

**U.S. Fish and Wildlife Service  
Region 6 Migratory Birds**

**Migratory Bird Conservation**

Catalog of Federal Domestic Assistance (CFDA) Number: 15.647

**Notice of Funding Opportunity**

**I. Description of Funding Opportunity**

This is a Notice of Intent to award a Single Source Cooperative agreement to Wildlands Photography & Bio-Consulting (herein referred to as WPBC), a highly-experienced firm that can safely live-trap, handle, photo-document, and apply transmitters to eagles (both Golden & Bald Eagles) and other priority species of raptors in Region 6 of the U.S. Fish and Wildlife Service (Service). WPBC has extensive specialized experience with the various methods to safely capture and handle large raptors (which are protected by very strict federal laws), and has extensive knowledge on where to efficiently and effectively search for eagles and other priority species of raptors and migratory birds in each season. WPBC possesses and maintains all appropriate permits and/or sub-permits (state and federal) to capture and handle eagles and other species of raptors. In addition, the capture of eagles is often greatly facilitated by use of a lure bird (i.e., a live eagle from a rehabilitation facility that is not releasable) in the trapping process, and WPBC is highly experienced in the handling and care of a lure bird.

This Single Source Award is being awarded in accordance with Department of the Interior Policy 505 DM 2.14 B (4): Unique Qualifications, which allows for award without competition to an applicant. This recipient and project meet this criterion due to the fact that WPBC is highly-experienced with research on eagles and other species of raptors and migratory birds throughout the West, especially in FWS Region 6, has specialized experience with various methods to safely capture and handle eagles and other species of raptor (which are protected by very strict federal laws), has extensive knowledge on where to efficiently and effectively search for eagles and other species of raptor in each season, and possesses all appropriate permits and/or sub-permits (state and federal) to capture and handle eagles and other raptors. Additionally, this is being awarded in accordance with **FAR 6.302-2 (10 U.S.C. 2304(c)(2) or 41 USC 253(c)(2) – Unusual and compelling urgency**. An experienced individual/entity able to complete the duties described herein and in the Project Summary is necessary to ensure the health and safety of eagles and researchers throughout the entire process. This research is critical to FWS' understanding of ecology and population status of eagles and other priority species of raptors and migratory birds, but any individual directly involved in the capture, handling, and marking (i.e., telemetry unit) must possess extensive experience in the safe capture and handling of eagles/raptors, experience in handling and the care of any live eagle used as a lure bird, and a local knowledge to help efficiently locate eagles to capture. Failure to adhere to these extensive criteria would compromise the Service's obligations under the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and treaties with other nations, as well as compromise the Service's ability to further refine regulations and guidance documents related to eagles. Because these responsibilities are delegated to the Fish and Wildlife Service by the Secretary of the

Interior, failure to meet these responsibilities would be injurious to the Government. Also, failure to adhere to these criteria would place eagles (either used as lures or those captured) and other priority species of raptor and migratory birds at risk and result in inefficient trapping efforts that are more costly to the Government.

## **II. Award Information**

This project should be considered a Cooperative Agreement with substantial involvement by the FWS Project Officer and other Migratory Bird Program staff. The FWS Project Officer will work closely with WPBC to develop work plans for each aspect & year of the project, identify locations for work to occur, assist with eagle trapping and Platform Transmitter Terminal (PTT) attachment, and will assist with publishing results. Consequently, the FWS Project Officer will serve as an integral partner with WPBC.

Estimated Total Program Funding: \$200,000

Expected Number of Awards: 5

Award Ceiling: \$100,000

Award Floor: \$10,000

## **III. Basic Eligibility Requirements**

### **Eligible Applicants:**

This is a Notice of Intent to award a Single Source Cooperative agreement to WPBC, an Owner/Sole Proprietor firm. U.S. non-profit, non-governmental organizations must provide a copy of their Section 501(c)(3) or (4) status determination letter received from the Internal Revenue Service.

Federal law mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Number System (DUNS) number and have a current registration in the System for Award Management (SAM). See Title 2 of the Code of Federal Regulations (CFR), Part 25 for more information. Exemptions: The SAM registration requirement does not apply to individuals submitting an application on their own behalf and not on behalf of a company or other for-profit entity, state, local or Tribal government, academia or other type of organization.

