NOTICE OF FUNDING OPPORTUNITY

DEPARTMENT OF DEFENSE (DoD)

Strengthening Coordinated Conservation on the Central Coast – Maintaining the Momentum behind the California Central Coast Joint Venture

Legacy Resource Management Program

Sole Source Notice of Funding Opportunity (NFO)

Announcement Type: Initial Announcement
NFO Number: HQ003423NFOEASD09

Assistance Listing Number: CFDA 12.632

Anticipated Funding Purpose: Office of the Under Secretary of Defense(OUSD), intends to award a non-research cooperative agreement (CA) to the American Bird Conservancy (ABC) Legacy Resource Management Program (Legacy). This project will produce a positive impact for both biodiversity, protection of species of special concern and increased operational flexibility for DoD facility operations. By establishing a joint venture that can identify the most important conservation needs, answer important conservation questions, and develop and implement conservation strategies with multiple collaboration partners, the California Central Coast Joint Venture will serve as a strong catalyst for conservation of the region.

Key Dates: This announcement will be open to receive an application until the time include in Section IV, "Application and Submission Information."

- **Date Issued**: 6 June 2023
- **Due Date**: 20 June 2023

Agency Contact: All questions should be directed via e-mail to the following contacts:

- Grants Officer: Michael Fanizzo, email: michael.j.fanizzo.civ@mail.mil
- Grants Specialist: Fedline Crowell, email: fedline.crowell.ctr@mail.mil
- Program Manager: Elizabeth Galli-Noble, email: elizabeth.j.galli-noble.civ@mail.mil
- Program Contractor Support: Marwa Rafiq, email: marwa.m.rafiq.ctr@mail.mil
- Program Contractor Support: McKenna McMahon, email: mckenna.n.mcmahon.ctr@mail.mil

I.Program Description

A. Short Description of Funding Opportunity

On behalf of OSD OUSD I-E, the Washington Headquarters Services, Acquisition Directorate, (WHS/AD) seeks an application for a cooperative program with the American Bird Conservancy (ABC) Legacy Resources Management Program (Legacy) proposal *Strengthening Coordinated Conservation on the Central Coast – Maintaining the Momentum behind the California Central Coast Joint Venture* to enable the development and launch of BIRDS Initiative, and support conservation actions and recovery efforts for Mission-sensitive species, including but not limited to: Western Snowy Plover and Least Bell's Vireo.

B. Background

California's Central Coast is the only region in the nation that does not fall within an established U.S. Fish and Wildlife Service (USFWS) Joint Venture Program, and yet it is a region of great biodiversity, and home to integral defense missions. Joint Ventures, created as part of the 1986 North American Waterfowl Management Plan, have been highly successful and are considered a national model for delivering habitat and bird conservation in the regions they serve. Joint Ventures are built upon a foundation of sound knowledge, commitment, and cooperation amongst multiple and diverse stakeholders as part of a collaborative conservation framework. Through instrumental support from DoD's Legacy Resource Management Program and other partners, 2020 saw the launch of the California Central Coast Joint Venture through the establishment of a Management Board and bylaws. Through the hiring of a Conservation Coordinator the C3JV's 2022 Implementation Plan was officially submitted to the USFWS for review and consideration as the 23rd USFWS-sanctioned Migratory Bird Habitat Joint Venture.

C. Program Description/Objective:

The establishment of the C3JV and the DoD's participation and collaboration with this new joint venture will produce positive impact for both biodiversity, protection of species of special concern and increased operational flexibility for DoD facility operations. By establishing a joint venture that can identify the most important conservation needs, answer important conservation questions, and develop and implement conservation strategies with multiple collaboration partners, the California Central Coast Joint Venture will serve as a strong catalyst for conservation of the region. The C3JV's obligations to support the stewardship of species and habitats in the Central Coast provides DoD a regional coordinating partnership that can help achieve recovery goals for listed species and prevent future listings. This increased capacity is essential, not just for protecting and maintaining the biological diversity that defines this region, but for the country's national security priorities in a region of great importance for our defense mission.

See the C3JV Scope of Work for specific information on the anticipated effort.

D. Authorization

The authorization to make awards under this funding opportunity can be found under Assistance Listing (formerly the CFDA Number) 12.632 Legacy Resource Management Program on https://www.sam.gov.

