

**REQUEST FOR PROPOSAL**  
**NRCS-MS-10-0001**  
**WETLANDS RESERVE PROGRAM**  
**DESIGN AND RESTORATION ASSISTANCE**

**AGENCY**

UNITED STATES DEPARTMENT OF AGRICULTURE  
Natural Resources Conservation Service (NRCS)  
Jackson, Mississippi

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER**

10.072 -Wetlands Reserve Program (WRP)

10.923 – Emergency Watershed Protection Program – Floodplain Easements (Related Treasury Account Symbol: 12-1073 2009/2010)

**EXECUTIVE SUMMARY**

The Natural Resources Conservation Service in Mississippi is requesting applications to provide planning, design and implementation of restoration activities on eligible Wetlands Reserve Program and Emergency Watershed Protection – Floodplain Easement properties. The objective of WRP/EWPP-FPE is to provide technical and financial assistance to landowners in planning, designing and implementing wetland and associated upland restoration plans that maximize wildlife habitat in wetland systems, as well as provide water quality improvements, reduced soil erosion, reduced impacts of flooding and provide wildlife habitat opportunities for threatened and endangered species. Applicants will be responsible for assisting landowners by providing technical assistance necessary to develop and implement WRP/EWPP-FPE restoration plans, while at the same time improving and protecting wetland habitat for environmental benefits. Performance may include any part or all operations necessary to perform engineering surveys, preliminary and final engineering designs, inspection, and construction management activities for various wetland restorations, enhancement and creation practices; and other related conservation practices that meet NRCS standards and specifications.

Applications are being requested from eligible government or non-government organizations, tribes, or individuals for competitive consideration of cooperative agreement awards with a base year and up to four, one-year option periods.

**PROPOSAL DUE DATE AND ADDRESSES:** Proposals must be received in the Mississippi NRCS State Office by **4:30 p.m., Central Time (CT) on May 14, 2010**. The address for hand-delivered applications or applications using express mail or overnight courier service is: Contracting Section, ATTN: Faith Tillman, USDA Natural Resources Conservation Service, Suite 1321 Federal Building, 100 West Capitol Street, Jackson, MS 39269.

## **FUNDING OPPORTUNITY DESCRIPTION**

### **A. Legislative Authority**

The Wetlands Reserve Program (WRP) was authorized as part of the Food Security Act of 1985, Title XII, Public Law 99-198, as amended; Food, Agriculture, Conservation and Trade Act of 1990, Title XIV, Section 1237, Public Law 101-624, 104 Stat. 3584, 7 U.S.C. 3837, as amended; Omnibus Budget Reconciliation Act of 1993; Federal Agriculture Improvement and Reform Act of 1996; Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 1998 and Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act of 2001 and as amended, Farm Security and Rural Investment Act of 2002 and Section II of the Food, Conservation and Energy Act of 2008, P.L.110-234 authorized the Secretary of Agriculture to provide technical assistance under this program to eligible producers. The Emergency Watersheds Protection Program-Floodplain Easements (EWPP-FPE) was authorized in American Recovery and Reinvestment act of 2009, Public Law 111-5; Section 215 of the Flood Control Act of 1950, Public Law 81-516; the Agricultural Credit Act of 1978, Section 403, Public Law 95-334, 33 U.S.C. 701B01, as amended by the Federal Agriculture Improvement and Reform Act of 1996, Section 382, Public Law 104-127, 16.U.S.C. 2203 authorized the Secretary of Agriculture to provide technical assistance under this program to eligible producers. The Secretary may request the services of non-Federal entities to assist the Secretary in providing the technical assistance necessary to develop and implement conservation programs under this title. The Secretary of Agriculture delegated the authority for the administration of WRP/EWPP-FPE to the Chief of the Natural Resources Conservation Service. The Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301-6308, Public Law 95-224) is authorized to enter into grants and cooperative agreements to accomplish a public purpose or stimulation of an activity authorized by statute. The NRCS may do this through entering into cooperative agreements with a service provider or other cooperator to stimulate the availability of technical assistance. The assistance being sought through this request relies on guidance contained in the Technical Service Provider Final Rule, 7 CFR Chapter VI, Part 652 published November 29, 2004 and revised January 1, 2009. Applicants whose proposals are recommended for funding must agree to be bound by the final rules as a condition of receiving an award.

