

OVERVIEW

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: FY24 GUIDELINES FOR TECHNICAL ASSISTANCE TO TRIBAL NATIONS AND ENTITIES ADDRESSING BROWNFIELDS GRANT

ACTION: Request for Applications (RFA)

RFA NO.: EPA-OLEM-OBLR-23-10

ASSISTANCE LISTING NO.: 66.814

DATE: The closing date and time for receipt of applications is **November 13, 2023**, at 11:59 P.M. Eastern Time (ET). Applications must be submitted through www.grants.gov. Applications received after 11:59 p.m. ET on **November 13, 2023**, will not be considered. Please refer to the *Due Date and Submission Instructions* in [Section IV.B.](#) and [Appendix 1](#) for further instructions.

FUNDING/AWARDS: EPA anticipates awarding one cooperative agreement for \$4 million, subject to the quality of applications received, availability of funds, and other applicable considerations.

Note - Prior to naming a contractor (including consultants) or subrecipient in your application as a “partner,” please carefully review Section IV.d., “Contracts and Subawards,” of [EPA's Announcement Clauses](#) that are incorporated by reference in this announcement (See [Section I.E.](#)). EPA expects recipients of funding to comply with competitive procurement contracting requirements as well as EPA’s rule on Participation by Disadvantaged Business Enterprises in EPA Programs in 40 CFR Part 33. The Agency does not accept justifications for sole source contracts for services or products available in the commercial marketplace based on a contractor’s role in preparing an application or prior relationships with the contractor that were not established in compliance with competitive procurement requirements. Note that these competitive procurement requirements apply with equal force to contractual relationships established prior to or after the award of EPA funds.

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SECTION I. – FUNDING OPPORTUNITY DESCRIPTION

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was amended by the Small Business Liability Relief and Brownfields Revitalization Act in 2002 to include Section 104(k)(7), which provides federal financial assistance authorities for brownfields revitalization, including grants for training, research, and technical assistance to individuals and organizations, as appropriate, to facilitate the inventory of brownfield sites, site assessments, remediation of brownfield sites, community involvement, or site preparation. The Brownfields Utilization, Investment, and Local Development (BUILD) Act enacted in 2018 reauthorized EPA’s Brownfields Program and made additional amendments to CERCLA that affect EPA’s brownfield grant authorities, and ownership and liability provisions. (Note: References to CERCLA in this solicitation refer to CERCLA as amended by the 2002 Small Business Liability Relief and Brownfields Revitalization Act and the 2018 BUILD Act.)

A brownfield site is defined in CERCLA § 101(39) as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land.

A critical part of [EPA’s Brownfields and Land Revitalization Program](#) is to ensure that residents living in communities historically affected by economic disinvestment, health disparities, and environmental contamination have an opportunity to benefit from brownfields redevelopment. EPA’s Brownfields Program has a rich history rooted in environmental justice and is committed to helping communities revitalize brownfield properties, mitigate potential health risks, and restore economic vitality.

EPA expects that funding awarded will advance the Biden Administration’s [Justice40](#) Initiative, which establishes the goal to deliver at least 40 percent of the overall benefits from key federal investments to disadvantaged communities.¹

The EPA’s Brownfields Program is built upon four basic goals and principles – protecting the environment, partnering for success, stimulating the marketplace, and promoting sustainable reuse. EPA is committed to supporting research and technical assistance that will further the goals of the program and provide enhanced knowledge, tools, and processes to a broad range of Tribal communities nationwide. This technical assistance is intended to benefit Tribal

¹ Applicants should consider appropriate data, indices, and screening tools to determine whether a specific community is “disadvantaged” based on a combination of variables that may include, but are not limited to, the following: low income, high and/or persistent poverty; high unemployment and underemployment; racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities; linguistic isolation; high housing cost burden and substandard housing; distressed neighborhoods; high transportation cost burden and/or low transportation access; disproportionate environmental stressor burden and high cumulative impacts; limited water and sanitation access and affordability; disproportionate impacts from climate change; high energy cost burden and low energy access; jobs lost through the energy transition; and access to healthcare. Office of Management and Budget’s Interim Implementation Guidance for the Justice40 Initiative Memo (July 20, 2021). www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf.

communities that are eligible for funding under CERCLA § 104(k) or CERCLA § 128(a).² Therefore, the following entities are eligible to receive technical assistance carried out under this grant: Federally recognized Indian Tribes, Alaska Native Villages, Alaska Native Regional Corporations, Alaska Native Village Corporations, the Metlakatla Indian community, and Intertribal Consortia.

To help Tribal Nations³ strengthen their capacity to carry out response activities associated with brownfields assessment and cleanup, Congress authorized State and Tribal Response grants in 2002. Since the passage of the Brownfields Law, EPA has funded over 100 Tribal Nations with 128(a) Grants.

For the purposes of these guidelines, the term “grant” refers to the cooperative agreement that EPA will award to a successful applicant. Please refer to [Section II.E.](#) for a description of EPA’s anticipated substantial involvement in the grants awarded under these guidelines.

I.A. Description of Subject Areas for Technical Assistance

The EPA’s Office of Brownfields and Land Revitalization (OBLR) is soliciting applications from eligible entities (see [Section III.A. Who Can Apply?](#) below) to provide technical assistance that directly benefits Tribal Nations and entities nationwide which are eligible for EPA Brownfield Grants funded under CERCLA 104(k) and 128(a) to build sustainable brownfield programs and strengthen capacity to manage successful brownfields reuse. This technical assistance should also help increase a Tribal Nation’s capacity to establish, manage, and administer their CERCLA 128(a) response programs⁴ and conduct and oversee brownfield assessment and cleanup activities. Note, beneficiaries of this technical assistance do not include state-recognized Tribes and their affiliated nonprofit organizations.

Generally, Tribal Response Programs address brownfields on land within their jurisdiction, minimize the actual and perceived health risks associated with contamination from brownfield properties, and strengthen partnerships between Tribal Nations and entities, and governmental and non-governmental organizations engaged in brownfields redevelopment. EPA expects the cooperative agreement recipient will provide technical assistance directly to Tribal Nations and entities, and create deliverables that align with Tribal priorities and are appropriately “right-sized” based on local Tribal capacity and goals. EPA anticipates that the cooperative agreement recipient will assist Tribal Nations and entities in enhancing their brownfields programs and building capacity within the following areas:

² There is a difference in Tribal eligibility under the CERCLA § 104(k) and CERCLA § 128(a). Alaska Native Villages are Indian Tribes as defined in CERCLA § 101(36) and are eligible for funding under CERCLA § 128(a). However, Indian Tribes in Alaska, with the exception of the Metlakatla Indian community, are not eligible entities to receive funding under CERCLA § 104(k)(1). Nonetheless, because Alaska Native Villages are eligible under CERCLA § 128(a), they can be beneficiaries for technical assistance under this grant.

³ There are currently 574 Federally Recognized Tribes, and there are many names that these sovereign nations use to describe their culture, history, and geography, including Tribe, Village, Nation, Band, and Pueblo. For the purpose of this NOFO, the EPA Brownfields Program uses “Tribe” and “Tribal Nation” as all-encompassing terms.

⁴ Information on eligible activities and the four elements of the CERCLA 128(a) response program is available at <https://www.epa.gov/brownfields/state-and-tribal-response-program-grants>.

- Build partnerships to support reuse of Tribal lands (e.g., housing, recreation, finance, etc.);
- Build Tribal expertise for safely reusing brownfield sites through outreach, training and coaching;
- Connect Tribal members with experienced Tribal environmental response professionals who have experience in brownfields assessment, cleanup and reuse;
- Facilitate meetings between Tribal members, developers, lenders, and others involved in the cleanup and reuse of brownfield properties; and
- Facilitate brownfield reuse efforts by supporting Tribal community and other stakeholder involvement activities including development of fact sheets and other outreach materials.

Under CERCLA § 104(k)(7), the EPA is authorized to provide financial assistance that facilitates “the inventory of brownfield sites, site assessments, remediation of brownfield sites, community involvement, or site preparation.” The following are general subject areas for which the EPA will fund brownfields technical assistance to support communities. **Applications must clearly describe how the applicant will provide technical assistance in each of the five general subject areas described below.** Applicants may also propose activities/approaches that would supplement or enhance the activities the EPA has described below. Any supplemental activities described should be in addition to (not in replace of) the five subject areas below and must be an eligible activity described in CERCLA § 104(k)(7).

1. Facilitate Storytelling and Promote Collaboration About Brownfields Reuse

Activities supporting this subject area should demonstrate and highlight new approaches for storytelling, meaningful involvement, including youth engagement in brownfield site program activities. Activities should help build case studies and help Tribal Nations and entities share success stories through a variety of formats. Activities for this subject area can include, but are not limited to, working with Tribal Nations and entities to host workshops/webinars and finding an effective means to connect Tribal Nations and entities together and create networking venues, attending and presenting at national conferences, including the Tribal Lands and Environmental Forum and regional conferences, or hosting a peer-to-peer network.