### **A. DUNS Registration**

Request a DUNS number online at <http://fedgov.dnb.com/webform>. U.S.-based entities may also request a DUNS number by telephone by calling the Dun & Bradstreet Government Customer Response Center, Monday – Friday, 7 AM to 8 PM CST at the following numbers:

U.S. and U.S. Virgin Islands: 1-866-705-5711

Alaska and Puerto Rico: 1-800-234-3867 (Select Option 2, then Option 1)

For Hearing Impaired Customers Only call: 1-877-807-1679 (TTY Line)

Once assigned a DUNS number, entities are responsible for maintaining up-to-date information with Dun & Bradstreet.

### **B. Entity Registration in SAM**

Register in SAM online at <http://www.sam.gov/>. Once registered in SAM, entities must renew and revalidate their SAM registration at least every 12 months from the date

previously registered. Entities are strongly urged to revalidate their registration as often as needed to ensure that their information is up to date and in synch with changes that may have been made to DUNS and IRS information. Foreign entities who wish to be paid directly to a United States bank account must enter and maintain valid and current banking information in SAM.

#### **C. Excluded Entities**

Applicant entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program.

#### **D. Cost Sharing or Matching:**

Cost-sharing or matching is not required.

### **IV. Application Requirements**

To be considered for funding under this funding opportunity, an application must contain:

- A.** A completed, signed and dated Application for Federal Assistance form. Because these are discretionary funds for a single source award, WPBC must use the SF 424, Application for Federal Assistance form (<http://apply07.grants.gov/apply/FormLinks?family=15>). Do not include other Federal sources of funding, requested or approved, in the total entered in the “Federal” funding box on the Application for Federal Assistance form. Enter only the amount being requested under this program in the “Federal” funding box. Include any other Federal sources of funding in the total funding entered in the “Other” box.

#### **B. Project Summary**

The Service is overseeing large-scale studies of Bald and Golden Eagles throughout the western U.S. The Service needs additional information survival, mortality causes, habitat use, movement patterns, and territory size throughout the western ranges of both species and other priority species of raptor and migratory birds. Region 6 of the Service supports a large proportion of Golden Eagle and Ferruginous Hawk populations in the U.S., including several states that support high breeding, migration, and overwintering densities. Bald Eagles are increasingly more common in Region 6 as well, and are even nesting in highly urbanized areas now. WPBC will work with the Service to safely and efficiently conduct various aspects of field work under this agreement. Data gathered from work under this agreement will help inform various aspects of eagle, raptor, and migratory bird management for the Service, which is vital to maintaining the preservation standard for the species under the Bald and Golden Eagle Protection Act and ensuring robust populations for species protected by the Migratory Bird Treaty Act. Project data also will help inform future Service permitting decisions under the Bald and Golden Eagle Protection Act by providing data essential to making science-based permitting decisions.

## C. Project Narrative

- 1. Statement of Need:** The Service needs additional information on eagle (Bald & Golden) and raptor (especially Ferruginous Hawk) survival, mortality causes, habitat use, movement patterns, and territory size throughout their western ranges. Region 6 of the Service supports a large proportion of Golden Eagle and Ferruginous Hawk population in the U.S., including several states that support high breeding, migration, and overwintering densities. Bald Eagles are increasingly more common in Region 6 as well, and are even nesting in highly urbanized areas now. The Service needs additional data on movement, survival, & habitat use for these species, especially from WY (a core area for Golden Eagles and Ferruginous Hawks), CO (for Bald Eagles along the Front Range), and MT. Data gathered from this project will help inform various aspects of eagle & raptor management for the Service, which is vital to maintaining the preservation standard for the species under the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act. Project data also will help inform future Service permitting decisions under the Bald and Golden Eagle Protection Act by providing data essential to making science-based permitting decisions. Data from surveys of a sample of historical eagle nests/territories, Ferruginous Hawk nests/territories, and other priority species of migratory bird also will be gathered & used in future decision-making endeavors.