### **B. Overview**

The purpose of the Wetlands Reserve Program (WRP) is a voluntary program to conserve, protect and enhance the nation's wetland ecosystems. The purpose of the Emergency Watersheds Protection – Floodplain Easement Program (EWPP-FPE) is to provide for restoration, protection, maintenance and enhancement of the functions of the floodplain, conserve natural values include fish and wildlife habitat, water quality, flood water retention, ground water recharge and safeguard lives and property from floods, drought and the products of erosion. The programs promote the restoration, enhancement, protection, maintenance and management of wetland systems and adjacent land that would contribute significantly to wetland functions and values. Through WRP

and EWPP-FPE, landowners may receive financial and technical assistance to install or implement structural or vegetative wetland and associated upland restoration practices on eligible land. WRP/EWPP-FPE provides that the Secretary may request the services of, and enter into cooperative agreements with, non-Federal entities to assist in providing technical assistance necessary to develop and implement conservation programs under these programs. The agency is directing resources toward the restoration of degraded wetlands across the state of Mississippi; with emphasis in the historic bottom-land hardwood regions.

The NRCS is requesting proposals from qualified individuals and organizations that share a common interest in the conservation and restoration of wetland resources throughout Mississippi.

### **C. Project Description**

The objective of WRP/EWPP-FPE is to provide technical and financial assistance to landowners in planning, designing and implementing wetland and associated upland restoration plans that maximize wildlife habitat in wetland systems, as well as provide water quality improvements, reduced soil erosion, reduced impacts of flooding and provide wildlife habitat opportunities for threatened and endangered species. Applicants will be responsible for assisting producers by providing technical assistance necessary to develop and implement WRP/EWPP-FPE restoration plans, while at the same time improving and protecting wetland habitat for environmental benefits. Performance may include any part or all operations necessary to perform vegetative and hydrology restoration in a timely and effective manner. Work shall include any or all of the following activities: engineering surveys, preliminary and final engineering designs, and construction management activities for various wetland restorations, enhancement and creation practices; and other related conservation practices that meet NRCS standards and specifications. All services shall be provided in accordance with applicable NRCS policy and criteria that can be found at the following websites: NRCS Field Office Technical Guide: <http://efotg.nrcs.usda.gov>; NRCS National Irrigation Guide <http://www.wcc.nrcs.usda.gov/nrcsirrig/>; and NRCS National Engineering Handbook, and National Engineering Manual References: <http://www.nrcs.usda.gov/technical/ENG>.

Surveys required may consist of, but are not limited to, any part or all of the following activities: topographic surveys, design surveys, construction layout surveys, construction quality assurance surveys, and quantity surveys. All survey information shall be submitted to the NRCS on CD or DVD containing the digital files in .dwg format compatible with AutoCad 2000. The .dwg file will be referenced to the appropriate State Plan Coordinate System, North American Datum 1983, local zone, U.S. Survey Feet and a basis of bearing to grid north. In addition, a CD shall be provided to the NRCS containing the ESRI ARC Info export/Info export (.e00) or shapefile (.shp, .dbf, .shx). The projection must be clearly defined. In addition, hard copies of the survey data, notes, computations, etc. shall be provided to the NRCS. Service providers will perform all work in close coordination with the NRCS WRP Specialist, District Conservationist (DC)

and Area Engineer. Once a project is received the awardee will complete the assigned task during the performance period identified in each task order.

Wetland Engineering Practices and Biological Practices may include but are not limited to the following Conservation Practices: Wetland Restoration (657), Wetland Enhancement (658), Wetland Creation (659), Open Channel (582), and associated practice such as Critical Area Planting (342), Fence (382), Range Planting (550), Tree/Shrub Establishment (612), and Structure for Water Control (587); and others as deemed necessary and applicable by the Mississippi NRCS. All practices are described in the NRCS electronic FOTG, which can be found at: <http://www.nrcs.usda.gov/technical/efotg/>.