2. Assist Tribal Nations and Entities in Understanding and Building Tribal Response Programs

Technical assistance supporting this subject area should address how to support Tribal Nations in meeting the four statutory criteria outlined in CERCLA § 128(a)(2). These four elements are: 1) timely survey and inventory of brownfield sites in state or Tribal land, 2) oversight and enforcement authorities, or other mechanisms and resources, 3) mechanisms and resources to provide meaningful opportunities for public participation, and 4) mechanisms for approval of a cleanup plan and verification and certification that cleanup is complete. Technical assistance should be provided to support Tribal Nations, with demonstrating the benefits of having a Tribal Response Program, and how demonstrating benefits can build support for the program. Activities that can support this technical

assistance can include, but are not limited to, helping Tribal Nations to develop success stories to demonstrate the importance of their programs, website support, mapping tools to help create inventories, providing guidance to develop codes, ordinances, land use restrictions and other land controls, developing standard operating procedures (SOPs) to support program succession-planning, and other mechanisms to develop cleanup standards. Other activities supporting this subject area include developing individualized technical assistance to existing and new grant recipients to help them develop their Tribal Response Programs.

3. Science and Technology Relating to Brownfields Assessment, Remediation, and Site Preparation for Safe and Resilient Reuse

Technical assistance in this subject area should focus on various aspects of brownfields assessment, cleanup, and subsequent redevelopment on Tribal lands, including assessment and inventory methods, site mapping, site prioritization, development of a site prioritization scheme/methodology, sampling and cleanup methods, institutional controls and long-term stewardship to ensure long-term protection of human health and the environment, and risk assessment methods and policies. Technical assistance can also focus on reviewing and explaining technical reports (such as those related to site sampling, site assessment, and federal regulations); providing information about basic science, environmental policy, and other technical matters; and helping Tribal Nations and entities understand health risks associated with a brownfield site. Technical assistance can also focus on helping Tribal Nations and entities draft requests for proposals (RFP) to help facilitate receiving quality bids when competing contracts or in assisting them in evaluating the responses to RFPs related to brownfield projects.

Note: As part of science, technology and risk assessment subject area, applicants should note the unique and varying challenges to Tribal Nations and entities and assist them in identifying opportunities for new revitalization approaches.

4. Integrated Approaches to Brownfields Cleanup and Reuse

Technical assistance in this subject area should address linkages between environmental, economic, cultural, and social issues, at brownfield sites including such things as: green revitalization, cleanup and redevelopment, port and waterfront utilization, energy issues, air and water quality issues, leveraging partner agency resources, sustainable development climate impacts, floodplain mitigation, green building design approaches, preserving sites that have cultural significance, and quality of life related to social issues such as equitable development, affordable housing and environmental justice. Technical assistance outputs should empower Tribal Nations and entities to pursue brownfield site planning, cleanup, and reuse and increase coordination among such efforts including prevention of future brownfield sites. Technical assistance should also focus on providing information to assist the Tribal Nation or entity to better understand environmental issues and how these issues affect brownfield cleanup and redevelopment.

5. Brownfields Finance and Planning Strategies for Tribal Nations and Entities

Technical assistance in this area should address finance and quality of life associated with brownfields cleanup and reuse such as facilitating visioning and reuse sessions and assisting Tribal Nations and entities in finding other funding sources that facilitate cleanup and reuse of brownfield sites. Technical assistance can also facilitate meetings between the Tribal community, developers, lenders, and others involved in the cleanup and reuse of brownfields properties. Activities may increase Tribal communities' knowledge base of the range of financial and grant resources available or provide assistance as Tribal Nations and entities develop documents necessary to obtain additional funding for brownfield activities.

Applicants should note, however, that general fundraising costs are unallowable under Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Note, the cooperative agreement will include a term and condition for the technical assistance provider to coordinate with other Federal technical assistance providers, such as Technical Assistance to Brownfields Communities, EJ Thriving Communities Technical Assistance Centers (TCTACs), and Environmental Finance Centers. In addition, applicants should provide methods for referral for appropriate technical assistance needs, and outline plans for continuity of support.

The EPA urges applicants to review the Frequently Asked Questions (FAQs) which can be found at [FY 2024 Frequently Asked Questions About Technical Assistance To Tribal Nations And Entities Addressing Brownfields Grant](#).⁵

I.B. Uses of Grant Funds

Eligible uses of grant funds include direct costs necessary to provide brownfields research and technical assistance identified in the approved workplan. This includes eligible programmatic costs necessary to perform the project, such as: costs for personnel, technical experts, materials, supplies, room rentals, travel, and transportation expenses for recipient personnel and program beneficiaries.

Eligible uses of grant funds also include costs associated with eligible participant support costs, including for:

- Reasonable stipends to compensate beneficiaries for participating in technical assistance events. Note that stipends may only be paid for actual time spent at the technical assistance events and must not duplicate training support provided through other Federal, state, Tribal or local programs.
- Reasonable child-care subsidies. Note that child-care subsidies must not duplicate child-care support provided through other Federal, state, Tribal or local programs.

⁵ The Frequently Asked Questions are available at <https://www.epa.gov/brownfields/fy-2024-frequently-asked-questions-about-technical-assistance-tribal-nations-and-entities>.

- Transportation for beneficiaries to and from technical assistance events in the form of partial or full stipends or other allowable direct costs are allowable only if the program participant cannot charge the cost to an existing EPA Grant.

Eligible uses of grant funds also include allowable advisory council costs, including reasonable stipends to compensate beneficiaries for participating in an advisory council.⁶ Note that stipends may only be paid for actual time spent participating on the advisory council and must not duplicate support provided through other Federal, state, Tribal or local programs.

Note, the scope of work and related budget narrative must describe the advisory council's membership, functions, and costs and explain why the advisory council is necessary to carry out the EPA funded project. Refer to [Guidance on Selected Items of Cost for Recipients](#) for information on costs for recipients.

Funds cannot be used for the payment of:

1. Conducting site assessments or cleanups;
2. Construction and land acquisition;
3. Foreign travel;
4. Direct costs for Federal, state or private grant application preparation with the exception of incidental use of data or guidance materials by grant applicants;
5. Writing or reviewing grant applications;
6. A penalty or fine;
7. A federal cost share requirement (for example, a cost share required by other federal funds);
8. Administrative costs, including all indirect costs and direct costs for cooperative agreement administration, in excess of five (5) percent of the total amount of EPA cooperative agreement funding, with the exception of financial and performance reporting costs (which are considered allowable programmatic costs and not subject to the 5% limitation);
9. A cost of compliance with any federal law, excluding the cost of compliance with laws applicable to environmental cleanup; or
10. Unallowable costs (e.g., lobbying) under 2 CFR Part 200, Subpart E.

Administrative Costs

Under CERCLA § 104(k)(5)(B), cooperative agreement recipients (CARs) and subrecipients may use up to 5% of the amount of federal funding for this cooperative agreement for administrative costs, including indirect costs under [2 CFR § 200.414](#). As required by [2 CFR § 200.403\(d\)](#), the CAR and subrecipients must classify administrative costs as direct or indirect consistently and may not classify the same types of cost in both categories. Eligible cooperative agreement and subaward administrative costs subject to the 5% limitation include direct costs for:

⁶ EPA interprets the term “advisory council” to include groups of individuals who are not employees of the recipient that provide strategic and policy advice to the organization.

- a. Costs incurred to comply with the following provisions of the *Uniform Administrative Requirements for Cost Principles and Audit Requirements for Federal Awards* at 2 CFR Parts 200 and 1500 other than those identified as programmatic.
 - i) Preparing revisions and changes in the budgets, scopes of work, program plans, and other activities required under [2 CFR § 200.308](#);
 - ii) Maintaining and operating financial management systems required under [2 CFR § 200.302](#);
 - iii) Preparing payment requests and handling payments under [2 CFR § 200.305](#);
 - iv) Financial reporting under [2 CFR § 200.327](#);
 - v) Non-federal audits required under 2 CFR Part 200, Subpart F; and
- b. Closeout under [2 CFR § 200.343](#) with the exception of preparing the recipient’s final performance report. Costs for preparing this report are programmatic and are not subject to the 5% limitation on direct administrative costs.

I.C. EPA Strategic Plan Linkage

The activities to be funded under this announcement support the [EPA’s FY 2022-2026 Strategic Plan](#).⁷ Awards made under this announcement will support Goal 6 - Safeguard and Revitalize Communities, Objective 6.1 - Clean Up and Restore Land for Productive Uses and Healthy Communities of the [EPA’s Strategic Plan](#). All applications must be for projects that support this goal and objective.

I.D. Measuring Environmental Results: Anticipated Outputs/Outcomes

EPA requires that applicants adequately describe environmental outputs (performance measures) and outcomes to be achieved under assistance agreements.⁸ Applicants must include specific statements describing the environmental results of the proposed project in terms of well-defined outputs and, to the maximum extent practicable, well-defined outcomes that will demonstrate how the project will contribute to the Agency’s strategic plan goal and objective described above in [Section I.C.](#)

Applicants are required to describe, in their responses to the ranking criteria in [Section IV.E.](#), how funding will help EPA achieve environmental outputs and outcomes. Outputs and outcomes specific to each project will be identified as deliverables in the negotiated workplan if the application is selected for award. The recipient will be expected to report progress toward the attainment of expected project outputs and outcomes during the project performance period. Outputs and outcomes are defined as follows:

a. Outputs

The term “outputs” refers to an environmental activity, effort and/or associated work product related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative

⁷ EPA’s Strategic Plan is available at <https://www.epa.gov/planandbudget/strategicplan>.

