

U.S. DEPARTMENT OF AGRICULTURE (USDA)

AGENCY: Natural Resources Conservation Service (NRCS), West Virginia State Office

ACTION: NOTICE

Accepting applications to assist NRCS West Virginia implement projects that will provide direct technical services to plan and/or implement conservation practices throughout West Virginia, additional specific objectives are described in section I B.

SUMMARY: The NRCS – West Virginia State Office, an agency under the United States Department of Agriculture (USDA), is seeking support from likeminded natural resource conservation partners. This is a re-advertisement of the original announcement due to a low number of responses that met the intent for the applicant to provide technical assistance. The overall intent of this announcement is to solicit partnerships to provide direct **technical services** (boots on the ground) to plan and/or implement conservation practices throughout West Virginia and reach objectives and priorities outlined further in this document. Research proposals will not be accepted, nor considered as part of this announcement.

Proposals will be accepted from entities delivering conservation programs and services in West Virginia. West Virginia NRCS anticipates that the total funds available in support of this program in FY 2019 will be up to \$2,000,000, **subject to availability of funds at the time of award**. Proposals are requested from eligible entities, non-profits, governmental or non-governmental organizations, and institutions of higher learning for competitive consideration of awards for projects between three and five years in duration.

This notice identifies the objectives, eligibility criteria, and application instructions. Applications will be screened for completeness and compliance with the provisions of this notice. Incomplete and/or noncompliant applications will be eliminated from competition and notification of elimination will be sent to the applicant. The West Virginia State Conservationist reserves the right not to fund any or all applications. NRCS will accept applications under this notice for multiyear applications submitted by eligible entities.

DATES: Questions must be received by NRCS by 4:00 p.m. EST, July 26, 2019.

Applications must be received by NRCS by 4:00 p.m. EST, August 8, 2019.

SUPPLEMENTARY INFORMATION

I. FUNDING OPPORTUNITY DESCRIPTION

A. Legislative Authority

Food, Conservation and Energy Act of 2008, Public Law 110-246; Food Security Act of 1985, Title XII, Part Subtitle D, Section 1237, Public Law 99-198, 16 U.S.C 3831-3835a. Soil Conservation and Domestic Allotment Act, Public Law 74-76, N/A Stat. N/A, 16 U.S.C 590 a-f. Food, Conservation, and Energy Act of 2008, Section 2602, Public Law 110-246; Farm Security and Rural Investment Act of 2002, Section 2502, Public Law 107-171; Federal Agriculture Improvement and Reform Act of 1996, Section 387, Public Law 104-127, 110 Stat. 888, 16 U.S.C 2826a. Subtitle I of Title XII of the Food Security Act of 1985 as amended by section 2401 of the Agriculture Act of 2014.

CFDA 10.902 – Soil and Water Conservation (CTA): Soil Conservation and Domestic Allotment Act, Public Law 74-76, N/A Stat. N/A, 16 U.S.C 590 a-f.

CFDA 10.904 - Watershed Protection Projects (WSOP/FPOP): Watershed Initiatives - PL-566 Watershed Protection & Flood Prevention, Public Law 83-566 Watershed Protection and Flood Prevention Act (1954) projects, PL-534 Flood Control Act of 1944, Public Law 78-534, 16 U.S.C. 1001-1009.

CFDA 10.912 – Environmental Quality Incentives Program (EQIP): This program is authorized by Chapter 4 of Subtitle D of Title XII of the Food Security Act of 1985 (16 USC 3839aa—3839aa-8), effective February 7, 2014., Executive Order Executive Order, Title XII, Part Subtitle D, Public Law 99-198, 16 U.S.C 3830.

CFDA 10.924 – Conservation Stewardship Program (CStP) – Food Security Act of 1985, Public Law 106-224, NA Stat. NA, 16 U.S.C 3838h.

CFDA 10.931 – Agriculture Conservation Easement Program (ACEP-ALE/WRE): Food Security Act of 1985, Title XII, Part Subtitle D, Section 1237, Public Law 99-198.

B. Overview

The purpose of this announcement is to advertise opportunities to parties who are interested in partnering with NRCS to provide direct technical services (boots on the ground) to address the key conservation objectives and focus areas described below. NRCS will accept applications under this notice for multiyear applications submitted by eligible entities based in or with substantial operations in West Virginia.

