAPIIS):** Prior to any award of Federal funds, the Federal award agency will review and consider information about the applicant that is in Federal Awardee Performance and Integrity Information 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; the agency will address post-award grant reporting requirements and inform applicants about post-award FAPIIS reporting requirements, in accordance with 2 CFR 200.212.

**Excluded Parties:** OSMRE conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. OSMRE cannot award funds to entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

## **D. Application and Submission Information**

### **D1. Address to Request Application Package**

The application is available at [www.Grants.gov](http://www.Grants.gov). Required documents are listed as follows:

- a. SF-424, Application for Federal Assistance
- b. SF-424A, Budget Information for Non-Construction Programs
- c. SF-424B, Assurances for Non-Construction Programs
- d. SF-LLL, Disclosure of Lobbying Activities
- e. Project/Performance Site Location(s)
- f. Project Abstract
- g. Project Narrative Attachment
- h. Budget Narrative Attachment
- i. Key Contacts Form
- j. Other Attachments Form: Please include Proof of 501(c)(3) non-profit status and indirect cost rate agreement



## **D2. Content and Form of Application Submission**

### **1. SF-424, Application for Federal Assistance**

Applicants must submit the appropriate Standard Form (SF)-424, Application for Federal Assistance. Individuals applying as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name), must complete the SF-424, Application for Federal Assistance-Individual form. All other applicants must complete the standard SF-424, Application for Federal Assistance. The required application forms are available with this announcement on Grants.gov. The SF-424, Application for Federal Assistance must be complete, signed, and dated. Do not include any proprietary or personally identifiable information. Please note: Enter only the amount requested from this Federal program in the “Federal” funding box on the SF-424 Application form. Include any other Federal sources of funding in the “Other” box and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the “Budget Narrative” section below).

Any applicant organization that has not completed the financial assistance certifications and representations within their SAM.gov registration must submit the appropriate signed and dated Assurances form. All of the required application forms are available with this announcement on Grants.gov.

### **Project Narrative**

**The full technical proposal must include the main and supplementary documents described below:**

- a. **Executive Summary/Project Abstract:** This is a concise summary/abstract of the proposed effort. The Project Abstract must contain a summary of the proposed activity suitable for dissemination to the public. It must be a self-contained document that identifies the name of the applicant, the project director/principal investigator(s), the project title, award purpose, activities to be performed, expected deliverables or outcomes, intended beneficiaries, and subrecipient activities, if applicable. The Project Abstract must not exceed one (1) single-sided page and counts towards the page limit of the Technical Proposal.
- b. **Problems, Solutions, and Technical Approach:** This is a description of the methods through which the goals of the MDTI Program will be achieved. This section must explain how the awardee will be able to address the needs of the program, the way in which these needs will be met, and the benefits for the approach taken.
- c. **Technical Proposal--**The technical proposal should describe in depth the scope of the proposal, its goals, methods, its schedule, personnel working on the study their qualification and the instructional capabilities of the applicant.
- d. **Statement of Work and Potential Impact of the Results:** This is a complete statement of work to meet the approach that directly addresses the information described in the Problems, Solutions, and Technical Approach 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 proposal.

- 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 participants, including the proposed role of the program leader, key personnel, and staff. A description of the applicant's access to the necessary resources to accomplish the proposed objectives must be included.
- f. **Resumes of Key Personnel:** A resume for the program leader is required as part of the proposal. This individual is considered key personnel to the project. Resumes of additional key personnel may also be supplied. Resumes are limited to two pages per individual.
- g. **Identification of Proprietary Information:** Technical data or other data (i.e., trade secrets, confidential financial or commercial information), or other privileged information which the applicant prefers to withhold from public disclosure or use by OSMRE for any purpose except for proposal evaluation may be included in this application. To protect confidential data, each page must be specifically identified indicating each paragraph or line that contains confidential data the applicant wishes to protect.
- h. **Trade Secret Information:** In order to explain properly the proposed work, it may be necessary to disclose within the proposal document trade secret information. If such is disclosed, the OSMRE wishes to take steps to keep such information confidential. However, it must be aware that such information does or does not exist within a given proposal. Therefore, please complete the following:
  - 1. ☐ There is NO trade secret information contained in this proposal package.
  - 2. ☐ There IS trade secret information contained in this proposal package. Such information is noted on pages\_\_\_\_\_.NOTE: Redact or conspicuously highlight or mark those passages, diagrams, drawings, etc. that contain trade secret information.