E. Legal Requirements

The cooperative agreement awarded under this announcement will be governed by the general terms and conditions in effect at the time of the award that conform to the DoD's implementation of OMB guidance applicable to financial assistance in 2 CFR 1100 [Subchapter D – Administrative Requirements Terms and Conditions for Cost-Type Grants and Cooperative Agreements to Nonprofit and Government Entities] which are located at https://www.nre.navy.mil/work-with-us/manage-your-award/manage-grant-award/grants-terms-conditions. These terms and conditions are incorporated by reference in this announcement.

II.Federal Award Information

The following information applies to awards issued under this announcement:

Single Award Anticipated: It is anticipated that the award will be made to ABC only, as a result of this notice.

Anticipated Period of Performance: The period of performance (POP) is anticipated to start in June 2023 with a one-year base with option to extend one additional year.

Instrument Type:
The type of funding instrument selected by the Government is planned to be a cooperative agreement. The Government substantial involvement involves:

1. Determination of the primary focus of the cooperative agreement including locations work to be performed;
2. Review and coordination of those primary focus areas;
3. Reviewing, evaluating and approving project awards;
4. Granting access to and providing logistical support to DoD installations. The recipient will only interact with the designated US Government personnel.

Award type and funding arrangements are at the discretion of the Government. It is anticipated that the Government will enter into an agreement with a one (1) year period of performance, in order to complete the goals of this program. Collaborations or subawards with different entities are allowable. The Government reserves the right to accept only portions of an application and to negotiate potential awards.

III. Eligibility Information

A. Eligible Applicants

This requirement is anticipated to be negotiated exclusively with ABC for a cooperative program. No other applications will be considered.

The offeror must be registered in the System for Award Management (SAM) before submission of the application. Information on SAM registration is available at https://www.sam.gov/portal/public/SAM. The offeror must provide a valid unique entity identifier (UEI) on their application. The offeror must continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. WHS may not make a Federal award to the offeror until the offeror has complied with all applicable unique entity identifier and SAM requirements.

B. Cost Sharing or Matching

Cost Sharing is not required.

C. Conflict of Interest: General Requirement for Disclosure

You and your organization must disclose any potential or actual scientific or nonscientific conflict of interest(s) to us. You must also disclose any potential or actual conflict(s) of interest for any identified sub recipient you include in your application. We may have to ask you more questions if we need more information.

At our discretion, we may ask you for a conflict of interest mitigation plan after you submit your application. Your plan is subject to our approval. Conflicts of interest, which are not able to be mitigated, will deem the offeror ineligible for award.

D. Other

a) Licensure or Certification

You must include the Acknowledgment of Support and Disclaimer on all materials created or produced under our awards. This language may be found in the Terms and Conditions included in the award documents.

i. Certifications, representations, and assurances

1. To apply for grants/cooperative agreements and other funding opportunities the applicant entity must have an active registration in the System for Award Management (SAM). Applications will not be accepted unless the entity is registered in SAM. See https://www.grants.gov/web/grants/grantors/grantor-standard-language.html for details on how to register in SAM, and Grants.gov.

2. The Federal Assistance Certifications Report is an attestation that the entity will abide by the requirements of the various laws and regulations; therefore,

as applicable, you are still required to submit any documentation, including the SF-LLL Disclosure of Lobbying Activities (if applicable), and informing DoD of unpaid delinquent tax liability or a felony conviction under any Federal law.

Any attachment containing additional certifications should be prefaced by the following statement:

"By checking "I Agree" on the SF-424 Block 21 you agree to abide by the following statement: "By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)"

An Internal Review Board (IRB) certification is required if living human subjects are involved in the investigation of materials.

IV. Application and Submission Information

A. Submission Date and Time:

DoD will only accept applications submitted on or before 20 June 2023. The application must be submitted via grants.gov. Read the instructions in https://www.grants.gov/web/grants/grantors/grantor-standard-language.html about registering to apply for DoD funds. If the applicant experiences difficulties with their submission, Grants.gov provides support via the toll-free number 1-800-518-4726 and email at support@grants.gov. This ticket number will allow the DoD to verify the issue if it cannot be resolved by the application date.

B. Application Procedures and Requirements

Organizations must have a Unique Entity Identifier (UEI), active System for Award Management (SAM) registration, and Grants.gov account to apply for grants. Please see https://www.grants.gov/web/grants/grantors/grantor-standard-language.html for details on how to go through this process.