Technical assistance services are defined as: Technical expertise, information, training, education, and tools necessary for a producer to be able to successfully

plan, implement, operate, and maintain the conservation of natural resources on land active in agriculture, forestry, or related uses. The term includes:

- Technical services provided directly to farmers, ranchers, and other eligible entities, such as conservation planning, technical consultation, assisting with or completing conservation practices designs, completing job sheets, laying out conservation practices, checking on the progress of conservation practices that are under construction, and completing “as-built” drawings.

Conservation partners are invited to apply for NRCS assistance with the following key conservation objectives:

1. Projects that will provide direct technical assistance (boots on the ground) to plan and/or implement conservation practices throughout West Virginia.

Emphasis will be placed on projects that provide direct technical assistance to address critical conservation needs and result in any of the following:

- a. Development of conservation plans, conservation implementation and/or assistance with farm bill applications/contract management.
- b. Provide technical and administrative service in support of conservation easements.
- c. Provide technical assistance for specific tasks such as dam safety and watershed program related activities.

II. FUNDING AVAILABILITY

The NRCS anticipates that the amount of funding available for this announcement will be up to \$2,000,000 in FY 2019. Selected recipients will be notified by email. All awards are subject to the availability of funds appropriated through Congress. Awards may include:

- Contribution Agreements with 50 percent contribution from each party, or
- Cooperative Agreements* without contributions of funds but where significant NRCS involvement is required.

III. In the event cooperative awards are made there will be substantial involvement on the part of the NRCS. This would include NRCS collaboration, participation, or close NRCS oversight and control. This could include:

- a. Authority to suspend work if specification or work statements are not met;
- b. Review and approval of one stage of work before another may begin;

- c. Review and approval of substantive provisions of proposed sub-grants or contracts beyond existing Federal policy;
- d. NRCS and recipient collaboration or joint participation;
- e. Project monitoring to permit specified kinds of direction or redirection of the work because of interrelationships with and impacts on other projects;
- f. Highly prescriptive NRCS requirements that limit recipient discretion;
- g. Review and approval of key personnel; or
- h. Direct NRCS operational involvement or participation during the activity.

Subject to the availability of funds, the resulting agreements are expected to fund multiyear projects, not to exceed five years. Applicants should submit budget applications that fully describe funding requests. Multiyear applications also must be shown completely on Standard Form (SF-424A) page 2, Section D of the application. Subject to the availability of funds, extensions may be granted by unilateral decision of the Government.

III. SUBMISSION INFORMATION

A. How to Obtain Materials

The announcement for this funding opportunity can be found on [grants.gov](https://www.grants.gov). All standard forms necessary for application submission are posted on [Grants.gov](https://www.grants.gov) – Forms Repository

B. Applicant eligibility

Applicants must be federally recognized as Indian Tribe, State or local unit of government, Community Based Organizations, College and/or University, non-governmental organization, non-profit organization, or an organization or entity with an established history of working cooperatively with producers on agricultural land to address local conservation priorities (to be determined by NRCS). All applicant categories must be capable of providing support in the state of West Virginia.

C. Matching Funds Requirements

There is no designated match requirement for these agreements. However, proposals will be evaluated in part on the relative contribution of non-Federal resources to the project. Non-Federal funds may be derived from any combination of cash, non-cash and in-kind sources. Proposals claiming matching funds must ensure funds are secured at time of application. Proposals must include written verification of commitments of matching support (including both cash and in-kind contributions) from third parties. Additional information about matching funds can be found at 2 CFR 200.

D. Applying for assistance – Content and format

Applications must contain the content, format, and information set forth below to receive consideration for funding. **Applicants should not assume prior knowledge on the part of NRCS or others as to the relative merits of the project described in their application.** Applicants must submit only one original copy of the application in the following format:

- Each page must be numbered 8 1/2" x 11" paper with one-inch margins; and
- The text of the application must be typed single spaced in a font no smaller than 12-point.

Applications must include all required forms and narrative sections described below.

Incomplete and/or noncompliant applications will not be considered

1. **Application Form:** (SF 424 Application for Federal Assistance) Applicants must use this document as the cover sheet for each application. The SF 424 can be downloaded from Grants.gov – Forms Repository.
2. **Project Summary:** (Three page maximum) Applicants must submit a description including the information below:
 - a. Project title;
 - b. Primary emphasis area that application pertains to as described in Section I.B.1 of this announcement, clearly document which emphasis area the project will support;
 - c. Project director/contact name, and contact information (including address, email, and telephone number);
 - d. Names and affiliations of application collaborators;
 - e. Project objectives (purpose and goals);
 - f. Project geographic area/location (where application activities will take place);
 - g. Project proposed activities; and
 - h. Project deliverables and benefits.
3. **Project Description:** (Ten page maximum) The description must include the following information:
 - a. Proposal background: Describe the issue or problem. Include the geographic area and those who will be affected and benefit from this project proposal.
 - b. Project objectives and methods: Be specific using qualitative and quantitative measures, if possible, to describe the project's purpose and goals.

