Water Conservation Field Services Program Financial Assistance for Fiscal Years 2023 and 2024

Notice of Funding Opportunity No. R23AS00000
Region 8: Lower Colorado Basin Region

U.S. Department of the Interior **September 2022/v.3**

Mission Statements

The U.S. Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated Island Communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Synopsis

Federal Agency Name	U.S. Department of the Interior, Bureau of Reclamation, Region 8: Lower Colorado Basin Region
Funding Opportunity Title	Water Conservation Field Services Program (WCFSP) Financial Assistance for Fiscal Years (FY) 2023 and 2024
Announcement Type	Notice of Funding Opportunity (NOFO)
Funding Opportunity Number	R23AS00000
Assistance Listings No. (formerly Catalog of Federal Domestic Assistance (CFDA))	15.530
Application Due Date (See NOFO Sec. D.4)	Proposals will be accepted, evaluated, and selected on a rolling-basis until the final application submission deadlines: 1) First Closing date: November 18, 2022, at 4:00 p.m. Pacific Standard Time (PST) for FY 2023 proposals Additional closing for FY23: 2) Second Closing date: June 1, 2023, at 4:00 p.m. Pacific Daylight Time (PDT) for FY 2023 proposals Final Closing for FY 2024: 3) Third and Final Closing date: October 13, 2023, at 4:00 p.m. Pacific Daylight Time (PDT) for FY 2024 proposals The tentative selection and announcement timeframe will be approximately 60 days after each closing period.
Eligible Applicants (See NOFO Sec. C.1)	States, Indian tribes, irrigation districts, water districts, or other organizations with water or power delivery authority located in the Lower Colorado Basin Region as described by Sections 9502 and 9504(a) of Public Law 111-11.
Recipient Cost Share (See NOFO Sec. C.2)	50 percent or more of total activity costs must be met with non-Federal funds.
Federal Funding Amount (See NOFO Sec. B.2)	Up to $100,000 per entity per fiscal year. Multiple applications for funding may be submitted for consideration; however, no more than $100,000 will be awarded to any one entity in any given FY.

Number of Agreements to be Awarded (See NOFO Sec. B.1)	6 to 12 awards, per application submittal period, depending on submittals and authorized budget.

Application Checklist

The following table contains a summary of the information that is required to be submitted with a WCFSP Grant application.

√	What to submit	Form or format	When to submit
	Disclosure of Lobbying Activities	Form SF-LLL, available at https://www.grants.gov/forms/sf-424-family.html NOFO Pages 10 & 11	*
	Form SF-424 (Submitted as the cover page)	Form SF-424, available at https://www.grants.gov/forms/sf-424-family.html NOFO Pages 10 & 11	*
	Assurances Form	Form SF-424B or SF-424D, as applicable, available at https://www.grants.gov/forms/sf-424-family.html NOFO Pages 10 & 11	*
	Budget Form	Form SF-424A or SF-424C, as applicable, available at https://www.grants.gov/forms/sf-424-family.html NOFO Pages 10 & 11	*
	Title Page	NOFO Page 11	*
	Table of Contents	NOFO Page 11	*
	Technical Proposal • Executive Summary • Technical Project Description • Evaluation Criteria	 NOFO Page 12 NOFO Page 12 NOFO Pages 13 & 22	 * * *
	Environmental/Regulatory Compliance Information	NOFO Pages 13 & 33	*
	Required Permits and Approvals	NOFO Page 14	*
	Funding Plan	NOFO Page 15	*

√	What to submit	Form or format	When to submit
	Commitment Letters (if applicable)	NOFO Page 15	**
	Project Budget Proposal • Budget Format • Budget Narrative	 NOFO Page 16 NOFO Page 18	 * *

* 1st Closing November 18, 2022, at 4:00 p.m. PST for FY 2023 proposals

2nd Closing June 1, 2023, at 4:00 p.m. PDT for additional FY 2023 proposals and

3rd Final Closing October 13, 2023, at 4:00 p.m. PDT for FY 2024 proposals.

** Submit Commitment letters prior to award (see page 15 for submittal instructions)

Acronyms and Abbreviations

ARC	Application Review Committee
ASAP	Automated Standard Application for Payments
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CWA	Clean Water Act
DOI	U.S. Department of the Interior
ESA	Endangered Species Act
FY	Fiscal year (Federal FY is from October 1-September 30)
GIS	Geographic Information System
LCB	Lower Colorado Basin Region
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOFO	Notice of Funding Opportunity
OM&R	Operation, Maintenance and Repair
P.L.	Public Law
PDT	Pacific Daylight Time
PST	Pacific Standard Time
Reclamation	Bureau of Reclamation
RRA	Reclamation Reform Act of 1982
SAM	System for Award Management
SCADA	Supervisory control and data acquisition
SF	Standard Form
SPOC	Single Point of Contact
SOR	System Optimization Review
SHPO	State Historic Preservation Office
SWEP	Small-Scale Water Efficiency Projects
UEI	Unique Entity Identifier
U.S.C.	United States Code
U.S.	United States
WCFSP	Water Conservation Field Services Program

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Tables

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Section A: Funding Opportunity Description

A.1. Water Conservation Field Services Program Overview

The Department of the Interior's (DOI's) WaterSMART (Sustain and Manage America's Resources for Tomorrow) Program provides a framework for Federal leadership and assistance to stretch and secure water supplies for future generations in support of DOI priorities. Through WaterSMART, the Bureau of Reclamation (Reclamation) leverages Federal and non-Federal funding to work cooperatively with states, tribes, and local entities as they plan for and implement actions to increase water supply reliability through investments in existing infrastructure and attention to local water conflicts.

Drought conditions across the Western United States (U.S.) impact a wide range of communities and sectors, including agriculture, cities, tribes, the environment, recreation, hydropower producers, and others. Reclamation established the Water Conservation Field Services Program (WCFSP) in 1996 to encourage beneficiaries of Federal water projects to conserve water, and to assist agricultural and urban water districts in preparing and implementing water conservation plans in accordance with the Reclamation Reform Act (RRA) of 1982. Through the WCFSP, Reclamation makes cost-shared financial assistance available for developing water conservation plans, identifying water management improvements through System Optimization Reviews (SORs), designing water management improvements, and improving the understanding of water conservation techniques through demonstration activities.

The WCFSP provides support for priorities identified in Presidential Executive Order (E.O.) 14008: *Tackling the Climate Crisis at Home and Abroad* and aligned with other priorities, such as those identified in E.O. 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*. WaterSMART also supports Reclamation's priorities to increase water reliability and resilience, support racial and economic equity, modernize infrastructure, and enhance water conservation, ecosystem, and climate resilience.

This Notice of Funding Opportunity (NOFO) provides funding for the planning, prioritizing, demonstrating technology/projects, and design of projects that conserve and use water more efficiently; mitigate conflict risk in areas at a high risk of future water conflict; and accomplish other benefits that contribute to sustainability in the Western U.S.

Through this NOFO, Reclamation's Lower Colorado Basin Region (LCB) is requesting proposals to fund activities in support of the WCFSP within the LCB, within the State of Hawaii (map provided below), American Samoa, Guam, and the Northern Mariana Islands.

