

January 22, 2020

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

EXECUTIVE SUMMARY

- 1.** Federal Agency Name: The Office of Surface Mining Reclamation and Enforcement (OSMRE), Department of the Interior (DOI)
- 2.** Funding Opportunity Title: Watershed Cooperative Agreement Program (WCAP) Not-for-Profit Acid Mine Drainage (AMD) Reclamation Projects.
- 3.** Announcement Type: Initial
- 4.** Opportunity Category: Discretionary
- 5.** Funding Opportunity Number: S20AS00006
- 6.** Catalog of Federal Domestic Assistance (CFDA) Number: 15.253 - Not-for-Profit AMD Reclamation
- 7.** Dates: Applications will be considered on a continuing/rolling basis as they are received. All applications must be received submitted no later than 11:59 p.m. Eastern Time, June 30, 2020.
- 8.** Application Submission Address: Application must be submitted using Grants.gov.
- 9.** Funding Opportunity Description: The Not-for-Profit, AMD Reclamation - 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.
- 10.** Anticipated Funding Amounts: In FY 2020, OSMRE anticipates that up to approximately \$1,000,000 may be available to fund new WCAP projects.
- 11.** Funding Instrument Type: Cooperative Agreement.
- 12.** 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).
- 13.** Cost Sharing Requirements: Cost sharing is not required. (See Section C, Eligibility Information)

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A. Program Description

1. 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.
2. In accordance with Section 404 of 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 unclaimed or inadequately reclaimed condition, for which there is no continuing reclamation responsibility under state or other Federal laws.
3. WCAP is designed to be partnered with other funding sources to assist groups such as small watershed organizations to complete local AMD reclamation projects.
4. Funding is available to assist local 501(c)(3) status organizations and groups that undertake local AMD reclamation projects to improve the water quality of streams impacted by acid mine drainage.
5. 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.
6. Non-Federal entities 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

1. OSMRE is accepting applications for financial assistance for the Fiscal Year (FY) 2020. The following conditions are applicable to OSMRE's WCAP.
2. The funding instrument that will be used is a Cooperative Agreement.
3. The total approximate allocation for this Program is estimated at \$1,000,000. Cooperative agreements will not exceed \$100,000 per award without sufficient justification to necessitate agency and departmental approvals.

4. The estimated number of FY 2020 WCAP Cooperative agreements to be awarded is twenty.
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. Cooperative agreement will be for a project period not to exceed two years from date of award.
8. Recipient grantee may apply for non-funded extensions of time as necessary to complete the project.
9. In accordance with 2 CFR 200. 24, Cooperative Agreement, 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), Definitions]. 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:
 - (a) Approval of the recipient's implementation plans;
 - (b) Review of the recipient's monitoring and evaluation plans;
 - (c) Approval of specified key personnel;
 - (d) Concurrence in the substantive provisions of subawards.
11. Funding for the WCAP program is contingent on availability of appropriations. In no event will OSMRE be responsible for the preparation costs incurred by any applicant if the program fails to receive funding or is canceled due to Agency priorities. Publication of this NOFO does not obligate OSMRE or the DOI to award funding.
12. Pre-Applications. There are no pre-applications with this NOFO.

C. Eligibility Information

1. An Eligible Applicant is limited to not-for-profit IRS 501(c) (3) status organizations that meets the following conditions:
 - (a) 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.

- (b) State/Tribal certification of project eligibility is required by the Surface Mining Control and Reclamation Act of 1977 (SMCRA) Section 404.
 - (c) Proposal must include details of how the project benefits communities and ecosystems impacted by polluted stream and or acid minedrainage.
 - (d) Written agreement between the applicant and property owner(s) must be secured for Right to Access.
 - (e) Include copies of all letters of support for the project from local community group, business and individuals.
 - (f) Cost sharing is not required. While cost sharing is not required, we highly encourage applicants to leverage all available partner funding in a ratio of at least 2.5 to 1 (partner funding to OSMRE funding).
2. 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 of internal controls include the following:
- (a) Provide accurate, current, and complete financial information about Federal awards and subawards.
 - (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.
3. 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, Factors Affecting Allowability of Costs, 200.404, Reasonable Costs, and 200.405, Allocable Costs.
4. **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.

5. **Applicant Violator System (AVS)** All applicants, organization officers and others having authority to make project related decisions will be screened through the 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.
6. **Federal Performance and Integrity System (FAPIIS).** Prior to any award of Federal funds, 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), Reporting a Determination that a non-Federal Entity is not Qualified for a Federal award.

7. **Conflict of Interest Disclosures.**

(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, General Procurement Standards, and 2 CFR 1402.114, What are the Conflict of Interest Policies, applies.

(b) Requirements.