Applicants must submit the appropriate SF-424 Budget Information form and Budget Narrative. For non-construction programs or projects, applicants must complete and submit the SF-424A, "Budget Information for Non-Construction Programs" form. All of the required application forms are available with this announcement on Grants.gov. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200.

### **Detailed Budget Narrative**

The project budget shall include detailed information on all cost categories and must clearly identify all estimated project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. In addition, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement). Cost categories can include, but are not limited to, those costs items included on the SF424A or SF424C.

(This does not count toward the page limit and must be submitted using the budget narrative attachment form). The Budget Narrative must provide a detailed breakdown of each of the object class categories as reflected on the SF-424A. The budget justification should address all of the budget categories for which Federal funds are requested. The written justification must include the necessity and the basis for obtaining each cost estimate. 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.

- i. **Personnel:** At a minimum, the budget justification for all personnel must 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.
- ii. **Fringe Benefits:** Fringe benefits must be identified separately from salaries and wages and based on rates determined by organizational policy. A link or information on how to access the organizational policy must be included. The items included in the fringe benefit rate (e.g., health insurance, parking, etc.) must not be charged under another cost category.
- iii. **Equipment:** Equipment is defined as an item of property that has an acquisition cost of \$5,000 or more (unless the organization has established lower levels) and an expected service life of more than one year. Any items that do not meet the threshold for equipment can be included under the “Supplies” line item. The budget justification must list each piece of equipment, the cost, and a description of how it will be used and why it is necessary to the successful completion of the proposed project. Please note that any general use equipment (computers, etc.) charged directly to the award must be allocated to the award according to expected usage on the project.
- iv. **Travel:** For travel costs required by the recipient to complete the project, the budget justification for travel must include the following: destination; names and number of people traveling; dates and/or duration; mode of transportation; lodging and subsistence rates; and description of how the travel is directly related to the proposed project. For travel that is yet to be determined, please provide best estimates based on historical data. If a destination is not known, an approximate amount may be used with the assumptions given for the location of the meeting.
- v. **Supplies:** Provide a list of each supply, the breakdown of the total costs by quantity or unit of cost, and the basis for obtaining the estimate. Include the necessity of the cost for the completion of the proposed project.

- vi. **Contracts/Subawards:** Each contract or subaward must be treated as a separate item. Describe the services provided and the necessity of the subaward or contract to the successful performance of the proposed project. Contracts are for obtaining normal goods and services. Subawardees perform part of the project scope of work. For each subaward, applicants must provide budget detail justifying the cost of the work performed on the project and the basis for obtaining the estimates.
- vii. **Other Direct Costs:** For costs that do not easily fit into the other cost categories, please list the cost and the breakdown of the total costs by quantity or unit of cost. Include the necessity of the cost for the completion of the proposed project and the basis for obtaining the estimates. Only allowable costs can be charged to the award.

### **Conflict of Interest Disclosure**

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.112](#), applicants must state in their application if any actual or potential conflict of interest exists at the time of submission.

#### *(a) Applicability.*

(1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.

(2) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

#### *(b) Notification.*

(1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112.

(2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients.

(c) *Restrictions on lobbying.* Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR part 18 and 31 U.S.C. 1352.

(d) *Review procedures.* The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

(e) Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for noncompliance, including suspension or debarment (see also 2 CFR part 180).

### **Single Audit Reporting Statement**

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 the applicant's fiscal year must submit a Single Audit report for that year through the [Federal Audit Clearinghouse's Internet Data Entry System](#). U.S. state, local government, federally recognized Indian tribal government, and non-profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the EIN associated with that report and state if it is available through the [Federal Audit Clearinghouse](#) website.

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 the Interior Office of Inspector General, or another authorized Federal agency, may conduct an audit of an award at any time.