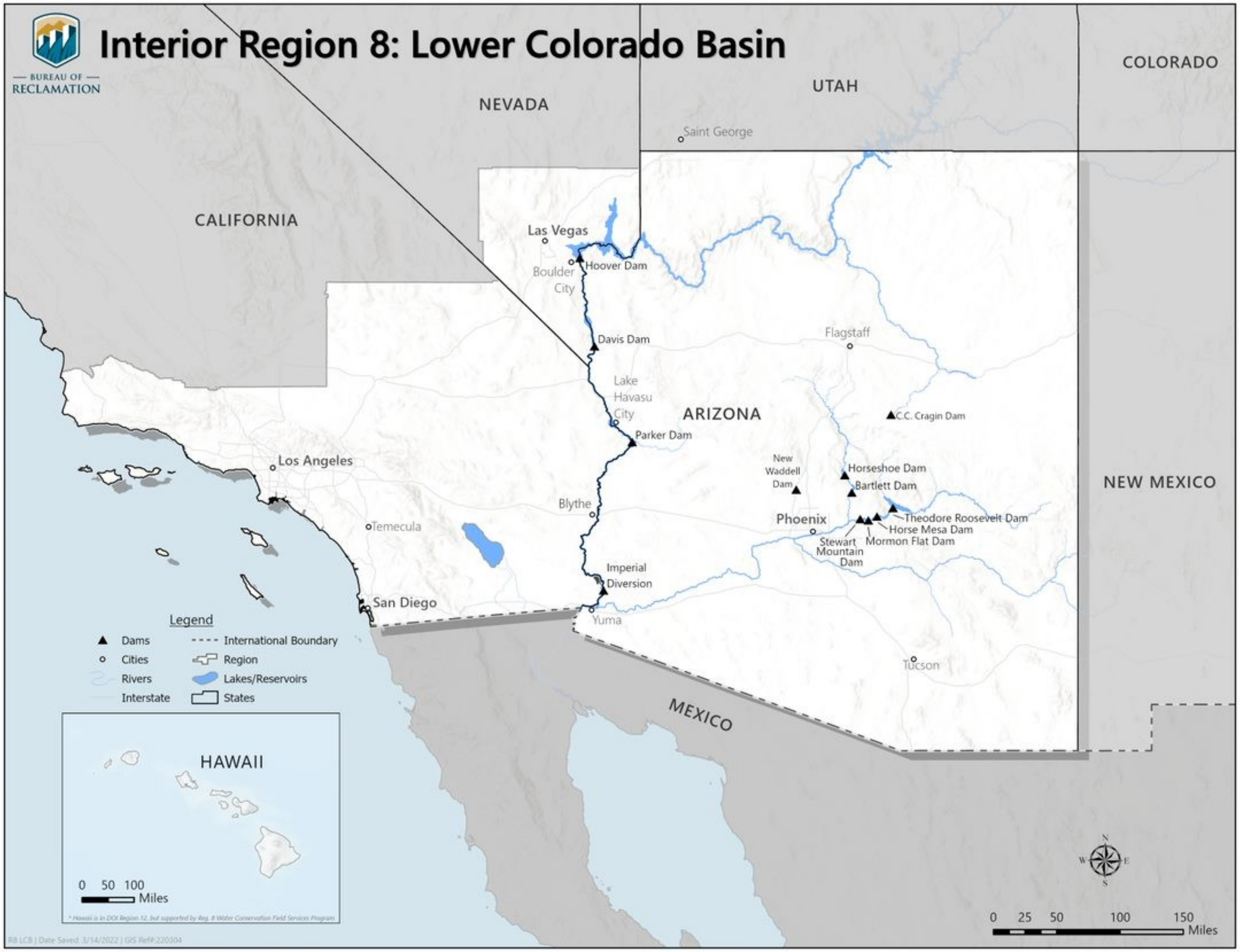

Figure 1 - Area of Consideration for Lower Colorado Basin WCFSP NOFO

A.2. Objective of this Funding Opportunity Announcement

The objective of this NOFO is to invite states, Indian tribes, irrigation districts, water districts, cities and towns, or other organizations with water or power delivery authority located within the LCB to leverage their money and resources by cost-sharing water conservation planning activities with Reclamation to make more efficient use of existing water supplies.

A.3. Statutory Authority

This NOFO is issued under the authority of Section 9504(a) of the Secure Water Act, Subtitle F of Title IX of the Omnibus Public Land Management Act of 2009, Public Law [P.L.] 111-11 (42 United States Code [U.S.C.] 10364).

A.4. Other Related Funding Opportunities

The WaterSMART Small-Scale Water Efficiency Projects (SWEP) program provides cost-shared financial assistance for small-scale water management projects (up to $100,000 in Federal funding for each project) that have been identified through previous planning efforts. Projects eligible for funding include installation of flow measurement or automation in a specific part of a water delivery system, lining of a section of a canal to address seepage, or other similar projects that are limited in scope. Reclamation has also developed a streamlined selection and review process that reflects the small-scale nature of these projects.

The WaterSMART Water and Energy Efficiency Grants program provides cost shared financial assistance for larger water conservation projects (up to $5 million in Federal funding for each project) resulting in quantifiable and sustained water savings.

The WaterSMART Environmental Water Resources Projects program provides cost-shared financial assistance for larger conservation projects (up to $5 million in Federal funding for each project) that result in quantifiable and sustained water savings and benefit ecological values.

The Drought Contingency Planning program provides cost-shared financial assistance to prepare or update a drought contingency plan (up to $200,000 in Federal funding for each project).

The Drought Resiliency Projects program provides cost-shared financial assistance for larger conservation projects (up to $5 million in Federal funding for each project) that increase the reliability of water supplies, improve water management, and mitigate impacts to the environment from drought.

Section B: Award Information

B.1. Total Project Funding

The President's FY 2023 budget request includes $1,659,000 for the WCFSP within the LCB. Reclamation will determine the final amount of funding available for award under this NOFO once final FY 2023 appropriations have been made. Information about FY 2024 funding will be provided when appropriations information is released. The amount of funding available for awards under this NOFO will depend on the demand for funding under this and other components of the LCB WCFSP.

Applications submitted under this NOFO may also be considered for additional funding should it become available in FY 2023 or thereafter.

B.2. Project Funding Limitations

The Federal share (Reclamation's share, in addition to any other sources of Federal funding) for any project shall not exceed 50 percent of the total costs.

A maximum of $100,000 per entity per FY in Federal funding may be allocated to proposals awarded funding under this NOFO. Multiple applications for funding may be submitted for consideration; however, no more than $100,000 per FY will be awarded to any one entity.

B.3. Type of Award

Awards will be made through grants or cooperative agreements, as applicable, to each project. If a cooperative agreement is awarded, the recipient should expect Reclamation to have substantial involvement in the project. Substantial involvement by Reclamation may include:

- Collaboration and participation with the recipient in the management of the project and close oversight of the recipient's activities to ensure that the program objectives are being achieved.
- Oversight may include review, input, and approval at key interim stages of the project.

After award, and upon the request of the recipient, Reclamation can provide technical assistance for the project. If an entity receives Reclamation's assistance, that entity must account for these costs in its budget. To discuss available assistance and these costs, contact the program coordinator identified in *Section G: Agency Contacts*.

Section C: Eligibility Information

C.1. Eligible Applicants

Applicants eligible to receive an award under P.L. 111-11, Sec. 9502 to fund activities include:

- States
- Indian tribes
- Irrigation districts
- Water districts
- Other organizations with water or power delivery authority

In addition, applicants must be located within the LCB or the State of Hawaii, American Samoa, Guam, and the Northern Mariana Islands. Please see the location map in *Section A.1* of this NOFO.

Those not eligible to receive an award include, but are not limited to, the following entities:

- Federal governmental entities
- Institutions of higher education
- Individuals
- 501(c)(6) organizations

C.2. Cost-Sharing Requirements

Applicants must be capable of cost-sharing 50 percent or more of the **total** project costs. Cost-sharing may be made through cash or in-kind contributions or donations from the applicant or third-party partners. Cost-share funding from sources outside the applicant's organization (e.g., loans or state grants) should be secured and available to the applicant prior to award.

Please see *Section D.2.2.8. Funding Plan and Letters of Commitment* for more information regarding the documentation required to verify commitments to meet cost-sharing requirements.

C.2.1. Cost-Share Regulations

All cost-share contributions must meet the applicable administrative and cost principles criteria established in 2 CFR Part 200, available at www.ecfr.gov.

C.2.2. Donations and In-Kind Contributions

Donations and in-kind contributions constitute the value of non-cash contributions that benefit a Federally assisted project. These contributions may be in the form of real property, equipment, supplies, and other expendable property, as well as the value of goods and services (e.g., qualified volunteer labor) directly benefiting and specifically identifiable to the project or program.

The cost or value of donations and in-kind contributions that have been or will be relied on to satisfy a cost-sharing or matching requirement for another Federal financial assistance agreement, a Federal procurement contract, or any other award of Federal funds may not be used to satisfy the cost-share requirement for an award under this NOFO. The exception to this requirement is where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs, such as awards to tribal organizations under P.L. 93-638, as amended.

Applicants should refer to 2 CFR §200.434 for regulations regarding the valuation of in-kind donations and contributions, available at www.ecfr.gov.

C.2.3. Excluded Parties

Reclamation conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. Reclamation 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.

C.3. Eligible Project Types

All proposals will be evaluated against the Evaluation Criteria stated in *Section E* of this NOFO. Projects to be considered should address one of the following task component areas:

C.3.1. Water Management and Conservation Planning

Water management and conservation plans provide entities an opportunity to document data on current water supply and demand, prepare a forecast for future water demands, identify water conservation goals, and determine conservation measures (e.g., cost/pricing of water, water accounting, landscape efficiency, information and education, water use regulation, etc.). This component involves developing a written water management and/or conservation plan.

In accordance with the RRA, water conservation plans are required for entities having a Colorado River water delivery contract with the U.S. within the LCB. The water conservation plan may be modeled after plans described in the Reclamation publications *Achieving Efficient Water Management: A Guidebook for Preparing Municipal Water Conservation Plans,* and *Achieving Efficient Water Management: A Guidebook for Preparing Agricultural Water Conservation Plans*, both available at https://www.usbr.gov/lc/region/g4000/conservation/manuals.html. The proposed planning activity/project should address at least one or more of the planning tasks discussed in these publications and a description of how the environmental compliance questions in *Section D.2.2.5* will be incorporated within the plan.

Please note: Priority is preferentially given to an entity having a water delivery contract in the LCB that is required to develop a water conservation plan. For an applicant existing as a sub-agency under or receiving Colorado River water from a Reclamation water contractor (e.g., The Metropolitan Water District of Southern California, Southern Nevada Water Authority, etc.), the applicant should explain its link to the Reclamation water contractor and its system to receive the maximum amount of points for this section.

C.3.2. System Optimization Review

A System Optimization Review (SOR) is a review of an applicant's water delivery system and processes. The SOR assesses the potential for water management improvements and identifies a plan of action containing recommendations for implementing specific improvements (e.g., SCADA and other automation to reduce specific issues such as spills, over-deliveries, and seepage) that have the potential to enhance water management.

The review may include an analysis of an entire water delivery system, district, watershed, or a portion thereof. SORs are intended to be a broad overview of system-wide efficiency and are not focused entirely on single project-specific planning (e.g., an irrigation district evaluating its delivery system or a municipality or utility performing a system-wide water audit).

SOR activities include:

- Gather information (e.g., surveys, data searches, literature reviews, site visits).
- Identify, describe, and prioritize water management issues.
- Establish goals.
- Identify, evaluate, and prioritize potential improvement projects with the aim to mitigate the identified deficiencies and accomplish targeted goals.
    - The evaluation of improvement projects could consider water management benefits associated with the improvement, and anticipated construction and operating costs (as applicable), as well as environmental, regulatory, cultural, and economic impacts.
    - An effort to better quantify the associated benefits of the proposed improvement projects and eligible subtasks (e.g., soil infiltration tests, required monitoring activities).
    - A description of how the environmental compliance questions in *Section D.2.2.5* will be incorporated within the plan.