⁸ EPA Order 5700.7, *EPA’s Policy for Environmental Results under EPA Assistance Agreements* is available at www.epa.gov/grants/epa-order-57007a1-epas-policy-environmental-results-under-epa-assistance-agreements.

but must be measurable during the project period. The expected outputs for the grants awarded under these guidelines may include but are not limited to:

- a. The number of Tribal Nations or entities and projects receiving technical assistance;
- b. The number of Tribal Response Programs supported; and
- c. The number of technical assistance workshops and webinars.

b. Outcomes

The term “outcomes” refers to the result, effect, or consequence that will occur from carrying out the activities under the grant. Outcomes may be environmental, behavioral, health-related, or programmatic; must be qualitative or quantitative, and may not necessarily be achievable during the project period. EPA anticipates outcomes from cooperative agreements expected to be awarded under this announcement will include, but not be limited to, increasing the capacity of entities to assess, cleanup, and safely reuse brownfields by:

- a. increased capacity to establish and/or enhance their Tribal Response Program;
- b. increased capacity to assess, cleanup and bring about sustainable reuse of brownfields properties;
- c. better informed and equipped to effectively address and be involved in brownfields activities;
- d. improved Tribal community involvement, communication, and developing new partnerships among differing groups, as well as leveraging necessary funding; and
- e. enabling Tribal Nations and entities to stimulate economic, social, and other beneficial reuses of brownfield sites in order to improve environmental conditions and human health.

I.E. Additional Provisions for Applicants Incorporated into the Solicitation

Additional provisions that apply to Sections [III.](#), [IV.](#), [V.](#), and [VI.](#) of this solicitation and/or awards made under this solicitation, can be found in [EPA’s Solicitation Clauses](#). These provisions are important for applying to this solicitation and applicants must review them when preparing applications. If you are unable to access these provisions electronically at the website above, please contact the Regional Brownfields Contact listed in [Section VII.](#) to obtain the provisions.

SECTION II. – AWARD INFORMATION

II.A. What is the Amount of Available Funding?

The total estimated funding available under this competitive opportunity is \$4,000,000, subject to the availability of funds, quality of applications, and other applicable considerations. The EPA anticipates awarding one cooperative agreement. The agreement will be incrementally funded with additional funds being added to each subsequent year of the agreement, subject to satisfactory performance, the availability of funds and other applicable considerations.

EPA reserves the right to make additional awards under this competition, consistent with EPA policy and guidance, if additional funding becomes available. Any additional selections for awards will be made no later than six months from the date of original selection decisions. EPA reserves the right to not fund any applications under this competition or fund applications for some topics and not others. There is no guarantee that each topic will be funded.

II.B. How Many Agreements Will EPA Award in this Competition?

EPA anticipates selecting one (1) recipient under this competitive opportunity for a cooperative agreement.

EPA reserves the right to reject all applications and make no awards under this announcement.

II.C. Will Applications be Partially Funded?

In appropriate circumstances, EPA reserves the right to partially fund applications by funding discrete activities, portions, or phases of proposed projects. To maintain the integrity of the competition and selection process, should EPA decide to partially fund an application, it will do so in a manner that does not prejudice any applicants or affect the basis upon which the application, or portion thereof, was evaluated and selected for award.

II.D. What is the Project Period for Award Resulting from this Solicitation?

The anticipated project period for this cooperative agreement is five years. The EPA expects the recipient to complete all deliverables under their award during the fifth year of their project and allow time for reporting accomplishments data and disseminating final reports as applicable.

II.E. Substantial Involvement

This Brownfield Grant will be awarded in the form of a cooperative agreement. A cooperative agreement requires the EPA Project Officer to be substantially involved in overseeing the work performed by the selected recipient. Although EPA will negotiate precise terms and conditions related to substantial involvement as part of the award process, the anticipated substantial federal involvement for this project may include, but is not limited to:

- Close monitoring of the recipient's performance to verify compliance with the EPA-approved workplan and achievement of results.
- Collaborating during the performance of the scope of work including participation in project activities, to the extent permissible under EPA policies. Examples of collaboration include:
 - Consultation between EPA staff and the recipient on effective methods of carrying out the scope of work provided the recipient makes the final decision on how to perform authorized activities.
 - Advice from EPA staff on how to access publicly available information on EPA or other federal agency websites.

- Support from EPA on integrating Tribal technical assistance under this grant with other Federal technical assistance providers, such as Technical Assistance to Brownfields Communities, EJ Thriving Communities Technical Assistance Centers (TCTACs), Environmental Finance Centers, and more.
- With the consent of the recipient, EPA staff may provide technical advice to the recipient's contractors or subrecipients provided the recipient approves any expenditures of funds necessary to follow advice from EPA staff. The recipient remains accountable for performing contract and subaward management as specified in [2 CFR § 200.318](#) and [2 CFR § 200.332](#) as well as the terms of the EPA cooperative agreement.
- EPA staff participation in meetings, webinars, and similar events upon the request of the recipient or in connection with a co-sponsorship agreement.
- Reviewing proposed procurement in accordance with [2 CFR § 200.325](#), as well as the substantive terms of proposed contracts or subawards as appropriate. This may include reviewing requests for proposals, invitations for bid, scopes of work and/or plans and specifications for contracts over \$250,000 prior to advertising for bids.
- Reviewing qualifications of key personnel. (EPA does not have the authority to select employees or contractors, including consultants, employed by the award recipient.)
- Reviewing and commenting on performance reports prepared under the cooperative agreement to ensure all costs incurred by the recipient and/or its contractor(s) if needed to ensure appropriate expenditure of grant funds. (The final decision on the content of reports rests with the recipient.)
- Reviewing outputs and outcomes to ensure substantial progress is made in accordance with the cooperative agreement terms and conditions.
- Participation in periodic telephone conference calls to share ideas, project successes and challenges, etc., with EPA.

SECTION III. – APPLICANT ELIGIBILITY AND THRESHOLD CRITERIA

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

III.A. Who Can Apply?

The following information indicates which entities are eligible to apply for this cooperative agreement:

- Intertribal Consortia, comprised of eligible Indian Tribes other than in Alaska, Alaska Native Regional Corporations, Alaska Native Village Corporations, or the Metlakatla Indian community, are eligible for funding in accordance with EPA's policy for funding intertribal consortia published in the Federal Register on November 4, 2002, at 67 Fed. Reg. 67181.
- Nonprofit organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.
- Limited liability corporation in which all managing members are 501(c)(3) nonprofit organizations or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations.

- Limited liability partnership in which all general partners are 501(c)(3) nonprofit organizations or limited liability corporations whose sole members are 501(c)(3) nonprofit organizations.
- Other Nonprofit organizations. (For purposes of the Brownfields Grant Program, the term “nonprofit organization,” consistent with the definition of *Nonprofit organization* at 2 CFR § 200.1 means any corporation, trust, association, cooperative, or other organization that is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest; is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. The term includes nonprofit colleges, universities, and other educational institutions.)

Note, individual entities, for-profit organizations, and nonprofit organizations exempt from taxation under Section 501(c)(4) of the Internal Revenue Code that lobby are not eligible to receive Brownfields cooperative agreements.

III.B. Voluntary Cost Share/Leveraging

Matching funds are not required under this competition. Although cost-sharing or matching is not required as a condition of eligibility under this competition announcement, EPA will evaluate responses to the *Leveraging* criterion ([Section IV.E.](#)). Leveraging is generally when an applicant proposes to provide its own additional funds/resources or those from third-party sources (including another federal grant) to support or complement the project awarded under the competition that are above and beyond the EPA cooperative agreement funds awarded. Any leveraged funds/resources, and their source, must be identified in the application. Leveraged funds and resources may take various forms as noted below.

Voluntary cost share is a form of leveraging. Voluntary cost sharing is when an applicant voluntarily proposes to legally commit to providing costs or contributions to support the project when a cost share is not required. Applicants who propose to use a voluntary cost share **must** include the costs or contributions for the voluntary cost share in the project budget on the SF-424. If an applicant proposes a voluntary cost share, the following apply:

- A voluntary cost share is subject to the match provisions in the cooperative agreement regulations ([2 CFR § 200.306](#), as applicable).
- A voluntary cost share may only be met with eligible and allowable costs.
- The recipient may not use other sources of federal funds to meet a voluntary cost share unless the statute authorizing the other federal funding provides that the federal funds may be used to meet a cost share requirement on a federal cooperative agreement.
- The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget. If the proposed voluntary cost share does not materialize during cooperative agreement performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by [2 CFR § 200.338](#).

Other leveraged funding/resources that are not identified as a voluntary cost share. This form of leveraging may be met by obtaining and dedicating funding from another federal

cooperative agreement, from an applicant's own resources, or resources from other third-party sources. This form of leveraging should not be included in the budget and the costs need not be eligible and allowable project costs under the EPA assistance agreement. While this form of leveraging should not be included in the budget, the cooperative agreement workplan should include a statement indicating that the applicant is expected to produce the proposed leveraging consistent with the terms of the announcement and the applicant's application. If applicants propose to provide this form of leveraging, EPA expects them to make the effort to secure the leveraged resources described in their applications. If the proposed leveraging does not materialize during cooperative agreement performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 2 CFR Parts 200 and 1500 as applicable.

III.C. Threshold Eligibility Criteria

This section contains the threshold eligibility criteria that ensure applicants are eligible to receive a cooperative agreement under this competition. Threshold criteria are evaluated on a pass/fail basis and are based on certain requests for information identified below. Only those applications that **specifically address and pass each of the threshold criteria** listed below will be evaluated against the ranking criteria in [Section V.A.](#) of this announcement.

If an application is submitted that includes any ineligible tasks or activities, that portion of the application will be ineligible for funding and may, depending on the extent to which it affects the application, render the entire application ineligible for funding.