The awardee will be expected to provide for the inspection and quality control of each WRP/EWPP-FPE restoration contract, provide to the NRCS a monthly status report of work in progress, complete a compliance check worksheet according to NRCS specifications, complete the design check out sheets for water control structures and complete the Compliance Documentation for Herbaceous Vegetation and any other documentation as may be required by the NRCS standards and specifications.

**Location of Services:** Throughout Mississippi

**USDA Service Center Location:** All Mississippi Field Offices

**Equipment:** Vehicles, computers, surveying equipment, etc.

Mississippi NRCS anticipates the following involvement, which is deemed substantial, in carrying out projects funded with Federal assistance provided through a cooperative agreement under this announcement.

**Mississippi NRCS will:**

- Conduct an initial briefing at the Mississippi NRCS State Office in Jackson, Mississippi prior to award to discuss the goals and objectives of the project and items of work to be conducted under the agreement.
- Designate a liaison to participate in the planning and management of the cooperative agreement and coordinate activities between the awardee and Mississippi NRCS.
- Identify and prioritize work assignments at the Mississippi State Office level with consultation from the Mississippi WRP team and local field offices.
- Provide for state level coordination/guidance of the technical specialists.
- Provide quality assurance for services provided under the agreement.
- Provide access to NRCS technology and technical tools to the maximum extent possible.
- Approve all new technologies and innovative practices, including applicable standards and specifications, prior to the applicant applying technical services for those and practices.
- The NRCS will identify and prioritize work assignments for completing activities required to implement the wetland and associated upland restoration components of each conservation plan.

- The NRCS will monitor the awardee's progress and suspend work if agreement or task order requirements are not met.

#### **D. Funding Availability**

All awards are subject to the availability of sufficient funds being appropriated by Congress and apportioned by the Office of Management and Budget (OMB) to support the addition and full cost of service to implement technical assistance activities. Cooperative agreements will be awarded competitively to applicants certified as a Technical Service Provider (TSP) meeting the USDA NRCS national criteria established for certification. The certification criteria is located in "TechReg," an NRCS web based certification application program found at: <http://www.techreg.usda.gov>. Cooperative agreements have been determined to be the appropriate funding instrument because of the substantial involvement of NRCS in providing technical oversight and coordination of planning, designing and implementing wetland and associated upland restoration activities. It is anticipated that approximately **\$3.0 million** will be available for planning, designing and implementing wetland and associated upland restoration plans in Fiscal Year 2011. The amount of funds available for this program is not fixed and may vary considerably from the current funding level. Amendments to the agreement(s) may be developed upon availability of funding in future years (approximately a 5-year period). The work will be performed statewide.

The cooperative agreements will include one base-year and four, one-year option periods. Work under this cooperative agreement is subject to satisfactory negotiation of individual task orders. There will be no minimum or maximum price on any single task order. The maximum order amount for each cooperative agreement period (base-year and each option-year) shall be determined by available funds. There shall be no guaranteed minimum task orders for the base year or for the option periods, if exercised. Multiple cooperative agreements may be awarded as a result of this announcement. Projects will be ordered on an as-needed basis beginning from the date of the award of the agreement for a period not to exceed five years.

#### **E. Indirect Costs**

Section 708 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, limits indirect costs under cooperative agreements between USDA and nonprofit institutions, including institutions of higher education, to ten (10) percent of the total direct costs of the agreement. Section 708 authorizes an exception to the ten-percent limit for institutions that compute indirect cost rates on similar basis for all agencies for which the Act makes appropriations. If requested, indirect costs must be justified and may not exceed the ten percent limitation or the current rate negotiated with the cognizant Federal-negotiating agency. Applications from colleges and universities must provide a statement in the budget narrative verifying that the indirect costs requested are in accordance with institutional policies. Mississippi NRCS will identify and consider the value of federally supported facilities, supplies,

vehicles and equipment in negotiating allowable indirect costs for Conservation Districts or other Partners currently operating within USDA Service Centers.