If an applicant's previous planning efforts have addressed one or more of the components above, the applicant could seek funding for the remaining components for a complete system analysis. A SOR final report will serve as the final product of the SOR that summarizes the analysis performed.

C.3.3. Designing Water Management Improvements

Upon completion of water management and conservation plans or a SOR, this NOFO provides funding for the design of previously identified water management improvement projects such as pipelines, canal lining, water measurement structures, or other improvement projects that enhance water management. This includes necessary preliminary tasks needed to prepare a design such as surveying, and acquiring pertinent site specific information (e.g., hydraulic head available at site, soil testing, groundwater level). Eligible subtasks under this activity also include peer-review for the design, cost estimate preparation, including cost scoping for regulatory compliance activities (e.g., environmental, cultural), and identification of necessary regulatory requirements (i.e., permits).

Examples of eligible design activities include, but are not limited to:

- Conversion of an open conveyance system (e.g., canal) to a closed conveyance system (e.g., pipeline) resulting in conserved water (i.e., reduced evaporation).
- Lining of a canal with proven materials or technology resulting in conserved water (i.e., reduced/eliminating seepage).
- Weirs, flumes, ramps, and other irrigation flow measurement devices in an open channel.
- Control structures for an irrigation system (e.g., check, drop, or diversion structures).
- Installation of meters within a distribution system resulting in improved water management (i.e., leakage quantification).
- System implementation of SCADA and automation components that result in improved water management (i.e., reduced spills, over-deliveries, and/or seepage).
- Irrigation system regulating reservoirs resulting in improved management of water supply (i.e., reduced spills, more flexibility in water delivery operations, excess water interception at end of system).
- Aquifer storage recovery ponds.
- Water storage ponds.

Land/title acquisition and environmental/cultural resources compliance work are <u>not</u> eligible under this activity.

C.3.4. Demonstrating Conservation Project Technologies

Demonstrating Conservation Project Technologies are activities that include the installation or application of a particular technology in an innovative way, or in a unique setting, with the intent of sharing the results with others for possible adoption. The activity should demonstrate innovative technologies in water conservation that increase technical understanding of unfamiliar water management and practices that have not been previously used locally. Additionally, the development of a demonstration / pilot project can help determine whether it would be cost effective to pursue use of the technology on a broader scale.

The proposed activity/project should not only publicly demonstrate a new or unfamiliar practice; it should also include a process for public outreach or informing interested individuals and organizations about the demonstration's outcome. **In order to qualify as a demonstration project, the applicant must <u>not</u> have conducted any portion of the proposed project or used the technology in the past or plan to conduct a large portion/phase of the project as a demonstration project.** For projects that have been tested in the past but warrant further assessment prior to full-scale implementation, SWEP grants may be an appropriate funding program for this type of project (see posted SWEP NOFO at www.grants.gov).

Please Note: Reclamation recognizes that education is an important part of any water conservation program; however, **no** education activities will be funded until clear authority from Reclamation exists for education grants. Please ensure education activities are not included in the proposal. However, outreach meetings to distribute demonstration findings or provide details to customers about the program rules and guidelines are appropriate.

C.4. Ineligible Projects

Proposals for the development of planning studies are not eligible for funding under this NOFO. This includes proposals for the development of appraisal investigations, feasibility studies, special studies, drought contingency plans, Basin Studies, or studies authorized under the Title XVI Water Recycling and Reuse Program, through P.L.102-575, as amended (43 U.S.C. 390h et seq.), or under the Rural Water Program, pursuant to the Rural Water Supply Act of 2006, P.L.109-451.

Proposals for on-the-ground construction activities are also ineligible for funding under this NOFO, other than proposals for Demonstration Projects.

Projects that are considered normal operations, maintenance and replacement (OM&R) are not eligible under any WaterSMART Program, including this NOFO. OM&R is described as system improvements that replace or repair existing infrastructure or function **without** providing increased efficiency or effectiveness of water distribution over the expected life of the improvement. Examples of ineligible OM&R projects include:

- Replacing malfunctioning components of an existing facility with the same components.
- Improving an existing facility to operate as originally designed.
- Performing an activity on a recurring basis, even if that period is extended (e.g., 10-year interval).
- Sealing expansion joints of concrete lining because the original sealer or the water stops have failed.
- Sealing cracks in canals and/or pipes, including those sealant projects intending to improve facilities with inherent design and construction flaws.
- Replacing broken meters with new meters of the same type.
- Replacing leaky pipes with new pipes of the same type.

Applicants are encouraged to contact the Program Coordinator listed in *Section G: Agency Contacts* prior to the application deadline for further information.

C.5. Length of Projects

Generally, applicants should propose activities/projects that can be completed within 2 years from of the estimated project start date. Any proposal extending a project's completion date beyond 2 years must explain the need for additional time.

Section D: Application and Submission Information

D.1. Address to Request Application Package

This NOFO contains all information required for submission of an application. Required forms may be accessed at https://www.grants.gov/forms/sf-424-family.html.

If you are unable to access this information electronically, you can request paper copies of any of the documents referenced in this NOFO by contacting the Grants Management Specialist **Chandrika Nasstrom**:

By e-mail: cnasstrom@usbr.gov

By telephone: 702-293-8414

D.2. Content and Format of Application

All applications must conform to the requirements set forth below.

D.2.1. Application Format and Length

Use the application checklist (pages ii and iii) and the following list to ensure the application is complete and properly formatted:

- All pages must be consecutively numbered, including tables, appendices, and exhibits.
- The font used should be easy to read and at least 11 point.
- The Technical Proposal shall be limited to no more than 15, one-sided, single-spaced, 8½ by 11-inch pages. Oversized pages will not be accepted.
- Federal forms (SF-424 [used as the cover page], Assurances [SF-424B or SF-424D, as applicable], Budget [SF-424A or SF-424C, as applicable], and Disclosure of Lobbying Activities [SF-LLL]), blank pages, title page, blueprints, appendices, environmental compliance documentation, budget narrative, funding plans, and table of contents pages do not count towards the 15-page limit.

- Do <u>not</u> include a cover letter, organization literature, and/or brochures, nor place the proposal in binder or between plastic covers.

All applications will be prescreened for compliance with the page number limitations. If the Technical Proposal exceeds 15 pages, only the first 15 pages will be evaluated.

D.2.2. Required Application Content

The application <u>must</u> include the following elements to be considered complete:

D.2.2.1. Mandatory Federal Forms

Type of Project	Form Number	Form Name
Management / Conservation Plans Development SOR Design Demonstration Project	SF-424	Application for Federal Assistance
Management / Conservation Plans Development SOR Design Demonstration Project	SF-LLL	Disclosure of Lobbying Activities
Management / Conservation Plans Development SOR Design	SF-424 A	Budget Information (non-construction)
Management / Conservation Plans Development SOR Design	SF 424 B	Assurances (non-construction)
Demonstration Project	SF-424	Budget Information (construction)
Demonstration Project	SF 424 D	Assurances (construction)

The above forms may be obtained at https://www.grants.gov/forms/sf-424-family.html.

D.2.2.2. Title Page

Provide a succinct, informative, and descriptive title for the proposed work indicating the nature of the project. Include the applicant's name and address, as well as the name, address, e-mail address, and telephone number of the project manager. Clearly identify the funding category for the project (i.e., Management / Conservation Plans Development, SOR, Design, or Demonstration Project).

This page does <u>not</u> count toward the 15-page limit.

D.2.2.3. Table of Contents

List all major sections of the technical proposal in the table of contents.

This section does <u>not</u> count toward the 15-page limit.

D.2.2.4. Technical Proposal and Evaluation Criteria

Executive Summary

The Executive Summary should include:

- Submission date, applicant name, city, county, and state.
- A one-paragraph project summary that specifies the work proposed, including how project funds will be used to accomplish specific project activities, and briefly identifies how the proposed project contributes to accomplishing the goals of this NOFO (see *Section C.3. Eligible Project Types*).
- A statement of the estimated length of time and completion date for the project.

Technical Project Description

On a separate line, on the first page of the Technical Proposal, clearly identify which Task Area Component (see *Section E.1.5. Table 2 - Evaluation Categories and Point Distribution*) will be addressed through the proposed activity/project. To ensure the proposal receives the points it merits, applicants are strongly encouraged to explain how the proposed project relates to the Evaluation Criteria outlined in *Section E*.

Do not attempt to address all the criteria. Applicants must select one Task Area Component that most directly applies to the proposed activity/project and address the criteria for that single component. If a project has aspects of more than one area of emphasis, choose the one that best describes the primary purpose of the project.

Briefly discuss the background and location of the applicant's organization. Identify the objective of the proposed project, and identify whether the project is a component of an approved conservation or management plan. Include a map showing the precise location of the proposed project.

Succinctly describe the technical work to be performed. Applicants should divide the proposed work into major tasks/milestones, and discuss the approach and evaluation techniques that will be used to accomplish the work. This discussion should provide sufficient detail to permit a comprehensive evaluation of the proposal and its outcomes. Include engineering plans, designs, and analyses as appendices, as applicable. (Appendices do not count toward the application's 15-page limit.) Multi-year applications should include such information for each year of the proposed activity.

Project Schedule

Provide an anticipated schedule for each milestone (see Table 1) by identifying the anticipated start and end dates of all major stages/tasks/milestones of the proposed project. Explain any variations from proposed start dates shown in *Section E.3.*, under Anticipated Award Date. Multi-year applications should include such information for each year of the proposed activity. Be sure to include any milestones for environmental and cultural reviews, if applicable.

