United States

Department of State

Bureau of Oceans and International Environmental and Scientific Affairs (OES)

Notice of Funding Opportunity (NOFO): Mercury emissions monitoring from seawater flue gas desulfurization

Funding Opportunity Number: DFOP0014396

Assistance Listing Number: 19.017
Solicitation Type: Open Competition
Type of Award: Grant
Application Deadline: 11:59 PM EDT on 12, July, 2024
Total Funding Ceiling: $400,000
Funding Authority: Foreign Assistance Act of 1961, as amended (FAA)
Cost Sharing: Not Required
Anticipated Number of Awards: One
Period of Performance: 36 months
Application Submission: Electronic
Eligibility Applicants: U.S.-based non-profit/non-governmental organizations with or without 501(c) (3) status of the U.S. tax code; foreign-based non-profit organizations/nongovernment organizations (NGO); U.S.-based private, public, or state institutions of higher education; Foreign-based institutions of higher education
Number of Applications: One per applicant organization.

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Section A: Funding Opportunity Description

A.1. Background

The U.S. Department of State, Bureau of Oceans and International Environmental and Scientific Affairs (OES) announces an open competition for an organization (see eligibility information in C.1) interested in submitting an application to implement a project aimed advancing implementation of the Minamata Convention on Mercury by building capacity for continuous monitoring of mercury emissions in salt water and air near coal power plants that utilize seawater flue gas desulfurization.

A.2. Problem Statement

Seawater flue gas desulphurization (SWFGD) units are deployed in coastal areas, predominantly in South-East Asian countries, and are a cost-effective pollution control mechanism, which scrubs sulfur from coal fired power plant stack effluent before returning the waste directly back into the sea. This method is highly effective in preventing sulfur emissions into the air; however, it's estimated that SWFGD may also transfer up to 85-90% of mercury from flue gas into seawater. There are significant uncertainties in data related to the installed capacity and geographical distribution of SWFGD, and in their pollution potential.

Significant releases of mercury from SWFGD to seawater is neglected and a potentially significant source of mercury pollution and may qualify as relevant sources under Article 9 of the Minamata Convention. However, the lack of data on the level of releases, the potential for mitigation of these releases, and the potential for subsequent emission of mercury from seawater to air has limited the application of Article 9.

OES seeks to reduce mercury discharge into marine environments from seawater flue gas desulphurization (SWFGD) systems by piloting methods and building local capacity for continuous monitoring of mercury emissions in salt water and air near coal power plants that utilize SWFGD in Thailand and/or Indonesia.

A.3. Project Goal

Support the implementation of the Minamata Convention on Mercury through reducing mercury discharge into marine environments from SWFGD by building local capacity for continuous monitoring of mercury emissions.

A.4. Objectives

Pilot methods and build local capacity for continuous monitoring of mercury emissions in salt water and air near coal power plants that utilize SWFGD in Thailand and/or Indonesia.

The following are considered responsive to this objective and are intended to guide the applicant and are not compulsory or exclusive. The applicant may include other approaches in its proposal towards this project's intended goal/objective and is encouraged to provide explanations for its rationale, which will also serve as evidence of the applicant's experience. Applicant should include specific targets in application (e.g. train 50 power plant operators on continuous emissions monitoring).

- To develop and deliver educational and training materials for powerplant operators on continuous emissions monitoring for mercury emissions.
- To support implementation of the educational and training materials at pilot facilities.
- To build capacity of power plants for continuous emissions monitoring and support the piloting of techniques to minimize mercury release from SWFGD systems.
- To make broadly available lessons learned from the pilot sites for potential implementation in other facilities, including relevant baseline emissions data.

A.5. Expected Outcomes

Results could include the following:

- Publicly available educational materials for coal power plant operators on mercury emissions from SWFGD systems, along with a draft report on best practices to mitigate these risks.
- Publicly available report on lessons learned.

- International workshop on lessons learned and best practices for implementation of continuous emissions monitoring of mercury emissions from SWFGD.
- Report to care with Parties to the Minamata Convention on mercury emissions from SWFGD systems.

A.6. Performance Indicators

The project should monitor and report on performance indicators that are specific, measurable, achievable, reasonable, and time bound. Establish, where possible, performance baseline data, and expected performance targets for each expected result and include details on what sources of data will be used to document performance, how the indicators will be measured, frequency of measurement, and units of measure. Where possible, indicators should also allow for gender disaggregation.

The implementer will be responsible for quarterly reporting on each performance indicator included in the grant as well as analysis of progress or impediments to reach indicator targets. Indicators should be chosen or crafted carefully to reflect the key outcomes or outputs that reflect project performance. The Department of State, per policy, assesses the quality of data reported by recipients as part of the award activities, therefore applicants should be aware that recipients will be engaged in data quality assessments.

