

Funding Opportunity Announcement

Natural Resource Survey and Habitat Enhancement for the United States Army on Joint Base Lewis-McChord (JBLM) in Washington State

Funding Agency : <i>US Army Corps of Engineers, Seattle District 4735 E Marginal Way South Seattle, WA 98134</i>	Funding Instrument: Cooperative Agreement Funding Opportunity No: W912DW-24-2-0001 CFDA No: 12.005 Program Title: Natural Resource Survey and Habitat Enhancement for the United States Army on Joint Base Lewis-McChord (JBLM) in Washington State
Issue Date: 6 March 2024	Application Due Date: 27 March 2024
Overview: This announcement represents an opportunity to enter into a Cooperative Agreement with an organization for express purpose of research work and habitat enhancement necessary to protect and sustain the rare habitats (wetland and upland) that exists on Joint Base Lewis-McChord (JBLM) in Washington State. The goal of this cooperative effort is to conduct natural resource survey and habitat enhancement to further restore, support, and sustain the rare habitats that occur within the JBLM installation area. The U.S. Army Corps of Engineers (USACE) is seeking organizations that are qualified, knowledgeable, capable, and have experience providing natural resource survey and habitat enhancement support to assist the Government in its' protection and sustainment of rare habitat(s) efforts. Interested parties should possess the materials and qualified personnel necessary to provide, at a minimum, ecological restoration program support, species and habitat survey and monitoring support, and habitat enhancement and invasive species control support. Statutory Authority: Title 16 of the U.S. Code § 670 Sikes Act, Title I – Conservation Programs on Military Installations.	
Estimated Total Funding: Project Cost Ceiling: \$25,000,000.00	Estimated Number of Awards: One (1)
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Contact Information: Questions relating to Grants.gov including the registration process and system requirements should be directed to the Grants.gov Contact Center at 1-800-518-4726. For assistance with the requirements of this Funding Opportunity Announcement, please contact roger.d.williams@usace.army.mil	
Instructions to Applicants: The complete funding opportunity announcement, application forms, and instructions are available for download at Grants.gov. Applications in response to this Funding Opportunity Announcement shall be submitted by the application due date. Applications may be submitted by mail, email, or via the internet through Grants.gov. Applicants shall have a Unique Entity ID (UEI) number, register with the System of Award Management (SAM), and if submitting application via the internet, register with Grants.gov. See Section IV of the Funding Opportunity Announcement for complete application submission information.	

Section I: Funding Opportunity Description

The Government and the Cooperator are bound to each other by a duty of good faith and best effort to achieve the goals of the agreement. This agreement is not intended to be, nor shall it be construed as, by implication or otherwise, a partnership, a corporation, or other business organization.

Statement of Work

This Scope of Work (SOW) directs the research and habitat enhancement work necessary to protect and sustain the rare habitats (wetland and upland) that exists on Joint Base Lewis-McChord in Washington State. This SOW provides the tasks to be performed in support of the Joint Base Lewis-McChord (JBLM) Fish & Wildlife Program to be implemented through a Cooperative Agreement (CA) administered by the United States Army Corps of Engineers (USACE) Seattle District office. The goal of this project is to provide natural resource survey and habitat enhancement support on JBLM.

Hazards Information

Cooperator support to complete the tasks identified in this SOW may involve handling or being exposed to batteries, fuels, paints, and environmental conditions such as bees, poison oak, and Pacific Northwest weather. Cooperator shall be exposed to military tracked and wheeled vehicles and aircraft, pyrotechnics, and tactical lasers. Cooperator shall work in proximity to weapons firing, including artillery, and shall occasionally be beneath the trajectory of ammunition that has been inspected and cleared for overhead fire. Cooperator shall complete tasks within or in vicinity of the Live Fire Areas and the associated explosions, unexploded ordnance (UXO), and weapons noises and may be required to wear military grade body armor as PPE for entering duded areas. Prior to working in a Live Fire Area, Cooperator will ensure all safety assessments and training are complete prior to entering these areas.

Task 1. Survey, Monitoring, and Research

The Recipient shall anticipate having enough trained, professional and seasonal technical field ecologist support to ensure that all acres on JBLM can be monitored/surveyed during the designated time frame, using JBLM approved protocols and ensure standardization between observers to the best of their ability. Monitoring for Endangered Species, including, but not limited to, the streaked horned lark, Oregon vesper sparrow, Mazama pocket gopher and Taylor's checkerspot butterfly is a requirement of the JBLM Biological Opinion (BO) and must be conducted in accordance with the current accepted protocols negotiated between USFWS and JBLM. These protocols are subject to change as research informs them and updates become necessary. Other species will also be monitored in support of JBLM's Integrated Natural Resource Management Plan (INRMP).