Applicants deemed ineligible for funding consideration as a result of failing the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

EPA staff will respond to questions regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about this announcement. For purposes of the threshold eligibility review, an EPA Brownfields Program representative, if necessary, may seek clarification of applicant information that is included in the application and/or consider information from other sources, including EPA files. Such communications shall not be used to correct application deficiencies or material omissions, materially alter the application or project proposed, or discuss changes to the applicant's responses to any evaluation or selection criteria.

The applicant's responses to the threshold criteria **must be included as an attachment** and submitted to EPA or the application will be rejected.

The threshold criteria are as follows:

1. Applicants must be eligible entities. From the list of eligible entities in [Section III.A.](#), *Who Can Apply?*, indicate your applicant type.
 - Eligible nonprofit entities must attach documentation/evidence of nonprofit status under Federal, state, or Tribal law, as applicable.

- Intertribal consortia must attach documentation that they meet the requirements in 40 CFR 35.504(a) and (c). All members of the Intertribal consortium must authorize submission of an application to provide nationwide technical assistance.
2. Applicants must clearly describe approaches/activities to address all five of the proposed subject areas as described in [Section I.A. Description of Subject Areas for Technical Assistance](#), of this announcement. Responses to this threshold criterion must be included in the Narrative.
 3. EPA does not require or encourage applicants to procure contractors (including consultants) before the EPA cooperative agreement is awarded, but applicants may choose to do so.

Applicants that have procured a contractor(s) where the amount of the contract will be more than the micro-purchase threshold in [2 CFR § 200.320\(a\)\(1\)](#) (\$10,000 for most applicants) must demonstrate how the contractor (including consultants) was selected in compliance with the fair and open competition requirements in 2 CFR Part 200 and 2 CFR Part 1500.⁹ EPA provides guidance on complying with the competition requirements in the [Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#)¹⁰ and the [Brownfields Grants: Guidance of Competitively Procuring a Contractor](#).¹¹ For example:

- EPA will not accept sole source justifications for procurement contracts for services such as environmental consulting, engineering, and remediation that are available in the commercial marketplace.
- Firms or individual consultants that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements as provided in [2 CFR § 200.319\(b\)](#).
- Consistent with 2 CFR § 200.320(b)(2)(iii), for contracts over \$250,000, price must be an evaluation factor in the review of proposals or quotes.

Applicants must disclose whether they have already selected a contractor that will be compensated with EPA funds made available under this announcement. If a contractor(s) has been selected prior to submitting the application to EPA (including when a contractor(s) has been selected under a “dual procurement process” for both grant proposal writing and services necessary to help you carry out the grant), applicants must describe:

⁹ Consistent with 2 CFR § 200.317, states follow the same competitive policies and procedures they use for procurements from their non-Federal funds.

¹⁰ *EPA’s Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements* is available at www.epa.gov/grants/best-practice-guide-procuring-services-supplies-and-equipment-under-epa-assistance-agreements.

¹¹ *EPA’s Brownfields Grants: Guidance of Competitively Procuring a Contractor* is available at <https://www.epa.gov/system/files/documents/2023-04/BF%20Guidance%20on%20Competitively%20Procuring%20a%20Contractor%204-25-23-508compliant.pdf>.

- the procurement procedures that were followed to hire the contractor(s) and include information on **where and when** the Request for Proposals/Request for Qualifications was posted;
- the length of time the RFP/RFQ was advertised;
- the number of firms solicited and the number of offers received and considered; and
- the name(s) of the firm(s) the applicant entered into contract with.

Note, regardless of whether the solicitation is issued as a Request for Proposals or a Request for Qualifications, price reasonableness for the grant implementation work must be a selection factor in the evaluation of proposals or quotes. See the [Brownfields Grants: Guidance of Competitively Procuring a Contractor](#) for additional guidance.

Provide a copy of (or link to) the solicitation documents and the signed executed contract.

Alternatively, state 'n/a' or 'not applicable' if a contractor has not been procured.

Successful applicants that procure a contractor(s) after being advised by EPA of selection, but prior to award, must describe how they complied with the procurement procedures described above when submitting the final workplan for the award.

Recipients of EPA funding who select a contractor(s) after award must fully comply with the procurement standards at 2 CFR Part 200, 2 CFR Part 1500, and 40 CFR Part 33.

Failure to provide the requested information will result in rejection of the application. EPA staff may contact the applicant to clarify issues or obtain additional information before making a final eligibility determination. If EPA determines that the process you completed to select a contractor was not compliant with the federal regulations in 2 CFR Part 200 and 2 CFR Part 1500 and your application is selected for funding, you will need to prepare and issue a new RFP/RFQ that is compliant with federal procurement regulations. Additionally, EPA may review the new RFP/RFQ and selection process to ensure compliance with fair and open competition requirements.

4. Applications must substantially conform to the outline and content detailed in [Section IV.C.](#), *Content and Form of Application*, of this announcement or they will be rejected. Pages in excess of the page limitations expressed in [Section IV.C.](#), *Content and Form of Application*, will not be reviewed.
5. Applications must be submitted through Grants.gov as stated in [Section IV.](#) of this solicitation (except in the limited circumstances where another mode of submission is specifically allowed for as explained in Section IV.) on or before the application submission deadline published in Section IV. of this solicitation. Applicants are responsible for following the submission instructions in Section IV. of this solicitation to ensure that their application is timely submitted.

6. Applications submitted outside of Grants.gov will be deemed ineligible without further consideration unless the applicant can clearly demonstrate that it was due to EPA mishandling or because of technical problems associated with Grants.gov or relevant SAM.gov system issues. An applicant's failure to timely submit their application through Grants.gov because they did not timely or properly register in SAM.gov or Grants.gov will not be considered an acceptable reason to consider a submission outside of Grants.gov. Applicants should confirm receipt of their application by emailing brownfields@epa.gov as soon as possible after the submission deadline— failure to do so may result in your application not being reviewed.

SECTION IV. – APPLICATION SUBMISSION INFORMATION

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

IV.A. How to Obtain an Application Package

An application package may be obtained by visiting this opportunity (EPA-OLEM-OBLR-23-10) on www.grants.gov. Applicants will be prompted to initiate the application process by generating a Workspace for this opportunity.

IV.B. Due Date and Submission Instructions

Your organization's Authorized Organization Representative (AOR) must submit your complete application package¹² electronically to EPA through www.grants.gov. Applications must be received no later than 11:59 p.m. ET on **November 13, 2023**. Please allow enough time to successfully submit your application package and allow for unexpected errors that may require you to resubmit. Occasionally, technical and other issues arise when using www.grants.gov.

Applications received after 11:59 p.m. ET on **November 13, 2023**, will not be considered for funding.

Follow the Submission Instructions in Section B.1. in [Appendix 1](#) for the requirements to apply in www.grants.gov. In order to submit an application through www.grants.gov, your organization must:

- Have an active System for Award Management (SAM) account in www.sam.gov and a Unique Entity Identifier (UEI) assigned by www.sam.gov;
- Be registered in www.grants.gov; and
- Have the E-Business Point of Contact designate an AOR in www.grants.gov.

The registration process for all the above items **may take a month or more to complete**. Please refer to the [FAQs](#) for additional information on the registration requirements.

¹² Note, for the purposes of this competition, the "application package" includes the required federal forms available at www.grants.gov, as well as the Narrative Information Sheet, the Narrative and associated attachments.

The electronic submission of your application must be made by the AOR of your institution who is registered with www.grants.gov and is authorized to sign applications for federal assistance. Refer to [Appendix 1](#) for specific instructions on how to apply through www.grants.gov.

If you do not have the technical capability to apply electronically through www.grants.gov because of limited or no Internet access which prevents you from being able to upload the required application materials to www.grants.gov, please refer to the procedures in [Appendix 1](#).

If you submit more than one application for the same, identical project (either in error or to replace a previously submitted application), EPA will only review the most recently received application for that project unless you notify brownfields@epa.gov and specify which application you want EPA to review.

IV.C. Content and Form of Application Submission

The application must stand on its own merits based on the responses to the relevant ranking criteria in [Section IV.E](#).

All application materials must be in English. The Narrative Information Sheet and the Narrative must be typed, single-spaced, on letter-sized (8.5 x 11-inch) paper, and should **use standard Times New Roman, Arial, or Calibri fonts with a 12-point font size**. The Application Submission Checklist below outlines the documents to include in the application. Extraneous materials, including photos, graphics, and attachments not listed, will not be considered.

Application Content

All applications must substantially conform to the following outline and content (pages in excess of the stated page limitations will not be reviewed):

- The Narrative Information Sheet (3-page limit, single-spaced) – See [Section IV.D](#).
- Responses to the **threshold** criteria – See [Section III.C](#).
 - Attach documentation of applicant eligibility, if applicable.
 - If a contractor has been procured, attach a copy to the solicitation documents and the signed executed contract, if applicable.
- The Narrative, which includes the responses to all **ranking** criteria (15-page limit, single-spaced) – See [Section IV.E](#).
 - Attach a milestones schedule (does not count against the 15-page Narrative limit)

IV.D. Narrative Information Sheet

The Narrative Information Sheet should address the information below and shall not exceed three (3), single-spaced pages. Do not include a summary or overview of your narrative/project. Any pages submitted over the page limit will not be considered. EPA does not consider information in the Narrative Information Sheet to be responses to the ranking criteria. Provide the Narrative Information Sheet on the applicant's official letterhead. You will not be penalized if you provide this information to EPA in a different format.