The implementor will be responsible for periodically preparing success stories, press releases, and other qualitative performance information in a format suitable for public dissemination.

A required indicator includes the number of men and women trained.

Additional indicators for this project could include:

- Number of power plant operators trained in monitoring techniques for mercury missions from SWFGD systems.
- Number of coal power plants with SWFGD systems using continuous emissions monitoring systems.
- Number of coal power plants using techniques to minimize mercury emissions from SWFGS systems.

A.7. Key Considerations

In the proposal, applicants should detail how their proposed work will build off prior work in this region or thematic area. Applicants should also include how their approach will encourage gender equity, including what actions will be taken to further include women.

Section B: Federal Award Information

B.1. Available Funding

This notice is subject to availability of funding. The authority for this funding opportunity is found in the Foreign Assistance Act of 1961, as amended (FFA).

Applicants can submit one application in response to the NOFO. If more than one application is submitted by an organization, only the first application received, and time stamped by either grants.gov or MyGrants will be reviewed for eligibility.

Organizations may form a consortium and submit a combined proposal. However, only one organization must be designated as the lead applicant, with the remaining organizations designated sub-awardees. The lead applicant must meet the eligibility criteria listed in Section C.

The Department of State reserves the right to (a) fund any or none of the applications received; (b) reserves the right to reduce, revise, or increase the budget in accordance with bureau proprieties and the availability of funds; (c) accept other than the lowest cost application.
The U.S. government may make award(s) on the basis of initial applications received, without discussions or negotiations. Therefore, each initial application should contain the applicant's best terms from a cost and technical standpoint. The U.S. government reserves the right (though it is under no obligation to do so), however, to enter into discussions with one or more applicants in order to obtain clarifications, additional detail, or to suggest refinements in the project description, budget, or other aspects of an application.

B.2. Award Management

The successful applicant will need to routinely collaborate with OES through regular meetings and conference calls to discuss progress, challenges, emerging topics, etc. The successful applicant must ensure that all funds are used in a manner consistent with any applicable restrictions on funding. See D.5 below for funding restrictions.

Section C. Eligibility Information

C.1. Eligible Applicants*:*

OES welcomes applications from U.S.-based non-profit/non-governmental organizations with or without 501(c) (3) status of the U.S. tax code; foreign-based non-profit organizations/nongovernment organizations (NGO); U.S.-based private, public, or state institutions of higher education; and Foreign-based institutions of higher education.

Please see 2 CFR 200.307 for regulations regarding program income.

C.2. Cost-Sharing or Matching

The non-Federal share of costs, frequently called “cost share” or “matching costs”, refers to that portion of the project or program costs not borne by the Federal Government. This may include cash and third-party in-kind contributions. These costs must reflect the realistic capacity of the applicants and any third-party contributors.

Providing cost sharing, matching, or cost participation is not an eligibility factor or requirement for this NOFO and providing cost share will not result in a more favorable competitive ranking. Per 2 CFR §200.306, items that are proposed for cost share must be allowable per 2 CFR §200, Subpart E—Costs Principles.

C.3. Other Eligibility Criteria

Applicants must have existing, or the capacity to develop, active partnerships, local in-country partners, entities, and relevant stakeholders and have demonstrable experience in administering successful and preferably similar projects. Key personnel need to demonstrate technical expertise and experience in mercury monitoring, especially around coal power plants. Strong applicants will demonstrate experience working in Southeast Asia and can demonstrate the necessary language skills for communication with the host country.

Any applicant with an exclusion in the Exclusions section of the System for Award Management (sam.gov) is not eligible to apply for an assistance award in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR, 1986 Comp., p. 189) and 12689 (3 CFR, 1989 Comp., p. 235), "Debarment and Suspension." Additionally, no entity listed on the EPLS can participate in any activities under an award. All applicants are strongly encouraged to review the EPLS in sam.gov to ensure that no ineligible entity is included.

Section D: Application and Submission Information

D.1. Address to request Application Package

Applicants can find application forms, kits, or other materials needed to apply on **grants.gov** and MyGrants under the announcement title "Mercury emissions monitoring from seawater flue gas desulfurization" funding opportunity number "**DFOP0014396** ." Please contact the OES point of contact listed in Section G if requesting reasonable accommodations for persons with disabilities or for security reasons. Please note that reasonable accommodations do not include deadline extensions.

D.2. Content and Form of Application Submission

Proposal packages must adhere to the attached Proposal Submission Instructions (PSI). Proposal submissions that do not meet all of the requirements outlined in this NOFO and the PSI will be deemed technically ineligible. To ensure that all applications receive a balanced evaluation, the review panel will review from the first page of each section up to the page limit and no further.