The applicant shall submit their application to the following Government's Points of Contacts (POCs).

- Michael Fanizzo, email: michael.j.fanizzo.civ@mail.mil
- Fedline Crowell, email: fedline.crowell.ctr@mail.mil
- Elizabeth Galli-Noble, email: elizabeth.j.galli-noble.civ@mail.mil

C. Application Withdrawal:

An applicant may withdraw an application at any time before award by written notice or by email. Notice of withdrawal shall be sent to the Grants officer identified in this announcement. Withdrawals are effective upon receipt of notice by the Grants officer.

D. Content and Form of Submission:

See https://www.grants.gov/web/grants/grantors/grantor-standard-language.html for information on how to complete the application using Workspace on Grants.gov.

Common formatting requirements across all submitted documents

- Font shall be: Times New Roman, 12 point
- Margins shall be 1 inch on all sides
- Paper size shall be 8 ½ by 11.
- Documentation submitted under this NoFO are expected to be unclassified; classified applications are not permitted.
- All documents must be submitted in PDF format.
- Pre-applications and proposals will be evaluated by Government personnel. Each reviewer is required to sign a conflict-of-interest and confidentiality statement attesting that the reviewer has no known conflicts of interest, and that application and evaluation information will not be disclosed outside the evaluation panel. The names and affiliations of reviewers are not disclosed.
- All submissions will be protected from unauthorized disclosure in accordance with applicable law and DoD regulations. You are expected to appropriately mark each page of their submission that contains proprietary information.

E. Component-specific requirements.

a) Applications

- You must mark your application with the Project Name.
- A summary of what is required for a complete application is below:

Attachments to Required forms (See Attachment A1 for detailed instructions on filling out the SF-424 Forms for DoD grants)

The below chart specifies which forms and attachments are required and specifies the maximum page lengths for attachments to be submitted along with the completed form.

Required Forms
SF424 Mandatory Form (V3.0)
Assurances for Non-construction Programs (SF-424B) (V1.1)
Budget Information for Non-construction Programs (SF-424A) (V1.0)
Disclosure of Lobbying Activities (SF-LLL) (V2.0)
Project Abstract Summary (V2.0) (Suggested length no more than two pages)

Project Narrative Attachment Form (V1.2) (Suggested length no more than 20 pages)

Additional content requirements

- ☐ The Project Narrative Attachment Form should includes: A concise summary of the schedule of activities and milestones should be included in table or bullet-list form. Because the date of award may change at time of application, we recommend a "month 1," "month 2," format, as opposed to naming specific months and dates.
- ☐ Anticipated sub-awards and contract requirements.

F. Funding Restrictions

Per 2 CFR § 200.216, funds may not be used to procure telecommunications equipment or video surveillance services or equipment produced by

- Huawei Technologies Company,
- ZTE Corporation Hytera Communications Corporation,
- Hangzhou Hikvision Digital Technology Company,
- Dahua Technology Company
- any subsidiary or affiliate of such entities

V. Application Review Information

A. Selection Criteria

The standards identified in 32 CFR 22.415 will be used to assess the recipient's qualifications.

B. Review and Selection Process:

Employees of commercial firms under contract to the Government may be used to administratively process applications. By submitting an application, the applicant consents to allowing access to its application(s) by support contractors. These support contracts include nondisclosure agreements prohibiting their contractor employees from disclosing any information submitted by applicants.

The government will conduct reviews of the technical proposal as well as conduct a budget review and a risk review as directed by 2 CFR 200.206. This will include a review of the Federal Awardee Performance and Integrity Information System (FAPIIS). The applicant may review information in FAPIIS and comment on any information entered into that system. Comments made by applicants will be taken into account in addition to other information in considering applicants' integrity, business ethics, and record of performance. At the time of application, there is no additional material to be submitted for this review. However, there may be additional requests for clarification as these reviews progress.

C. Anticipated Announcement and Federal Award Dates:

Decisions are expected to be announced via email. The award is expected to be in place no

later than 30 June 2023.

VI. Federal Award Administration Information

The notification e-mail regarding a selection is not authorization to commit or expend DoD funds. A DoD Grants officer is the only person authorized to obligate and approve the use of Federal funds, This authorization is in the form of a signed Notice of Award. If recommended ABC will be contacted by a DoD Grants officer to discuss any additional information required for award. This may include representations and certifications, revised budgets or budget explanations, or other information as applicable to the proposed award. The award start date will be determined at this time.