## **F. Eligible Applicants**

Applicants must be certified as a Technical Service Provider (TSP) meeting the USDA NRCS national criteria established for certification. The certification criteria is located in "TechReg," an NRCS web based certification application program found at: <http://techreg.usda.gov>.

Organizations that share a mutual interest in wetland conservation and who have the highest probability of providing in-kind contributions and other sources of financial or technical support are encouraged to submit a proposal. A listing of possible eligible applicants is as follows:

- State governments
- County governments
- City or township governments
- Special district governments
- Nonprofits having a 501(c) (3) status with the IRS, other than institutions of higher education
- Nonprofits that do not have a 501(c) (3) status with the IRS, other than institutions of higher education
- Individuals

## **G. Application and Submission Information**

### **1. How to Obtain Application Materials**

All OMB standard forms necessary for proposal submission are posted on the following site: [http://www.grants.gov/agencies/aapproved\\_standard\\_forms.jsp](http://www.grants.gov/agencies/aapproved_standard_forms.jsp)

|                        |                                                                                                               |
|------------------------|---------------------------------------------------------------------------------------------------------------|
| Standard Form 424      | Application for Federal Assistance (submit with proposal)                                                     |
| Standard Form 424A     | Budget Information – Non-construction Programs                                                                |
| Standard Form 424B     | Assurances – Non-Construction Programs (submit with proposal)                                                 |
| Standard Form 424C     | Budget Information – Construction Programs (will be used on future orders)                                    |
| Standard Form 424D     | Assurances – Construction Programs (submit with proposal)                                                     |
| SF-LLL                 | Disclosure of Lobbying Activities                                                                             |
| Standard Form 425/425A | Federal Financial Report (after award)                                                                        |
| Standard Form 270      | Request for Advance or Reimbursement (after award)                                                            |
| AD-1047                | Certification Regarding Debarment, Suspension and Responsibility Other Matters – Primary Covered Transactions |

## 2. Proposal Content and Format

Proposals must contain the information set forth below in order to receive consideration for an award. Applicants should not assume prior knowledge on the part of NRCS or others as to the relative merits of the work described in the application. Applications must be submitted in the following format:

Proposals are to be typewritten on 8 ½” x 11” white paper, double spaced and on one side only. The text of the proposal must be typewritten in a font no smaller than 12-point, with one-inch margins.

Proposal must include all required forms and narrative sections described below; incomplete applications will not be considered. Do not include letters of support, endorsement or recommendations for award.

**It is the sole responsibility of the applicant to complete the grant or cooperative agreement application. Applicants should refer to <http://www.grants.gov> to apply. Further, the applicant must respond to the Evaluation Factors for Award, provide a detailed cost breakdown to support the proposed budget and include project narratives with a detailed discussion of the project and methodology used.**

3. **Cover Sheet.** Applications must use Standard Form 424, including SF 424A and 424B, with the required information filled in and the certified assurance signed as the cover sheet for their proposal. NOTE: All applicants must provide DUNS number in Block 5. By signing the application form the applicant is providing the required certifications set forth in 7 CFR Part 3017 regarding Debarment and Suspension and Drug Free Workplace, and 7 CFR Part 3018, regarding Lobbying.
4. **Project Funding.** Separate price proposal for the overall project period. In Block 15 of the SF 424, show the percent of funding to be provided by each source. Attached to the SF 424 a spreadsheet including rates for the following: personnel listed by labor category, equipment, materials and supplies, travel, all other costs and indirect costs. The agreed to rates will be incorporated into the agreement and be the basis for future orders.