Complete applications must include the following as defined in the PSI:

1. Completed and signed SF-424, SF-424A, and SF-424B forms (OPTIONAL but strongly encourage for FPE/PIOs)
2. Organizations that engage in lobbying the U.S. government, including Congress, or pay for another entity to lobby on their behalf, are also

required to complete the SF-LLL "Disclosure of Lobbying Activities" form (only if applicable).
3. Cover Page/Executive Summary
4. Proposal Narrative
5. Budget Documents (two (2) component submission requirement)
6. Program Monitoring and Evaluation Narrative and Plan
7. Key Personnel
8. Timeline
9. Racial Equity and Underserved Communities Analysis
10. Attachments, (if applicable):
    - Letters of support from program partners describing the roles and responsibilities of each partner
    - Official permission letters, if required for project activities

D.3. Unique entity identifier (UEI) and System for Award Management (sam.gov)

The Unique Entity Identifier (UEI) is one of the data elements mandated by Public Law 109-282, the Federal Funding Accountability and Transparency Act (FFATA), for all federal awards. The federal government's primary database for complying with FFATA reporting requirements is www.sam.gov. OMB designated www.sam.gov as the central repository to facilitate applicant and recipient use of a single public website that consolidates data on all federal financial assistance. Under the law, it is mandatory to obtain a UEI number and register in **sam.gov** **before submitting an application**. OES may **not** review applications from or make awards to applicants that have not completed all applicable UEI and SAM.gov requirements.

The 2 CFR 200 requires that sub-grantees obtain a UEI number. Please note the UEI for sub-grantees is not required at the time of application but will be required before the award is processed and/or directed to a sub-grantee.

UEI is assigned by **sam.gov** assigned to organizations that have to register/or renew their **sam.gov** registration.

Note: The process of obtaining a **sam.gov** ***registration may take anywhere from 4-8 weeks. Please begin your registration as early as possible.*** Numerous errors require correction, such as an address mismatch, and can delay final registration. If the application is not corrected within 90 calendar days of original registration/or renewal submission, it will be automatically deleted, and the organization will need to re-start the process.

- Organizations **based in the United States** or that pay employees within the United States will need an Employer Identification Number (EIN) from the Internal Revenue Service (IRS). Also, a Commercial and Government Entity (CAGE) code is needed and issued through SAM.gov as is the UEI number. Once received continue with the remainder of the SAM.gov registration.
- Organizations **based outside of the United States** and do not pay employees within the United States do not need an EIN from the IRS but do need a UEI number prior to registering in **sam.gov**. **Please note that as of November 2022 and February 2023 respectively, newly registering organizations based outside of the United States that do not intend to apply for U.S. Department of Defense (DoD) awards are no longer required to have a NATO CAGE (NCAGE)**.

All organizations applying for grants (except individuals) must obtain these registrations. All are free of charge:

- NCAGE/CAGE code (as applicable)
- www.sam.gov UEI and registration

If you are an organization based outside the U.S. and DO NOT plan to do business with the Department of Defense:

Step 1: Proceed to SAM.gov to obtain a UEI and complete the registration.

If you are an organization based outside the U.S. and plan to do business with the Department of Defense:

Step 1: Apply for an NCAGE number
NCAGE Homepage:
https://eportal.nspa.nato.int/AC135Public/sc/CageList.aspx
NCAGE Code Request Tool (NCRT):
https://eportal.nspa.nato.int/Codification/CageTool/home
For NCAGE help from within the U.S., call 1-888-227-2423
For NCAGE help from outside the U.S., call 1-269-961-7766
Email NCAGE@dlis.dla.mil for any problems in getting an NCAGE code.

Step 2: After receiving the NCAGE Code, proceed to SAM.gov to obtain a UEI and complete registration.

All prime organizations must also continue to maintain active SAM.gov registration with current information at all times during which they have an active federal award or application under consideration by a federal award agency. SAM.gov requires all entities to renew their registration once a year in order to maintain an active registration status in SAM.gov. It is the responsibility of the applicant to ensure it has an active registration in SAM.gov and to maintain that active registration. If an applicant has not fully complied with the requirements at the time of application, the applicant may be deemed technically ineligible to receive an award and that determination will be used as a basis for making an award to another applicant.

Note: SAM.gov is not the same as MyGrants. It is free to register in both systems, but the registration processes are different.

Information is included on the SAM.gov website to help international registrations: Please note, guidance on SAM.gov and the guidance on GSA's website about requirement for registering in SAM.gov is subject to change and currently being updated. Applicants should review the website frequently for the most up-to-date guidance.