### **Certification Regarding Lobbying**

Applicants requesting more than \$100,000 in Federal funding must certify to the statements in [43 CFR Part 18, Appendix A-Certification Regarding Lobbying](#). If this application requests more than \$100,000 in Federal funds, the Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form also represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

### **Disclosure of Lobbying Activities**

Applicants and recipients must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. Applicants and recipients must complete and submit the SF-LLL, "Disclosure of Lobbying Activities" form if the Federal share of the proposal or award is more than \$100,000 and the applicant or recipient has made or has agreed to make any payment using non-appropriated funds for lobbying in connection with the application or award. The SF-LLL form is available with this Funding Opportunity on Grants.gov. See 43 CFR, Subpart 18.100 and 31 USC 1352 for more information on when additional submission of this form is required.

### **Overlap or Duplication of Effort Statement**

Applicants must provide a statement indicating if there is any overlap between this Federal application and any other Federal application, or funded project, in regards to activities, costs, or time commitment of key personnel. If no such overlap or duplication exists, state, "There are no overlaps or duplication between this application and any of our other Federal applications or funded projects, including in regards to activities, costs, or time commitment of key personnel". If any such overlap exists, provide a complete description of overlaps or duplications between

this proposal and any other federally funded project or application in regards to activities, costs, and time commitment of key personnel, as applicable. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted, to whom (entity name and program), and when you anticipate being notified of their funding decision. The statement and the description of overlap or duplication, when applicable, may be provided within the proposal or as a separate attachment to the application. If at any time a proposal is awarded funds that would be overlapping or duplicative of the funding requested from OSMRE, the applicant must immediately notify the OSMRE point of contact. Any overlap or duplication of funding between the proposed project and other active or anticipated projects may impact selection and/or funding amount.

### **D3. Unique Entity Identifier and System for Award Management (SAM)**

**Identifier and System for Award Management (SAM.gov) Registration:** This requirement does not apply to individuals applying for funds as an individual (i.e., unrelated to any business or nonprofit organization you may own, operate, or work within), or any entity with an exception to bypass SAM.gov registration with prior approval from the funding bureau or office in accordance with bureau or office policy. All other applicants are required to register in SAM.gov prior to submitting a Federal award application and obtain a [Unique Entity Identifier \(UEI\)](#) which replaces the Data Universal Numbering System (DUNS) number from Dun & Bradstreet in April 2022. A Federal award may not be made to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine the applicant is not qualified to receive an award. Federal award recipients must also continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s).

#### **Register with the System for Award Management (SAM)**

Applicants can register on the [SAM.gov](#) website. The “Help” tab on the website contains User Guides and other information to assist you with registration. The Grants.gov “[Register with SAM](#)” page also provides detailed instructions. Applicants can contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities will be assigned a Unique Entity Identifier (UEI). Entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been made to the entity’s IRS information. There is no cost to register with SAM.gov. There are third-party vendors who will charge a fee in exchange for registering entities with SAM.gov; please be aware you can register and request help for free. If applicable, foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

### **D4. Submission Dates and Times**

#### **Due Date for Applications**

09/20/2022

### **Application Due Date Explanation**

Electronically submitted applications must be submitted no later than 5:00 p.m., ET, on the listed application due date.

#### **D5. Intergovernmental Review**

Prior to application submission, U.S. state and local government applicants should visit the [OMB Office of Federal Financial Management website](#) and view the “State Point of Contact (SPOC) List” to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 “Intergovernmental Review of Federal Programs.” States not on the list do not participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency. If your state is on the list, contact the designated entity for more information on the state’s prior review requirements for Federal assistance applications.

#### **D6. Funding Restrictions**

The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency for indirect costs, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior is your organization’s cognizant agency, the Interior Business Center will negotiate your indirect cost rate. Contact the Interior Business Center by phone 916-930-3803 or using the [IBC Email Submission Form](#). See the [IBC Website](#) for more information.

Organizations must have an active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award. Recipients must have prior written approval from OSMRE to use amounts budgeted for direct costs to satisfy cost-share or match requirements or to cover unallowable indirect costs. Recipients shall not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

#### **Required Indirect Cost Statement to be submitted with Application**

All organizations must include the applicable statement from the following list in their application, and attach to their application any documentation identified in the applicable statement:

We are:

- A U.S. state or local government entity receiving more than \$35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. Attached is a copy of our most recently approved rate agreement/certification.

