

## EPA Grants Fair Share Objectives Webinar, April 30, 2024 Frequently Asked Questions (FAQ)

---

Q1: EPA provides most grant funding to Tribes as “cooperative agreements.” Is that also considered a “grant” for the purposes of Fair Share Objectives (FSO)?

A1: Yes. We tend to use the term “grants” because it is simpler than saying “assistance agreements” or “grants and cooperative agreements,” but this applies to grants and cooperative agreements equally.

Q2: Is there a specific format or layout that the objectives should be drafted in?

A2: No, specific format. However, we have some draft templates.

Q3: What is the database that we can use to determine available Minority Business Enterprise/Woman-Owned Business Enterprise (MBE/WBE) in my area?

A3: EPA does not have a directory or list of certified MBEs/WBEs. However, EPA recommends checking with the Small Business Administration, U.S. Department of Transportation, or the state in which the organization intends to do business. One possible resource that may be useful is the [U.S. Department of Transportation website](#).

Q4: Does the database have categories of businesses that can be searched for sewer system replacement programs in Illinois? How do we search for WBE/MBE that may have the capacity to submit a bid?

A4: EPA does not have a directory or list of certified MBEs/WBEs. However, EPA recommends checking with the Small Business Administration, U.S. Department of Transportation, or the state in which the organization intends to do business. One possible resource that may be useful is the [U.S. Department of Transportation website](#).

Q5: How can we locate the approved rate that we last had?

A5: This was not a requirement last year.

Q6: What does it mean to be MBE/WBE certified?

A6: Under EPA’s 8% statute, an entity must establish that it is owned or controlled by socially and economically disadvantaged individuals who are of good character and citizens of the United States. The statute presumes women to be socially and economically disadvantaged individuals.

Under EPA’s 10% statute, an entity must establish that it is owned and controlled by socially and economically disadvantaged individuals who are of good character and citizens of the United States. The statute presumes Historically Black Colleges and Universities, Black Americans, Hispanic Americans, Native Americans, Asian Americans, Women and Disabled Americans are socially and economically disadvantaged individuals.

Q7: Are Tribes exempt from creating FSO goals?

- A7: Tribal and Intertribal Consortia recipients of program grants can be included in Performance Partnership Grants (PPGs) under [40 CFR Part 35, Subpart B](#). Tribal and Intertribal consortia recipients of PPG eligible grants are not required to apply the fair share objective requirements of this subpart to those grants. This exemption is limited to the fair share objective requirements of this subpart.
- Q8: Who are the FSO coordinators in each EPA Region?
- A8: The Disadvantaged Business Enterprise (DBE) Regional Coordinators information can be located at the [EPA DBE Program Coordinators webpage](#).
- Q9: What is a North American Industry Classification System (NAICS) code?
- A9: The NAICS is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.
- Q10: When you say Regional Coordinator, are you talking about EPA or our local coordinator?
- A10: EPA Regional Coordinators
- Q11: Would an Agency within a State need a separate FSO from the State FSO? Or can the Agency use the State FSO?
- A11: A recipient may use, as its base figure, the FSO of another EPA recipient if the recipient demonstrates that it will use the same, or substantially similar, relevant geographic market as the other EPA recipient's approved FSO.
- Q12: For disparity studies, how do you find out if some agency in your jurisdiction has completed one in the past 10 years?
- A12: The Census Bureau's website.
- Q13: If an entity receives a total \$1 million EPA grant and then provides subgrants less than \$250k, is it exempt?
- A13: If the combined total of funds budgeted for procuring supplies, equipment, construction, or services exceeds the \$250K Threshold, then a recipient must negotiate FSO.
- Q14: What if the subgrantee receives a total of no more than \$250k in a given fiscal year?
- A14: If the combined total of funds budgeted for procuring supplies, equipment, construction, or services exceeds the \$250K Threshold, then a recipient must negotiate FSO.