The attached "UEI and SAM.gov FAQ updated 013124" is a resource provided by the grants policy office. Any content shown from SAM.gov is not owned by the Department of State. The guidance and instruction provided are to the best of our knowledge at the time of posting this solicitation. Where guidance in this attachment differs from the SAM.gov website, SAM.gov prevails and the applicant is encouraged to seek and document clarity provided by the SAM.gov helpdesk.

D.3.1 Exemptions

An exemption from the requirements listed above may be permitted under the following circumstances:

- For any applicant or recipient, if the Federal awarding agency determines that it must protect information about the entity from disclosure if it is in the national security or foreign policy interests of the United States, or to avoid jeopardizing the personal safety of the applicant or recipient's staff or clients.

- For a foreign organization or foreign public entity applying for or receiving a Federal award or subaward for a project or program performed outside the United States valued at less than $25,000, if the Federal awarding agency deems it to be impractical for the entity to comply with the requirement(s). This exemption must be determined by the Federal awarding agency on a case-by-case basis while utilizing a risk-based approach and does not apply if subawards are anticipated.
- For an applicant, if the Federal awarding agency makes a determination that there are exigent circumstances that prohibit the applicant from receiving a unique entity identifier and completing SAM registration prior to receiving a Federal award. In these instances, Federal awarding agencies must require the recipient to obtain a unique entity identifier and complete SAM registration within 30 days of the Federal award date.

Organizations requesting exemption from UEI or **sam.gov** requirements must email the point of contact listed in the NOFO at least **two weeks prior to the deadline in the NOFO and provide a justification of their request**. Approval for a SAM.gov exemption must come from the warranted Grants Officer before the application can be deemed eligible for review.

D.4. Submission Dates and Times

Applications are due no later than 11:59 PM Eastern Daylight Time (EDT), on 12, July, 2024 on grants.gov or MyGrants under the announcement title "Mercury emissions monitoring from seawater flue gas desulfurization" funding opportunity number "DFOP0014396 ."

Faxed, couriered, or emailed documents will not be accepted. Reasonable accommodations may, in appropriate circumstances, be provided to applicants with disabilities or for security reasons.

It is the responsibility of the applicant to ensure that it has an active registration in **grants.gov** or **MyGrants** and that an application has been received by the system in its entirety. Application submissions are automatically logged by date and time when made in **Grants.gov** and **MyGrants**, and the Department of State will use this information to determine whether an application has been submitted on time. Late applications are neither reviewed nor considered. Applicants should not expect a notification upon OES receiving their application.

OES bears no responsibility for disqualification that results from applicants not being registered before the due date, for registration errors in either system, or other errors in the application process.

D.5. Funding Limitations, Restrictions, and Other Considerations

OES will not consider applications that reflect any type of support for any member, affiliate, or representative of a designated terrorist organization. Please refer the link for Foreign Terrorist Organizations: https://www.state.gov/foreign-terrorist-organizations/. Consistent with Department guidance on State Funding and the Risks of Terrorist Financing, for all State Department funded programs and requirements, Department bureaus must assess the likelihood that the funds or Department funded activities, goods, services, training, expert advice or assistance, or other benefits to be provided, could inadvertently or incidentally benefit terrorist organizations or their members or supporters, and put in place appropriate risk mitigation measures to mitigate such risk. In accordance with 14 FAM 247, and consistent with the 2 FAM 050, Counterterrorism (CT) name-check vetting may be performed in countries and programs designated by the Department.

The following activities and costs are not covered under this announcement (this list is NOT exhaustive):

- Construction or renovation is not an allowable activity under this award;
- Projects intended primarily for the growth or institutional development of the applicant organization;
- Projects seeking funds for personal use;
- Administration of a project that will make a profit;
- Expenses incurred before or after the specified dates of award period of performance (unless prior written approval is received);
- Projects designed to advocate policy views or positions of foreign governments or views of a particular political faction;
- Alcoholic beverages;
- Costs of entertainment, including amusement, diversion, and social activities, and any associated costs, are unallowable, except where specific costs that might otherwise be considered entertainment have a programmatic purpose and are authorized either in the approved budget for the federal award or with prior written approval of the Grants Officer.

Representation by Organization Regarding a Delinquent Tax Liability or a Felony Criminal Conviction: In accordance with section 7073 of Division K of the Consolidated Appropriations Act, 2014 (Public Law 113-76) none of the funds made available by that Act may be used to enter into an assistance award with any organization that –

1. Was "convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency has direct knowledge of the conviction, unless the agency has considered, in accordance with its procedures, that this further action is not necessary to protect the interests of the Government"; or
2. Has any "unpaid Federal tax liability that has been assessed for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless the Federal agency has considered, in accordance with its procedures, that this further action is not necessary to protect the interests of the Government."

For the purposes of Section 7073, it is the Department of State's policy that no award may be made to any organization covered by (1) or (2) above, unless the Procurement Executive has made a written determination that suspension or debarment is not necessary to protect the interests of the U.S. Government.