The Service in Region 6 currently has nearly 40 Platform Transmitter Terminals (i.e., PTTs, GPS-enabled satellite transmitters) attached to Golden Eagles. However, over half of these were tagged as nestlings & there are large gaps in our data for core areas of WY (along with MT, CO, and NE). The Service in Region 6 needs to increase our sample size of both territorial & migratory adults and sub-adults, especially from key areas in WY. Additionally, the Service has a particular interest in tagging Bald Eagles along the Front Range of the Rocky Mountains to investigate responses of territorial pairs to human encroachment. The PTT units that the Service possesses can be used on both species, and the techniques WPBC uses to safely capture and tag eagles are the same for both species. The Service needs WPBC to safely & efficiently capture eagles and attach GPS-enabled PTT devices, allowing birds' movements to be tracked, recorded, and analyzed. WPBC also will help identify locations to trap, secure any permissions and/or maintain proper permits to trap, assist with carcass recoveries in the case of any mortalities, capture & remove PTTs from eagles that have contributed significant data to the project, and transport/ship any carcasses to the appropriate facility (e.g., Office of Law Enforcement, necropsy lab, National Eagle Repository). Finally, nest surveys for occupancy & productivity for Golden Eagles, Ferruginous Hawks, and other priority species of migratory birds will be conducted to sample areas with historical records of active nest sites to ascertain population changes.

- 2. Project Goals and Objectives:** The long-term, overarching goal of the project is to gather critical movement, survival, and productivity data for eagles & other raptors in Region 6 of FWS. Our project's objectives are to: 1) determine age-specific survival rates, 2) identify relative importance of various causes of mortality, 3) document natal dispersal distance and behavior, 4) track seasonal movements and inter-population mixing, 5) document seasonal resource selection and validate predictive

occurrence models, 6) conduct nest surveys and validate nest habitat models, 7) identify areas of high importance to the species (e.g., nesting and winter concentrations), 8) document nest occupancy & productivity for samples of historical nest sites, and 9) describe behavior and movement of unsuccessful territorial adults and floaters. In order to accomplish this, the Service needs highly- & uniquely-skilled, locally-based raptor (especially eagle) experts to safely capture and attach transmitters to eagles. Working with eagles also requires specialized permits that are difficult to obtain/maintain because of the high level of expertise needed to safely capture, handle, and tag eagles. The main objective of this particular project is to safely capture and attach PTT telemetry units to Golden Eagles (or capture & remove PTTs from birds that have been part of the study for considerable time) in key areas within Region 6, especially in WY, in order to bolster the study that is being conducted throughout most of the Service's western regions. Additionally, the Service is initiating a study of Bald Eagles along the Front Range of the Rocky Mountains to investigate their responses to human encroachment. We anticipate live-trapping and attaching PTT units to as many as 40 additional eagles, both territorial & migratory adults and sub-adults for Golden Eagles, and territorial, resident breeding Bald Eagles. WPBC also will help identify locations to trap, secure any permissions and/or maintain proper permits to trap, assist with carcass recoveries in the case of any mortalities, capture & remove PTTs from eagles that have contributed significant data to the project, and transport/ship any carcasses to the appropriate facility (e.g., Office of Law Enforcement, necropsy lab, National Eagle Repository). Finally, nest surveys for occupancy & productivity for Golden Eagles & Ferruginous Hawks will be conducted on a sample of historical nest sites, which helps inform Service policies and decisions on permit-related activities.

- 3. Project Activities, Methods and Timetable:** The primary activities under this agreement are to safely capture and attach PTT telemetry units to Golden Eagles and Bald Eagles in key areas within Region 6 (and Ferruginous Hawks if outside-grant opportunities come to fruition). For Golden Eagles, captures will occur mostly in WY (but also in CO & MT and NE), in order to bolster the study that is being conducted throughout most of the Service's western regions. For Bald Eagles, the Service is initiating a study along the Front Range of the Rocky Mountains to investigate responses of territorial breeding pairs of Bald Eagles to human encroachment. Overall, we anticipate live-trapping and attaching PTT units to as many as 40 eagles, both territorial & migratory adults and sub-adults for Golden Eagles, and territorial, resident breeding Bald Eagles. This will occur between fall of 2015 through fall of 2018. Throughout the agreement period, WPBC also will help identify locations to trap, secure any permissions and/or maintain proper permits to trap, assist with carcass recoveries in the case of any mortalities, and transport/ship any carcasses to the appropriate facility (e.g., Office of Law Enforcement, necropsy lab, National Eagle Repository). Additionally, throughout the agreement period of fall 2015 through summer of 2020, WPBC will attempt to capture & remove PTTs from raptors (mostly eagles) that have contributed significant data to the project, whose PTTs are nearing the end of their expected battery life, or whose PTTs are (or already have) malfunctioning. Region 6 Project Officer and staff will be heavily involved in this project as well, from the logistics planning to implementation.