- A U.S. state or local government entity receiving less than \$35 million in direct Federal funding with an indirect cost rate of [insert rate]. We have prepared and will retain for audit an indirect cost rate proposal and related documentation.
- A [insert your organization type; U.S. states and local governments, do not use this statement] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. [Insert either: “Attached is a copy of our most recently approved but expired rate agreement. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.” *or* “Attached is a copy of our current negotiated indirect cost rate agreement.”]
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. If we receive an award, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award date.
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is lower than 10%. Our indirect cost rate is [insert rate; must be lower than 10%]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat indirect cost rate of [insert rate; must be lower than 10%] against [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs). However, please note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in [§2 CFR 200.68](#)]. We understand that we must notify OSMRE in writing if we establish an approved rate with our cognizant agency at any point during the award period.
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10% or higher. Our indirect cost rate is [insert your organization’s indirect rate; must be 10% or higher]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimis* indirect cost rate of 10% to be charged against modified total direct project costs as defined in [2 CFR §200.68](#). We understand that we must notify OSMRE in writing if we establish a negotiated rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and that such changes are subject to review, negotiation, and prior approval by OSMRE.
- A [insert your organization type] that is submitting this proposal for consideration under the “Cooperative Ecosystem Studies Unit Network”, which has a Department of the Interior-approved indirect cost rate cap of 17.5%. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved indirect cost rate agreement per [2 CFR §1402.414](#). If we do not have an approved indirect cost rate with our cognizant agency, we understand that we must charge indirect costs against the modified total direct cost base defined in 2 CFR §200.68 “Modified Total Direct Cost



(MTDC)". We understand that we must request prior approval from OSMRE to use the 2 CFR 200 MTDC base instead of the base identified in our approved indirect cost rate agreement. We understand that OSMRE approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award. In accordance with 2 CFR §200.405, we understand that indirect costs not recovered due to a voluntary reduction to our federally negotiated rate are not allowable for recovery via any other means.

- A [insert your organization type] that will charge all costs directly.

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.

Alternatively, in accordance with 2 CFR 200.414(f), applicants that have never received a negotiated indirect cost rate may elect to charge indirect costs 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. 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.

## **D7. Other Submission Requirements**

### **1. Application Format:**

- Submissions:** All applications must be submitted utilizing Grants.gov.
- File format:** Microsoft Word and pdf.
- Font:** Use 12-point font and 1-inch margins.
- Figures, Graphs, Images and Pictures:** Should be of a size that is easily readable or viewable and may be landscape orientation. Smaller font may be used in figures and tables, but type must be clearly legible.
- Page Limit:** The Application Package must not exceed a total of forty-five (45) pages; page limit does not include the required forms. The Technical Proposal for application is limited to twenty-five (25) pages. The abstract and resumes are excluded from the page count.
- Page Size:** 8 ½ inches by 11 inches
- Application language:** English
- 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.
- Pre-Applications:** There are no pre-applications with this NOFO.
- Cover Sheet:** The cover sheet for the Technical Proposal should reference Mine Drainage Technology Initiative Funding Opportunity #S22AS00003.
- Page Layout:** The Technical Proposal must be in portrait orientation.
- Page Numbering:** Number pages sequentially.

m. **Table of Contents:** Include major sections and the corresponding page numbers.

2. **The full technical proposal must include the main and supplementary documents described below:**