As required under the BO, habitat condition for streaked horned larks, Taylor's checkerspot, Mazama pocket gopher, Oregon vesper sparrow and others must be monitored to determine the impacts of JBLM's actions. Support shall be provided to monitor ESA habitat condition(s) and the effects of JBLM's enhancement efforts within occupied, priority, and suitable habitat on the installation. Habitat monitoring and research will require expertise in statistical modeling, sample design, statistical analysis, and the ability to design both qualitative and quantitative assessments for both vegetation and wildlife species.

Specific work will include:

Avian Monitoring:

The Recipient shall provide program management support to assist with program development/oversight, prioritization planning, budgeting, coordinating, compliance, contracting, partner outreach, crew management, logistical support, reporting, project leadership, and project implementation.

The Recipient shall anticipate providing trained, seasonal technical field ecologists to support monitoring of habitat conditions, enhancement efforts, and impacts of JBLM actions in occupied, priority, and suitable habitat on JBLM. Monitoring activities will use standardized protocols in coordination with JBLM Fish and Wildlife and in accordance with the Biological Opinion (BO). Recipient shall summarize results under this activity following reporting requirements agreed upon with JBLM Fish and Wildlife and as required by the BO.

Recipient shall provide program management support to assist with program development/oversight, prioritization, planning, budgeting, coordinating, compliance, contracting, partner outreach, crew management, logistical support, project leadership, and project implementation.

- Recipient shall participate in nest searches at each occupied site, per JBLM Fish & Wildlife Program guidance following the U.S. Fish and Wildlife Service (USFWS) approved protocol.
- Recipient shall anticipate daily nest searches to be conducted from April through Sept 10th at multiple separate sites, with one (1) - two (2) seasonal technical field ecologists needed at each site to provide full coverage of active nests throughout the season.
- Recipient shall anticipate producing daily maps of lark and vesper nests and Buffered Active Nest Areas to appropriate JBLM (and other agency) managers and reporting any observed violations of the Biological Opinion's conservation measures.
- Recipient shall summarize results under this activity following reporting requirements agreed upon with JBLM Fish and Wildlife and as required by the BO.

Abundance and occupancy monitoring will be conducted within occupied, priority, and suitable habitat on JBLM using standardized protocols approved by JBLM. Lark and vesper monitoring must be conducted during the designated timeframe and in accordance with the BO. Possible search areas of currently unoccupied habitat include Training Areas 6, 13, 14, 15, 18, 21, 22, 23, and the Artillery Impact Area.

- Recipient shall anticipate that three (3) to four (4) trained seasonal technical field ecologists are needed to complete surveys in each area three (3) times during the breeding season. Staff should be trained to ensure standardization between observers to the best of their ability.
- Recipient shall summarize results under this activity following reporting requirements agreed upon with JBLM Fish and Wildlife and as required by the BO. Possible search areas include, but are not limited to, Training Areas 6, 13, 14, 15, 18, 21, 22, 23, and the Artillery Impact Area.

Taylor's checkerspot butterfly and invertebrate monitoring:

Recipient shall anticipate providing Technical field support to lead specialized projects, implement, data collection and management, execute equipment maintenance, track and communicate monitoring and management habitat effects to aid in determining future management actions.

- Conduct abundance and occupancy monitoring within occupied, priority, and suitable habitat on JBLM using standardized protocols approved by the USFWS. Taylor's checkerspot butterfly, Mardon skipper, and other invertebrate monitoring must be conducted during the designated timeframe and in accordance with the BO. Possible search areas of currently unoccupied habitat include Training Areas 4, 5, 6, 7, 13, 14, 15, 18, 21, 22, 23, and the Artillery Impact Area.

Gopher monitoring:

Recipient shall anticipate providing Technical field support to lead specialized projects, implement, data collection and management, execute equipment maintenance, track and communicate monitoring and management habitat effects to aid in determining future management actions.

- Recipient will conduct Mazama pocket gopher monitoring using a JBLM approved protocol in The Artillery Impact area and potentially other training areas on the installation such as Training Areas 6, 18, 21, 22, 23.

Salmonid monitoring:

Salmon surveys and habitat restoration on Muck Creek are a requirement of the Endangered Species Management Component. Support shall be provided to conduct salmon surveys and conduct habitat monitoring as directed by the Government, in reference to the objectives listed in the Puget Salmon Endangered Species Management Components. Annual objectives shift as weed populations ebb and flow along Muck Creek, and populations of enhancement plantings successfully establish or experience mortality due to factors such as predation, summer droughts, and poor

planting survival. As such, the Recipient shall work closely with the Fish & Wildlife Program to ensure the highest priority restoration and monitoring work is being conducted for each period of this agreement.