4. **Stakeholder Coordination/Involvement:** We have coordinated closely with several state and federal agencies (e.g., state fish & wildlife agencies, other Service regional offices & programs, U.S. Forest Service, Bureau of Land Management, etc.) as well as other private entities (e.g., energy and transmission companies, landowners) in the development of this project. WPBC and the Service will continue to coordinate with them as we plan out logistics, seek permissions/permits, and implement work. Close coordination with our state, federal, & private partners is key to the success of this project.
5. **Project Monitoring and Evaluation:** Given the collaborative nature of this project, and the critical timing windows that we have to meet (territorial adults need to be captured when it will not affect nesting activities, migratory eagles are only here during certain periods), the USFWS will be in constant communication with WPBC. Working with state, federal, and private partners, we will be able to narrow our work down to key areas, expedite permissions/permits, and develop & share seasonal work plans quickly & thoroughly. The Region 6 Project Officer and other USFWS personnel will be thoroughly involved in the implementation of this project, so we will be monitoring the achievement of the project's goals/objectives firsthand. Timing and communication is critical throughout this entire process, so we will monitor progress continually throughout the agreement period. We will require interim financial and interim progress reports annually, although we will be in constant communication with WPBC throughout each year. Additionally, WPBC will share data and reports with the Project Officer after each major bout of work (be it a survey or trapping effort), to ensure that objectives are being met, to discuss any adjustments to the methods or protocols, etc. These data and short-term outcomes would be included in annual reports.
6. **Description of Entities Undertaking the Project:** Provide a brief description of the applicant organization and all participating entities and/or individuals. Identify which of the proposed activities each agency, organization, group, or individual is responsible for conducting or managing. Provide complete contact information for the individual within the organization that will oversee/manage the project activities on a day-to-day basis.

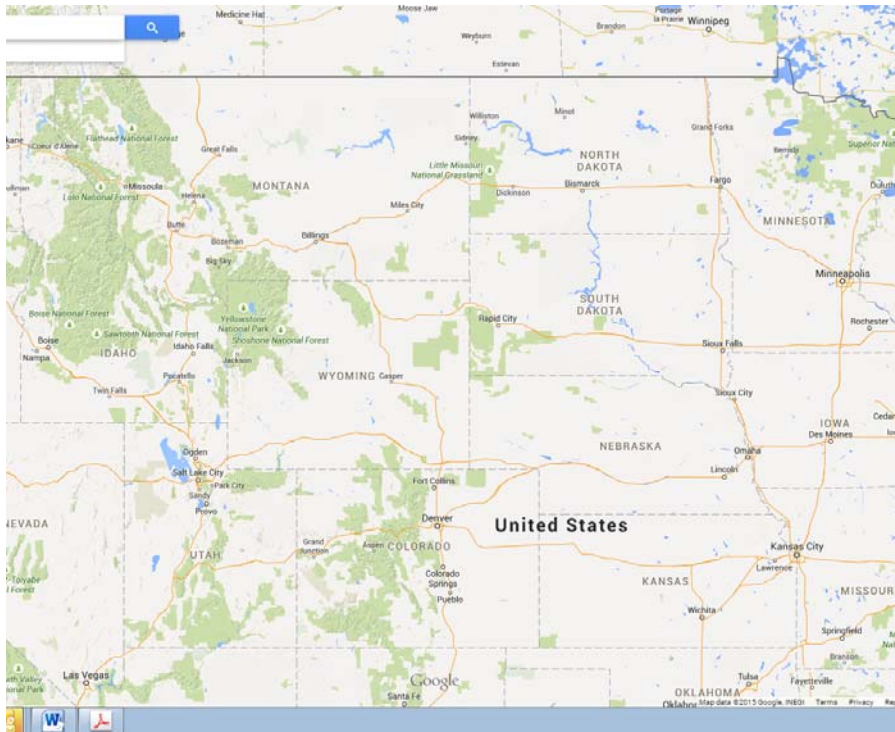
Wildlands Photography & Bio-Consulting is a commercial business, with J. Michael (Mike) Lockhart as the Owner/Sole Proprietor. Mr. Lockhart has an extensive background working with eagles and other raptors. His capture & PTT attachment methods have a proven track record of being safe for eagles/raptors, and being efficient. He currently possesses and maintains all state and federal permits to conduct the work the Service has outlined in this agreement. WPBC will be responsible for all field activities outlined in this agreement, with significant oversight & involvement from the Project Officer and Service personnel. Brian W. Smith (Deputy Chief, Region 6 Migratory Bird Management; [brian\\_w\\_smith@fws.gov](mailto:brian_w_smith@fws.gov) & 303-236-4403) will be the Project Officer and will have significant involvement with this project on a day-to-day basis.