- c. Project action plan and timeline: Provide a table listing project actions, timeframes, and associated milestones through project completion. Anticipated start date after September 1, 2019 but subject to change. Proposals should have flexible start dates with timelines shown relative to the execution of an agreement.
 - d. Project Management: Give a detailed description of how the project will be organized and managed. **Include a list of key project personnel, their relevant experience, and their anticipated contributions to the project.** Identify who will participate in monitoring and evaluating the project.
 - e. Project deliverables/products: Provide a list of **specific** deliverables and products that will allow NRCS to monitor progress and make payment. In addition to proposal specific deliverables, selected applicants will be required to provide the following:
 - 1. Quarterly Federal Financial Reports
 - 2. Semi-annual progress reports
 - 3. A final performance report within 90 calendar days after completion of project.
 - f. References, bibliographies, and citations, if included, do not count towards the 10-page maximum.
4. **Budget Information**: The budget portion of the proposal consists of the two parts described below:
- a. SF-424A Budget Information – Non-Construction Programs: Fill in all spaces as appropriate. This form is the summary budget for the project. If there is a desire for the applicant to reach a long-term partnership through this announcement, please indicate this using the SF-424A to indicate multiyear funding needs. If proposed activities will extend past a 12-month period of performance, make sure to identify the funds needed for each funding year period by completing all sections of the SF-424A. Section B, Item 6, Column 1 should reflect the NRCS funds and Column 2 should reflect the applicant's matching funds. The budget narrative should support the Federal funds requested and the applicant's matching funds (if applicable). The breakdown of the Federal share and matching funds should be shown separately on the SF-424A.
 - b. Detailed Budget Narrative: Provide a detailed narrative in support of the budget for the project, broken down by each project year. Discuss how the budget specifically supports the proposed activities. Justify the project cost effectiveness and include justification for personnel and consultant salaries with a description of duties. Personnel costs should include documentation supporting hourly rates. Equipment, supplies and materials need to be itemized with pricing data. Statement(s) of work for any subcontractors and consultants must be included as part of the application.

The budget narrative should include both the Federal funds requested and the applicant's matching funds. The breakdown of the Federal share and matching funds should be shown separately as in the SF-424A, not combined.

The format of the budget narrative can be in a chart, spreadsheet, table, etc. It should be readable on letter size, printable pages. The information needs to be presented in such a way that the reviewers can readily understand what expenses are incurred to support the project.

Note: For further instructions on filling out the SF-424A Budget Information, go to the following link: <http://www.grants.gov>

5. Indirect (Facilities and Administrative) Costs: In order to be eligible to recover any indirect cost under a Federal award, the non-federal entity (NEF) must either:

- a. have a current negotiated indirect cost rate agreement (NICRA) with a Federal agency that has not expired or
- b. qualify for use of the de minimis rate authorized by Title 2 of the Code of Federal Regulations (2 CFR) Section 200.414(f)

In order to qualify for the de minimis rate, the NFE must have never had a NICRA. A State, local or tribal governmental department or agency unit that receives more than \$35 million in direct Federal funding is not eligible for the de minimis rate. NFEs that are eligible for the de minimis rate who already have a de minimis rate agreement must use the rate and base specified in the agreement, which is modified total direct costs (MTDC) as defined by 2 CFR Section 200.68. Note, that MTDC excludes certain costs from the base the rate is applied to. See the instructions for completing the SF-424A "Budget Information" form and budget narrative in section IV below for additional details. A copy of the applicant's de minimis rate agreement must be provided with the application. If an NFE is eligible to use the de minimis rate, but does not have a de minimis rate agreement, use an indirect cost rate of no more than 10% of MTDC when preparing the budget. If selected for award, a de minimis rate agreement will be executed at the same time the agreement is. Applicants wishing to use the de minimis rate must submit a signed statement certifying that the entity 1) has never had a NICRA previously and 2) specifically request a de minimis rate agreement.

NFEs with a NICRA must calculate indirect costs using the rate and base specified in their NICRA. Costs from both the Federal and non-Federal shares are used. The resultant total amount of indirect costs is entered in Section B, Row J, of the SF-424A (Budget Information). An NFE may

voluntarily reduce or waive recovery of indirect costs at their sole discretion and must not be encouraged or coerced in any way to do so by the NRCS. If voluntarily reduced or waived, the NFE may choose to apply any unrecovered indirect costs as part of their cost share or match.