- Recipient shall anticipate providing two (2) seasonal technical field support technicians to conduct monitoring work.

Habitat Monitoring and Research

Habitat monitoring and research requires expertise in statistical modeling, sample design, statistical analysis, and the ability to design both qualitative and quantitative assessments for both vegetation and wildlife species.

- Recipient will conduct point-intercept data collection on Prairie Habitat Monitoring (PHM) sites within Endangered Species habitat and should anticipate monitoring 500ac per year.
- Recipient will develop study designs, conduct research and provide management recommendations to feed into the adaptive management cycle. Designs will be focused on increasing restoration efficiencies and improving species recovery outcomes tangibly and demonstrably.
- Recipient shall anticipate providing Technical field support to lead specialized projects, implement, data collection and management, execute equipment maintenance, track and communicate monitoring and management habitat effects to aid in determining future management actions.

Task 2. Ecosystem Management

Ecosystem management shall predominantly consist of prescribed fire implementation, invasive and noxious weed control, native forb, tree and shrub planting, seeding of native plant species, but it shall also include other work such as site prep for fire implementation, attending planning meetings, and cooperatively developing implementation plans and strategies.

Ecosystem management will occur in every habitat type on the installation, and the Recipient will have personnel trained and equipment capable of conducting management work in streams, rivers, lakes, prairies, forests, and shrublands.

Recipient shall provide program management support to assist with program development/oversight, prioritization planning, budgeting, coordinating, compliance, contracting, partner outreach, crew management, logistical support, project leadership, and project implementation. Additional ecosystem management support provided under this line item includes the following:

- Recipient shall anticipate providing Program Manager support to assist JBLM with burn program planning, oversight, coordination, logistics, lead burns, training, compliance, crew cohesion, and safety. Program Manager must be at least National Wildfire Coordinating Group (NWCG) Prescribed Fire Burn Boss Type 2 (RXB2) certified to implement prescribed fires on JBLM.
- Recipient shall anticipate providing Technical field firefighting support or similarly trained National Wildfire Coordinating Group (NWCG) crew support during the primary prescribed burn season to participate in burn program at Firefighter Type 2 (FFT 2) certification level or above with the ability to lead engine teams and hold moderately complex fire lines.
- Recipient shall anticipate providing Technical field habitat restoration specialist support to lead specialized projects, implement, data collection and management, execute equipment maintenance, track and communicate management habitat effects to aid in determining future management actions.

- Recipient shall anticipate providing up to two (2) seasonal technical field support technicians to conduct aquatic management work
- Recipient shall anticipate providing habitat restoration specialist support for up to four (4) – five (5) technicians to survey and control over two (2) dozen invasive species at a multitude of population densities, track and communicate management habitat effects to inform future management actions, lead and implement specialized habitat invasive species control projects, perform data collection and management.
- Recipient shall anticipate providing seasonal technical field support, restoration monitoring manager, technical field support restoration specialist, and additional temporary technical field support staff, as needed, to adequately survey identified species and assess ecosystem condition(s)

Task 3. JBLM Land Management (ITAM, O&M, Forestry)

Land management will predominantly consist of prescribed fire implementation and preparation, secondary wildfire assistance (not primary response), invasive and noxious weed control, road maintenance, range maintenance, native forbs, tree and shrub planting, seeding of native plant species, developing implementation plans based off government program-specific guidance, herbicide application, and other management implementation. Additional tasks may include drill seeding, hydro seeding, broadcast seeding, mowing, collecting seed, propagating native plants and/or seeds, repairing maneuver trails, repairing tools and equipment, road repairs, marking and scouting of timber sales, and other vegetation and landscape management.

- Recipient shall anticipate providing seasonal technical field support, restoration monitoring manager, technical field support restoration specialist, and additional temporary technical field support staff, as needed, to adequately survey identified species and assess ecosystem condition(s)
- Recipient shall anticipate providing Technical field firefighting support or similarly trained National Wildfire Coordinating Group (NWCG) crew support during the primary prescribed burn season to participate in burn program at Firefighter Type 2 (FFT 2) certification level or above with the ability to lead engine teams and hold moderately complex fire lines.