B. NATIONAL POLICY REQUIREMENTS (NP)

NP Article I. Nondiscrimination national policy requirements. (December 2014)

Section A. Cross-cutting nondiscrimination requirements. By signing this award or accepting funds under this award, you assure that you will comply with applicable provisions of the national policies prohibiting discrimination:

1. On the basis of race, color, or national origin, in Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et seq.*), as implemented by Department of Defense (DoD) regulations at 32 CFR part 195.

2. On the basis of gender, blindness, or visual impairment, in Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 *et seq.*), as implemented by DoD regulations at 32 CFR part 196.

3. On the basis of age, in the Age Discrimination Act of 1975 (42 U.S.C. 6101 *et seq.*), as implemented by Department of Health and Human Services regulations at 45 CFR part 90.

4. On the basis of disability, in the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by Department of Justice regulations at 28 CFR part 41 and DoD regulations at 32 CFR part 56.

5. On the basis of disability in the Architectural Barriers Act of 1968 (42 U.S.C. 4151 *et seq.*) related to physically handicapped persons' ready access to, and use of, buildings and facilities for which Federal funds are used in design, construction, or alteration.

Section B. [Reserved]

Appendix B to Part 1122—Terms and Conditions for NP Article II, "Environmental National Policy Requirements"

NP Article II. Environmental national policy requirements. (December 2014)

Section A. Cross-cutting environmental requirements. You must:

1. You must comply with all applicable Federal environmental laws and regulations. The laws and regulations identified in this section are not intended to be a complete list.

2. Comply with applicable provisions of the Clean Air Act (42 U.S.C. 7401, *et seq.*) and Clean Water Act (33 U.S.C. 1251, *et seq.*).

3. Comply with applicable provisions of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), as implemented by the Department of Housing and Urban Development at 24 CFR part 35. The requirements concern lead-based paint in buildings owned by the Federal Government or housing receiving Federal assistance.

4. Immediately identify to us, as the Federal awarding agency, any potential impact that you find this award may have on:

a. The quality of the "human environment", as defined in 40 CFR 1508.14, including wetlands; and provide any help we may need to comply with the National Environmental Policy Act (NEPA, at 42 U.S.C. 4321 *et seq.*), the regulations at 40 CFR 1500–1508, and E.O. 12114, if applicable; and assist us to prepare Environmental Impact Statements or other environmental documentation. In such cases, you may take no action that will have an environmental impact (*e.g.,* physical disturbance of a site such as breaking of ground) or limit the choice of reasonable alternatives to the proposed action until we provide written notification of Federal compliance with NEPA or E.O. 12114.

b. Flood-prone areas and provide any help we may need to comply with the National Flood Insurance Act of 1968, as amended by the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 *et seq.*), which require flood insurance, when available, for federally assisted construction or acquisition in flood-prone areas.

c. A land or water use or natural resource of a coastal zone that is part of a federally approved State coastal zone management plan and provide any help we may need to comply with the Coastal Zone Management Act of 1972 (16 U.S.C. 1451, *et seq.*) including preparation of a Federal agency Coastal Consistency Determination.

d. Coastal barriers along the Atlantic and Gulf coasts and Great Lakes' shores and provide help we may need to comply with the Coastal Barrier Resources Act (16 U.S.C. 3501 *et seq.*), concerning preservation of barrier resources.

e. Any existing or proposed component of the National Wild and Scenic Rivers system and provide any help we may need to comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 *et seq.*).

f. Underground sources of drinking water in areas that have an aquifer that is the sole or principal drinking water source and in wellhead protection areas, and provide any help we may need to comply with the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*).

5. You must comply fully with the Endangered Species Act of 1973, as amended (ESA, at 16 U.S.C. 1531 *et seq.*), and implementing regulations of the Departments of the Interior (50 CFR parts 10–24) and Commerce (50 CFR parts 217–227). You also must provide any help we may need in complying with the consultation requirements of ESA section 7 (16 U.S.C. 1536) applicable to Federal agencies or any regulatory authorization we may need based on the award of this grant. This is not in lieu of responsibilities you have to comply with provisions of the Act that apply directly to you as a U.S. entity, independent of receiving this award.