Unrecovered indirect cost means the difference between the amount charged to the Federal award and the amount which could have been charged to the Federal award under the non-Federal entity's approved negotiated indirect cost rate [2 CFR Section 200.306(c)]. A copy of applicant's current NICRA must be provided with the application. If the NFE does not have a current NICRA, indirect costs may not be recovered under an expired NICRA.

The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, Section 708, limits indirect costs under cooperative agreements between USDA and non-profit institutions, including institutions of higher education, to ten percent of the total direct costs of the agreement regardless of an approved NICRA.

6. Certifications and Required Forms:

All proposals must include the following signed certification forms, which are available at Grants.gov:

- a. AD-3030 Representations Regarding Felony Conviction and Tax Delinquent Status for Corporate Applicants. Must be submitted if entity is a corporate non-profit or for-profit corporation as indicated in the applicants System for Award Management (SAM) registration.
- b. AD-3031 Assurances Regarding Felony Conviction and Tax Delinquent Status for Corporate Applicants. Must be submitted if entity is a corporate non-profit or for-profit corporation as indicated in the applicant's SAM registration.
- c. SF-424B, Assurances for Non-Construction Programs. Must be completed by all applicants.
- d. Certification Regarding Lobbying. Must be completed by all applicants.
- e. SF-LLL, Disclosure of Lobbying Form. Must be completed by all applicants.

These forms can be obtained from the Grants.gov website.

- 7. Additional Pre-award Requirements:** The following items **must** be obtained prior to entering into an agreement with the Federal Government but do not need to be provided with the application. Applicants are encouraged to

apply early for their Data Universal Numbering System (DUNS)/System for Award Management (SAM) number.

- a. **DUNS Number:** A Dun and Bradstreet DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of over 70 million businesses worldwide. Applicants must obtain a DUNS number. Information on how to obtain a DUNS number can be found at: <http://fedgov.dnb.com/webform> or by calling 1/866-705-5711. Please note that the registration may take up to 5 business days to complete.
- b. **SAM:** Official U.S. Government system that consolidated the capabilities of Central Contract Registration/Federal Register, Online Registrations and Certifications Application, and Excluded Parties List System. To register, go to: <https://www.sam.gov/portal/public/SAM/>. Please allow a minimum of 7 days to complete the SAM registration.

NRCS may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time NRCS is ready to make a Federal award, NRCS may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

E. **Submission Dates and Times**

Applicants must submit proposals via Grants.gov. Proposals must be received by 4 pm EST on August 8, 2019. Late submissions will not be reviewed or considered. The agency will rely on system generated date and time receipt documentation to determine whether applications meet the submission deadline. Grants.gov provides an automatic acknowledgement when applications are received.

F. **Withdrawal**

Applications may be withdrawn by written notice at any time before selections are made. Applications may be withdrawn by the applicant or by an authorized representative.

G. **Funding Restrictions**

The funds granted through this announcement may **not be used** to pay any of the following costs unless otherwise permitted by law, or approved in writing via the funding instrument in advance of incurring such costs:

1. Costs above the amount of funds authorized for the project;
2. Costs incurred prior to the effective date of the agreement;
3. Costs which lie outside the scope of the approved project and amendments thereto;
4. Entertainment costs (including all food/snacks/beverages), regardless of their apparent relationship to project objectives;
5. Compensation for injuries to persons, or damage to property arising out of project activities;
6. Consulting services performed by a Federal employee during official duty hours when such consulting services result in the payment of additional compensation to the employee; and
7. Renovation or refurbishment of research or related spaces, the purchase or installation of fixed equipment in such spaces, and the planning, repair, rehabilitation, acquisition, or construction of buildings or facilities.

This list is not exhaustive. Questions regarding the allowances of particular items of cost should be directed to the administrative contact person listed on Part VI.

OMB Circulars will be incorporated by reference and made a part of each agreement awarded under this process. Applicants should refer to OMB Circulars and Cost Principles for additional guidance and other requirements relating to matching and allowable costs.

IV. APPLICATION REVIEW AND NOTIFICATION INFORMATION

A. Review and Selection Process

Initially, all application packages will be reviewed to confirm that applicants are eligible recipients. Applications will be screened for completeness and compliance with the provisions of this notice. NRCS will not consider incomplete application or those that do not meet the requirements set forth in this notice, and applicants will be notified when NRCS is not considering their application. Applications will be evaluated against the specific objectives identified in the opportunity titles identified above. Business evaluations are performed by the grants and agreements or contract specialist. Technical reviews are performed by the program manager. Failure to identify the specific opportunity title may result in a determination of ineligibility. NRCS staff will evaluate complete proposals based on the Special Award Selection Factors below (110 points possible).