Organizations should be cognizant of these restrictions when developing project proposals. Funding restrictions will require appropriate due diligence of program beneficiaries and collaboration with OES to ensure compliance with these restrictions. Program beneficiaries subject to due diligence vetting will include any individuals or entities that are beneficiaries of foreign assistance funding or support. Due diligence vetting will include a review of open-source materials.

Section E: Application Review Information

E1. Proposal Review Criteria

OES review panel will evaluate each application individually against the following criteria, listed below in order of importance, and not against competing applications. Please use the below criteria as a reference, but **do not structure your application according to the sub-sections**.

<u>Applications should contain the applicant's best terms from both cost and technical standpoints. The implementing partners (sub-recipients) of the primary recipient will be subject to Department of State approval.</u>

Quality and Feasibility of Project Idea (20 points)
The program idea is well developed and responsive to the policy and program objective of the NOFO. The applicant describes the project's potential contribution to solving the problem addressed in the problem statement. The application clearly defines the problem; it's causes; stakeholders; and existing research/data; the approach taken to solve the problem; realistic milestones to indicate progress.

Organizational Capacity and Record of Performance (15 points):
The applicant demonstrates an institutional record of successful projects in the content area proposed. The applicant demonstrates experience (e.g., has previously worked and/or has established contacts/partners) in the proposed country/territory/region. The organization has expertise in its stated field and has adequate staffing to manage the proposed project. The applicant demonstrates capacity for responsible fiscal management of donor funding (e.g., successful management of a previous grant or sub-award).

Program Planning/Ability to Achieve Objectives (25 points)
Goals and objectives are clearly stated and project approach is likely to provide maximum impact in achieving the proposed results. The applicant proposes activities that are feasible, and are also practical, and/or experiential in nature to encourage innovation. The applicant addresses how the project will engage or obtain support from relevant stakeholders and/or identifies local partners. Program logic is sound showing plausible pathways to achieve project outcomes. Key assumptions and risks have been identified and their potential influences described. The applicant acknowledges if activities similar to those proposed are already taking or have taken place previously and provides an explanation as to how proposed new activities will not duplicate or merely add to existing/recent activities.

Financial Capacity and Cost Effectiveness (15 points):

The budget justification is detailed, accounting for all necessary expenses to achieve proposed activities. Costs are reasonable in relation to the proposed activities and anticipated results and provide detail of calculations, including estimation methods, quantities, unit costs, labor in-put and responsibilities, procurement practice and policy information, and other similar quantitative detail. Applications that maximize direct activity costs and minimize administrative costs are encouraged. **Final approval of the budget resides with the Grants Officer.**

Monitoring & Evaluating and Sustainability (20 points):
Applicant demonstrates it is able to measure program success against key indicators and provides milestones to indicate progress toward goals outlined in the proposal. The program includes output and outcome indicators and shows how and when those will be measured and who will be responsible for them. The applicant clearly details how activities will result in benefits that will continue beyond the funding period.

Support of Equity and Underserved Communities (5 points):
Proposals should clearly demonstrate how the program will support and advance equity and engage underserved communities in program administration, design, and implementation.

E.2. Review and Selection Process

The Department of State is committed to ensuring a competitive and standardized process for awarding funding. Applications will be screened initially in a Technical Eligibility Review stage to determine whether applicants meet the eligibility requirements outlined in section C and have submitted all required documents outlined in section D. Applications that do not meet these requirements will not advance beyond the Technical Eligibility Review stage and will be deemed ineligible for funding under this NOFO.

All applications that are deemed eligible will move forward to the Merit Review Panel consisting of U.S. government subject matter and/or country-specific experts and will be rated on a 100-point scale. OES reserves the right to request the assistance of non-US government Subject Matter Experts (SMEs), if appropriate to the solicitation. Panel Reviewers will determine scores based on the strengths and weaknesses of the afore-mentioned categories and for consistency with the program goals and objectives outlined in this NOFO. Panel

Reviewers’ ratings, and any resulting recommendations, are advisory. Panel Reviewers may provide conditions and recommendations on applications to enhance the proposed project, which must be addressed by the applicant before further consideration of the award. To ensure effective use of US Government funds, conditions or recommendations may include requests to increase, decrease, clarify, and/or justify costs and project activities.

OES reserves the right to make an award based on the initial application received with or without discussion or negotiations. Therefore, applications should contain the Applicants’ best terms from both cost and technical standpoints.

Final selection authority resides with OES senior level official. Final award decisions will be influenced by whether the application meets the Department of State’s programmatic goals and objectives, how it supports the Department’s overarching foreign policy priorities, and the geographic distribution of the top-ranking applications.