6. You must fully comply with the Marine Mammal Protection Act of 1972, as amended (MMPA, at 16 U.S.C. 1361 *et seq.*) and provide any assistance we may need in obtaining any required MMPA permit based on an award of this grant.

Section B. [Reserved]

Appendix C to Part 1122—Terms and Conditions for NP Article III, "National Policy Requirements Concerning Live Organisms"

NP Article III. National policy requirements concerning live organisms. (December 2014)

Section A. Cross-cutting requirements concerning live organisms.

1. ***Human subjects.***

a. You must protect the rights and welfare of individuals who participate as human subjects in research under this award and comply with the requirements at 32 CFR part 219, DoD Instruction (DoDI) 3216.02, 10 U.S.C. 980, and when applicable, Food and Drug Administration (FDA) regulations.

b. You must not begin performance of research involving human subjects, also known as human subjects research (HSR), that is covered under 32 CFR part 219, or that meets exemption criteria under 32 CFR 219.101(b), until you receive a formal notification of approval from a DoD Human Research Protection Official (HRPO). Approval to perform HSR under this award is received after the HRPO has performed a review of your documentation of planned HSR activities and has officially furnished a concurrence with your determination as presented in the documentation.

c. In order for the HRPO to accomplish this concurrence review, you must provide sufficient documentation to enable his or her assessment as follows:

i. If the HSR meets an exemption criterion under 32 CFR 219.101(b), the documentation must include a citation of the exemption category under 32 CFR 219.101(b) and a rationale statement.

ii. If your activity is determined as "non-exempt research involving human subjects", the documentation must include:

(A) Assurance of Compliance (*i.e.,* Department of Health and Human Services Office for Human Research Protections (OHRP) Federal Wide Assurance (FWA)) appropriate for the scope of work or program plan; and

(B) Institutional Review Board (IRB) approval, as well as all documentation reviewed by the IRB to make their determination.

d. The HRPO retains final judgment on what activities constitute HSR, whether an exempt category applies, whether the risk determination is appropriate, and whether the planned HSR activities comply with the requirements in paragraph 1.a of this section.

e. You must notify the HRPO immediately of any suspensions or terminations of the Assurance of Compliance.

f. DoD staff, consultants, and advisory groups may independently review and inspect your research and research procedures involving human subjects and, based on such findings, DoD may prohibit research that presents unacceptable hazards or otherwise fails to comply with DoD requirements.

g. Definitions for terms used in paragraph 1 of this article are found in DoDI 3216.02.

2. ***Animals.***

a. Prior to initiating any animal work under the award, you must:

i. Register your research, development, test, and evaluation or training facility with the Secretary of Agriculture in accordance with 7 U.S.C. 2136 and 9 CFR 2.30, unless otherwise exempt from this requirement by meeting the conditions in 7 U.S.C. 2136 and 9 CFR parts 1–4 for the duration of the activity.

ii. Have your proposed animal use approved in accordance with Department of Defense Instruction (DoDI) 3216.01, Use of Animals in DoD Programs by a DoD Component Headquarters Oversight Office.

iii. Furnish evidence of such registration and approval to the grants officer.

b. You must make the animals on which the research is being conducted, and all premises, facilities, vehicles, equipment, and records that support animal care and use available during business hours and at other times mutually agreeable to you, the United States Department of Agriculture Office of Animal and Plant Health Inspection Service (USDA/APHIS) representative, personnel representing the DoD component oversight offices, as well as the grants officer, to ascertain that you are compliant with 7 U.S.C. 2131 *et seq.,* 9 CFR parts 1–4, and DoDI 3216.01.

c. Your care and use of animals must conform with the pertinent laws of the United States, regulations of the Department of Agriculture, and regulations, policies, and procedures of the Department of Defense (see 7 U.S.C. 2131 *et seq.,* 9 CFR parts 1–4, and DoDI

3216.01).

d. You must acquire animals in accordance with DoDI 3216.01.

3. ***Use of Remedies.***

Failure to comply with the applicable requirements in paragraphs 1–2 of this section may result in the DoD Component's use of remedies, *e.g.,* wholly or partially terminating or suspending the award, temporarily withholding payment under the award pending correction of the deficiency, or disallowing all or part of the cost of the activity or action (including the federal share and any required cost sharing or matching) that is not in compliance. See OAR Article III.