1. Applicant Identification – Provide the name and full address of the entity applying for funds. This is the agency or organization that will receive the grant and will be accountable to EPA for the proper expenditure of funds. **Include the applicant’s Unique Entity Identifier (UEI) Number.**
2. Funding Requested
 - a. Grant Type – Indicate “Technical Assistance to Tribal Communities Addressing Brownfields Grant.”
 - b. Federal Funds Requested – Include the amount being requested from EPA; must not exceed \$4,000,000.
3. Contacts
 - a. Project Director – Provide the name, phone number, email address, and mailing address of the Project Director assigned to this proposed project. This person should be the main point of contact for the project and should be the person responsible for the project’s day-to-day operations. The Project Director may be contacted if other information is needed.
 - b. Chief Executive/Highest Ranking Elected Official – Provide the name, phone number, email address, and mailing address of the applicant’s Chief Executive or highest-ranking elected official. For example, provide this information for your organization’s Executive Director or President. These individuals may be contacted if other information is needed.
4. Cooperative Partners – Provide names and phone numbers of individuals and organizations that have agreed to participate in the implementation of the project, if any.
5. Releasing Copies of Applications – In concert with EPA’s commitment to conducting business in an open and transparent manner, copies of applications submitted under this solicitation may be made publicly available on [EPA's Office of Brownfields and Land Revitalization](#) website or other public website for a period of time after the selected applications are announced. EPA recommends that applications not include trade secrets or commercial or financial information that is confidential or privileged, or sensitive information, if disclosed, that would invade another individual’s personal privacy (e.g., an individual’s salary, personal email addresses, etc.). However, if such information is included, it will be treated in accordance with [40 CFR § 2.203](#). (Review [Section IV.G.](#) for more information.)

Clearly indicate which portion(s) of the application you are claiming as confidential, privileged, or sensitive information, or state ‘n/a’ or ‘not applicable’ if the application does not have confidential, privileged, or sensitive information. As provided at [40 CFR § 2.203\(b\)](#) if no claim of confidential treatment accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to the submitter.

IV.E. Narrative/Ranking Criteria

The Narrative (including citations) shall not exceed 15 single-spaced pages. Any pages submitted over the page limit will not be evaluated.

The Narrative must include clear, concise, and factual responses to all ranking criteria and sub-criteria below. The Narrative must provide sufficient detail to allow for an evaluation of the merits of the application. **A response to a criterion/sub-criterion that is included in a different section of the Narrative may not be scored as favorably.** If a criterion does not apply, clearly state this. **Any criterion left unanswered may result in zero points given for that criterion.** Responses to the criteria should include the criteria number and title but need not restate the entire text of the criteria.

If the application is selected for funding, the information in the Narrative will be incorporated into the workplan and will become the scope of the cooperative agreement, subject to any adjustments to clarify issues with carrying out the project's scope of work made during the post-selection negotiation process. **The workplan is a legally binding document.** Therefore, applicants should carefully consider and accurately respond to the criteria below based on the specific goals and activities described under each topic per [Section I.A.](#), the use of grant funds, and leveraged resources committed to the project that will materialize during the period of performance. EPA may not permit material changes to the workplan.

The information throughout [Section IV.E.](#) includes sample format tables that applicants may use to present all or a portion of their response. Applicants who do not use the sample format tables will not be penalized when EPA evaluates their applications.

- i. Project Description** – This section must provide the information below on how you (the applicant) will implement and conduct the proposed project.
- Describe the current problem(s), and then your proposed solution(s) for addressing the problem(s). Include a summary of your overall project approach, benefits, and milestones to accomplish the project goals. Additionally, attach a milestones schedule indicating the start and completion dates of significant tasks under your program. [Note, the milestones schedule will not count against the 15-page narrative limit and does not have an individual page limitation.]
 - Describe how you will deliver technical assistance across all five subject areas described in [Section I.A.](#) to Tribal Nations and entities nationwide, including the estimated number of communities and organizations your project will support.
Include a description of how your project will:
 - employ the most effective and efficient methods of delivering technical assistance for the Tribal Nations and entities;
 - ensure geographic variability and the fair distribution of assistance to Tribal Nations and entities across the country;
 - ensure Tribal Nations and entities are aware of the availability of the project's technical support by discussing your outreach plan/strategy;

- provide access to a variety of Tribal members with direct expertise and experience in Tribal projects involving brownfields assessment, cleanup and reuse; and
- promote Tribal community engagement and active involvement in brownfields prioritization, assessment, cleanup and reuse decisions within areas in which one or more brownfield sites are located.
- Describe how your project will result in informational materials, guides, training and other resources, peer learning, and technical assistance that will promote Tribal capacity and build knowledge to address brownfields.
- Describe how the technical assistance will help facilitate the linkages between environmental, economic, cultural and social issues at brownfield sites in Tribal communities you are serving.
- Provide information on how your project will help Tribal communities identify available funds for assessment, cleanup and reuse or will help to stimulate economic development in areas affected by brownfield sites.
- Provide information on how your project will help facilitate the identification and reduction of threats to:
 - human health and the environment that may be associated with exposure to hazardous substances, pollutants, or contaminants, and
 - the health or welfare of children, pregnant women, minority or low-income communities, or other sensitive populations.
- Discuss how your project will help facilitate the use or reuse of existing infrastructure, energy efficiency or siting a facility that generates renewable energy on a brownfield, create or preserve greenspace, or assist in other nonprofit reuses of brownfields.
- Discuss your project plan and approach, including the extent to which you propose to use subawardees or contractors (perhaps having different areas of technical/legal/fiscal/other expertise, if any) will contribute to the effective and efficient performance of the project, and the methods you plan to use to provide technical assistance (one-on-one, workshops, webinars, other) and/or conduct research.

If applicable, discuss your plan to use participant support costs, including monetary stipends, childcare subsidies, and transportation stipends. Describe the process you will follow for determining the amounts of allowable stipends, procedures for accounting for participant support cost payments (including receipts), and procedures for documenting that the costs are allowable and do not duplicate other support provided through other Federal, state, Tribal, or local programs. For additional information on participant support costs, please review [EPA's Guidance on Participant Support Costs](#).

If applicable, discuss your plan to form an advisory council, including the council's membership and function, and explain why the advisory council is necessary to carry out the EPA funded project. Discuss your plan to use advisory council costs,

including costs for reasonable stipends and travel support for council members while providing advice on the EPA funded project. Describe the process you will follow for determining the amounts of allowable stipends, procedures for accounting for advisory council cost payments (including receipts), and procedures for documenting that the costs are allowable and do not duplicate other support provided through other Federal, state, Tribal, or local programs. For additional information on advisory council costs, please review EPA's [Guidance on Selected Items of Cost for Recipients](#).

Note, participant support costs (e.g., monetary stipends, childcare subsidies, and transportation stipends) and stipends for advisory council members may not exceed 35% of total award amount.

Also of note, as provided in 2 CFR § 200.403, participant support costs and advisory council member costs must be reasonable and conform to any limitations applicable to the EPA award. EPA considers stipends that exceed the amount allowable for individual consultants described in 2 CFR § 1500.10(a) to be unreasonable.

ii. Organizational Knowledge/Experience/Expertise – This section must provide the information below on how you (the applicant) have knowledge, experience, and expertise to perform your proposed project.

- Summarize your organization's knowledge, experience, and expertise in the five subject areas as per [Section I.A](#). Include information regarding your staff knowledge, expertise, and qualifications and your organization's available resources (or the ability to obtain necessary resources, including the organization's contingency plan to replace key personnel) to successfully achieve the goals and objectives of your proposed project.
- Discuss your organization's knowledge, experience, expertise, and availability in helping Tribal Nations and entities address brownfield challenges. For example, describe how you have provided technical assistance which assisted in the establishment and enhancement of Tribal Response Programs and engaged with Tribal Nations or entities in brownfield prioritization, assessment, cleanup and redevelopment issues. Summarize your organization's experience working to train and build knowledge of Tribal staff and how your organization's ability to build knowledge of Tribal staff and build their capacity.
- Discuss the network you have in place to identify and mobilize resources, such as key contacts, proposed partnerships, stakeholder groups, or other resources that have additional knowledge or experience in providing technical assistance to Tribal Nations and entities. Identify all proposed partnerships, stakeholder groups, or other networks that will be involved and discuss their role in the successful accomplishment of the program.
- Discuss your organization's organizational capacity to support a high volume of Tribal Nations or entities requesting support, and how your organization will follow up on assistance, when appropriate.

Note: EPA anticipates it may be necessary for applicants/recipients to form partnerships with other organizations through subawards or obtain professional services through competitive procurements. Please refer to [Section IV.G](#). Also note that procurement of commercial services (e.g., consultants, audio visual equipment, meeting space) is subject to the Procurement Standards of 2 CFR Part 200 and 2 CFR Part 1500, as applicable. Naming a commercial vendor or individual consultant as a “partner” does not relieve the applicant of responsibility for complying with competitive procurement requirements, including cost or price analysis. Refer to EPA’s [Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#) for additional information on competition requirements.

These awards will include terms and conditions requiring that the recipient ensure that technical assistance services provided under the award are performed in a manner that prevents conflicts of interest from tainting procurements financed with Federal funding. For example, if a consultant hired by a recipient provides technical assistance on site assessment or remediation issues to a recipient of Brownfields Grant funding, the consultant may not participate in the development of procurement specifications or other activities that violate the provisions in 2 CFR § 200.319 on full and open competition for federally funded contracts. Consultants may not receive sole source contracts based on their role in providing technical assistance funded through cooperative agreements. Review the [Brownfields Grants: Guidance on Competitively Procuring a Contractor](#) for more information.