E.3. Responsibility/Qualification Information in SAM.gov (formerly FAPIIS)

The Department of State, prior to making a federal award with a total amount of federal share greater than the simplified acquisition threshold, is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (formerly FAPIIS) (see 41 U.S.C. 2313).

The applicant, at its option, may review information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through www.sam.gov. Currently, federal agencies create integrity records in the integrity module of the Contractor Performance Assessment and Reporting System (CPARS) and these records are visible as responsibility/qualification records in SAM.gov.

The Department of State will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in §200.205 Federal awarding agency review of risk posed by applicants.

Applicants are reminded that U.S. Executive Orders and U.S. law prohibits transactions with or support to individuals or organizations associated with terrorism.

- Proposals that reflect any type of support for any member, affiliate, or representative or a designate to terrorist organization or narcotics trafficker, including elected members of government, will NOT be considered. This provision must be included in any sub-awards/sub-contracts issued under this award.
- U.S. Applicant organizations must demonstrate adherence to equal opportunity employment practices and commitment to non-discrimination with respect to beneficiaries. Non-discrimination includes equal treatment without regard to race, religion, ethnicity, gender, and political affiliation.
- Applicants under DOS-funded projects are responsible for complying with all applicable tax treaties and federal, state, and local laws on tax withholding and reporting for project participants.

Section F: Federal Award Administration Information

F.1. Federal Award Notices

OES will provide a separate notification to applicants on the result of their applications. Successful applicants will receive a letter electronically via email requesting that the applicant respond to review panel conditions and recommendations. This notification is **not** an authorization to begin activities and does not constitute formal approval or a funding commitment.

Final approval is contingent on the applicant successfully responding to the review panel’s conditions and recommendations, Congressional Notification requirements, registration in required systems; and completing and providing any additional documentation requested by OES or the Department’s warranted Grants Officer.

The Grants Officer is the U.S. Government official delegated the authority by the U.S. Department of State, Procurement Executive to write, award, and administer grants and cooperative agreements. The notice of Federal award signed by the Grants Officers is the sole authorizing document. The recipient may only start incurring program expenses beginning on the start date shown on the grant award document signed by the Grants Officer. If awarded, the notice of Federal award will be provided to the applicant's designated Authorizing Official via MyGrants to be electronically counter-signed in the system.

Additional information that successful applicants may be required to submit after notification of intent to make a Federal award, but prior to issuance of a Federal award, may include:

- Written responses and any revised application documents addressing any conditions or recommendations from the Review Panel and awarding bureau;
- Completion of the Department's Financial Management Survey, if receiving funding for the first time or requested by the Grants Officer;
- If applicable, submission of required documents to register in the Payment Management System (PMS) managed by the Department of Health and Human Services if receiving funding for the first time. PMS registration is bureau-specific;
- Other requested information or documents included in this funding opportunity or subsequent communications with the recommended applicant prior to issuance of a federal award.

Pursuant to 2 CFR 200.400(g), it is U.S. Department of State's policy **not** to award profit under assistance instruments.

Payments under this award will be made through the U.S. Department of Health and Human Services (HHS) Payment Management System (PMS) or by completing form SF-270—Request for Advance or Reimbursement and submitting the form. Final determination will be made in conjunction with the Grants Officer. Unless otherwise stipulated, the Recipient may request payments on a reimbursement or advance basis. Instructions for requesting payments via PMS are available at: https://pms.psc.gov/. Instructions for requesting payments via SF-270 are available at: https://www.grants.gov/forms/forms-repository/post-award-reporting-forms.

Advance payments must be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the recipient in carrying out the purpose of this award. The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the Recipient for direct program or project costs and the proportionate share of any allowable indirect costs.

2 CFR §200.501 requires domestic/US non-federal entities that expend $750,000, or more, in federal assistance during organization's fiscal year to have a single or program-specific audit conducted for that year. In addition, the entity must report the collected audit data elements on the form SF-SAC and submit it to the FAC. Any findings such as material weaknesses, significant deficiencies, or material noncompliance are reported on the SF-SAC.

F.2. Administrative and National Policy Requirements

OES requires all recipients of foreign assistance funding to comply with all applicable Department and Federal laws and regulations, including but not limited to the following:

The Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards set forth in 2 CFR Chapter 200 (Sub-Chapters A through F) shall apply to all non-Federal entities, except for assistance awards to Individuals and Foreign Public Entities. Sub-Chapters A through E shall apply to all foreign organizations, and Sub-Chapters A through D shall apply to all U.S. and foreign for-profit entities. The applicant/recipient of the award and any sub-recipient under the award must comply with all applicable terms and conditions, in addition to the assurances and certifications made part of the Notice of Award. The Department's Standard Terms and Conditions can be viewed at https://www.state.gov/about-us-office-of-the-procurement-executive/.