Section B. [Reserved]

Appendix D to Part 1122—Terms and Conditions for NP Article IV, "Other National Policy Requirements"

NP Article IV. Other National Policy Requirements. (December 2014)

Section A. Cross-cutting requirements.

1. ***Debarment and suspension.*** You must comply with requirements regarding debarment and suspension in Subpart C of 2 CFR part 180, as adopted by DoD at 2 CFR part 1125. This includes requirements concerning your principals under this award, as well as requirements concerning your procurement transactions and subawards that are implemented in PROC Articles I through III and SUB Article II.

2. ***Drug-free workplace.*** You must comply with drug-free workplace requirements in Subpart B of 2 CFR part 26, which is the DoD implementation of 41 U.S.C. chapter 81, "Drug-Free Workplace."

3. ***Lobbying.***

a. You must comply with the restrictions on lobbying in 31 U.S.C. 1352, as implemented by DoD at 32 CFR part 28, and submit all disclosures required by that statute and regulation.

b. You must comply with the prohibition in 18 U.S.C. 1913 on the use of Federal funds, absent express Congressional authorization, to pay directly or indirectly for any service, advertisement or other written matter, telephone communication, or other device intended to influence at any time a Member of Congress or official of any government concerning any legislation, law, policy, appropriation, or ratification.

c. If you are a nonprofit organization described in section 501(c)(4) of title 26, United States Code (the Internal Revenue Code of 1968), you may not engage in lobbying activities as defined in the Lobbying Disclosure Act of 1995 (2 U.S.C., chapter 26). If we

determine that you have engaged in lobbying activities, we will cease all payments to you under this and other awards and terminate the awards unilaterally for material failure to comply with the award terms and conditions.

4. ***Officials not to benefit.*** You must comply with the requirement that no member of Congress shall be admitted to any share or part of this award, or to any benefit arising from it, in accordance with 41 U.S.C. 6306.

5. ***Hatch Act.*** If applicable, you must comply with the provisions of the Hatch Act (5 U.S.C. 1501–1508) concerning political activities of certain State and local government employees, as implemented by the Office of Personnel Management at 5 CFR part 151, which limits political activity of employees or officers of State or local governments whose employment is connected to an activity financed in whole or part with Federal funds.

6. ***Native American graves protection and repatriation.*** If you control or possess Native American remains and associated funerary objects, you must comply with the requirements of 43 CFR part 10, the Department of the Interior implementation of the Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C., chapter 32).

7. ***Fly America Act.*** You must comply with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. 40118), commonly referred to as the "Fly America Act," and implementing regulations at 41 CFR 301–10.131 through 301–10.143. The law and regulations require that U.S. Government financed international air travel of passengers and transportation of personal effects or property must use a U.S. Flag air carrier or be performed under a cost sharing arrangement with a U.S. carrier, if such service is available.

8. ***Use of United States-flag vessels.*** You must comply with the following requirements of the Department of Transportation at 46 CFR 381.7, in regulations implementing the Cargo Preference Act of 1954:

a. Pursuant to Public Law 83–664 (46 U.S.C. 55305), at least 50 percent of any equipment, materials or commodities procured, contracted for or otherwise obtained with funds under this award, and which may be transported by ocean vessel, must be transported on privately owned United States-flag commercial vessels, if available.

b. Within 20 days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, "on-board" commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph 8.a of this section must be furnished to both our award administrator (through you in the case of your contractor's bill-of-lading) and to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590.

9. ***Research misconduct.*** You must comply with requirements concerning research misconduct in Enclosure 4 to DoD Instruction 3210.7, "Research Integrity and Misconduct." The Instruction implements the Governmentwide research misconduct policy that the Office

of Science and Technology Policy published in the Federal Register (65 FR 76260, December 6, 2000, available through the U.S. Government Printing Office website: *https://www.federalregister.gov/documents/2000/12/06/00-30852/executive-office-of-the-president-federal-policy-on-research-misconduct-preamble-for-research*).