Award terms and conditions will also include restrictions that prevent consultants from marketing their services or those of affiliated firms to applicants or recipients of federal grants while providing EPA funded technical assistance. In addition, if the applicant or their subrecipients have both nonprofit and for-profit components of their organizations, then the nonprofit portion implementing the cooperative agreement/subcontract is prohibited from recommending that communities use the services of its for-profit component when being reimbursed for their services under the cooperative agreement.

- iii. Past Performance** – This section must provide the information below on how you (the applicant) are able to successfully complete and manage your proposed project.
- Identify and describe each of your current and/or most recent federally and/or non-federally funded assistance agreements (no more than five within the last three years) that are most similar in scope and relevance in terms of structure and/or deliverables to the proposed project. (Assistance agreements include Federal grants and cooperative agreements, but not Federal contracts.)
 - Describe:
 - Whether and how you were able to successfully manage and complete those agreements and achieve the objectives of the project.
 - Your history of meeting the reporting requirements under those agreements, including whether you adequately and timely reported on your progress towards achieving the expected outputs and outcomes of those agreements (and if not,

explain why not) and whether you submitted acceptable final performance reports under the agreements.

If you do not have any relevant or available past performance or past reporting information, please indicate this in the application and you will receive a neutral score for these factors (a neutral score is half of the total points available in a subset of possible points). Applications that do not provide any response for this criterion may receive a score of 0.

iv. Community Need – This section must provide the information below on how you (the applicant) will deliver a project that meets the needs of and will benefit Tribal Nations and entities.

- Describe how your proposed project will meet the needs of Tribal Nations and entities who are unable to draw on other sources of funding for environmental remediation and subsequent reuse of brownfield sites located in low-income or sparsely populated communities.
- Discuss how the proposed project will benefit Tribal Nations and entities with demographic and environmental indicators of need and the extent to which these needs relate to current brownfield and other environmental challenges, including how the project will increase the capacity of Tribal Nations and entities to address issues related to brownfields.

v. Budget/Resources – This section must provide the information below on how you (the applicant) will budget for and manage your project appropriately.

This section of your application provides a description of the proposed program’s budget and planned usage of EPA funds. Applicants may, but are not required to, use the table format below to identify specific tasks for which EPA funding will be used. Applicants who do not use this format will not be penalized during the evaluation process. Please provide the following information:

- Specify the costs by budget category, associated with each task. Provide a budget description for each task in narrative format, including the basis for each cost estimate, as well as the projected outputs where possible. Tasks shown in the sample table format are examples and can be edited as needed to be tailored to the applicant’s program. Add columns for additional tasks if necessary. **Do not include tasks for activities or costs that are ineligible uses of EPA funds.** EPA provides general guidance on how to characterize costs for budgeting purposes in [Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance](#).
- Additionally, describe your approach, procedures, and controls for ensuring that grant funds will be expended in a timely and cost-effective manner.

Note, participant support costs (e.g., monetary stipends, childcare subsidies, and transportation stipends) and stipends for advisory council members may not exceed 35% of total award amount.

Administrative costs (direct costs for grant administration and indirect costs) may not exceed 5% of the total requested EPA funds.

Sample Format for Budget (do not change Budget Categories)

Budget Categories		Project Tasks (\$)				Total
		(Task 1)	(Task 2)	(Task 3)	(Task 4)	
Direct Costs	Personnel					
	Fringe Benefits					
	Travel ¹					
	Equipment ²					
	Supplies					
	Contractual					
	Other (include subawards, participant support costs, and advisory council costs) (specify) _____					
Total Direct Costs³						
Indirect Costs ³						
Total Federal Funding (not to exceed \$4,000,000)						
Total Budget (Total Direct Costs + Indirect Costs + Cost Share, if any)						
¹ Travel to brownfields-related training conferences is an acceptable use of these grant funds. ² EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year unless the applicant has a lower threshold for equipment costs. Items costing less than \$5,000 (e.g., laptop computers) are considered supplies. Generally, equipment is not required for Brownfield Grants. ³ Administrative costs (direct and/or indirect) for the grant applicant itself cannot exceed 5% of the total EPA-requested funds.						

vi. Performance Measurement: Anticipated Outcomes and Outputs – This section must provide the information below on how you (the applicant) will measure and track project outcomes and outputs.

- Specify the anticipated environmental outcomes and outputs as described in [Section I.D., Measuring Environmental Results: Anticipated Outcomes/Outputs](#) of this announcement. Discuss how you propose to track, measure, and evaluate your progress (and identify when the project is not on schedule) in achieving the project outcomes, outputs, and project results, including both quantitative and qualitative performance measurements. (Refer to [Section V.A., Evaluation Criteria.](#))

vii. Leveraging – This section of your application provides how you (the applicant) will leverage additional resources for your proposed project.

- Demonstrate how you will leverage additional funds/resources beyond the EPA cooperative agreement funds awarded to support your proposed project activities, and how these leveraged funds/resources will be used to contribute to the performance and success of the proposed project.
- Describe the extent to which in-kind and/or partner commitments to providing services/resources (including the amount and type) to the proposed project are available, and whether these commitments have already been made. If leveraged resources are not yet committed to the project, describe the likelihood that these commitments will materialize during the project.

Consider using the optional table format below to illustrate the tasks for which leveraged resources will be used and the status of leveraged resource you plan to use for each task. Please modify task categories and add rows as necessary.

Note: Selected applicants are expected to abide by their proposed leveraging commitments during cooperative agreement performance and the failure to do so may affect the legitimacy of the award.

Leveraged Resources Table (Optional)

Project Funding	Status of Resource: Anticipated/ Confirmed	Project Tasks				Total
		Outreach	Instruction/ Training	Program Management	Research	
[Resource 1]						
[Resource 2]						
[Resource 3]						
Total Non-EPA Resources Leveraged:						

IV.F. Confidential Business Information

As discussed in [Section IV.D., Narrative Information Sheet](#), EPA recommends that you do not include confidential business information (CBI) in your application. However, if CBI is included, it will be treated in accordance with [40 CFR § 2.203](#). Applicants must clearly indicate which portion(s) of their application they are claiming as CBI. EPA will evaluate such claims in accordance with [40 CFR Part 2](#). If no claim of confidentiality is made, EPA is not required to make the inquiry to the applicant otherwise required by [40 CFR § 2.204\(c\)\(2\)](#) prior to disclosure.

SECTION V. – NARRATIVE REVIEW INFORMATION

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

V.A. Evaluation Criteria

Each eligible application will be evaluated according to the criteria set forth below. Applicants must directly and explicitly address the ranking criteria in their application. An application may be assigned up to 125 points.

Criterion	Maximum Points per Criterion
<p>Project Description. This criterion will evaluate the extent and quality to which the application effectively addresses the requirements for the five subject areas as described in Section I.A. of this solicitation and as follows:</p> <ul style="list-style-type: none"> • The extent to which the Narrative clearly and concisely presents a statement of the problem(s) and proposed solution(s). The extent to which the applicant clearly summarizes the overall project approach, benefits, and milestones to accomplish the project goals. (10 points) • The extent to which the project will deliver technical assistance across all five subject areas. Specifically, how the project will: <ul style="list-style-type: none"> ○ employ the most effective and efficient methods of delivering technical assistance for the Tribal Nations and entities; ○ ensure geographic variability and the fair distribution of assistance to Tribal Nations and entities across the country; ○ ensure Tribal Nations and entities are aware of the availability of the project’s technical support by discussing your outreach plan/strategy; ○ provide access to a variety of Tribal members with direct expertise and experience in Tribal projects involving brownfields assessment, cleanup and reuse; and ○ promote Tribal community engagement and active involvement in brownfields prioritization, assessment, cleanup and reuse decisions within areas in which one or more brownfield sites are located. (10 points) • The extent to which the informational materials, guides, trainings and other resources, peer learning, and technical assistance will promote Tribal capacity and build knowledge to address brownfields. (5 points) • The extent to which the project outcomes will help Tribal Nations and entities identify the availability of funds for assessment, cleanup and reuse 	45

<p>or help to stimulate economic development in areas affected by brownfield sites. (5 points)</p> <ul style="list-style-type: none"> • The extent to which the project will help facilitate the identification and reduction of threats to human health and the environment that may be associated with exposure to hazardous substances, pollutants, or contaminants. The extent to which the project will facilitate the identification and reduction of threats to the health or welfare of children, pregnant women, minority or low-income communities, or other sensitive populations. (5 points) • The extent that the project will help facilitate the use or reuse of existing infrastructure, energy efficiency or siting a facility that generates renewable energy on a brownfield, create or preserve greenspace, or assist in other nonprofit reuses of brownfields. (5 points) • The extent to which the applicant’s proposed plan and approach will enable the applicant to achieve the goals of the project effectively and efficiently, including the mechanisms that will be used to implement the project and the use of subawards or contractors, if any. <i>(Note, applicants will be evaluated less favorably if the project consists of holding general brownfields meetings, workshops, trainings, or conferences.)</i> <p>When the project includes participant support costs, the extent to which the applicant describes a sound process and procedures for determining the amounts of allowable stipends, procedures for accounting for participant support cost payments (including receipts), and documenting that the costs are allowable and do not duplicate other support provided through other Federal, state, Tribal, or local programs.</p> <p>When the project includes the formation of an advisory council, the extent to which an advisory council is necessary to carry out the EPA funded project. The extent to which the applicant describes a sound process and procedures for determining the amounts of allowable stipends, procedures for accounting for advisory council cost payments (including receipts), and documenting that the costs are allowable and do not duplicate other support provided through other Federal, state, Tribal, or local programs.</p> <p>(5 points)</p>	
<p>Organizational Knowledge/Experience/Expertise. This criterion will evaluate the extent and quality to which the application demonstrates:</p> <ul style="list-style-type: none"> • Depth of staff knowledge, expertise, qualifications, and knowledge in the five subject areas as described in Section I.A. to successfully achieve the goals and objectives of the proposed project, including: <ul style="list-style-type: none"> ○ the applicant’s resources or the ability to obtain them via subaward or contract, and 	30