## 7. Sustainability:

This project will not extend past the summer of 2020. The Region 6 Project Officer will act on the results achieved. We do not anticipate future activities to be funded that adhere to the goals and objectives listed under this agreement.

## 8. Literature Cited n/a

## 9. Map of Project Area: Work under this agreement can occur anywhere throughout Region 6 (MT, WY, UT, CO, ND, SD, NE, KS), although most work will occur in WY, CO, and MT.



## D. Budget Form

Complete the Budget Information for Non-Construction Programs (SF 424A) or Budget Information for Construction Programs (SF 424C) form. Use the SF 424A if your project does not include construction and the SF 424C if the project includes construction or land acquisition. The budget forms are available on the Internet at <http://apply07.grants.gov/apply/FormLinks?family=15>. When developing your budget, keep in mind that financial assistance awards and subawards are subject to the Federal cost principles in Title 2 of the Code of Federal Regulations Part 200, as applicable to the recipient organization type. Links to the full text of the Federal cost principles are available on the Internet at <http://www.ecfr.gov/>.

**Multiple Federal Funding Sources:** If the project budget includes multiple Federal funding sources, you must show the funds being requested from this Federal program *separately* from any other requested/secured Federal sources of funding on the budget form. For example,



enter the funds being requested from this Federal program in the first row of the Budget Summary section of the form and then enter funding related to other Federal programs in the subsequent row(s). Be sure to enter each Federal program's CFDA number in the corresponding fields on the form. The CFDA number for this Federal program appears on the first page of this funding opportunity.

#### **E. Budget Justification**

In a separate narrative titled “**Budget Justification**”, explain and justify all requested budget items/costs. Detail how the SF 424 Budget Object Class Category totals were determined and demonstrate a clear connection between costs and the proposed project activities. For personnel salary costs, include the base-line salary figures and the estimates of time (as percentages) to be directly charged to the project. Describe any item that under the applicable Federal cost principles requires the Service's approval and estimate its cost.

If Federally-funded equipment will be used for the project, provide a list of that equipment, including the Federal funding source.

**Required Indirect Cost Statement:** All applicants except individuals applying for funds separate from a business or non-profit organization he/she may operate must include in the budget justification narrative one of the following statements and attach to their application any required documentation identified in the applicable statement:

“We are:

1. A U.S. state or local government entity receiving more than \$35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. A copy of our most recently approved rate agreement/certification is attached.
2. A U.S. state or local government entity receiving less than \$35 million in direct Federal funding with an indirect cost rate of [insert rate]. We are required to prepare and retain for audit an indirect cost rate proposal and related documentation to support those costs.
3. A [insert your organization type; U.S. states and local governments, please use one of the statements above or below] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. A copy of our most recently approved rate agreement is attached.
4. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.
5. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. However, in the event an award is made, we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimus* indirect cost



rate of 10% of modified total direct costs as defined in [Title 2 of the Code of Federal Regulations Part 200, section 200.68](#). We understand that the 10% *de minimus* rate will apply for the life of the award, including any future extensions for time, and that the rate cannot be changed even if we do establish an approved rate with our cognizant agency at any point during the award period