- a. **Executive Summary/Project Abstract:** This is a concise summary/abstract of the proposed effort. The Project 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 Project Abstract must not exceed one (1) single-sided page and does not count towards the page limit of the Technical Proposal.
- b. **Problems, Solutions, and Technical Approach:** This is a description of the methods through which the goals of the MDTI Program will be achieved. This section must explain how the awardee will be able to address the needs of the program, the way in which these needs will be met, and the benefits for the approach taken.
- c. **Technical Proposal--**The technical proposal should describe in depth the scope of the proposal, its goals, methods, its schedule, personnel working on the study their qualification and the instructional capabilities of the applicant.
- d. **Statement of Work and Potential Impact of the Results:** This is a complete statement of work to meet the approach that directly addresses the information described in the Problems, Solutions, and Technical Approach 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 proposal.
- 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 participants, including the proposed role of the program leader, key personnel, and staff. A description of the applicant's access to the necessary resources to accomplish the proposed objectives must be included.
- f. **Resumes of Key Personnel:** A resume for the program leader is required as part of the proposal. This individual is considered key personnel to the project. Resumes of additional key personnel may also be supplied. Resumes are limited to two pages per individual.
- g. **Identification of Proprietary Information:** Technical data or other data (i.e., trade secrets, confidential financial or commercial information), or other privileged information which the applicant prefers to withhold from public disclosure or use by OSMRE for any purpose except for proposal evaluation may be included in this application. To protect confidential data, each page must be specifically identified indicating each paragraph or line that contains confidential data the applicant wishes to protect.
- h. **Budget Narrative:** (This does not count toward the page limit and must be submitted using the budget narrative attachment form). The Budget Narrative must provide a detailed breakdown of each of the object class categories as reflected on the SF-

424A. The budget justification should address all of the budget categories for which Federal funds are requested. The written justification must include the necessity and the basis for obtaining each cost estimate. 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.

- i. **Personnel:** At a minimum, the budget justification for all personnel must 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.
- ii. **Fringe Benefits:** Fringe benefits must be identified separately from salaries and wages and based on rates determined by organizational policy. A link or information on how to access the organizational policy must be included. The items included in the fringe benefit rate (e.g., health insurance, parking, etc.) must not be charged under another cost category.
- iii. **Equipment:** Equipment is defined as an item of property that has an acquisition cost of \$5,000 or more (unless the organization has established lower levels) and an expected service life of more than one year. Any items that do not meet the threshold for equipment can be included under the "Supplies" line item. The budget justification must list each piece of equipment, the cost, and a description of how it will be used and why it is necessary to the successful completion of the proposed project. Please note that any general use equipment (computers, etc.) charged directly to the award must be allocated to the award according to expected usage on the project.
- iv. **Travel:** For travel costs required by the recipient to complete the project, the budget justification for travel must include the following: destination; names and number of people traveling; dates and/or duration; mode of transportation; lodging and subsistence rates; and description of how the travel is directly related to the proposed project. For travel that is yet to be determined, please provide best estimates based on historical data. If a destination is not known, an approximate amount may be used with the assumptions given for the location of the meeting.
- v. **Supplies:** Provide a list of each supply, the breakdown of the total costs by quantity or unit of cost, and the basis for obtaining the estimate. Include the necessity of the cost for the completion of the proposed project.
- vi. **Contracts/Subawards:** Each contract or subaward must be treated as a separate item. Describe the services provided and the necessity of the subaward or contract to the successful performance of the proposed project. Contracts are for obtaining normal goods and services. Sub-awardees perform part of the project scope of work. For each subaward, applicants must provide budget detail

justifying the cost of the work performed on the project and the basis for obtaining the estimates.

- vii. **Other Direct Costs:** For costs that do not easily fit into the other cost categories, please list the cost and the breakdown of the total costs by quantity or unit of cost. Include the necessity of the cost for the completion of the proposed project and the basis for obtaining the estimates. Only allowable costs can be charged to the award.
- viii. **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. Alternatively, in accordance with 2 CFR 200.414(f), applicants that have never received a negotiated indirect cost rate may elect to charge indirect costs 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. 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.

## E. Application Review Information

### E1. Criteria

#### Criterion 1 - NEED ASSESSMENT

**Maximum Points: 10**

| Description                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title</b><br>Problems, Solutions and Technical Approach | <b>Specific Details</b><br><i>The extent to which:</i> <ol style="list-style-type: none"> <li>1. The proposed study has the potential to address specific environmental or safety impacts known to currently be associated with mining or reclamation.</li> <li>2. The results of the study have the potential to improve quality of life for residents of mining communities.</li> <li>3. The results of the proposed study are directly applicable to improving mining or reclamation practices, from an environmental perspective.</li> <li>4. The proposed study has the potential to improve our understanding of the availability and cost-effective feasibility of critical minerals (including rare earth elements) recovery from coal waste and acid mine drainage on coal mine sites.</li> </ol> |