- (1) Non-Federal entities must avoid prohibited conflicts of interest, including any significant financial interests that could cause a reasonable person to question the recipient's ability to provide impartial, technically sound, and objective performance under or with respect to a Federal financial assistance agreement.
- (2) In addition to any other prohibitions that may apply with respect to conflicts of interest, no key official of an actual or proposed recipient or subrecipient, who is substantially involved in the proposal or project, may have been a former Federal employee who, within the last one (1) year,

participated personally and substantially in the evaluation, award, or administration of an award with respect to that recipient or subrecipient or in development of the requirement leading to the funding announcement.

- (3) No actual or prospective recipient or subrecipient may solicit, obtain, or use non-public information regarding the evaluation, award, or administration of an award to that recipient or subrecipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or subrecipient.

(c) 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, Conflicts of Interest.
- (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.

(d) Restrictions on Lobbying. Non-Federal entities are strictly prohibited from using funds under this grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR Part 18, New Restrictions on Lobbying, and 31 USC 1352, Limitation on the Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions.

(e) 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.

(f) 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, OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)).

8. Subawards. The award recipient must request and receive written approval from OSMRE before any subawards can be made to a subrecipient. If the recipient is permitted to make subawards under this award, the recipient must

execute a legally binding written agreement with the subrecipient. This agreement must incorporate all the terms and conditions of your Award, including any Special Award Conditions, and must include the information at 2 CFR 200.331, Requirements for Pass-through entities. The recipient must perform all responsibilities required of a pass-through entity, as specified in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.

The recipient must evaluate and document each subrecipient's risk of noncompliance with Federal statutes, Federal regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring strategy, as described in 2 CFR 200.331(b), Requirements for Pass-through Entities.

- 9. 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, Policies for Federal Credit Programs and Non-tax Receivables. (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 OSMRE 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.

- 10. Mandatory Disclosures.** The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the DOI awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award in

accordance with 2 CFR 200.113, Mandatory Disclosures. Failure to make required disclosures can result in any of the remedies described in including suspension or debarment. (See also 2 CFR 180; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) and 31 U.S.C. 3321, *Disbursing Authority in the Executive Branch*). Submission is required for all applicants and recipients, in writing, to the awarding agency and to the DOI Office of Inspector General 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:

U.S. Department of the Interior Office Attention:
Fraud Hotline
1849 C Street NW Mail Stop 4428
Washington, D.C. 20240 Website: www.doioig.gov
Phone Hotline: Toll Free 1-800-424-5081, Washington DC area: 202-208-5300

- 11. Federal Funding Accountability and Transparency Act of 2006.** In accordance with 2 CFR 200.300, Statutory and National Policy Requirements, applicants must comply with the Federal Funding Accountability and Transparency Act of 2006, 2 CFR. 170, Reporting Subaward and Executive Compensation Information.
- 12.** 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.

13. Data Availability

- (a) Applicability.** The DOI is committed to basing its decisions on the best available science and providing the American people with enough information to thoughtfully and substantively evaluate the data, methodology, and analysis used by DOI to inform its decisions.
- (b) Use of Data.** 2 CFR 200.315, Intangible Property, applies to data produced under a Federal award, including the provision that the Federal Government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award as well as authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.
- (c) Availability of Data.** The recipient shall make the data produced under this award and any subaward (s) available to the Government for public release, consistent with applicable law, to allow meaningful third party evaluation and reproduction of the following:

- (1) The scientific data relied upon;

- (2) The analysis relied upon; and
- (3) The methodology, including models, used to gather and analyze data.

D. Application and Submission Information

1. Application Package. The application package is available at www.grants.gov under NOFO #S20AS00006.

2. Forms and Content of Application Submission. The application must contain the following required forms and documents available on grants.gov:

- a. SF-424, Application for Federal Assistance, which must be signed by an authorized representative of the applicant organization.
 - i. SF-424, Item 12, should list the NOFO #S20AS00006.
 - ii. 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.
- b. SF-424C, Budget Information - Construction Programs.
- c. SF- 424D, Assurances - Construction Programs.
- d. SF-LLL, Disclosure of Lobbying Activities or Lobbying Form, Certification Regarding Lobbying.
- e. Project/Performance site Location(s) form, OMB Number: 4040-0010.
- f. Project Abstract, OMB Number: 4040-0010.
- g. Key Contacts Form, OMB #Number: 4040-0010.

3. Application Format

- a. **Submissions.** All application must be submitted through grants.gov.
- b. **Font.** Use 12 pitch font and 1 inch margins.
 - i. Smaller type may be used in figures and tables but type must be clearly legible.
 - ii. Figures, Graphs, Images, and Pictures. Should be of a size that is easily readable or viewable and maybe landscape orientation.
- c. **Page Limit:** The page limit of the Application Package must not exceed a total of 30 pages, not including the required forms, budget narrative, and resumes. The Technical Proposal for Applications is limited to fifteen (15) pages.
- d. **Page Size.** 8 ½ inches by 11 inches.
- e. **Application language:** English
- f. **Application Replacement Pages:** Applicants may submit replacement pages.