Show all funding sources. Funds may be required from the NRCS under any of the line items listed above provided that the item or service for which support is required is identified as necessary for successful conduct of the proposed project, is allowable under the authorizing legislation and the applicable Federal cost principles and is not prohibited under any applicable Federal statute. Salaries of project personnel who will be working on the project may be requested in proportion to the effort that they will devote to the project. Show any costs that the applicant will contribute in support of the project,

including the organization's level of commitment in terms of the staff, equipment resources, and/or funding support necessary to leverage the project.

5. **Project Description.** The application shall include a narrative statement that addresses the following as a minimum:
  - a. A description of the resources and experience of the organization necessary to successfully perform planning, design and implementing wetland and associated upland restoration activities.
  - b. The proposed price for planning, designing and implementing wetland and associated upland restorations in conservation plans.
  - c. The organization's level of commitment in terms of the staff, equipment resources, and/or funding support necessary to leverage the cooperative agreement.
  - d. A brief description of the capabilities to perform the terms of the cooperative agreement, including a brief description of the organizational entity and of the qualifications, employment status, current responsibilities, and proposed level of effort for the project coordinator, and staff responsible for implementation. Resumes for key personnel should be included in an appendix to the application.
  - e. A list of past experiences with providing planning, design and implementing wetland and associated upland restorations for conservation contracts.
  - f. The application shall include an appendix. Material should be included only when necessary to support information provided in the narrative. Copies of documents, brochures, etc. Are encouraged to demonstrate experience, knowledge, skills and abilities.
6. **Certifications.** All applicants must include a signed SF 424B, Assurances, Non-Construction Programs. By signing and submitting an application, assure and certify that they are in compliance with following from 7 CFR:
  - a. **Part 3017, Governmentwide Debarment and Suspension (Non-procurement;**
  - b. **Part 3018, New Restrictions on Lobbying;**
  - c. **Part 3021, Governmentwide Requirements for Drug-Free Workplace (Financial Assistance).**
7. **DUNS Number:** A Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of over 70 million businesses worldwide. A Federal Register notice of final policy issuance (68 FR 38402) requires a DUNS number in every

application (i.e., hard copy and electronic) for a grant or cooperative agreement (except applications from individuals) submitted on or after October 1, 2003. Therefore, potential applicants should verify that they have a DUNS number or take the steps needed to obtain one. For information about how to obtain a DUNS number go to <http://www.grants.gov/RequestDUNS> or call 1-866-705-5711. Please note that the registration may take up to 14 business days to complete.

- 8. Required CCR Registration:** The Central Contractor Registry (CCR) is a database that serves as the primary Government repository for contractor information required for the conduct of business with the Government. This database will also be used as a central location for maintaining organizational information for organizations seeking and receiving grants or cooperative agreements from the Government. Applicants must register with CCR. To register, visit <http://www.ccr.gov>. Allow a minimum of 5 days to complete the CCR registration.

## **9. How to Submit a Written Proposal**

Applicants must submit one signed original and five complete copies of each project application. Each copy of the proposal must be stapled securely in the upper left-hand corner. Applications submitted via facsimile or email will not be accepted.

Submit written proposals to:

Faith Tillman, Contract Specialist  
USDA, Natural Resources Conservation Service  
100 W. Capitol Street, Suite 1321, Jackson, MS 39269

## **10. Proposal Due Date**

Proposals must be received no later than May 14, 2010, 4:30 p.m. Central Time. Proposals received after that time will not be considered. A proposal's postmark date is not a factor in whether an application is received on time. The applicant assumes the risk of any delays in proposal delivery. Proposals will not be accepted by facsimile machine submission.

### **AGENCY CONTACTS**

Faith Tillman, Contract Specialist, (601) 965-4098, ext. 124.

## **11. Acknowledgment of Submission**

Proposals received by the due date will be acknowledged with an official letter. If an applicant has not received an acknowledgment within 30 days of the submission, the applicant must contact the administrative contact (see "Agency Contacts" above) immediately. Failure to do so may result in the application not being considered for funding.

## 12. Evaluation Criteria:

The Mississippi NRCS anticipates the possibility of multiple awards for this announcement.