10. ***Requirements for an Institution of Higher Education Concerning Military Recruiters and Reserve Officers Training Corps (ROTC).***

a. As a condition for receiving funds available to the DoD under this award, you agree that you are not an institution of higher education (as defined in 32 CFR part 216) that has a policy or practice that either prohibits, or in effect prevents:

i. The Secretary of a Military Department from maintaining, establishing, or operating a unit of the Senior Reserve Officers Training Corps (ROTC)—in accordance with 10 U.S.C. 654 and other applicable Federal laws—at that institution (or any subelement of that institution);

ii. Any student at that institution (or any subelement of that institution) from enrolling in a unit of the Senior ROTC at another institution of higher education.

iii. The Secretary of a Military Department or Secretary of Homeland Security from gaining access to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of military recruiting in a manner that is at least equal in quality and scope to the access to campuses and to students that is provided to any other employer; or

iv. Access by military recruiters for purposes of military recruiting to the names of students (who are 17 years of age or older and enrolled at that institution or any subelement of that institution); their addresses, telephone listings, dates and places of birth, levels of education, academic majors, and degrees received; and the most recent educational institutions in which they were enrolled.

b. If you are determined, using the procedures in 32 CFR part 216, to be such an institution of higher education during the period of performance of this award, we:

i. Will cease all payments to you of DoD funds under this award and all other DoD grants and cooperative agreements; and

ii. May suspend or terminate those awards unilaterally for material failure to comply with the award terms and conditions.

11. ***Historic preservation.*** You must identify to us any:

a. Property listed or eligible for listing on the National Register of Historic Places that will be affected by this award, and provide any help we may need, with respect to this award, to comply with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 306108), as implemented by the Advisory Council on Historic Preservation regulations at

36 CFR part 800 and Executive Order 11593, "Identification and Protection of Historic Properties," [3 CFR, 1971–1975 Comp., p. 559]. Impacts to historical properties are included in the definition of "human environment" that require impact assessment under NEPA (See NP Article II, Section A).

b. Potential under this award for irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data, and provide any help we may need, with respect to this award, to comply with the Archaeological and Historic Preservation Act of 1974 (54 U.S.C. chapter 3125).

12. ***Relocation and real property acquisition.*** You must comply with applicable provisions of 49 CFR part 24, which implements the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601, *et seq.*) and provides for fair and equitable treatment of persons displaced by federally assisted programs or persons whose property is acquired as a result of such programs.

13. ***Confidentiality of patient records.*** You must keep confidential any records that you maintain of the identity, diagnosis, prognosis, or treatment of any patient in connection with any program or activity relating to substance abuse education, prevention, training, treatment, or rehabilitation that is assisted directly or indirectly under this award, in accordance with 42 U.S.C. 290dd–2.

14. ***Pro-Children Act.***

You must comply with applicable restrictions in the Pro-Children Act of 1994 (Title 20, Chapter 68, subchapter X, Part B of the U.S. Code) on smoking in any indoor facility:

a. Constructed, operated, or maintained under this award and used for routine or regular provision of kindergarten, elementary, or secondary education or library services to children under the age of 18.

b. Owned, leased, or contracted for and used under this award for the routine provision of federally funded health care, day care, or early childhood development (Head Start) services to children under the age of 18.

15. ***Constitution Day.*** You must comply with Public Law 108–447, Div. J, Title I, Sec. 111 (36 U.S.C. 106 note), which requires each educational institution receiving Federal funds in a Federal fiscal year to hold an educational program on the United States Constitution on September 17th during that year for the students served by the educational institution.

16. ***Trafficking in persons.*** You must comply with requirements concerning trafficking in persons specified in the award term at 2 CFR 175.15(b), as applicable.

17. ***Whistleblower protections.*** You must comply with 10 U.S.C. 2409, including the:

a. Prohibition on reprisals against employees disclosing certain types of information to specified persons or bodies; and

b. Requirement to notify your employees in writing, in the predominant native language of the workforce, of their rights and protections under that statute.

VII. Reporting Requirements

1. Financial Reporting
   a) Interim Federal Financial Report (SF 425). A quarterly Federal Financial Report (SF 425) is required within 30 calendar days after the end of reported quarter period: 3/31, 6/30, 9/30, and 12/31 and must include in the remarks the location of financial records and a point of contact for the Government to obtain access to the financial records associated with this agreement.
   b) Final Federal Financial Report (SF 425) is required within 90 calendar days of the completion date for the term of this grant and must include in the remarks the location of financial records and a point of contact for the Government to obtain access to the financial records associated with this agreement.
   c) Federal Financial Report (SF 425) is required if receiving advance payments; the awardee shall submit a Report of Federal Cash Transactions (SF 425) within 15 calendar days following the end of each quarter. The Grantee shall provide forecasts of Federal cash requirements in the "Remarks" section of the report.
   d) Audit Reports. The Grantee shall ensure that if an independent auditor is used for this award, copies of any audits conducted shall be provided to the Government. At a minimum, the following should be provided a certified statement from the independent auditor evidencing that Grantee has complied with all requirements of this agreement. Upon completion or termination of this grant, the Grantee shall provide a list of all audits conducted which reviewed expenditures under this grant/cooperative agreement.