Table 1 - Milestones

Milestone/Task/Activity	Anticipated Award Date	Planned Start Date	Planned Completion Date

Evaluation Criteria

Applicants may wish to 'copy and paste' the Evaluation Criteria and subcriteria listed in *Section E* into their application to ensure all necessary information is adequately addressed and easy to find. As identified above, the applicant should address criteria from a single Task Area Component that best pertains to the proposed project.

The Evaluation Criteria portion of the application should thoroughly address each criterion and sub-criterion listed in the order presented in *Section E* to assist in the complete and accurate evaluation of the proposal.

D.2.2.5. Environmental and Cultural Resources Compliance

To allow Reclamation to assess probable environmental and cultural resources impacts and costs associated with each application, all applicants must respond to the following list of questions focusing on the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and National Historic Preservation Act (NHPA) requirements. If the application is for planning, a SOR, or design, the environmental and cultural questions may not be applicable to that particular effort; however, the applicant should address each question in terms as to how the concerns listed below will be addressed in the scheme of any future projects that may result from the current effort.

Proposals requiring ground-disturbing work must address the questions to the best of the applicants' knowledge. If any question is not applicable to the project, please explain why.

- Will the proposed project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the project area. Also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.
- Are you aware of any species listed or proposed to be listed as Federal threatened or endangered species, or designated critical habitat in the project area? If so, would they be affected by any activities associated with the proposed project?
- Are there wetlands or other surface waters inside the project boundaries that potentially fall under Clean Water Act (CWA) jurisdiction as "Waters of the United States?" If so, please describe and estimate any impacts the proposed project may have.
- When was the water delivery system constructed?
- Will the proposed project result in any modification of, or effects to, individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those

features were constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.

- Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places? A cultural resources specialist at your local Reclamation office or State Historic Preservation Office (SHPO) can assist in answering this question.
- Are there any known archeological sites in the proposed project area?
- Will the proposed project have a disproportionately high and adverse effect on low income or minority populations?
- Will the proposed project limit access to, and ceremonial use of, Indian sacred sites or result in other impacts on tribal lands?
- Will the proposed project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?

Please contact a Reclamation regional or an area office within the LCB (https://www.usbr.gov/lc/region/g4000/wtrconsv.html) with questions regarding ESA compliance, or contact **Ken Isakson** at 702-293-8537 for further information.

Note: If mitigation is required to reduce environmental impacts, the applicant may, at Reclamation's discretion, be required to report on progress and completion of these commitments. Reclamation will coordinate with the applicant to establish reporting requirements and intervals accordingly.

Generally, if a building or structure is 50 years old or older, or if there is any ground disturbance such as could happen with some demonstration projects, assume some environmental compliance costs will be required in the budget. At a minimum, assume at least 2 percent of total cost of the project to cover environmental compliance. This amount can always be removed from the budget should the applicant be selected and compliance is determined not to be needed.

Under no circumstances may an applicant begin any ground-disturbing activities (including grading, clearing, and other preliminary activities) on a project before environmental compliance is complete and the Reclamation Grants Officer provides the recipient a written Notice to Proceed. This pertains to all components of the proposed project, including those that are part of the applicant's non-Federal cost-share. An applicant that proceeds before environmental compliance is complete may risk forfeiting Reclamation funding under this NOFO.

D.2.2.6. Required Permits or Approvals

Applicants must state in the application whether any permits or approvals are required and explain the plan for obtaining such permits or approvals. Recipients shall adhere to Federal, state, territorial, tribal, and local laws, regulations, and codes, as applicable, and shall obtain all required approvals and permits. Recipients shall also coordinate and obtain approvals from site owners and operators.

Note that improvements to Federal facilities that are implemented through any project awarded funding through this NOFO must comply with additional requirements. The Federal government will continue to hold title to the Federal facility and any improvement that is integral to the existing operations of that facility (see P.L. 111-11, Section 9504(a)(3)(B)). Reclamation may also require additional reviews and approvals prior to award to ensure that any necessary easements, land use authorizations, or special permits can be approved consistent with the requirements of 43 CFR Section 429, and that the development will not impact or impair project operations or efficiency.

D.2.2.7. Letters of Support

Include letters from interested stakeholders supporting the proposed project. To ensure the proposal is accurately reviewed, attach all letters of support/partnership as an appendix. (Appendices do not count toward the application's 15-page limit.) Letters of support received after the application deadline for this NOFO will not be included with the application.

D.2.2.8. Project Budget

The project budget must include:

- Funding plan and letters of commitment
- Budget
- Budget narrative

Funding Plan and Letters of Commitment

Describe how the non-Federal share of project costs will be secured. Reclamation will use this information in making a determination of financial capability.

Project funding provided by sources other than the applicant must be supported with letters of commitment from the additional sources. This is a **mandatory requirement**. Letters of commitment **must** identify the following elements:

- The amount of the funding commitment.
- The date the funds will be made available to the applicant.
- Any time constraints on the availability of funds.
- Any other contingencies associated with the funding commitment.

Commitment letters from third party funding sources should be submitted with the project application. If commitment letters are not available at the time of the application submission, please submit the commitment letters to **Chandrika Nasstrom** at the e-mail provided below. Proof of cost-share funding from sources outside the applicant's organization (e.g., loans or state grants), should be secured and available to the applicant prior to award.

By e-mail: cnasstrom@usbr.gov

Reclamation will not make funds available for a financial assistance project until the recipient has secured non-Federal cost-share. Reclamation will execute a financial assistance agreement once non-Federal funding has been secured, or when Reclamation determines there is sufficient evidence and likelihood that non-Federal funds will be available to the applicant subsequent to executing the agreement. **In no case will costs incurred prior to *January 1, 2023*, be considered for cost-share purposes.**

The funding plan must include all project costs, as follows:

- Describe what the applicant will contribute to the cost-share requirement, such as monetary and/or in-kind contributions and/or source funds contributed by the applicant (e.g., reserve account, tax revenue, and/or assessments).
- Describe any in-kind costs incurred before the anticipated project start date sought to be included as project costs.
- Identify what pre-award project expenses have been incurred and describe the amount of the expense. Include the benefit to the project and the date of cost incurrence.
- Provide the identity and amount of funding to be provided by funding partners, and the required letters of commitment.
- Describe any funding requested or received from other Federal partners. Note, other sources of **Federal** funding **may not** be counted towards the 50 percent cost-share unless otherwise allowed by statute.
- Describe any pending funding requests that have not yet been approved, and explain how the project will be affected if such funding is denied.

Please include the following chart (Table 2) to summarize the non-Federal and other Federal funding sources. Denote in-kind contributions with an asterisk (*). Please ensure the total Federal funding (Reclamation and all other Federal sources) does not exceed 50 percent of the total estimated project cost.

Table 2 - Summary of non-Federal and Federal funding sources

Funding sources	Funding amount
Non-Federal entities	
Non-Federal subtotal:	
Other Federal entities	
Other Federal subtotal:	
Requested Reclamation funding:	
Total project funding:	

Budget Format

A budget estimate and budget narrative for your project are required. The information in the budget narrative must correspond to Section B of the SF-424A as shown in Table 3. All budgeted costs, including any costs that will be paid by the applicant or contributed by third-parties, must comply with the cost principles of 2 CFR Part 200, Subpart E - Cost Principles and be:

- Allowable (§ 200.403 Factors affecting allowability of costs),
- Allocable to the agreement (§ 200.405 Allocable costs) and
- Reasonable in amount (§ 200.404 Reasonable costs).

Table 1 - Budget Format

Budget Item	Computation		Quantity Type	Cost
	$/Unit	Quantity		
6a. Personnel				
Employee 1				$
Employee 2				$
			Subtotal	$
6b. Fringe Benefits				
Full-Time Employees				$
Part-Time Employees				$
			Subtotal	$
6c. Travel				
Trip 1				$
Trip 2				$
			Subtotal	$
6d. Equipment				
Item A				$
Item B				$
			Subtotal	$
6e. Supplies				
Item A				$
Item B				$
			Subtotal	$
6f. Contractual				
Contractor A				$
			Subtotal	$
6g. Construction				
				$
			Subtotal	$
6h. Other Direct Costs				
Bureau of Reclamation Environmental and Cultural Compliance (if applicable)				$
Other				
			Subtotal	$
Total Direct Costs				$
Indirect Costs				
Type of rate	percentage	$base		$
TOTAL ESTIMATED PROJECT COSTS				**$**

**Other than personnel and fringe benefits costs, all construction-related costs should be included under Object Class Category 6g., Construction.*

Budget Narrative

A thorough budget narrative will aid the administrative review and processing of a recommended award. Amounts included in a budget and budget narrative are estimates; in the event of an award, payments will be based on actual expenditures. The following is guidance for your use in preparing a thorough budget narrative. The budget narrative provides a discussion of, or explanation for, items included in the above budget items. The guidance follows the order of the budget items. **The Budget Detail and Narrative template (Attachment A)** is a suggested format to present the breakdown of your estimated costs, by category, needed to accomplish project activities. If applicants choose not to use the Attachment A Budget Detail and Narrative template, ensure to provide a thorough written **Budget Narrative per the Budget Narrative Guidance (Attachment B)**.

***Cost-share instructions**: The budget must include at least the minimum Federal to non-Federal required cost-share. Cost-share encompasses all contributions to the project incurred and paid for during the project. This includes payments for personnel, supplies, equipment, activities and items necessary for the project. In-kind cost-share encompasses all third-party contributions to the project that do not involve a payment or reimbursement and represent donated items or services that are necessary to the performance of the project. This includes volunteer personnel hours, donated existing equipment, donated existing supplies, etc.