Prior to the evaluation review, each application will be screened for completeness and compliance with the provisions of this notice by the appropriate NRCS staff. Incomplete applications and those that do not meet the provisions of this notice will be eliminated from competition and notification of elimination will be mailed to the applicant.

Applications meeting the provisions of this notice will be evaluated by an evaluation team against the evaluation criteria. The evaluation team will make recommendations to the State Conservationist for final selection and award.

The applications will be evaluated using the following criteria that are listed in descending order of importance:

**A. Specialized experience and technical competence in the type of work required (45%)**

Evaluation will be based on the extent of related experience in performing planning, designing and implementing wetland and associated upland restorations. Consideration will be given to those applicants with knowledge of and direct experience in planning, designing and implementing wetland and associated upland restorations in Mississippi. Some key areas of expertise that will be evaluated include, but are not limited to:

- Organizational capabilities. The adequacy of organizational resources and experience to successfully design and install wetland restoration projects. Share in a common mission that supports the natural resource conservation efforts with private landowners.
- Project personnel. The reasonableness and feasibility of the applicant's approach and expertise for successfully achieving the objectives of the project within the required time frame.
- Understanding the intent of WRP. The applicant's recognition of the value and need of the project and the full understanding of the intent of WRP.
- Ability to demonstrate successful past history and credibility of working with private landowners.
- Experience working on wetland restoration in the State of Mississippi or similar ecosystems. Examples of previous work shall be documented for review.

**B. Professional qualifications necessary for satisfactory performance (25%)**

For planning, designing and implementing wetland and associated upland restoration the applicant must have a Registered Professional Engineer in the

State of Mississippi on staff and have the ability to provide a surveyor/engineering technician meeting the requirements stated in this announcement to enable planning and design of engineering practices. All engineering designs must be signed and sealed according to Mississippi State Law. Evaluation will be based upon the number of qualified personnel, their knowledge and experience associated with the requirements above, and their availability to perform work on this agreement.

**C. Capacity to accomplish the work (15%)**

Evaluation will be based upon the number of qualified personnel, the quantity of existing work under contract and the schedules for completion of the existing work.

**D. Past performance regarding work of this nature (15%)**

- Past experience with other government agencies and other organizations in regards to work of this nature.
- Quality and timeliness of performance of work performed.

**13. Selection**

Each proposal will be evaluated and ranked in accordance with the evaluation factors listed above. Discussions may be held with each applicant regarding the applicant's experience and operational methods. After selection, NRCS will enter into negotiations with the selected applicant(s) to discuss cost and the terms and conditions of the cooperative agreement to be signed. The cooperative agreement will identify the USDA Field Office(s) to be served. NRCS has the option to cancel the announcement if there no qualified applicants or limit the number of awards made from this announcement.

**14. Award Information**

**A. Award Notification**

Applicants who have been selected will be notified by the State Conservationist. Applicants whose proposals have not been selected will be notified by official letter.

**B. Cooperative Agreement**

The NRCS will use a cooperative agreement with selected applicants to document the agreement parameters. The cooperative agreement will include:

- Project purpose;
- Project objectives and deliverables;
- Project progress and budget reporting requirements;

- Award amount and budget information;
- Information regarding requests for advance of funds or reimbursement;
- Other requirements and terms deemed necessary to protect the interests of the United States.

Neither the approval of any application nor the award of any cooperative agreement commits or obligates the United States to provide further support of a project or any portion thereof or implies any endorsement.

### **C. Reporting Requirements**

Awardees receiving Federal funds are required to submit an SF-425/425A (Federal Financial Report (FFR)) on a quarterly, semi-annual, and annual basis. A final FFR shall be submitted at the completion of the award agreement. The following reporting period end dates shall be used for interim reports: 3/31, 6/30, 9/30, or 12/31. For final FFRs, the reporting period end date shall be the end date of the project or grant period.

Quarterly and semi-annual interim reports shall be submitted no later than 30 days after the end of each reporting period. Annual reports shall be submitted no later than 90 days after the end of each reporting period. Final reports shall be submitted no later than 90 days after the project or grant period end date.