Section II: Award Information

1. Type of Award Instrument – One (1) Single Cooperative Agreement
2. Substantial Involvement – The U.S. Army Corps of Engineers (USACE) and the Directorate of Public Works, Environmental Division will team with another entity (i.e., non-federal public or non-profit entities) to prepare and implement an integrated natural resources management plan for Joint Base Lewis-McChord (JBLM). USACE and the Directorate of Public Works, Environmental Division will assist in the execution and oversight of this effort.
3. Funding – The Base Cooperative Agreement will be an unfunded action that the Government can place individual funded Task Orders against. As noted on the first page of the Funding Opportunity announcement, the Project Cost Ceiling is \$25,000,000.00. Funding for this agreement will total no more than \$25,000,000.00 for the entire duration referenced below in the Period of Performance section.
4. Performance Period – This Cooperative Agreement has a five (5) year ordering period, May 1, 2024 through September 30, 2029. Task Orders can be issued at any point throughout this performance period until it terms or until the \$25,000,000.00 Project Cost Ceiling is reached, whichever comes first. The Cooperator shall complete all work and services as required by each Task Order(s) placed under this agreement within the period of performance specified in said Task Order(s).

Section III: Eligibility Information

1. Eligible Applicants – Non-Federal public or non-profit entities.
2. Cost Sharing – Not required for this requirement.
3. Other – As stated on the first page of the Funding Opportunity Announcement, the Cooperator should possess the materials and qualified personnel necessary to provide, at a minimum, ecological restoration program support, species and habitat survey and monitoring support, and habitat enhancement and invasive species control support.

Section IV: Application and Submission Information

1. Address to Request Application Package

The complete funding opportunity announcement, application forms, and instructions are available for download at Grants.gov. USACE is not responsible for any loss of internet connectivity or for an applicant's inability to access documents posted at the referenced website.

The administrative point of contact is the Grants Specialist, Monique Paano (206) 764-6084, Monique.a.paano@usace.army.mil.

2. Content and Form of Application Submission

All mandatory forms and any applicable optional forms must be completed in accordance with the instructions on the forms and the additional instructions below.

- a. SF 424 - Application for Federal Assistance
- b. SF 424 A – Budget Information for Nonconstruction Programs
- c. SF 424 B – Assurances – Non-Construction Programs
- d. Program Narrative – Brief program description illustrating applicant's ability to meet the goals and objectives described in Section I of the announcement.
- e. SF-LLL – Disclosure of Lobbying Activities
- f. Certificate of Authority
- g. Attachment A – Certifications
 - i. Lobbying
 - ii. Debarment, Suspension, and Other Responsibility Matters
 - iii. Drug-Free Workplace (Recipient other than individuals)
 - iv. Environmental Tobacco Smoke

3. Application shall be submitted NO LATER THAN 27 March 2024.

4. Submission Instructions

Applications may be submitted by e-mail or via the internet. Choose ONE of the following submission methods:

- a. E-mail:
Format all documents to print on Letter (8 ½ x 11") paper. E-mail proposal to the Grants Specialist at Monique.a.paano@usace.army.mil.
- b. Internet:
Applicants are not required to submit proposals through Grants.gov. However, if applications are submitted via the internet, applicants are responsible for ensuring that their Grants.gov proposal submission is received in its entirety. The Government bears no responsibility for data errors resulting from transmission of conversion processes associated with electronic submissions. The Government will bear no responsibility for delays in submissions due to technical difficulties at or with the Grants.gov website.

All applicants choosing to use Grants.gov to submit proposals must be registered and have an account with Grants.gov. It may take up to three weeks to complete Grants.gov registration. For more information on registration, go to <http://www.grants.gov/ForApplicants>.

Section V: Application Review Information

1. Criteria

The following criteria shall serve as the standard against which any response to this announcement will be evaluated.

a. Initial Review

The Government will perform an initial review to determine that the applicant is (1) eligible in accordance with Section III of the announcement; (2) all information required by Section IV has been submitted; and (3) all mandatory requirements are satisfied.

b. Merit Review

The application and program narrative will be evaluated on whether the applicant demonstrates the ability to meet the goals and objectives of the program. Specifically, the narrative will be evaluated to ensure the applicant:

1. Has the materials and personnel required to successfully execute under the terms and conditions outlined in this announcement.
2. Demonstrated their knowledge and ability to provide, at a minimum, ecological restoration program support, species and habitat survey and monitoring support, and habitat enhancement and invasive species control support.
3. Possesses adequate qualified personnel and sufficient financial and technical resources to successfully execute the agreement.
4. Maintains a satisfactory record of executing Government programs (if a prior recipient).
5. Has a record of integrity and business ethics.
6. Is able to gain access to and routinely work on Joint Base Lewis-McChord in Washington State.

c. Budget Review

Budget realism and reasonableness of costs. Submit a preliminary budget estimate based on the information in Sections I and II.