6. A [insert your organization type] that is submitting this proposal for consideration under the [insert either “Cooperative Fish and Wildlife Research Unit Program” or “Cooperative Ecosystem Studies Unit Network”], which has a Department of the Interior-approved indirect cost rate cap of [insert program rate]. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved indirect cost rate agreement. If we do not have an approved indirect cost rate with our cognizant agency, we understand that the basis for direct costs will be the modified total direct cost base defined in 2 CFR 200.68 “Modified Total Direct Cost (MTDC)”. We understand that we must request prior approval from the Service to use the MTDC base instead of the base identified in our approved indirect cost rate agreement, and that Service approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award.
7. A private, for profit, sole proprietorship that will charge all costs directly.

All applicants are hereby notified of the following:

- Recipients without an approved indirect cost rate are prohibited from charging indirect costs to a Federal award. Accepting the 10% *de minimus* rate as a condition of award is an approved rate.
- Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award.
- Only the indirect costs calculated against the Federal portion of the total direct costs may be charged to the Federal award. Recipients may not charge to their Service award any indirect costs calculated against the portion of total direct costs charged to themselves or charged to any other project partner, Federal and non-Federal alike.
- Recipients must have prior written approval from the Service to transfer unallowable indirect costs to amounts budgeted for direct costs or to satisfy cost-sharing or matching requirements under the award.
- Recipients are prohibited from shifting unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.”

Applicants who are individuals applying for funds separate from a business or non-profit organization he/she may operate are not eligible to charge indirect costs to their award. If you are an individual applying for funding, do not include any indirect costs in your proposed budget.

For more information on indirect cost rates, see the Service's **Indirect Costs and Negotiated Indirect Cost Rate Agreements** guidance document on the Internet at <http://www.fws.gov/grants/>.

**Negotiating an Indirect Cost Rate with the Department of the Interior:** Entities that do not have a NICRA must first have an open, active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior is your cognizant agency, your indirect cost rate will be negotiated by the Interior Business Center (IBC). For more information, contact the IBC at:

Indirect Cost Services  
Acquisition Services Directorate, Interior Business Center  
U.S. Department of the Interior  
2180 Harvard Street, Suite 430  
Sacramento, CA 95815  
Phone: 916-566-7111  
Email: [ics@nbc.gov](mailto:ics@nbc.gov)  
Internet address: <http://www.aqd.nbc.gov/Services/ICS.aspx>

- F. Single Audit Reporting Statements:** As required in [Title 2 of the Code of Federal Regulations Part 200](#), Subpart F, all U.S. states, local governments, federally-recognized Indian tribal governments, and non-profit organizations expending \$750,000 USD or more in Federal award funds in a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. All U.S. state, local government, federally-recognized Indian tribal government and non-profit applicants must provide a statement regarding if your organization was/was not required to submit a Single Audit report for the organization's most recently closed fiscal year and, if so, state if that report is available on the Federal Audit Clearinghouse Single Audit Database website (<http://harvester.census.gov/sac/>) and provide the EIN under which that report was submitted. Include these statements at the end of the Project Narrative in a section titled "**Single Audit Reporting Statements**".
- G. Assurances:** Include the appropriate signed and dated Assurances form available online at <http://apply07.grants.gov/apply/FormLinks?family=15>. Use the **Assurances for Construction Programs (SF 424D)** for construction and land acquisition projects. Use the **Assurances for Non-Construction Programs (SF 424B)** for all other projects. Signing this form does not mean that all items on the form are applicable. The form contains language that states that some of the assurances may not be applicable to your organization and/or your project or program.
- H. Certification and Disclosure of Lobbying Activities:** Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee

of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents the applicant's certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying. If you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying in connection with this project AND the project budget exceeds \$100,000, complete and submit the **SF LLL, Disclosure of Lobbying Activities** form. See 43 CFR, Subpart 18.100 for more information on when additional submission of this form is required. Submission of an application also represents the applicant's certification of the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying.