Environmental and Regulatory Compliance Costs

Applicants must include a line item in their budget to cover environmental and cultural compliance costs. "Environmental compliance costs" refer to costs incurred by Reclamation or the recipient in complying with environmental and cultural regulations applicable to a WCFSP grant, including costs associated with any required documentation of environmental compliance and cultural analyses, permits, or approvals. Applicable Federal environmental and cultural laws could include NEPA, ESA, NHPA, and CWA, and other regulations depending on the project. Such costs may include, but are not limited to:

- The cost incurred by Reclamation, the recipient, or a consultant to prepare any necessary environmental and cultural compliance documents or reports.
- The cost incurred by Reclamation to determine the level of environmental and cultural compliance required for the project.
- The cost incurred by Reclamation to review any environmental and cultural compliance documents prepared by a consultant.
- The cost incurred by the recipient in acquiring any required approvals or permits, or in implementing any required mitigation measures.

The amount of the line item should be based on the actual expected environmental compliance costs for this project. If performing nonground-disturbing work, such as planning, SOR, or design, the budget for environmental compliance will be minimal. However, it is necessary to address this section in terms of how it will be applied in the pre-project documentation and include environmental compliance cost for staff to evaluate what environmental compliance work needs to be completed in the project or program being designed. The minimum amount budgeted for environmental compliance should be equal to at least 2 percent of the total project costs for demonstration projects. If the amount budgeted is less than 2 percent of the total project costs, a compelling explanation of why less than 2 percent was budgeted must be included.

How environmental compliance activities will be performed (e.g., by Reclamation, the applicant, or a consultant) and how the environmental compliance funds will be spent, will be determined pursuant to subsequent agreement between Reclamation and the applicant. If any portion of the funds budgeted for environmental compliance is not required for compliance activities, such funds may be reallocated to the project as appropriate.

D.3. Unique Entity Identifier and System for Award Management (SAM)

All applicants (unless the applicant has an exception approved by Reclamation under 2 CFR §25.110[d]) are **required** to:

- Be registered in SAM before submitting an application. Instructions for registering for SAM are located at https://sam.gov/content/home.
- Provide a valid unique entity identifier (UEI) in its application. A UEI will be assigned to entities upon registering with SAM.gov.
- Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

The applicant must meet the mandatory requirements stated above. If the applicant is unable to complete registration by the application deadline, the UEI must be obtained and SAM registration must be initiated within 30 days after the application deadline in order to be considered for selection and award. Reclamation will not award a grant to an applicant until the applicant has complied with all applicable UEI and SAM requirements. If an applicant has not fully complied with the requirements by the time Reclamation is ready to award the grant, Reclamation may determine the applicant is not qualified to receive a Federal award and use that determination as a basis for awarding to another applicant.

To register on the SAM.gov website, the "help" tab contains User Guides and other information to assist with registration. The Grants.gov 'Register with SAM page also provides detailed instructions. You can also contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, 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 to the entity's IRS information. Please note: **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.**

D.4. Instructions for Submission of Application

D.4.1. Submission Date and Time

Proposals will be accepted, evaluated, and selected on a rolling-basis until the final application submission deadline. There will be three closing dates. The first due date for applications is November 18, 2022, for FY 2023, ***the second due date for applications is June 1, 2023, for FY2023*** and the third and final closing date for this NOFO is October 13, 2023, for FY 2024.

Proposals received after the application deadline will not be considered unless it can be determined that the delay was caused by Federal government mishandling or technical issues with the Grants.gov application system. Please note that difficulties related to an applicant's Grants.gov profile (e.g., incorrect organizational representative), uploading documents to Grants.gov, or an applicant's SAM registration are not considered technical issues with the Grants.gov system.

Please note: Any application submitted to Reclamation for assistance funding may be subjected to a Freedom of Information Act request (5 U.S.C. § 552, as amended by P.L. 110-175), and may be made publicly available on Reclamation's website. Following funding awards, Reclamation may post all successful applications on the Reclamation website, after any redactions determined necessary by Reclamation, in consultation with the recipient.

D.4.2. Application Instructions

Applications should only be electronically submitted through Grants.gov (www.grants.gov). Under no circumstances will applications received through any other method (such as mail, e-mail or fax) be considered eligible for award.

D.4.2.1. Application Submission

Electronic applications should be submitted through Grants.gov (www.grants.gov). Resources and instructions for submitting applications are available at: http://www.grants.gov/applicants/apply-for-grants.html.

- Please note: Submission of an application electronically requires prior registration through Grants.gov and may take up to 7 to 21 days to complete. The Grants.gov system only accepts applications submitted by individuals registered and active in SAM as both a user and an authorized organizational representative.
- Occasionally, applicants may experience delays when attempting to submit applications through Grants.gov. If an applicant plans to submit their application through Grants.gov, it is encouraged to submit the application several days prior to the application deadline. If the applicant is properly registered in Grants.gov and encounters problems with the Grants.gov application submission process, the applicant must contact the Grants.gov Help Desk to obtain a case number. This case number will provide evidence of the applicant's attempt to submit an application prior to the submission deadline.
- Therefore, it is advised that, once applicant submit a proposal via www.grants.gov **electronic filing, they should also notify Reclamation by sending an email to Chandrika Nasstrom**, Grants Management Specialist, **at** cnasstrom@usbr.gov**, so the**

proposal is not inadvertently overlooked. An e-mail to Ms. Nasstrom does not serve as submission of the application; the applicant should check for a receipt e-mail from Grants.gov to ensure the proposal has been received by Reclamation on or before the due date.

The applicant must ensure that its proposal arrives by the date and time deadline stated in this NOFO regardless of the delivery method used. Applications received after this date and time will not be considered for award. Late applications will not be considered unless it is determined that the delay was caused by a problem with the Grants.gov application system.

D.4.2.2. Acknowledgement of Application Receipt

Applicants will receive an e-mail acknowledging receipt of the application from Grants.gov. In addition, Reclamation will notify the applicant in writing whether the application was successfully downloaded from Grants.gov. Notification will be sent to the points of contact identified on the applicant's SF-424 Application for Federal Assistance.

D.5. Intergovernmental Review

This NOFO is subject to Executive Order 12372, "Intergovernmental Review of Federal Programs." A list of States that have elected to participate in the intergovernmental review process can be found at https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf. Applicants in these states must contact their state's Single Point of Contact (SPOC) (also listed in this website) to learn about and comply with the State's process under Executive Order 12372.

D.6. Funding Restrictions: Pre-award Costs

Project pre-award costs that have been incurred prior to the date of award may be submitted for consideration as an allowable reimbursable expense. **In no case will any costs incurred prior to *January 1, 2023*, be considered for cost-share purposes.** Please clearly identify and include the request for pre-award costs in the proposal.

Examples of pre-award costs are design or construction plans and environmental compliance costs directly related to the proposed project. Reclamation will review the proposed pre-award costs to determine if they are allowable in accordance with the authorizing legislation and applicable cost principles. To be considered allowable, any pre-award costs proposed for consideration under the new awards must comply with **all** applicable requirements under this NOFO.

D.7. Automated Standard Application for Payments (ASAP) Registration

All applicants must register with the Department of Treasury's ASAP system (https://www.fiscal.treasury.gov/ASAP/) which is used to process all payments. All recipients with active financial assistance agreements with Reclamation must be enrolled in ASAP under the appropriate Agency Location Code(s) and UEI (SAM.gov) prior to the awarding of funds.

If a recipient has multiple UEIs, they must separately enroll within ASAP for each UEI and/or Agency. All the information on the enrollment process for recipients, including the enrollment initiation form, will be sent to the recipients selected for award.

Please Note: If an entity is currently enrolled in the ASAP system with an agency other than Reclamation, the entity must enroll specifically with Reclamation in order to process payments.

Section E: Application Review Information

E.1. Technical Proposal: Evaluation Criteria

The evaluation criteria should be addressed in the technical proposal section of the application. Applications should thoroughly address each criterion and any subcriterion in the order presented below. **All applications will be evaluated and selected on a competitive basis against the evaluation criteria listed below.** (Note: it is suggested that applicants 'copy and paste' the below criteria and subcriteria into their applications to ensure all necessary information is adequately addressed). See Table 4 in *Section E.1.5.* below for a comparison of point values.
In order to evaluate the proposal, the applicant must identify the Task Area Component (listed in the bullets below) for the proposed activity/project. If there is more than one type of Task Area Component in the proposed work, please select the **primary** Component related to the activity/project. See *Section C.3. Eligible Project Types* for more information on these Task Area Components.

E.1.1. Water Management Planning – 100 Points Available

- **Association with Reclamation project water supplies** – Describe the applicant's relationship with Reclamation projects and whether a water management plan is required by RRA. Priority is given to water user entities that receive water supplies from Reclamation projects or have water contracts with Reclamation. The applicant should explain its relationship to a Reclamation project activity and specify Reclamation's water supply contract number, if applicable. **(up to 35 points)**

- **Reasonableness of cost** – The proposal provides sufficient detail and justification to show that the costs match the technical aspects of the project. The budget must be sufficiently detailed, realistic, and commensurate to support the estimated costs associated with the proposed work in the specified time frame. The criterion also evaluates whether the proposed costs are reasonable, allocable, and appropriate for the work proposed. **(up to 5 points)**

- **Extent to which the completed activity will improve the applicant's ability to modernize their existing water delivery infrastructure** – The proposal demonstrates that the applicant will be better situated to modernize its existing water delivery infrastructure upon completion of a water management and conservation planning activity. **(up to 25 points)**

- **Extent to which Federal funding would promote completion of an activity that might otherwise be delayed or postponed** – The proposal demonstrates the requested Federal funding would promote completion of the project that otherwise would be delayed or postponed. **(up to 15 points)**

- **Amount and sources of non-Federal funding above and beyond the required 50 percent cost-share** – The proposal discusses the recipient's cost-share percentage for its non-Federal funding or in-kind services, and describes the status of securing the cost-share funds. The applicant's proposal shall include a funding plan that describes how the non-Federal share of the activity/project costs has been obtained. Reclamation will use this information in making a determination of financial capability. **(up to 5 points)**

- **Environmental Compliance** – A description of how the environmental compliance questions in *Section D.2.2.5* will be incorporated within the plan. **(up to 5 points)**

- **Department of the Interior and Bureau of Reclamation priorities** – The proposal demonstrates that the project supports DOI and Reclamation priorities (ref. Executive Orders 13985, 14002, 14005, 14008). Please address only the priorities that are applicable to the project; it is <u>not</u> necessary to address all priorities. A project will not necessarily receive more points simply because multiple priorities are addressed. Points will be allocated based on the degree to which the project supports one or more of the priorities listed, and whether the connection to the priority(ies) is well supported in the proposal. **(up to 10 points)**

  <u>Department of the Interior Priorities</u>

  - Identify steps to accelerate responsible development of renewable energy on public lands and waters.
  - Strengthen the government-to-government relationship with sovereign Tribal Nations.
  - Make investments to support the Administration's goal of creating millions of family-supporting and union jobs.
  - Work to conserve at least 30% each of our lands and waters by the year 2030.
  - Center equity and environmental justice.