#### Criterion 2 - METHODOLOGY AND WORK PLAN

**Maximum Points: 35**

| Description |
|-------------|
|-------------|

|                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title</b><br>Statement of Work and Potential Impact | <b>Specific Details</b><br><i>The extent to which:</i> <ol style="list-style-type: none"> <li>1. The study description and statement of work are thoroughly discussed, detailed, and logically sequenced.</li> <li>2. The proposal addresses all technical variables that could reasonably be expected to impact success.</li> <li>3. The proposal includes a technology transfer plan or indicates a technology transfer plan will be implemented.</li> <li>4. The study is an investigation of practical application of accepted theory.</li> <li>5. Does the proposed study present new or innovative techniques that are relevant to coal mining and/or coal mine reclamation?</li> <li>6. Is the proposed time frame appropriate for the stated scope of work?</li> </ol> |
|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Criterion 3 - TECHNOLOGY TRANSFER POTENTIAL**
**Maximum Points: 5**

|                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title</b><br>Technology Transfer Approaches | <b>Specific Details</b><br><i>The extent to which:</i> <ol style="list-style-type: none"> <li>1. The proposal includes a technology transfer plan.</li> <li>2. Is there a specific plan for training, workshops, forums, or publications to transfer results?</li> <li>3. Will the results be posted on a website? If so, provide details.</li> <li>4. Will the results be presented at a subject specific or local workshop or conference?</li> <li>5. Will the results be presented at a multi-themed or national conference?</li> <li>6. Will the results be published in a peer-reviewed publication with national distribution?</li> </ol> |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Criterion 4 - IMPACT/BENEFITS**
**Maximum Points: 35**

|                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Description                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Title</b><br>Statement of Work and Potential Impact of the Results | <b>Specific Details</b><br><i>The extent to which:</i> <ol style="list-style-type: none"> <li>1. The results of the proposed study will be a valuable addition to the science.</li> <li>2. The proposal addresses all technical variables that could reasonably be expected to impact success.</li> <li>3. The results of the proposed study will be applicable to specific geologic, climatic conditions, or applicable to a variety of conditions associated with coal mining.</li> </ol> |

|  |                                                                                                                |
|--|----------------------------------------------------------------------------------------------------------------|
|  | 4. Will the results of the proposed study provide on-the-ground benefits rather than lead to subsequent study? |
|--|----------------------------------------------------------------------------------------------------------------|

**Criterion 5 - RESOURCES/CAPABILITIES**
**Maximum Points: 5**

| Description                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title</b><br>Evaluation and Technical Support Capacity and Organizational Information | <b>Specific Details</b> <ol style="list-style-type: none"> <li>1. To the extent that the roles and responsibilities clearly defined for each of the primary participants in the study.</li> <li>2. To the extent that each entity participating in the study has the ability to deliver the services, and otherwise meet the needs of the study.</li> <li>3. The capability of the applicant to implement and fulfill the requirement of the proposed study based the resources availability; the extent to which the applicant has broad based support, collaborators, and consultants to complete the study.</li> </ol> |

**Criterion 6 - FINANCIAL SUPPORT REQUESTED**
**Maximum Points: 10**

| Description                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title</b><br>The SF-424 A itemized budget along with the budget justification components of the budget narrative, are being used in the review of this section. | <b>Specific Details</b><br><i>The extent to which:</i> <ol style="list-style-type: none"> <li>1. The budget justification clearly documents how and why each line item request supports the goals and activities of the proposed study.</li> <li>2. The degree to which the estimated cost to the government of proposed activities appear allowable, allocable and reasonable.</li> </ol> |

**E2. Review and Selection Process**

Prior to award, the program will review any applicant statement regarding potential overlap or duplication between the project to be funded and any other funded or proposed project in terms

of activities, funding, or time commitment of key personnel. Depending on the circumstances, the program may request modification to the application, other pending applications, or an active award, as needed to eliminate any duplication of effort, or the Bureau may choose not to fund the selected project.

The program may not make a Federal award to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the Bureau is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program can use that determination as a basis for making an award to another applicant.