- I. Conflict of Interest Disclosures:** Applicants must notify the Service in writing of any actual or potential conflicts of interest that are known at the time of application or that may arise during the life of this award, in the event an award is made. Conflicts of interest include any relationship or matter which might place the recipient, the recipient's employees, or the recipient's subrecipients in a position of conflict, real or apparent, between their responsibilities under the award and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the applicant, the applicant's employees, or the applicant's future subrecipients in the matter. Upon receipt of such a notice, the Service Project Officer in consultation with their Ethics Counselor will determine if a conflict of interest exists and, if so, if there are any possible actions to be taken by the applicant to reduce or resolve the conflict. Failure to resolve conflicts of interest in a manner that satisfies the Service may result in the project not being select for funding.

#### **Application Checklist**

- ☐ **Evidence of non-profit status:** If a non-profit organization, a copy of their Section 501(c)(3) or (4) status determination letter received from the Internal Revenue Service.
- ✓ **SF 424, Application for Federal Assistance:** A complete, signed and dated SF 424, SF 424-Mandatory, or SF 424-Individual form.
- ✓ **Project summary**
- ✓ **Project narrative**
- ✓ **Timetable**
- ✓ **Description of key personnel qualifications**
- ☐ **Single Audit Reporting statement:** If a U.S. state, local government, federally-recognized Indian tribal government, or non-profit organization, statements regarding applicability of and compliance with Single Audit reporting requirements.
- ✓ **SF 424 budget form:** A complete SF 424A or SF 424C Budget Information form.
- ✓ **Budget justification**

- ☐ **Federally-funded equipment list:** If Federally-funded equipment will be used for the project, a list of that equipment.
- ☐ **NICRA:** When applicable, a copy of the organization's current Negotiated Indirect Cost Rate Agreement.
- ✓ **SF 424 Assurances form:** Signed and dated SF 424B or SF 424D Assurances form.
- ✓ **SF LLL form:** If applicable, completed SF-LLL Disclosure of Lobbying Activities form.

Failure to provide complete information may cause delays, postponement, or rejection of the application.

## **V. Submission Instructions**

**SUBMISSION DEADLINE:** June 9, 2015

**Intergovernmental Review:** Before submitting an application, U.S. state and local government applicants should visit the following website ([http://www.whitehouse.gov/omb/grants\\_spoc/](http://www.whitehouse.gov/omb/grants_spoc/)) to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 "Intergovernmental review of Federal Programs." E.O. 12372 was issued to foster the intergovernmental partnership and strengthen federalism by relying on state and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The E.O. allows each state to designate an entity to perform this function. The official list of designated entities is posted on the website. Contact your state's designated entity for more information on the process the state requires to be followed when applying for assistance. States that do not have a designated entity listed on the website have chosen not to participate in the review process.

Download the Application Package linked to this Funding Opportunity on Grants.gov to begin the application process. Downloading and saving the Application Package to your computer makes the required government-wide standard forms fillable and printable.

### ***To submit an application by e-mail:***

Format all of your documents to print on Letter size (8 ½" x 11") paper. Format all pages to display and print page numbers. Scanned documents should be scanned in Letter format, as black and white images only. Where possible, save scanned documents in .pdf format. E-mail your application to the Service program point of contact identified in the Grants.gov funding opportunity.

The required SF 424 Application for Federal Assistance and Assurances forms and any other required standard forms **MUST** be signed by your organization's authorized official. The Signature and Date fields on the standard forms downloaded from Grants.gov are pre-populated with the text "Completed by Grants.gov upon submission" or "Completed on submission to Grants.gov". Remove this text (manually or digitally) before signing the forms.

## **VI. Application Review**

**Criteria:** To be considered for funding, applications must be from a well-qualified entity to conduct the proposed activities safely and cost-efficiently. Additionally, the entity must possess and maintain all state and federal permits needed to capture, extract biological samples (e.g.,

feathers, blood), and attach a PTT via a harness system. The entity must have extensive knowledge and experience with raptor nest surveys (both on the ground and aerial).

### **Review and Selection Process:**

This Single Source application package will be reviewed by the Migratory Bird Program Deputy Chief, based on the criteria listed above. Reviewers also will consider applicant risk and past performance. Reviewers will use an adjectival rating system to rate the applicant's qualifications to conduct the proposed activities safely and cost efficiently, the current status of the applicants state and federal permits, and the applicant's knowledge and experience with raptor nest surveys. Reviewers will categorize each factor as "Extensive/Current," "Moderate/Partial," or "Low/Incomplete" for each of the major factors. The Reviewers will make recommendations to the Migratory Bird Program's Chief for the basis of selection.