In addition, every 30 days, the awardee must submit a written progress report to the NRCS Mississippi State Office. Each progress report shall cover work performed during the previous 30-day period, including any funded or unfunded time extensions, a comparison of actual accomplishments to project goals.

The NRCS will designate a Government Representative and an Administrative contact for the agreement. These individuals will have technical oversight and administrative oversight responsibility for the agreement. The awardee must comply with any requests for information from these individuals. NRCS recommends that the awardee work closely with these individuals throughout the course of the agreement.

## **15. Terms and Conditions of the Award**

- 1) All applicants must become a certified TSP in the category for “designing and implementing wetland and associated upland restoration” within 45 calendar days of the agreement award. Information about TSP certification is available at <http://techreg.usda.gov>.
- 2) This announcement is subject to “Variations in Quantity” and “Variations in Delivery”.

- 3) By accepting an award, the applicant assures the United States Department of Agriculture (USDA) that the program or activities provided for under this agreement will be conducted in compliance with all applicable Federal civil rights laws, rules, regulations, and policies.
- 4) Successful applicants will attend an initial briefing prior to award to discuss the goals and objectives of the project and items of work to be conducted under the agreement.
- 5) The applicant shall comply with all applicable laws, regulations, Executive Orders and other generally applicable requirements, including those set out in 7 CFR 3015, 3016, 3017, 3018, 3019 and 3052 which will be incorporated into the agreement by reference and such statutory provisions as are specifically set forth in the agreement.
- 6) The OMB Circulars will be incorporated by reference and made a part of each agreement awarded under this process. Applicants are encouraged to review the appropriate circulars prior to requesting federal funds. OMB circulars may be viewed online at [http://www.grants.gov/agencies/aapproved\\_standard\\_forms.jsp](http://www.grants.gov/agencies/aapproved_standard_forms.jsp). CFR's may be found at <http://www.gpoaccess.gov/CFR/>. Failure of an applicant to comply with any provision may be the basis of withholding payment for proper charges made by the applicant and for termination of support. Federal Statutes and regulations that apply to this program include, but are not limited to the following:
  - 7 CFR Part 3 – USDA implementation of OMB Circular A-129 regarding debt collections;
  - 7 CFR Part 1, Subpart A – USDA implementation of the Freedom of Information Act;
  - 7 CFR Part 15, Subpart A – USDA implementation of Title VI of the Civil Rights Act of 1964;
  - 7 CFR Part 3015 – USDA Uniform Federal Assistance Regulations, implementing OMB directives (i.e., Circular Nos. A-102, A-110, A-21, A-87, A-122) and incorporating provisions of the 31 U.S.C. 6301-6308, as well as general policy requirements applicable to recipients of Departmental financial assistance;
  - 7 CFR Part 3016 – USDA Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;
  - 7 CFR Part 3017 – USDA Implementation of Governmentwide Debarment and Suspension (non-procurement) and Governmentwide Requirements for Drug-Free Workplace;
  - 7 CFR Part 3018 – USDA implementation of New Restrictions on Lobbying. Imposes prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements and loans;

- 7 CFR Part 3019 – USDA Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations;
- OMB Circular A-21 – Cost Principals for Educational Institutions;
- OMB Circular A-87 – Cost Principals for State, Local and Indian Tribal Governments;
- 7 CFR Part 3052 – USDA Implementation of Audits of States and Local Governments and Non-Profit Organizations;
- 5 CFR part 2635 – Standards of Ethical Conduct;
- American Recovery and Reinvestment Act of 2009.

Additional information related to the Wetlands Reserve Program or the Emergency Watersheds Protection Program – Floodplain Easements can be found at the following links:

Wetlands Reserve Program: <http://www.nrcs.usda.gov/programs/wrp/>

Emergency Watersheds Protection Program-Floodplain Easements:  
<http://www.nrcs.usda.gov/programs/ewp/Floodplain/index.html>