Revisions must be submitted to OSMRE via grants.gov or, by request, to a regional grants office.

- 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-for-profit AMD Reclamation WCAP Funding Opportunity Number S20AS00006.
 - m. Page layout:** Technical Proposal must be in portrait orientation.
 - n. Page numbering:** Number pages sequentially.
 - o. Table of Contents:** Include major sections and the corresponding page numbers.
2. 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. The Project Abstract** 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.** 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. Alternatively, in accordance with 2 CFR 200.414(f), Indirect (F&A) Costs, 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. Applicants proposing a 10 percent de Minimis rate pursuant to 2 CFR. 200.414(f), Indirect (F&A) Costs, should note this election as part of the budget and budget narrative portion of the application. In addition to these requirements, applicants must also meet the provisions of 2 CFR 1402.414, with respect to deviations on negotiated indirect cost rate.

3. Application submissions must completely address 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, Cost sharing or Matching.

4. 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; Factors Affecting Allowability of Costs, 200.404, Reasonable Costs, and 200.405, Allocable Costs, the non- Federal Entity is responsible for ensuring that costs charged to a projects are allowable, allocable, and reasonable.

5. 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.
6. Information that successful applicants must submit after notification from OSMRE, but prior to a Federal Award.

Unique entity identifier or Data Universal Numbering System (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 25.110(b) or (c), Types of Recipient and Subrecipient Entities to which this Part Applies, 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 regulations.

7. Submission Dates and Times.
- a. Applications will be considered on a continuing/rolling basis and all applications must be submitted no later than 11:59 p.m. Eastern Time, June 30, 2020.
 - b. Announcement and Award Dates. Awards will be announced approximately 60 - 120 days after the end of the review process.
8. Grants.gov Application Submission and Receipt Procedures.
- This section provides the application submission and receipt instructions for OSMRE’S program applications. Please read the following instructions carefully and completely.

I. Electronic Delivery

OSMRE is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. OSMRE requires applicants to submit their applications online through Grants.gov.

II. How to Register to Apply through Grants.gov

Instructions: Read the instructions below about registering to apply for OSMRE funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

Organizations must have a DUNS number, active SAM registration, and Grants.gov account to apply for grants. If individual applicants are eligible to apply for this funding opportunity, then you must create a Grants.gov Account.

Creating a Grants.gov account can be completed online in minutes, but DUNS and SAM registrations may take several weeks. Therefore, an organization's registration should be done in sufficient time to ensure it does not impact the entity's ability to meet required application submission deadlines.

Complete organization instructions can be found on Grants.gov here:
<https://www.grants.gov/web/grants/applicants/organization-registration.html>

- 1) Obtain a DUNS Number: All entities applying for funding, including renewal funding, must have a DUNS Number from Dun & Bradstreet. Applicants must enter the DUNS Number in the data entry field labeled "Organizational DUNS" on the SF-424 form. For more detailed instructions for obtaining a DUNS Number, refer to:
<https://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html>
- 2) Register with SAM: All organizations applying online through Grants.gov must register with SAM. Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. For more detailed instructions for registering with SAM, refer to: <https://www.grants.gov/web/grants/applicants/organization->

[registration/step-2-register-with-sam.html](https://www.grants.gov/web/grants/applicants/registration/step-2-register-with-sam.html)

- 3) Create a Grants.gov Account: The next step is to register an account with Grants.gov. Follow the on-screen instructions or refer to the detailed instructions here:
<https://www.grants.gov/web/grants/applicants/registration.html>
- 4) Add a Profile to a Grants.gov Account: A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant) or an individual applicant. If you work for or consult with multiple organizations and have a profile for each, you may log in to one Grants.gov account to access all of your grant applications. To add an organizational profile to your Grants.gov account, enter the DUNS number for the organization in the DUNS field while adding a profile. For more detailed instructions about creating a profile on Grants.gov, refer to: <https://www.grants.gov/web/grants/applicants/registration/add-profile.html>
- 5) E-Biz POC Authorized Profile Roles: After you register with Grants.gov and create an Organization Applicant Profile, the organization applicant's request for Grants.gov roles and access is sent to the E-Biz POC. The E-Biz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the AOR role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been assigned the AOR role. For more detailed instructions about creating a profile on Grants.gov, refer to:
<https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html>.
- 6) Track Role Status: To track your role request, refer to:
<https://www.grants.gov/web/grants/applicants/registration/track-role-status.html>
- 7) Electronic Signature: When applications are submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The E-Biz POC must authorize people who are able to make legally binding commitments on behalf of the organization as a user with the AOR role; this step is often missed and it is crucial for valid and timely submissions.