Prior to award, the program will evaluate the risk posed by applicants as required in 2 CFR 200.205. Programs document applicant risk evaluations using the Bureau's "Financial Assistance Recipient Risk Assessment" form. Prior to approving awards for Federal funding in excess of the simplified acquisition threshold (currently \$250,000), the Bureau is required to review and consider any information about or from the applicant found in the Federal Awardee Performance and Integrity Information System. The Bureau will consider this information when completing the risk review. The Bureau uses the results of the risk evaluation to establish monitoring plans, recipient reporting frequency requirements, and to determine if one or more of the specific award conditions in 2 CFR 200.207 should be applied the award.

Proposals, reports, documents, and other information related to applications submitted to OSMRE and/or relating to financial assistance awards issued by OSMRE may be reviewed and considered by Federal employees, Federal agents and contractors, and/or by non-Federal personnel who have entered into nondisclosure agreements covering such information, when applicable.

a. Initial Screening: All applications received in response to this NOFO will be reviewed to determine whether they are eligible, complete, and responsive to the requirements of the NOFO and all required documents/forms have been submitted.

b. 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 or cured.

c. 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. d. 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.

d. 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.

1. Evaluation, Review, Ranking, and Recommendation:

- a. At least three (3) objective reviewers knowledgeable in the subject matter of this NOFO and its objectives will evaluate each application based on the evaluation criteria (Section E, Part 1).
- b. While every application will have at least three (3) 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.
- c. Each reviewer will assign individual scores to each criterion for each application.
- d. 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.
- e. OSMRE may select one or none of the applications, or part(s) of any particular application.

## 2. Selection Factors:

- a. The Merit Review Panel Lead will compile and recommend applications for award based upon the relative ranking order of the applications.
- b. The Selecting Official must prepare a Recommendation Memorandum for the Approving Official which demonstrates that the evaluation and selection process was compliant with the procedures published in the NOFO.
- c. The Approving Official may approve funding based on the Recommendation Memorandum; however an application may be awarded out of rank order based on one or more of the following selection factors: the availability of Federal funds and the alignment with program priorities.
- d. If an application is selected out of rank order, there must be a detailed justification relative to the selection
- e. 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, when 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.
- f. Retention of Unsuccessful Applications: A copy of each non-selected application will be retained for at least three (3) years for recordkeeping purposes in accordance with 2 CFR 200.333.
- g. 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 include the following:

- i. Review of applicant's single audit submitted to Federal Audit Clearinghouse;
- ii. Review of applicant's most recent independent audit;
- iii. Completion of financial capability questionnaire;
- iv. The financial stability of an applicant;
- v. Quality of the applicant's management systems;
- vi. An applicant's history of performance;
- vii. Previous audit reports and audit findings concerning the applicant; and
- viii. 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 when information is uncovered that raises a significant risk with respect to the responsibility or suitability of the applicant.

### **E3. CFR – Regulatory Information**

See the OSMRE Award Terms and Conditions for the general administrative and national policy requirements applicable to Service awards. OSMRE will communicate any other program- or project-specific special terms and conditions to recipients in their notices of award.

### **E4. Anticipated Announcement and Federal Award Dates**

Review of applications, selection of successful applicants, and award processing, is expected to be completed approximately 45–60 days after the end of the review process.

## **F. Federal Award Administration Information**

### **F1. Federal Award Notices**

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. Organizations whose applications have not been selected will be advised as promptly as possible.

## **F2. Administrative and National Policy Requirements**

See the “[DOI Standard Terms and Conditions](#)” for the administrative and national policy requirements applicable to DOI awards.

### **Data Availability**

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.315](#):

(a) All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.

(b) The Federal Government has the right to:

(1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and

(2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes, including to allow for meaningful third-party evaluation.

[DOI Standard Terms and Conditions](#)

## **F3. Reporting**

### **Financial Reports**

All recipients must use the SF-425, Federal Financial Report form for financial reporting. At a minimum, all recipients must submit a final financial report. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit interim financial reports on the frequency established in the Notice of Award. We will describe all financial reporting requirements in the Notice of Award.

Recipient will be required to establish and 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 systems to complete the quarterly SF-425. Refer to <http://asap.gov> to enroll.