2. Review and Selection Process

Proposals will undergo a multi-stage evaluation procedure. First, the proposals will be screened to confirm all required submittals and information have been received, and the applicant is eligible to receive Federal awards. Second, a technical team from within USACE will review the proposals to determine if the merit criteria have been met. Third, the program manager will review recommendations from the technical team to reach a final decision for award.

3. Anticipated Award Date

- a. Announcement Issue Date: 6 March 2024
- b. Application Due Date: 27 March 2024
- c. Estimated Award Date: 15 April 2024

Section VI: Award Administration Information

1. Award Notices

Written notice of award will be given in conjunction with issuance of a Cooperative Agreement signed by a Grants Officer. The Cooperative Agreement will contain the effective date of the agreement, the period of performance, funding information, and all terms and conditions. The recipient is required to sign and return the document before work under the agreement commences. **Work described in this announcement SHALL NOT begin without prior authorization from a Grants Officer.**

2. Administrative Requirements

The cooperative agreement issued as a result of this announcement is pursuant to the administrative requirements in 2 CFR 200. (2 CFR Subtitle A; 2 CFR Subtitle B, Ch. XI, Part 1103; and 32 CFR Subchapter C, except Parts 32 and 33)

3. Reporting

Recipient will be required to submit progress, financial, and property reports quarterly, semiannually, or annually as stipulated in the terms and conditions of the final Cooperative Agreement. See 2 CFR Sections 200.327 for financial reporting requirements, 200.328 for performance reporting requirements, and 200.329 for real property reporting requirements.)

Section VII: Agency Contact

Monique Paano, Grants Specialist, Contracting Division
Telephone: (206) 764-6084
Email: monique.a.paano@usace.army.mil

Section VIII: Other Information

1. Only Grants Officers are legally authorized to bind the Government to an agreement.
2. Responses should reference Program Announcement W912DW-24-2-0001.
3. Questions regarding the proposal submission should be submitted no later than noon (PT) on March 22, 2024. Questions received after this date may not be answered.

CERTIFICATE OF AUTHORITY

To be completed by counsel for the Recipient

I, _____, do hereby certify that I am the designated legal representative of the *(Insert Recipient here)* for purposes of this Cooperative Agreement between *(Recipient)* and the U.S. Department of Defense, that *(Recipient)* is a legally constituted public body with full authority and legal capability to perform the terms of the Cooperative Agreement between the Department of Defense and *(Recipient)* administered by the U.S. Army Corps of Engineers and that the persons who have executed this Cooperative Agreement on behalf of the *(Recipient)*, in particular, _____ have acted within their legal authority.

IN WITNESS WHEREOF, I have made and executed this certification this _____ day of _____ 2018.

[fill in name and address of attorney]

ATTACHMENT A - CERTIFICATIONS

1. LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for 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 in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

(1) The recipient certifies, to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

(3) The applicant shall communicate the requirements to comply with Subpart C of the OMB guidance in 2 C.F.R. Part 180, as implemented by the Department of Defense in 2 C.F.R. part 1125, to persons at the next lower tier with whom the recipient enters into transactions that are "covered transactions" under Subpart B of 2 C.F.R. part 180 and the DoD implementation in 2 C.F.R. part 1125.

3. DRUG-FREE WORKPLACE (RECIPIENTS OTHER THAN INDIVIDUALS)

As required by the Subpart B of 32 C.F.R. Part 26, which implements Sections 5151-5160 of the Drug Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D, 41 U.S.C. § 701, *et seq.*)--

(1) The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the recipient's workplace and specifying the actions that will be taken against the employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about:

(i) The dangers of drug abuse in the workplace;

(ii) The applicant's policy of maintaining a drug-free workplace;

(iii) Any available drug counseling, rehabilitation, and employee assistance programs; and

(iv) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the cooperative agreement be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the cooperative agreement, the employee will:

(i) Abide by the terms of the statement; and

(ii) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace not later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within ten calendar days after receiving notice under subparagraph (d)(ii) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose cooperative agreement activity the convicted employee was working, unless the Federal agency has designated a central point for receipt of such notices. Notice shall include the identification number(s) of the each affected cooperative agreement;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(ii), with respect to any employee who is so convicted:

(i) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended, or

(ii) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

(2) The applicant may insert in the space provided below the site(s) for the performance of work done in connection with the specific cooperative agreement.

Place of performance:

☐ Check if there are workplaces on file that are not identified here.

4. CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity by signing and submitting this application, the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Name of Applicant: _____

Printed Name and Title of Authorized Representative

Name: _____

Title: _____

Signature: _____

Date: _____