<ul style="list-style-type: none"> ○ the applicant’s contingency plan to replace key personnel as necessary. (10 points) ● The extent to which the applicant has the organizational knowledge, experience, expertise, and availability in helping Tribal Nations and entities address brownfield challenges and the extent to which these efforts resulted in delivering sound and effective technical assistance. The extent to which the applicant’s organizational has experience working to train and build knowledge of Tribal staff and ability to build their capacity. (5 points) ● The extent to which the applicant has an established network in place to identify and mobilize resources and the degree to which each proposed partnership, stakeholder, or network that will be involved will result in the successful accomplishment of the program. (5 points) ● The extent to which the applicant’s organizational capacity can effectively support a high volume of Tribal Nations and entities requesting support, and the extent to which the applicant’s organization will follow up on assistance, when appropriate. (10 points) 	
<p>Past Performance. This criterion will evaluate the extent to which the application demonstrates ability to successfully complete and manage the applicant’s proposed project, considering their:</p> <ul style="list-style-type: none"> ● The extent to which the applicant successfully managed and completed the assistance agreements identified in response to Section IV.E. Past Performance. (5 points) ● The degree to which the applicant met the reporting requirements under the assistance agreements identified in response to Section IV.E. Past Performance including the extent to which the applicant submitted acceptable final technical reports under those agreements, and the extent to which the applicant adequately and timely reported on its progress towards achieving the expected outputs and outcomes under those agreements. If such progress was not being made, the degree to which the applicant adequately reported why not will be considered. (5 points) <p><i>Note: In evaluating the application under the two items above, EPA will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). If you do not have any relevant or available past performance or past reporting information, please indicate this in the application and you will receive a neutral score of 5 points for these subfactors. Applications that do not provide any response for this criterion may receive a score of 0.</i></p>	10

<p>Community Need. This criterion will evaluate the degree to which the application demonstrates that the proposed project will:</p> <ul style="list-style-type: none"> • The extent to which the proposed project will meet the needs of Tribal Nations and entities that are unable to draw on other sources of funding for environmental remediation and subsequent reuse of brownfield sites located in low-income or sparsely populated communities. (5 points) • The extent to which the proposed project will benefit Tribal Nations and entities with demographic and environmental indicators of need, including benefits of increasing capacity to address issues related to current brownfield and other environmental challenges. (5 points) 	10
<p>Budget/Resources. This criterion will evaluate the extent to which the application demonstrates:</p> <ul style="list-style-type: none"> • The extent to which the budget information and planned usage of EPA funds is clearly stated, detailed. The extent to which all costs (including participant support costs and advisory council costs, if applicable) are reasonable and appropriate to achieve the project’s objectives, including cost estimates and outputs for each of the proposed project activities to be performed with the EPA funds. The degree to which the applicant’s budget describes an effective use of the budget resources for the work to be performed. (10 points) • The degree to which the applicant’s approach, procedures, and controls will ensure that grant funds will be expended in a timely and cost-effective manner. (5 points) <p><i>(Notes:</i></p> <ul style="list-style-type: none"> ○ <i>Budget proposals which include participant support costs <u>and</u> advisory council costs that exceed 35% of funds requested will be evaluated less favorably.</i> ○ <i>Budget proposals which include stipends to compensate program participants and/or advisory council members will be evaluated less favorably if stipends exceed the amount allowable for individual consultants described in 2 CFR § 1500.10(a).</i> ○ <i>Administrative costs that exceed 5% of the total EPA-requested funds will be evaluated less favorably.</i> ○ <i>A response that includes cost estimates that are not reasonable or realistic to implement the project/grant will be evaluated less favorably. For example, applicants that request more funds than is reasonably justified in the Narrative to complete the proposed project/grant.)</i> 	15

<p>Performance Measurement: Anticipated Outcomes and Outputs. This criterion will evaluate the extent to which the application demonstrates:</p> <ul style="list-style-type: none"> The extent to which the applicant presented a realistic approach to how the project will lead to measurable long-term outcomes and short-term outputs, including qualitative and quantitative measures. The degree to which specific outputs and outcomes are described and how these measures will be evaluated throughout the life of the project. The degree to which the applicant can easily identify when the project is or is not on schedule and the degree to which the approaches, procedures, and/or controls demonstrate the applicant’s readiness to achieve the project goals and deliverables in an efficient manner. (5 points) 	5
<p>Leveraging. This criterion will evaluate the extent to which the application demonstrates:</p> <ul style="list-style-type: none"> The extent to which the applicant will leverage additional funds/resources beyond the EPA cooperative agreement funds awarded to support the proposed project activities, and the degree to which these leveraged funds/resources will be used to contribute to the performance and success of the proposed project. (5 points) The extent to which in-kind and/or partner commitments to providing services/resources to the proposed project are available, and the extent to which these commitments have already been made. If leveraged resources are not yet committed to the project, the likelihood that these commitments will materialize during the project. <i>(Note, applications with firm leveraged commitments or with leveraged commitments that will significantly enhance the project will be evaluated more favorably.)</i> (5 points) 	10

V.B. Review and Selection Process

All applications received by the closing date and time for submissions will first be reviewed to determine eligibility for funding consideration based upon compliance with [Section III. Applicant Eligibility and Threshold Criteria](#). Only applications determined eligible and passing the threshold review will be evaluated for technical merit.

Each eligible application will be evaluated by a review panel of EPA staff for technical merit, based on the evaluation factors detailed in [Section V.A. Evaluation Criteria](#) of this solicitation. Upon completion of the technical merit evaluation, each application will be given an evaluated numerical score, with a total of 125 points possible. The Office of Brownfields and Land Revitalization (OBLR) will develop ranking list of applications by placing the applications in rank order. OBLR will provide the ranking list to the EPA Headquarters Selection Official who is responsible for final selection of the grant recipient.

SECTION VI. – AWARD ADMINISTRATION INFORMATION

Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

VI.A. Award Notices

Applicants who fail the threshold eligibility requirements will be notified within 15 calendar days of EPA's determination of ineligibility. EPA will notify applicants who are not selected for award based on the evaluation criteria and other considerations within 15 calendar days of EPA's final decision on selections for this competition.

EPA anticipates notification to successful applicants will be made via email by late Fall 2023. The notification will be sent to the Project Director and Chief Executive/Highest Ranking Elected Official listed in the Narrative Information Sheet in [Section IV.D](#). This notification, which informs the applicant that its application is selected and is being recommended for award, is not an authorization to begin work. The official notification of an award will be made by the Headquarters Award Official (EPA Grants Officer). **Applicants are cautioned that only a grants officer is authorized to bind the Government to the obligation of funds; selection does not guarantee an award will be made.** For example, statutory authorization, funding, or other issues discovered during the award process may affect the ability of EPA to make an award to an applicant. The award notice, signed by an EPA grants officer, is the authorizing document and will be provided through email or postal mail. The successful applicant may need to prepare and submit additional documents and forms (e.g., a workplan), which must be approved by EPA before the grant can officially be awarded. The time between notification of selection and award of a grant can take up to 90 days or longer.

VI.B. Administrative and National Policy Requirements

Funding will be awarded as a cooperative agreement. The applicants who are selected for award will work with an EPA Project Officer to finalize the required federal application package and to negotiate the cooperative agreement workplan.

Approved cooperative agreements will include terms and conditions that will be binding on the recipient. Terms and conditions specify what recipients must do to ensure that grant-related and Brownfields Program-related requirements are met. Applicants also will be required to submit progress reports in accordance with Uniform Grant Guidance found in [2 CFR § 200.329](#).

An applicant that receives an award under this announcement is expected to manage assistance agreement funds efficiently and effectively and make sufficient progress towards completing the project activities described in the workplan in a timely manner. The assistance agreement will include terms and conditions implementing this requirement.

VI.C. Reporting Requirements

During the life of the cooperative agreement, the recipient is required to submit performance reports to the EPA Project Officer within 30 days after each reporting period. The reporting

period (i.e., quarterly, annually) is identified in the terms and conditions of the cooperative agreement. These reports shall cover work status, work progress, outputs/outcomes reached, difficulties encountered, preliminary data results and a statement of activity anticipated during the subsequent reporting period. A discussion of expenditures along with a comparison of the percentage of the project completed to the project schedule and an explanation of significant discrepancies shall be included in the report. The report shall also include any changes of key personnel concerned with the project.

The recipient must submit updates on all cooperative agreement funded activities using the relevant modules in the Assessment, Cleanup, and Redevelopment Exchange System (ACRES). This includes all direct engagement and multi-community activities, such as trainings or workshops, and brownfields tool development. Quarterly reports must include the number, locations, and amount of cooperative agreement funds spent to-date on each engagement and activity.

EPA expects timely drawdown of funds and a yearly financial report. In addition to quarterly reports, the financial reports will provide EPA with information regarding the progress being made.

The final report will address goals and objectives, performance measurements, lessons learned, any other resources leveraged during the project and how they were used, and any plans to continue the project after the expiration of the cooperative agreement and associated sources of funding. The final report will be submitted to the EPA Project Officer at the close of the cooperative agreement.