2. Performance Progress Reports (PPR).
   a) The Grantee shall provide Interim PPR to the Government Technical Program Point of Contact, no later than 30 calendar days after the close of each quarter period: 3/31, 6/30, 9/30, and 12/31, except the final quarter of the agreement period. These reports shall detail the period' activities, intermediate results, progress toward goals and other specific information and any issues that may impact completion of the planned work on schedule. If findings or discoveries are made that the recipient feels are of sufficient importance that they would mitigate or impact operations, the Government Technical Program Point of Contact should be notified immediately.
   b) The Grantee shall provide the Final PPR at the end of the period of performance.

3. Presentation of Findings:
   a) The Grantee should expect that the Abstract and Technical Report will be printed and/or read by the general public, senior managers and policymakers in the DOD. Completed Technical Reports will be posted under the publications tab at www.acquisitionresearch.net.
   b) The Technical Report should follow a typical academic format (i.e., background, scope, literature review, methodology, analysis, results, recommendations and conclusion). A status report or a collection of published articles will not be accepted as the Technical Report.

4. Property Reports
   The recipient shall submit annual inventory listing to all equipment in excess of $5,000 acquired under this grant.

5. Document submission:
   All reporting requirements above shall be sent via email to the Government Technical Program Point of Contact.

The terms and conditions of the award will provide the specifics on how to submit the reports and any required sections for those reports.

Report	Requirements/Form	Frequency
Progress Reports (Interim and Final)		Quarterly & Annually
Financial Report	SF 425	Annually
Payment Report	SF 270	Monthly
Closeout Report		Once

Additional mandatory reporting requirements include those include in the following:
2 CFR 180.335 - What information must I provide before entering into a covered transaction with a Federal agency?;
2 CFR 180.350 - What must I do if I learn of information required under § 180.335 after entering into a covered transaction with a Federal agency?;
2 CFR Part 170 - Reporting Subaward and Executive Compensation Information; and,
2 CFR Appendix XII to Part 200 - Award Term and Condition for Recipient Integrity and Performance Matters.

Awardees will need to comply with the reporting requirements in 2 CFR 170: Reporting Sub-award and Executive Compensation Information

The terms and conditions of the award will provide the specifics on how to submit the reports and any required sections for those reports.

VIII. Other Administrative Requirements

Not Applicable.

IX. Federal Contacts

Questions regarding program policy, program content, or technical issues should be directed to DoD Program Technical Point of Contact:

Elizabeth (Liz) Galli-Noble
OUSD(A&S)DoD Legacy Resource Management Program
Office: 571-372-8299
Email: elizabeth.j.galli-noble.civ@mail.mil

Marwa Rafiq

OUSD(A&S)DoD Legacy Resource Management Program
Office: 571-342-2802
Email: marwa.m.rafiq.ctr@mail.mil

McKenna McMahon
OUSD(A&S)DoD Legacy Resource Management Program
Office: 850-866-8559
Email: mckenna.n.mcmahon.ctr@mail.mil

Questions regarding administrative problems or grant administration should be directed to DoD Grants Officers:

Michael Fanizzo, Grants Officer
Washington Headquarter Services, Acquisition Directorate
Email: michael.j.fanizzo.civ.civ@mail.mil

Fedline Crowell, Grants Specialist
Washington Headquarter Services, Acquisition Directorate
Email: fedline.crowell.ctr@mail.mil

Questions regarding Grants.gov should be directed to: the toll-free number 1-800-518-4726 and email at support@grants.gov.

X. Other Information

The Federal government is not obligated to make any Federal award as a result of the announcement. Only Grants Officers can bind the Federal government to the expenditure of fund.

Applications must not include any information that has been identified as classified national security information under authorities established in Executive Order 12958, Classified National Security Information.