Before submitting an application, applicants should review all the terms and conditions and required certifications which will apply to this award, to ensure that they will be able to comply. These include:

- 2 CFR 25 - UNIVERSAL IDENTIFIER AND SYSTEM FOR AWARD MANAGEMENT
- 2 CFR 170 - REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION
- 2 CFR 175 - AWARD TERM FOR TRAFFICKING IN PERSONS
- 2 CFR 182 - GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)
- 2 CFR 183 - NEVER CONTRACT WITH THE ENEMY

- 2 CFR 600 – DEPARTMENT OF STATE REQUIREMENTS
- U.S. DEPARTMENT OF STATE STANDARD TERMS AND CONDITIONS

In accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Department of State will review and consider applications for funding, as applicable to specific programs, pursuant to this notice of funding opportunity in accordance with the following:

- The President's September 2, 2020, memorandum, entitled *Memorandum on Reviewing Funding to State and Local Government Recipients of Federal Funds that Are Permitting Anarchy, Violence, and Destruction in American Cities*;
- *Executive Order on Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Violence* (E.O. 13933); and
- Guidance for Grants and Agreements in Title 2 of the Code of Federal Regulations (2 CFR), as updated in the Federal Register's 85 FR 49506 on August 13, 2020, particularly on:
    - Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR part 200.205),
    - Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. No. 115—232) (2 CFR part 200.216),
    - Promoting the freedom of speech and religious liberty in alignment with *Promoting Free Speech and Religious Liberty* (E.O. 13798) and *Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities* (E.O. 13864) (§§ 200.300, 200.303, 200.339, and 200.341),
    - Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR part 200.322), and
    - Terminating agreements in whole or in part to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities (2 CFR part 200.340).

Additional requirements may be included depending on the content of the program.

F.3. Reporting

Reporting is critical to effective program management and oversight. Reports are required as a means of evaluating the recipient's progress and utilization of resources. They are divided between a performance progress report and a financial status report. Applicants should be aware that OES awards will require that all reports (financial and progress) are uploaded to the grant file in MyGrants on a quarterly basis.

Financial Reports
The Recipient will be required to submit quarterly financial reports (unless stipulated otherwise in the final Agreement) throughout the project period, using form SF-425, the Federal Financial Report form. If payment is made through the Payment Management System, all financial reports must be submitted electronically through the Payment Management System. The Recipient will also be required to upload to MyGrants a pdf version of all financial reports (Federal Financial report) they have submitted in the Payment Management System. Form (SF-425) can be found here by clicking on the Forms tab: https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1

Program Reporting
The Recipient will be required to submit quarterly narrative progress reports (unless stipulated otherwise in the final Agreement) throughout the project period to the award file in MyGrants.

Narrative progress reports should reflect continued focus on measuring the project's progress in achieving the overarching. Explain and evaluate how activities reflect progress toward expected outcome and outcomes towards achieving objectives. In addition, attach the M&E Tracker, comparing the target and actual numbers for the indicators. Reports should also include an update on expenditures during the quarter. Where relevant, progress reports should also include the following:

- Relevant contextual information (limited);
- Any tangible impact or success stories from the project, when possible;

- Copy of mid-term and/or final evaluation report(s) conducted by an external evaluator; if applicable;
- Relevant supporting documentation or products related to the project activities (such as articles, meeting lists and agendas, participant surveys, photos, manuals, etc.) as separate attachments;
- Description of how the recipient is pursuing sustainability, including looking for sources of follow-on funding;
- Any problems/challenges in implementing the project and corrective action plan with an updated timeline of activities;
- Reasons why activities have not been conducted or deliverables were not met in accordance with the timeline;
- Proposed activities for the next quarter; and,
- Additional pertinent information, including analysis and explanation of cost overruns or high unit costs, if applicable.

Final Reporting

A final financial and progress report will be due no later than 120 calendar days after the end date of the award. The Final Progress Report shall include the following elements: executive summary, successes, outcomes, best practices, how the project addresses gender issues and marginalized communities, and how the project will be sustained. Additional guidance may be provided prior to the award end date.

NOTE: Delays in reporting may result in delays of payment approvals and failure to provide required reports may jeopardize the recipients' ability to receive future U.S. government funds. OES reserves the right to request any additional programmatic and/or financial project information during the award period of performance.

It is the Department of State's policy that English is the official language of all award documents. If reports or any other supporting documents are provided in both English and a foreign language, it must be stated in each version that the English language version is the controlling version. The U.S. dollar is the controlling currency. Financial reports must be submitted in U.S. dollars. Applicants should be aware of the post award reporting requirements reflected in 2 CFR 200 Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters.