  <u>Bureau of Reclamation Priorities</u>

  - Ensure the continued delivery of water and power benefits in conformity with contracts, statutes, and agreements.
  - Operate and maintain projects in a safe and reliable manner, protecting the health and safety of the public and Reclamation employees, and improve financial accountability and transparency to our contractors.
  - Honor State water rights, interstate compacts, contracts with Reclamation users, further the Secretary of the Interior's Indian Trust responsibilities, and comply with all environmental statutes.

- Plan for the future using programs that focus Reclamation's financial and technical resources on areas in the West where conflict over water either currently exists or is likely to occur in the coming years.
- Enhance the business operations of Reclamation in accord with the Managing for Excellence initiative.

E.1.2. SOR – 100 Points Available

- **Association with Reclamation project water supplies** – The proposal demonstrates a nexus between the proposed project and a Reclamation project. The proposal should explain the applicant's relationship with any Reclamation project. Priority is given to water user entities that receive water supplies from Reclamation projects or have water contracts with Reclamation. The applicant should explain its relationship to a Reclamation project activity and specify Reclamation's water supply contract number, if applicable. **(up to 25 points)**

- **Extent to which applicant's Water Management Plan is complete and updated** – The applicant has provided sufficient justification that a required (e.g., RRA, state law) water management plan is complete and has been updated within the past five (5) years. If an applicant is not required to have a plan in place, then an applicant will describe the absence of a statutory or regulatory requirement. **(up to 5 points)**

- **Reasonableness of cost** – The proposal provides sufficient detail and justification to show that the costs match the technical aspects of the project. The budget must be sufficiently detailed, realistic, and commensurate to support the estimated costs associated with the proposed work in the specified timeframe. The criterion also evaluates whether the proposed costs are reasonable, allocable, and appropriate for the work proposed. **(up to 5 points)**

- **Extent to which the proposed analysis is expected to result in an action plan that will improve water conservation and water use efficiency, and lead to modernized water delivery infrastructure** – The proposal demonstrates a developed and well-defined methodology positioning the applicant to be better situated to modernize their existing water delivery infrastructure upon completion of the SOR. **(up to 25 points)**

- **Extent to which the SOR is likely to address water resources challenges** – The proposal demonstrates the project would address current water resource challenges (e.g., specific local concerns, over-allocated supplies, adjudicated basin, endangered species requirements). **(up to 10 points)**

- **Extent to which Federal funding would promote completion of an activity that might otherwise be delayed or postponed** – The proposal demonstrates that requested Federal funding would promote completion of the project that otherwise would be delayed or postponed. **(up to 10 points)**

- **The amount and sources of non-Federal funding above and beyond the required 50 percent cost-share** – The proposal discusses the recipient's cost-share percentage for its non-Federal funding or in-kind services and whether the cost-share funds are secured. The applicant's proposal must include a funding plan that describes how the non-Federal share of the activity/project costs has been obtained. Reclamation will use this information in determining financial capability. **(up to 5 points)**

- **Environmental compliance** – The proposal addresses the environmental and cultural resources questions in *Section D.2.2.5* and includes them in the SOR strategy. Environmental compliance costs are included in the budget. **(up to 5 points)**

- **Department of the Interior and Bureau of Reclamation Priorities** – The proposal demonstrates that the project supports DOI and Reclamation priorities (ref. Executive Orders 13985, 14002, 14005, 14008). Please address only the priorities that are applicable to the project; it is <u>not</u> necessary to address all priorities. A project will not necessarily receive more points simply because multiple priorities are addressed. Points will be allocated based on the degree to which the project supports one or more of the priorities listed, and whether the connection to the priority(ies) is well supported in the proposal. **(up to 10 points)**

<u>Department of the Interior Priorities</u>

- Identify steps to accelerate responsible development of renewable energy on public lands and waters.
- Strengthen the government-to-government relationship with sovereign Tribal Nations.
- Make investments to support the Administration's goal of creating millions of family-supporting and union jobs.
- Work to conserve at least 30% each of our lands and waters by the year 2030.
- Center equity and environmental justice.

<u>Bureau of Reclamation Priorities</u>

- Ensure the continued delivery of water and power benefits in conformity with contracts, statutes, and agreements.
- Operate and maintain projects in a safe and reliable manner, protecting the health and safety of the public and Reclamation employees, and improve financial accountability and transparency to our contractors.
- Honor State water rights, interstate compacts, contracts with Reclamation users, further the Secretary of the Interior's Indian Trust responsibilities, and comply with all environmental statutes.
- Plan for the future using programs that focus Reclamation's financial and technical resources on areas in the West where conflict over water either currently exists or is likely to occur in the coming years.

- Enhance the business operations of Reclamation in accord with the Managing for Excellence initiative.

E.1.3. Designing Water Management Improvements – 100 Points Available

- **Association with Reclamation project water supplies** - The proposal demonstrates a nexus between the proposed project and a Reclamation project. The proposal should explain the applicant's relationship with any Reclamation project. Priority is given to water user entities that receive water supplies from Reclamation projects or have water contracts with Reclamation. The applicant should explain its tie to a Reclamation project activity and specify Reclamation's water supply contract number, if applicable. **(up to 25 points)**

- **Extent to which applicant's Water Management Plan is complete and updated** – The applicant has provided justification that a required (e.g., RRA, state law) water management plan is complete and has been updated within the past five (5) years. If an applicant is not required to have a plan in place, then an applicant will describe the absence of a statutory or regulatory requirement. **(up to 5 points)**

- **Reasonableness of cost** – The proposal provides detail and justification to show that the costs match the technical aspects of the project. Namely, the budget is sufficiently detailed, realistic, and commensurate to support the estimated costs associated with the proposed work in the specified time frame. The criterion also evaluates whether the proposed costs are reasonable, allocable, and appropriate for the work proposed. **(up to 5 points)**

- **Extent to which the proposed activity will result in the applicant to be better suited to implement a project expected to improve water management and modernize existing water delivery infrastructure** – The proposal demonstrates that the proposed water management project will position the applicant to be better situated to modernize their existing water delivery infrastructure and improve water management upon completion of the design and implementation of the project. **(up to 20 points)**

- **Extent to which Federal funding would promote completion of an activity that might otherwise be delayed or postponed** – The proposal demonstrates that the requested Federal funding would promote completion of the project that otherwise would be delayed or postponed. **(up to 10 points)**

- **Amount and sources of non-Federal funding above and beyond the required 50 percent cost-share** – The proposal discusses the recipient's cost-share percentage for its non-Federal funding or in-kind services and whether the cost-share funds are secured. The applicant's proposal shall include a funding plan that describes how the non-Federal share of the activity/project costs has been obtained. Reclamation will use this information in making a determination of financial capability. **(up to 5 points)**

- **Extent to which the proposed design is related to a water management improvement project identified in a previous planning effort led by the applicant** – The proposal describes the development of a design related to a project identified in a previous planning effort (e.g., Water Management and Conservation Plan, SOR). **(up to 15 points)**

- **Environmental Compliance** – The extent that environmental and cultural resources questions in *Section D.2.2.5* are part of the strategy to be incorporated into the design project. Environmental compliance costs are included in the budget. **(up to 5 points)**

- **Department of the Interior and Bureau of Reclamation Priorities** – The proposal demonstrates that the project supports DOI and Reclamation priorities (ref. Executive Orders 13985, 14002, 14005, 14008). Please address only the priorities that are applicable to the project; it is <u>not</u> necessary to address all priorities. A project will not necessarily receive more points simply because multiple priorities are addressed. Points will be allocated based on the degree to which the project supports one or more of the priorities listed, and whether the connection to the priority(ies) is well supported in the proposal. **(up to 10 points)**

  <u>Department of the Interior Priorities</u>

    - Identify steps to accelerate responsible development of renewable energy on public lands and waters.
    - Strengthen the government-to-government relationship with sovereign Tribal Nations.
    - Make investments to support the Administration's goal of creating millions of family-supporting and union jobs.
    - Work to conserve at least 30% each of our lands and waters by the year 2030.
    - Center equity and environmental justice.

  <u>Bureau of Reclamation Priorities</u>

    - Ensure the continued delivery of water and power benefits in conformity with contracts, statutes, and agreements.
    - Operate and maintain projects in a safe and reliable manner, protecting the health and safety of the public and Reclamation employees, and improve financial accountability and transparency to our contractors.
    - Honor State water rights, interstate compacts, contracts with Reclamation users, further the Secretary of the Interior's Indian Trust responsibilities, and comply with all environmental statutes.