Each award recipient will be required to submit an SF-425 Federal Financial Report on a quarterly basis for the period ending March 31, June 30, September 30, and December 31 of each year to the OSMRE’s grants management specialist and project technical representative named in the award documents. All reports will be submitted through [www.GrantSolutions.gov](http://www.GrantSolutions.gov); reports will be due within 30 days after the end of the reporting period. Final Federal project technical reports are due within 120 days after the end of the project period.

### **Performance Reports**

Performance reports must contain a comparison of actual accomplishments with the established goals and objectives of the award; a description of reasons why established goals were not met, if appropriate; and any other pertinent information relevant to the project results. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit interim financial reports on the frequency established in the Notice of Award.

Each award recipient will be required to submit a Performance (Technical) Report, on a quarterly basis for the period ending March 31, June 30, September 30, and December 31 of each year to the OSMRE's grants management specialist and project technical representative named in the award documents. All reports will be submitted through [www.GrantSolutions.gov](http://www.GrantSolutions.gov); reports will be due within 30 days after the end of the reporting period. Final Federal project technical reports are due within 120 days after the end of the project period.

### **Significant Development Reports**

Events may occur between the scheduled performance reporting dates which have significant impact upon the supported activity. In such cases, recipients are required to notify the Bureau in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify OSMRE in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

### **Conflict of Interest Disclosures**

Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the [U.S. Office of Government Ethics website](#) for more information on these restrictions. OSMRE will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, OSMRE will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies OSMRE may result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including termination of the award.

### **Other Mandatory Disclosures**

The Non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the terms and conditions outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance

Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including suspension or debarment.

### **Reporting Matters Related to Recipient Integrity and Performance**

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings in accordance with Appendix XII to 2 CFR 200.

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

### **G1. Program Technical Contact**

For **programmatic technical assistance**, contact:

First Name:

Cecil

Last Name:

Slaughter

Address:

1849 C St NW Mail Stop 4555

Telephone:

(202) 208-2866

Email:

[cslaughter@osmre.gov](mailto:cslaughter@osmre.gov)

### **G2. Program Administration Contact**

For **program administration assistance**, contact:

First Name:

Cecil

Last Name:

Slaughter

Address:

1849 C St NW Mail Stop 4555

Telephone:

(202) 208-2866

Email:

cslaughter@osmre.gov  
Stephanie Hamlett  
Chief, Division of Regulatory Support  
Office of Surface Mining Reclamation & Enforcement  
Division of Reclamation Support  
1849 C. Street, NW, Mail Stop 4557  
Washington, D.C. 20240  
Office Phone: (202) 208-2802  
Email: [shamlett@osmre.gov](mailto:shamlett@osmre.gov)

Yetunde Richardson  
Grants Management Specialist  
Office of Surface Mining Reclamation & Enforcement  
Division of Reclamation Support  
1849 C. Street, NW, Mail Stop 4551  
Washington, D.C. 20240  
Office Phone: (202) 208-2766  
Email: [yrichardson@osmre.gov](mailto:yrichardson@osmre.gov)

### **G3. Application System Technical Support**

For **Grants.gov** technical registration and submission, downloading forms and application packages, contact:

Name:  
Grants.gov Customer Support  
Telephone:  
1-800-518-4726  
Email:  
[Support@grants.gov](mailto:Support@grants.gov)

### **H. Other Information**

#### **Payments**

Domestic recipients are required to register in and receive payment through the U.S. Treasury's Automated Standard Application for Payments (ASAP), unless approved for a waiver by the OSMRE program. Foreign recipients receiving funds to a final destination bank outside the U.S. are required to receive payment through the U.S. Treasury's International Treasury Services (ITS) System. Foreign recipients receiving funds to a final destination bank in the U.S. are required to enter and maintain current banking details in their SAM.gov entity profile and receive payment through the Automated Clearing House network by electronic funds transfer (EFT). The Bureau will include recipient-specific instructions on how to request payment, including identification of any additional information required and where to submit payment requests, as applicable, in all Notices of Award.

Recipient will be required to establish and 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 systems to complete the quarterly SF-425. Refer to <http://asap.gov> to enroll.