The Foreign Assistance Data Review (FADR)

As required by Congress, the Department of State must make progress in its efforts to improve tracking and reporting of foreign assistance data through the Foreign Assistance Data Review (FADR). FADR requires tracking of foreign assistance activity data from budgeting, planning, and allocation through obligation and disbursement. Geographical and program area information is now coded within the subaccount/award number. Recipients will be required to report and draw down federal funding based on the appropriate FADR Data Elements, indicated within their award documentation. In cases of more than one FADR Data Element, typically program or sector and/or regions or country, the Recipient will be required to maintain separate accounting records and request expenses to each account separately.

Section G: Federal Awarding Agency Contact

G.1. Contacts

For technical submission questions related to this NOFO, please contact Dr. Jennifer Novotney, NovotneyJL@state.gov.

For assistance with MyGrants accounts and technical issues related to the system, please contact the ILMS help desk by phone at +1 (888) 313-4567 (toll charges apply for international callers) or through the Self-Service online portal that can be accessed from https://afsitsm.servicenowservices.com/ilms/home. Customer support is available 24/7.

For assistance with Grants.gov accounts and technical issues related to using the system, please call the Contact Center at +1 (800) 518-4726 or email support@grants.gov. The Contact Center is available 24 hours a day, seven days a week, except federal holidays.

For a list of federal holidays visit: https://www.opm.gov/policy-data-oversight/pay-leave/federal-holidays/

Except for technical submission questions, during the NOFO period U.S. Department of State staff in Washington and overseas shall not discuss this competition with applicants until the entire proposal review process has been completed and rejection and approval letters have been transmitted.

Explanatory information provided by any OES representative that contradicts this NOFO will not be binding. Issuance of this NOFO does not constitute an award commitment on the part of the U.S. government, nor does it commit the U.S. government to pay for costs incurred in the preparation and submission of proposals. Further, the U.S. government reserves the right to reject any or all proposals received.

Section H: Other information

The information in this NOFO is binding and may not be modified by any OES representative. Explanatory information provided by OES that contradicts this language will not be binding. Issuance of this NOFO does not constitute an award commitment on the part of the U.S. government, nor does it commit the U.S. government to pay for costs incurred in the preparation and submission of proposals. Further, the U.S. government reserves the right to reject any or all proposals received.

H.1. Conflict of Interest

In accordance with applicable Federal awarding agency policy, applicants must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity.

H.2. Freedom of Information Act

Applicants should be aware that OES understands that some information contained in applications may be considered sensitive or proprietary and will make appropriate efforts to protect such information. However, applicants are advised that OES cannot guarantee that such information will not be disclosed, including pursuant to the Freedom of Information Act (FOIA) or other similar statutes.

H.3. Marking Policy (Not applicable to Foreign Public Organizations or Public International Organizations)

Applicants are advised that recipients and sub-recipients of Federal assistance awards are subject to the State Department's Marking Policy. More information on this policy can be found in Section N of the Department of State Standard Terms and Conditions.

H.4. Evaluation Policy

Applicants are advised that recipients and sub-recipients of Federal assistance awards are subject to the Department of State Evaluation Policy. More information on this policy can be found here: Department of State Managing for Results.

H.5. Monitoring Site Visits

A monitoring site visit, at least once during the lifetime of an award, may be conducted by Department of State personnel. The site visit is conducted to gather additional information on the recipient's ability to properly implement the project, manage DOS funds and share substantiating documents for programmatic and financial reporting. Specifically, the site visit may involve the review of the programmatic progress (progress on activities, sub-recipient/consultant work, etc.) as well as administrative and financial management controls.

H.6. Privacy Disclosure

DOS understands that some information contained in applications may be considered sensitive or proprietary and will make appropriate efforts to protect such information. However, applicants are advised that DOS cannot guarantee that such information will not be disclosed, including pursuant to the Freedom of Information Act (FOIA) or other similar statutes.

H.7. Mandatory disclosures (2 CFR 200.113) (Not applicable to Foreign Public Organizations or Public International Organizations)

Non-federal entity, applicant or applicant for a federal award must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Non-federal entities that have received a federal award including the terms and conditions outlined in Appendix XII of the 2 CFR 200—Award Terms and Conditions for Recipient Integrity and Performance Matters -- are required to report certain civil, criminal, or administrative proceedings to www.sam.gov. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for Noncompliance, including suspension or debarment.

H.8. Background Information on OES

The Bureau of Oceans and International Environmental and Scientific Affairs (OES) has the mission to provide American leadership, diplomacy, and scientific cooperation to conserve and protect the global environment, ocean, health, and space for the prosperity, peace, and security of this and future generations. Additional background information on OES and its efforts can be found at Bureau of Oceans and International Environmental and Scientific Affairs - United States Department of State.

Mercury - United States Department of State