- Plan for the future using programs that focus Reclamation's financial and technical resources on areas in the West where conflict over water either currently exists or is likely to occur in the coming years.
- Enhance the business operations of Reclamation in accord with the Managing for Excellence initiative.

E.1.4. Demonstrating Conservation Project Technologies – 100 Points Available

- **Association with Reclamation project water supplies** – The proposal demonstrates a nexus between the proposed project and a Reclamation project. The proposal should explain the applicant's relationship with any Reclamation project. Priority is given to water user entities that receive water supplies from Reclamation projects or have water contracts with Reclamation. The applicant should explain its relationship to a Reclamation project activity and specify Reclamation's water supply contract number, if applicable. **(up to 25 points)**

- **The extent to which applicant's Water Management Plan is complete and updated** – The applicant has provided justification that a required (e.g., RRA, state law) water management plan is complete and updated within the past five (5) years. If an applicant is not required to have a plan in place, then an applicant will describe the absence of a statutory or regulatory requirement. **(up to 5 points)**

- **Reasonableness of cost** – The proposal provides detail and justification to show that the costs match the technical aspects of the project. Namely, the budget is sufficiently detailed, realistic, and commensurate to support the estimated costs associated with the proposed work in the specified time frame. The criterion also evaluates whether the proposed costs are reasonable, allocable, and appropriate for the work proposed. **(up to 5 points)**

- **The extent to which Federal funding would promote completion of an activity that might otherwise be delayed or postponed –** The proposal demonstrates that the requested Federal funding would promote completion of the project that otherwise would be delayed or postponed. **(up to 10 points)**

- **The amount and sources of non-Federal funding above and beyond the required 50 percent cost-share** – The proposal discusses the recipient's cost-share percentage for its non-Federal funding or in-kind services and whether the cost-share funds are secured. The applicant's proposal shall include a funding plan that describes how the non-Federal share of the activity/project costs has been obtained. Reclamation will use this information in making a determination of financial capability. **(up to 5 points)**

- **Extent to which the proposal describes a sound implementation strategy, including addressing questions and methodology for discovering outcomes** – The proposal describes an implementation plan identifying key resources (e.g., technical expertise, equipment) and the necessary steps for successful demonstration of the conservation technology. The proposal should provide information about how the results from the demonstration project will be used, such as whether it will be expanded to a larger project, if the results are positive. Describe in detail how the findings and benefits will be applied to improve water efficiencies. Explain ways that the project is anticipated to save or better manage water. **(up to 10 points)**

- **The applicant's strategy for monitoring performance and reporting and disseminating results** – The applicant has described a strategy to evaluate and assess the results from the demonstration project, and makes that information available to the larger, interested community. The applicant should describe interested stakeholders of the conservation technology, immediate beneficiaries, and the strategy of engaging and informing these interested parties on the methodology/process and ultimate results. **(up to 10 points)**

- **The extent to which the proposed activity will demonstrate innovative conservation technologies for improving water use efficiency** – The applicant has described the innovative conservation technology including applied research to benefit the development of new technologies; demonstration of a specific conservation technology; or innovative application of an existing technology with the intent of evaluating results. The applicant should describe how this innovative technology is expected to improve water efficiency. **(up to 15 points)**

- **The likelihood that any environmental and cultural resources issues associated with the proposal can be addressed at low cost and completed in a timely manner** – The proposal describes an implementation plan that addresses mitigating environmental and cultural resources issues in a low cost and timely manner. The environmental compliance questions in *Section D.2.2.5* must be addressed. Environmental compliance costs are included in the budget. **(up to 5 points)**

- **Department of the Interior and Bureau of Reclamation Priorities** – The proposal demonstrates that the project supports DOI and Reclamation priorities (ref. Executive Orders 13985, 14002, 14005, 14008). Please address only the priorities that are applicable to the project; it is not necessary to address all priorities. A project will not necessarily receive more points simply because multiple priorities are addressed. Points will be allocated based on the degree to which the project supports one or more of the priorities listed, and whether the connection to the priority(ies) is well supported in the proposal. **(up to 10 points)**

  Department of the Interior Priorities

    - Identify steps to accelerate responsible development of renewable energy on public lands and waters.
    - Strengthen the government-to-government relationship with sovereign Tribal Nations.
    - Make investments to support the Administration's goal of creating millions of family-supporting and union jobs.

- Work to conserve at least 30% each of our lands and waters by the year 2030.
- Center equity and environmental justice.

Bureau of Reclamation Priorities

- Ensure the continued delivery of water and power benefits in conformity with contracts, statutes, and agreements.
- Operate and maintain projects in a safe and reliable manner, protecting the health and safety of the public and Reclamation employees, and improve financial accountability and transparency to our contractors.
- Honor State water rights, interstate compacts, contracts with Reclamation users, further the Secretary of the Interior's Indian Trust responsibilities, and comply with all environmental statutes.
- Plan for the future using programs that focus Reclamation's financial and technical resources on areas in the West where conflict over water either currently exists or is likely to occur in the coming years.
- Enhance the business operations of Reclamation in accord with the Managing for Excellence initiative.

E.1.5. Evaluation Categories and Point Distribution

Table 4 - Task Area Components and Point Distribution

Task Area Components	Planning (see E.1.1.)	SOR (See E.1.2)	Design (See E.1.3)	Demonstration (See E.1.4)
Category	**Possible Points**	**Possible Points**	**Possible Points**	**Possible Points**
Reclamation project water supplies	35	25	25	25
Water Conservation Plan	-	5	5	5
Reasonableness of cost	5	5	5	5
Improve and modernize infrastructure	25	25	20	-
Likely to address water resources challenges	-	10	-	-
Promote completion of an activity that might otherwise be delayed or postponed	15	10	10	10
Recipient's cost-share/in-kind Services	5	5	5	5
Sound implementation strategy	-	-	-	10

Task Area Components	Planning (see E.1.1.)	SOR (See E.1.2)	Design (See E.1.3)	Demonstration (See E.1.4)
Category	**Possible Points**	**Possible Points**	**Possible Points**	**Possible Points**
Monitoring and disseminating results	-	-	-	10
Proposed design identified in previous planning effort	-	-	15	-
Demonstrate innovative conservation technologies	-	-	-	15
Environmental Compliance included in budget and addressed in the plan or design	5	5	5	5
Department of the Interior and Bureau of Reclamation priorities	10	10	10	10
Total	100	100	100	100

E.2. Review and Selection Process

Reclamation reserves the right to reject any and all applications that do not meet the requirements of this NOFO or are outside the scope of WCFSP grants. Awards will be made for projects most advantageous to the Government. Award selection may be made to maintain balance among the program tasks listed in *Section C.3. Eligible Project Types*. The evaluation process will be comprised of the steps described in the following subsections.

E.2.1. Initial Screening

All applications will be screened to ensure that:

- The applicant meets the eligibility requirements stated in this NOFO.
- The applicant meets the UEI and SAM registration requirements stated in this NOFO (this may be completed up to 30 days after the application deadline).
- The application meets the content requirements of the NOFO package, including submission of technical and budget proposals, a funding plan, letter(s) of commitment, and related forms.
- The application contains properly executed application documents as outlined in *Section D.2.2.1. Mandatory Federal Forms.*
- The application and funding plan meet or exceed the minimum non-Federal cost-share requirements identified in this NOFO.

Note: Reclamation reserves the right to remove an application from funding consideration if it does not pass all initial screening criteria listed above. An applicant that has submitted an application that is determined to be ineligible for funding will be notified as soon as practicable.

E.2.2. Application Review Committee Review

Evaluation criteria will comprise the total evaluation weight as stated in *Section E. Application Review Information*. Applications will be scored against the evaluation criteria by an Application Review Committee (ARC), made up of experts in relevant disciplines selected from across Reclamation's LCB. The ARC will also review each application to ensure the proposed project meets the description of eligible projects and meets the objective of this NOFO.

As necessary during an ARC review, Reclamation may contact applicants to request clarification to the information provided.

E.2.3. Red-Flag Review

Following the results of the ARC review, Reclamation will review the top-ranking applications and identify any reasons why a proposed project would not be feasible or otherwise advisable, including issues related to environmental or cultural resources compliance, permitting, legalities, or financial position. Positive or negative past performance by the applicant and any partners in previous working relationships with Reclamation may be considered, including whether the applicant is making significant progress toward the completion of outstanding financial assistance agreements and whether the applicant is in compliance with all reporting requirements associated with previously funded projects. In addition, during this review, Reclamation will address any specific concerns or questions raised by the ARC.

E.2.4. Managerial Review

Reclamation management will prioritize projects to ensure the total amount of all awards does not exceed available funding levels. Management will also ensure all projects meet the scope, priorities, and requirements of this NOFO and the WCFSP. Management may also prioritize projects to ensure that multiple project types are represented and that if possible, there is at least one project is funded in each area office's geographic area of responsibility.

E.2.5. Pre-Award Clearances and Approvals

After completion of the managerial review, Reclamation will notify applicants whose proposals have been selected for award consideration and will forward their applications to the appropriate Reclamation region or area office for completion of environmental compliance.

Reclamation will also complete a business evaluation and responsibility determination. During these evaluations, the Grants Officer will also consider several factors that are important, but not necessarily quantified, such as:

- Allowability, allocability, and reasonableness of proposed costs.

- Financial strength and stability of the applicant.

- Past performance, including satisfactory compliance with all terms and conditions of previous awards, such as environmental compliance issues, reporting requirements, proper procurement of supplies and services, and audit compliance.