Prior to participating in any review or evaluation process, all staff and peer reviewers, evaluators, panel members, and advisors must sign and return to the program office point of contact the "Department of the Interior Conflict of Interest Certification" form. For a copy of this form, contact the Service point of contact identified in the Agency Contacts section below.

Each fiscal year, for every entity receiving one or more awards in that fiscal year, the Service conducts a risk assessment based on eight risk categories. The result of this risk assessment is used to establish a monitoring plan for all awards to the entity in that fiscal year. The Service's risk assessment form is available on the Internet at <http://www.fws.gov/forms/3-2462.pdf>.

## **VII. Award Administration**

**Award Notices:** Following review, applicants may be requested to revise the project scope and/or budget before an award is made. Successful applicants will receive written notice in the form of a notice of award document. Notices of award are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail (e.g., FedEx, DHL or UPS). Award recipients are not required to sign/return the Notice of Award document. Acceptance of an award is defined as starting work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to, and as approved by, the Service. The notice of award document will include instructions specific to each recipient on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests. Applicants whose projects are not selected for funding will receive written notice, most often by e-mail, within 30 days of the final review decision.

**Domestic Recipient Payments:** Prior to award, the Service program office will contact you/your organization to either enroll in the U.S. Treasury's Automated Standard Application for Payments (ASAP) system or, if eligible, obtain approval from the Department of the Interior to be waived from using ASAP.

**Transmittal of Sensitive Data:** Recipients are responsible for ensuring any sensitive data being sent to the Service is protected during its transmission/delivery. The Service strongly recommends that recipients use the most secure transmission/delivery method available. The Service recommends the following digital transmission methods: secure digital faxing; encrypted

emails; emailing a password protected zipped/compressed file attachment in one email followed by the password in a second email; or emailing a zipped/compressed file attachment. The Service strongly encourages recipients sending sensitive data in paper copy to use a courier mail service. Recipients may also contact their Service Project Officer and provide any sensitive data over the telephone.

**Award Terms and Conditions:** Acceptance of a financial assistance award (i.e., grant or cooperative agreement) from the Service carries with it the responsibility to be aware of and comply with the terms and conditions applicable to the award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to and approved by the Service and are subject to the terms and conditions incorporated into the notice of award either by direct citation or by reference to the following: Federal regulations; program legislation or regulation; and special award terms and conditions. The Federal regulations applicable to Service awards are available on the Internet at <http://www.fws.gov/grants/>. If you do not have access to the Internet and require a full text copy of the award terms and conditions, contact the Service point of contact identified in the Agency Contacts section below.

**Recipient Reporting Requirements:**

**Financial and Performance Reports:** Interim financial reports and performance reports may be required. Interim reports will be required no more frequently than quarterly, and no less frequently than annually. A final financial report and a final performance report will be required and are due within 90 calendar days of the end date of the award. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results.

**Significant Developments Reports:** Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the following types of conditions become known:

- Problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation.
- Favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

The Service will specify in the notice of award document the reporting and reporting frequency applicable to the award.

**Conflict of Interest Disclosures:** Recipients are responsible for notifying the Service Project Officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the

recipient, the recipient's employees, or the recipient's subrecipients in a position of conflict, real or apparent, between their responsibilities under this award and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the Recipient, the Recipient's employees, or the Recipient's subrecipients in the matter. Upon receipt of such a notice, the Service Project Officer in consultation with their Ethics Counselor will determine if a conflict of interest exists and, if so, if there are any possible actions to be taken by the Recipient, the Recipient's employee(s), or the Recipient's Subrecipient(s) that could reduce or resolve the conflict. Failure to resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in 2 CFR 200.338, Remedies for Noncompliance, including termination of this award.

**Other Mandatory Disclosures:** Recipients and their subrecipients must disclose, in a timely manner and in writing, to the Service or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting this award. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338, Remedies for noncompliance, including suspension or debarment (See 2 CFR 200.113, 2 CFR Part 180, and 31 U.S.C. 3321).

#### **VIII. Agency Contacts**

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