III. How to Submit an Application to OSMRE via Grants.gov

Grants.gov applicants can apply online using Workspace. Workspace is a shared,

online environment where members of a grant team may simultaneously access and edit different web forms within an application. For each NOFO, you can create individual instances of a workspace.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to:

<https://www.grants.gov/web/grants/applicants/workspace-overview.html>

- 1) **Create a Workspace:** Creating a workspace allows you to complete it online and route it through your organization for review before submitting.
- 2) **Complete a Workspace:** Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the state of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.
- 3) **Adobe Reader:** If you decide not to apply by filling out web forms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at:

<https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>

- 4) **Mandatory Fields in Forms:** In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.
- 5) **Complete SF-424 Fields First:** The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and DUNS Number. Once it is completed, the information will transfer to the other forms.
- 6) **Submit a Workspace:** An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.
- 7) **Track a Workspace Submission:** After successfully submitting a workspace

application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

IV. For additional training resources, including video tutorials, refer to:

<https://www.grants.gov/web/grants/applicants/applicant-training.html>

Applicant Support: Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at support@grants.gov. For questions related to the specific grant opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist your organization with tracking your issue and understanding background information on the issue.

V. Timely Receipt Requirements and Proof of Timely Submission

- 1) Online Submission.** All applications must be received by 11:59 p.m. Eastern Time Eastern time on the due date established for each program. Proof of timely submission is automatically recorded by Grants.gov. An electronic date/time stamp is generated within the system when the application is successfully received by Grants.gov. The applicant with the AOR role who submitted the application will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application. This applicant with the AOR role will also receive the official date/time stamp and Grants.gov Tracking number in an email serving as proof of their timely submission.

When OSMRE successfully retrieves the application from Grants.gov, and acknowledges the download of submissions, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role who submitted the application. Again, proof of timely submission shall be the official date and time that Grants.gov receives your application.

Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by OSMRE.

Applicants using slow internet, such as dial-up connections, should be aware that transmission can take some time before Grants.gov receives

your application.

Again, Grants.gov will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the AOR role attempting to submit the application. The Grants.gov Support Center reports that some applicants end the transmission because they think that nothing is occurring during the transmission process. Please be patient and give the system time to process the application. Late applications will neither be reviewed nor considered.

- 2) NOFO Amendments. Any amendments to this NOFO will be announced through Grants.gov. Applicants may sign up on Grants.gov to receive amendments notification e-mails.

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:

1. NEED ASSESSMENT (5 POINTS)

Items under this criterion address identify problems, solutions and technical Approach of the technical proposal.

The extent to which:

- a) 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:
- b) The level of involvement the target community has held in identifying the needs of the community and in planning the project activities.
- c) 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 application documents the adverse environmental impacts resulting from the impaired stream/watershed.

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. There is a comprehensive watershed restoration plan, under which the project will be constructed.

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.

4. IMPACT / BENEFITS (35 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. 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.
- b) The applicant describes public outreach and/or educational opportunities which may be created by implementation of the WCAP proposal.

5. RESOURCES/CAPABILITIES (5 POINTS)

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

The extent to which:

- a) The roles and responsibilities clearly defined for each of the primary participants in the project.
- b) 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 applicant has been able to secure other funds for completion.

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.

The extent to which:

- 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.

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.

3. **Completeness.** 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.
4. **Timeliness.** Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by OSMRE.
5. **Threshold Screening.** OSMRE will screen applications and proposals for the adequacy of the budget and compliance with program requirements.
 - a) OSMRE may request that the applicant modify objectives or work plans and provide supplemental information.
 - b) 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.
 - c) 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.

- d) The final approval of selected applications and issuance of awards will be by the OSMRE Field Officer Directors.
6. 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.

III. MERIT REVIEW 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.
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 Merit Review Panel Lead will compile and recommend applications for award based upon the relative ordering ranking of the applications.
2. The Selecting Official will prepare a Recommendation Memorandum for the Approving Official, who is the Field Office Director, which demonstrates 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, the availability of Federal funds and the 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, Federal Awarding Agency Review of Risk Posed by Applicants. 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 applicant's most recent independent audit.
8. Completion of financial capability questionnaire. 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, Specific Conditions. 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 60 – 120 days after the end of the review process.

F. Federal Award Administration Information

1. **Notices of 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.** 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 DOI 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 DOI 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 semiannual Federal Financial Report, SF-425. Refer to www.asap.gov enroll.
5. **Financial Reports.** Each award recipient will be required to submit an SF-425, 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, Relation to Other Audit Requirements. 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.
- 9. Record Retention.** 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 2 CFR 200.333, Retention Requirements for Records, for exceptions).
- 10 Federal Funding Accountability and Transparency Act of 2006.** In accordance with 2 CFR 200.170, 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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Unified Interior Regions 3, 4 & 6 (formerly Mid-Content Region)

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