B. Merit/Technical Criteria

1. (0 to 10 points) The extent to which the project supports the identified conservation objective:
Projects that will provide direct technical services (boots on the ground) to plan and/or implement conservation practices throughout West Virginia.

2. (0 to 20 points) The extent which the proposal places emphasis to achieve any of the following:
 - Development of conservation plans, conservation implementation and/or assistance with farm bill applications/contract management.
 - Provide technical and administrative service in support of conservation easements.
 - Provide technical assistance for specific tasks (such as dam safety and watershed program related activities).
3. (0 to 15 points) Partner match contribution.
4. (0 to 5 points) Evidence in the proposal that the design and implementation of project is based on sound methodology and demonstrated technology.
5. (0 to 10 points) Measurability of project outcomes.
6. (0 to 10 points) Potential for successful completion and benefit to NRCS mission.
7. (0 to 5 points) Project timeline and milestones are clear and reasonable.
8. (0 to 15 points) Project staff has experience working cooperatively with producers on agricultural land to address local conservation priorities and possesses the technical expertise needed to carry out the project.
9. (0 to 15 points) Budget is adequately explained and justified.
10. (0 to 5 points) Project benefits to Historically Underserved Producers, Veteran Farmers or Ranchers or community-based organizations comprised of or representing these entities.

C. Review and Selection Process

Proposals that pass the initial screening are evaluated using a two-part process:

1. Technical peer review panels composed of subject matter experts evaluate the proposals. The technical peer review panel forwards their recommendations to the State Conservationist.
2. The State Conservationist makes the final award selections based on the recommendations of the peer review panels and critical conservation needs.

D. Anticipated Announcement and Award Dates

The agency anticipates announcing or notifying successful and unsuccessful applicants by August 16, 2019. Award dates will be determined by the availability of funds and NRCS workloads. **Proposals should have flexible start dates with timelines shown relative to the execution of an agreement.**

E. Unsuccessful Applications

Applicants whose applications are not selected for funding will be notified of their status within 30 days of the announcement of selections.

V. FEDERAL AWARD ADMINISTRATION INFORMATION

1. Questions

Questions regarding this announcement must be submitted to the Administrative Contact identified below via email with the Opportunity Number in the subject line. Questions must be submitted by July 26, 2019.

2. Federal Award Notification

The agency will provide notice that an application has been selected before it makes the Federal award. As such the selection notification is not an authorization to begin performance. Any pre-award costs incurred by the awardee will not be reimbursed. The Notice of Grant and Agreement Award (form NRCS-ADS-093) signed by the Federally authorized agency representative is the only authorizing document and will be provided electronically to the entity's authorized representative for signature.

Both successful and unsuccessful applicants will be notified of the award decision via letter.

3. Administrative and National Policy Requirements

All project funds will be used in accordance with 2 CFR 200 and NRCS' General Terms and Conditions; a copy of the General Terms and Conditions may be obtained by contacting the Federal Awarding Agency Contacts listed in this announcement.

4. Reporting

Reporting will follow NRCS' General Terms and Conditions but will generally include electronic submission of semiannual progress reports, quarterly financial status reports, and final reports.

If the Federal share of any agreement awarded under this opportunity notice may include more than \$500,000 over the period of performance, recipients must also comply with the post award reporting requirements reflected in Appendix XII of 2 CFR Part 200 – Award Term and Condition for Recipient Integrity and Performance Matters.

5. Freedom of Information and Privacy Act

Applicants should be aware that some or all of the information submitted in their application may be subject to public disclosure through the Freedom of Information Act. Applicants are advised to mark confidential information, such as proprietary information, to prevent disclosure.

6. Other Requirements

Selected applicants will be required to comply with the NRCS-USDA General Terms and Conditions for Grants and Cooperative Agreements. A copy of this document may be obtained by contacting the Agency Contacts listed in Section VI.

VI. AGENCY CONTACTS

Administrative Contact
Name: Bruce Lawrence
Grants Management Specialist
USDA FPAC-BC
bruce.lawrence@usda.gov

Program Contact
Andy Deichert
State Conservation Engineer
USDA – NRCS
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Morgantown, WV 26505
304-284-7563
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U.S. Department of Agriculture Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call

(866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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