VI.D. Disputes

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005) which can be found on the [Grant Competition Dispute Resolution Procedures](#) website. Copies of these procedures may also be requested by contacting the Brownfields Contact listed in [Section VII.](#) of this announcement. Note, the FR notice references regulations at 40 CFR Parts 30 and 31 that have been superseded by regulations in 2 CFR Parts 200 and 1500. Notwithstanding the regulatory changes, the procedures for competition-related disputes remain unchanged from the procedures described at 70 FR 3629, 3630, as indicated in 2 CFR Part 1500, Subpart E.

SECTION VII. - AGENCY CONTACT

Cassidy Peterson, U.S. EPA, Office of Brownfields and Land Revitalization (MC 5105-T), 1200 Pennsylvania Avenue, NW, Washington, DC 20460; Phone 202-566-1127; peterston.cassidy@epa.gov.

Appendix 1

Grants.gov Application Submission Instructions

A. Requirements to Submit Through Grants.gov and Limited Exception Procedures

Applicants must apply electronically through www.grants.gov under this funding opportunity based on the www.grants.gov instructions in this announcement. If your organization has no access to the Internet or access is very limited, you may request an exception for the remainder of this calendar year by following the procedures outlined at www.epa.gov/grants/exceptions-grantsgov-submission-requirement. Please note that your request must be received *at least 15 calendar days* before the application due date to allow enough time to negotiate alternative submission methods. Issues with submissions with respect to this opportunity only are addressed in *Section C. Technical Issues with Submission* below.

B. Submission Instructions

B.1. SAM.gov (System for Award Management) Registration Instructions

Organizations applying to this funding opportunity must have an active SAM.gov registration. If you have never done business with the Federal Government, you will need to register your organization at www.sam.gov. If you do not have a SAM.gov account, then you will create an account using Login.gov¹³ to complete your SAM.gov registration. SAM.gov registration is FREE. The process for entity registrations includes obtaining a Unique Entity ID (UEI), a 12-character alphanumeric ID assigned to an entity by SAM.gov, and requires assertions, representations and certifications, and other information about your organization. Please review the [Entity Registration Checklist](#) for details on this process.

If you have done business with the Federal Government previously, you can check your entity status using your government issued UEI to determine if your registration is active. SAM.gov requires you to renew your registration every 365 days to keep it active.

Please note that SAM.gov registration is different than obtaining a UEI only. Obtaining a UEI only validates your organization's legal business name and address. Please review the registration [Frequently Asked Questions](#) for additional details on the difference.

Organizations should ensure that their SAM.gov registration includes a current e-Business (EBiz) point of contact name and email address. The EBiz point of contact is critical for Grants.gov Registration and system functionality.

Contact the [Federal Service Desk](#) (866-606-8220) for help with your SAM.gov account, to resolve technical issues or chat with a help desk agent. The Federal Service desk hours of operation are Monday – Friday, 8 a.m. – 8 p.m. ET.

¹³ Login.gov a secure sign in service used by the public to sign into Federal Agency systems including SAM.gov and Grants.gov. For help with login.gov accounts you should visit <http://login.gov/help>.

B.2. Grants.gov Registration Instructions

Once your SAM.gov account is active, you must register in Grants.gov. Grants.gov will electronically receive your organization information, such as e-Business (EBiz) point of contact email address and UEI. Organizations applying to this funding opportunity must have an active Grants.gov registration. Grants.gov registration is FREE. If you have never applied for a federal grant before, please review the [Grants.gov Applicant Registration](#) instructions. As part of the Grants.gov registration process, the **EBiz point of contact is the only person that can affiliate and assign applicant roles to members of an organization**. In addition, at least one person must be assigned as an Authorized Organization Representative (AOR). **Only person(s) with the AOR role can submit applications in Grants.gov**. Please review the [Intro to Grants.gov- Understanding User Roles](#) and [Learning Workspace – User Roles and Workspace Actions](#) for details on this important process.

Please note that this process can take **a month or more** for new registrants. Applicants must ensure that all registration requirements are met in order to apply for this opportunity through Grants.gov and should ensure that all such requirements have been met well in advance of the application submission deadline.

Contact [Grants.gov](#) for assistance at 1-800-518-4726 or support@grants.gov to resolve technical issues with Grants.gov. Applicants who are outside the U.S. at the time of submittal and are not able to access the toll-free number may reach a Grants.gov representative by calling 606-545-5035. The Grants.gov Support Center is available 24 hours a day 7 days a week, excluding federal holidays.

B.3. Application Submission Process

To begin the application process under this grant announcement, go to www.grants.gov and enter the Funding Opportunity Number, **EPA-OLEM-OBLR-23-10**, into the search box in the top right corner of the page. Click on the “GO” button to view the “View Grant Opportunity” page and click the red “Apply” button at the top of the page.

The electronic submission of your application for this funding opportunity must be made by an official representative of your organization who is registered with www.grants.gov and is authorized to sign applications for Federal financial assistance. If the submit button is grayed out, it may be because you do not have the appropriate role to submit in your organization. Contact your organization’s EBiz point of contact or contact Grants.gov for assistance at 1-800-518-4726 or support@grants.gov.

Applicants need to ensure that the Authorized Organization Representative (AOR) who submits the application through www.grants.gov and whose UEI is listed on the application is an AOR for the applicant listed on the application. Additionally, the UEI listed on the application must be registered to the applicant organization’s SAM.gov account. If not, the application may be deemed ineligible.

B.4. Application Submission Deadline

Your organization's AOR must successfully submit your complete application package electronically to EPA through www.grants.gov **no later than November 13, 2023**, at 11:59 P.M. Please allow for enough time to successfully submit your application and allow for unexpected errors that may require you to resubmit.

After signing and successfully submitting the application package, within 24 to 48 hours the AOR should receive notification emails from www.grants.gov with the following subject lines:

- 1. GRANT##### Grants.gov Submission Receipt**
- 2. GRANT##### Grants.gov Submission Validation Receipt for Application**

If the AOR did not receive either notification emails listed above, contact the www.grants.gov Support Center at 1-800-518-4726. The Support Center is open 24/7 (except federal holidays).

After the application package is retrieved out of the www.grants.gov system by EPA, the AOR should receive the following notification emails from www.grants.gov:

- 3. GRANT##### Grants.gov Grantor Agency Retrieval Receipt for Application**
- 4. GRANT##### Grants.gov Agency Tracking Number Assignment for Application**

Applications submitted through www.grants.gov will be time and date stamped electronically. If you do not receive a confirmation of receipt from EPA (not from www.grants.gov) within 30 days of the application deadline, please contact brownfields@epa.gov. Failure to do so may result in your application not being reviewed. Please note that successful submission of your application through www.grants.gov does not necessarily mean your application is eligible for award.

C. Technical Issues with Submission

If applicants experience technical issues during the submission of an application that they are unable to resolve, follow these procedures **before** the application deadline date:

1. Contact the www.grants.gov Support Center **before** the application deadline date at 1-800-518-4726 or https://gditshared.servicenowservices.com/hhs_grants.
2. Document the www.grants.gov ticket/case number.
3. Send an email with the Funding Opportunity Number, EPA-I-OLEM-OBLR-23-XX, in the subject line to brownfields@epa.gov **before** the application deadline time and date. The email **must** include the following:
 - a. The www.grants.gov ticket/case number(s).
 - b. A description of the issue.
 - c. The entire application package in PDF format.

Without this information, EPA may not be able to consider applications submitted outside of www.grants.gov. Any application submitted after the application deadline time and date deadline will be deemed ineligible and **not** be considered.

EPA will make decisions concerning acceptance of each application submitted outside of www.grants.gov on a case-by-case basis. EPA will only consider accepting applications that were unable to submit through www.grants.gov due to www.grants.gov or relevant www.sam.gov system issues or for unforeseen exigent circumstances, such as extreme weather interfering with Internet access. Failure of an applicant to submit prior to the application submission deadline time and date because they did not properly or timely register in www.sam.gov or www.grants.gov is not an acceptable reason to justify acceptance of an application outside of www.grants.gov.

D. Application Materials

The following forms and documents are **required** under this announcement.

1. Application for Federal Assistance (SF-424)
2. Budget Information for Non-Construction Programs (SF-424A)
3. EPA Key Contacts Form 5700-54
4. Pre-award Compliance Review Report (EPA Form 4700-4) [Guidance on how to complete this form is available at www.epa.gov/grants/tips-completing-epa-form-4700-4.]
5. Project Narrative Attachment Form – attach the Narrative Information Sheet, the Narrative, and required attachments (including responses to the threshold criteria) as one file, if possible. See [Section IV.C](#) for details on the required content and the associated page limits.

The following forms and documents are **optional** under this announcement.

6. Grants.gov Lobbying Form – To be submitted by applicants requesting **more than** \$100,000 of EPA grant funding.
7. Negotiated/Proposed Indirect Cost Rate Agreement – To be submitted using the Project Narrative Attachment Form by applicants proposing to charge indirect costs to the EPA grant. Please note that applicants may budget for indirect costs pending approval of their Indirect Cost Rate Agreement by the cognizant Federal agency or an exception granted by EPA under section 6.3 or 6.4 of [EPA's Indirect Cost Policy for Recipients of EPA Assistance Agreements](#). However, recipients may not draw down indirect costs until their rate is approved or EPA grants an exception.

Note: A workplan is not required under this announcement. Applicants that are selected for funding will negotiate the workplan with EPA before the cooperative agreement is awarded. Additionally, selected applicants must provide EPA with other required forms and documents, as appropriate, to award the cooperative agreement.