- Adequacy of personnel practices, procurement procedures, and accounting policies and procedures, as established by applicable Office of Management and Budget circulars.

If the results of all pre-award reviews and clearances are satisfactory, an funding award will usually be made within three months from the date of the initial selection. If the results of pre-award reviews and clearances are unsatisfactory, consideration of funding for the project may be withdrawn.

E.3. Anticipated Announcement and Award Date

Reclamation will accept proposals on a continuous basis until the final closing date for this announcement; therefore, it is not possible to establish a fixed award date. Reclamation will complete proposal review and evaluations as soon as practicable after proposals are submitted.

The tentative selection and announcement timeframe will be 60 days after each closing period.

Financial assistance agreements will be awarded to applicants that successfully pass all pre-award reviews and clearances, usually within three months after the selection and announcement.

Section F: Federal Award Administration Information

F.1. Federal Award Notices

Successful applicants will receive, by email, a notice of award. This notice is not an authorization to begin performance.

F.2. Administrative and National Policy Requirements

F.2.1 Environmental and Cultural Resources Compliance

All projects being considered for award funding will require compliance with NEPA before any ground-disturbing activity may begin. Compliance with all applicable state, Federal and local environmental, cultural, and paleontological resource protection laws and regulations is also required. These may include, but are not limited to, the CWA, ESA, NHPA, consultation with potentially affected tribes, and consultation with SHPO.

Reclamation will be the lead Federal agency for NEPA compliance and will be responsible for evaluating technical information and ensuring that natural resources, cultural, and socioeconomic concerns are appropriately addressed. Reclamation is solely responsible for determining the appropriate level of NEPA compliance. Furthermore, Reclamation is responsible to ensure that findings under NEPA, and consultations, as appropriate, will support Reclamation's decision on whether to fund a project. Environmental and cultural resources compliance costs are considered project costs and will be considered in the ranking of applications.

Under no circumstances may an applicant begin any ground-disturbing activities (e.g., grading, clearing, and other preliminary activities) on a project before environmental and cultural resources compliance is complete and Reclamation explicitly authorizes work to proceed. This pertains to all components of the proposed project, including those that are part of the applicant's non-Federal cost-share. Reclamation will provide a successful applicant with information once such compliance is complete. An applicant that proceeds before environmental and cultural resources compliance is complete may risk forfeiting Reclamation funding under this NOFO.

F.2.2. Title to Improvements (P.L. 111-11, Section 9504(a)(3)(D))

If the activities funded through an agreement awarded under this NOFO result in a modification to a portion of a Federally owned facility that is integral to the existing operations of that facility, the Federal government shall continue to hold title to the facility and the improvements thereto. Title to improvements that are not integral to existing water delivery operations shall reside with the project sponsor.

F.2.3. Liability under P.L. 111-11, Section 9504(a)(3)(F)

In General

Except as provided under Chapter 171 of Title 28, U.S.C. (commonly known as the "Federal Tort Claims Act"), the United States shall not be liable for monetary damages of any kind for any injury arising out of an act, omission, or occurrence that arises in relation to any facility created or improved through an agreement awarded under this NOFO, the title of which is not held by the United States.

Tort Claims Act

Nothing in this section increases the liability of the United States beyond that provided in "Federal Tort Claims Act."

F.2.3. Requirements for Agricultural Operations under P.L. 111-11, Section 9504(a)(3)(B)

In accordance with Section 9504(a)(3)(B) of P.L. 111-11, grants and cooperative agreements under this authority will not be awarded for an improvement to conserve irrigation water unless the applicant agrees to both of the following conditions:

- Not to use any associated water savings to increase the total irrigated acreage of the eligible applicant.
- Not to otherwise increase the consumptive use of water in the operation of the eligible applicant, as determined pursuant to the law of the State in which the operation of the eligible applicant is located.

F.2.4. Application of Buy America Preference

Buy America Domestic Procurement Preference

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

Recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. All iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit www.doi.gov/grants/BuyAmerica. Additional information can also be found at the White House Made in America Office website: www.whitehouse.gov/omb/management/made-in-america/.

Waivers

When necessary, recipients may apply for, and the Department of the Interior (DOI) may grant, a waiver from these requirements, subject to review by the Made in America Office. The DOI may waive the application of the domestic content procurement preference in any case in which it is determined that one of the below circumstances applies:

1. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;
2. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or
3. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at: www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers. If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the criteria of an existing general applicability waiver within the limitations defined within the waiver, the recipient is not required to request a separate waiver for non-domestic materials.

If a general applicability waiver does not already apply, and a recipient believes that one of the above circumstances applies to an award, a request to waive the application of the domestic content procurement preference may be submitted to the financial assistance awarding officer in writing. Waiver requests shall include the below information. The waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver request. Waiver requests will be posted to www.doi.gov/grants/buyamerica and are subject to public comment periods of no less than 15 days. Waiver requests will also be reviewed by the Made in America Office.

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity and Unique Entity Identifier (UEI) submitting the request.
3. Department of the Interior Bureau or Office that issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).
7. Federal funding amount (reference block 11.m. on DOI Notice of Award).
8. Total cost of infrastructure expenditures (includes Federal and non-Federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).

10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant PSC or NAICS code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.
13. Anticipated impact if no waiver is issued.

Approved waivers will be posted at www.doi.gov/grants/BuyAmerica/ApprovedWaivers; recipients requesting a waiver will be notified of their waiver request determination by an awarding officer.

Questions pertaining to waivers should be directed to the financial assistance awarding officer.

Definitions

"Construction materials" includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

"Construction Materials" does **not** include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

"Domestic content procurement preference" means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

"Infrastructure" includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

"Project" means the construction, alteration, maintenance, or repair of infrastructure in the United States

F.3. Reporting Requirements and Distribution

If the applicant is awarded an agreement as a result of this NOFO, the applicant will be required to submit the following reports during the term of the agreement at the frequency outlined in the financial assistance agreement (e.g., quarterly, semi-annually, etc.).

F.3.1. Financial Reports

Form SF-425, Federal Financial Report, must be submitted at the frequency outlined in the financial assistance agreement and with the final program performance report. The SF-425 may be found at .

F.3.2. Program Performance Reports

The specific terms and conditions pertaining to the reporting requirements will be included in the financial assistance agreement. There are no required forms or formats for the performance reports; however, suggested formats can be found at https://www.nsf.gov/bfa/dias/policy/rppr/. Interim performance reports submitted at the frequency outlined in the financial assistance agreement shall include, but are not limited to, the following information:

- A comparison of actual accomplishments to the milestones established by the financial assistance agreement for the period.
- The reasons why established milestones were not met, if applicable.
- The status of milestones from the previous reporting period that were not met, if applicable.
- Whether the project is on schedule and within the original cost estimate.
- Any additional pertinent information or issues related to the status of the project.

A final performance report covering the entire period of performance, shall include, but is not limited to, the following information:

- Whether the project objectives and goals were met.
- Discussion of the amount of benefits achieved, including information and/or calculations supporting the benefits.
- Photographs documenting the project.

Note that final reports are public documents and could be made available on Reclamation's website.

F.4. Conflicts of Interest

F.4.1. Applicability

Non-Federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements. 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.

F.4.2. Requirements

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.

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 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.

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.

F.4.3. Notification

Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the Interior Department's awarding agency or pass-through entity in accordance with 2 CFR 200.112, Conflicts of Interest. 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.

F.4.4. 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 and 31 USC 13 52.

F.4.5. 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 to determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

F.4.6. 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).

F.5. Data Availability

F.5.1. Applicability

The Interior Department is committed to basing its decisions on the best available science and providing the American people enough information to thoughtfully and substantively evaluate the data, methodology, and analysis used by the Department to inform its decisions.

F.5.2. Use of Data

The regulations at 2 CFR 200.315 apply 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.

F.5.3. 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:

- the scientific data relied upon,
- the analysis relied upon, and
- the methodology, including models, used to gather and analyze data.

F.5.4. Geospatial Data

Geospatial Data Act of 2018, P. L. 115-254, Subtitle F – Geospatial Data, §§ 751-759C, codified at 43 U.S.C. §§ 2801–2811 -Federal recipient collection of geospatial data through the use of the Department of the Interior financial assistance funds requires a due diligence search at the GeoPlatform.gov list of datasets to discover whether the needed geospatial-related data, products, or services already exist. If the required data set already exists, the recipient must use it. If the required data is not already available, the Recipient must produce the proposed geospatial data, products, or services in compliance with applicable proposed guidance and standards established by the Federal Geospatial Data Committee (FGDC) posted at https://www.fgdc.gov/standards.

The Recipient must submit a digital copy of all Geographic Information System (GIS) data produced or collected as part of the award funds to the bureau or office via email or data transfer. All GIS data files shall be in open format. All delineated GIS data (points, lines or polygons) should be established in compliance with the approved open data standards with complete feature level metadata.

F.6. Releasing Applications

Following award of funding, Reclamation may post all successful applications on the Reclamation website after conducting any redactions determined necessary by Reclamation, in consultation with the recipient.

Section G: Agency Contacts

There will be no pre-application conference. Organizations or individuals interested in submitting applications in response to this NOFO may ***direct questions to the Reclamation personnel identified below***.

G.1. Reclamation Financial Assistance Management Contact

Questions regarding application and submission information and award administration may be submitted to the attention of Chandrika Nasstrom, Grants Management Specialist, at:

By e-mail:	cnasstrom@usbr.gov
By telephone:	702-293-8414

G.2. Reclamation Program Coordinator Contact

Questions regarding applicant and project eligibility and application review may be submitted to the attention of Kenneth Isakson, Program Manager, at:

By e-mail:	kisakson@usbr.gov
By telephone:	702-293-8537