

District of Columbia
Department of Energy and Environment



**NOTICE OF FUNDING AVAILABILITY AND REQUEST FOR PROJECT AND
PARTNER APPLICATIONS (RFA)
Clean Water Construction Treatment Works Projects Fiscal Year 2018**

Publication Date: Friday April 28, 2017

Application deadline: Tuesday, May 30, 2017, by 4:30 PM

Pre-Application Meeting: Wednesday, May 10, 2017, at 1:30 PM

Government of the District of Columbia
Department of Energy and Environment
1200 First Street, NE 5th Floor
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SECTION 1. GENERAL INFORMATION

1.1 Background and Summary

The Department of Energy and Environment (“DOEE”) is soliciting funding applications from eligible entities (called “applicants”). The goal of this request for applications (RFA) is to improve the quality of the waters of the District of Columbia, including the District’s waters that are considered to be waters of the United States. DOEE will administer this RFA.

Much of this RFA provides guidance for non-governmental entities. Not all requirements apply to government applicants. A government applicant should check the wording of Part 7, for its exclusion from certain requirements.

The waters of the District of Columbia (District), like waters in most urban settings, are polluted by anthropogenic uses, and require work to make them clean enough to support healthy aquatic life and to allow humans to swim and fish. The Department of Energy and Environment (DOEE) Clean Water Construction (CWC) program is one tool the District uses to progress toward attainment of these goals.

The CWC program is designed to direct funding to projects that have the potential to achieve the highest return in terms of attainment of water quality standards and for the protection of public health. The CWC program funds construction and installation under § 212 of Title VI of the US Clean Water Act that the US Environmental Protection Agency (EPA) administers, specifically “treatment works”, as defined in 33 U.S.C. 1292.

The categories of treatment works projects funded are what the District calls sewage infrastructure projects, stormwater grey infrastructure projects, and stormwater green infrastructure projects. This RFA refers to these projects as the “CWC Projects”.

The Department may receive about \$6,000,000 in the federal funding for CWC Projects. The Department has made no pre-determination regarding the number of projects that will be funded.

Projects that are found eligible and selected for construction are funded at a 55% federal grant share. The applicant must provide 45% of the selected project’s cost from non-federal sources.

1.2 Purpose of this RFA

DOEE is soliciting applications for CWC projects that may be included in an application to EPA for the § 212 Clean Water Construction grant. **The outcome of this solicitation will be to create an updated Project Priority List (PPL) for use in applications to EPA Clean Water Construction grant.**

1.3 Project Priority List

The EPA requires that, to be eligible for funding through the CWC program, a proposed project must be included on the Project Priority List (PPL). A DOEE review team will score all projects meeting minimum eligibility requirements. The District's PPL presents projects from each of the three CWC Project categories, on a roster, with each type of project listed in descending order of rank, based on the total points awarded using the scoring criteria of the DOEE Project Priority Rating System (Appendix 6). The details appear in that document.

1.4 Eligibility

For a project to be included on the PPL, both the project and the entity receiving funding must be eligible. Project eligibility requirements appear in the DOEE Project Priority Rating System (Appendix 6). In addition, only the following entities may be funded: nonprofit organizations; government agencies; and educational institutions.

There are continuing conditions of eligibility, that the information in the application is complete and truthful and that the applicant at all times is able to meet the material conditions stated in its application.

1.5 Permissible Use of Funds

Funding may be used for all activities required to design, permit, manage and construct approved projects. Each funded project must do one or more of the following: reduce stormwater runoff; improve water quality; and/or enhance habitats which protect and/or improve water quality.

Funds are not restricted by the type of construction. They may be used for: new construction; retrofit of existing properties; and habitat restoration and/or creation. While funding may cover the writing and production of a project's plan or manual for life cycle maintenance, the subsequent maintenance itself is not fundable.

1.6 Project Monitoring and Audit

Each funded project must comply with EPA and District requirements for design and/or construction contracting. (EPA requirements appear in Appendices 3 and 4.)

DOEE will monitor each project for compliance. Funded entities must: provide compliance documentation; allow site visits; report expenditures; and report performance data. DOEE will monitor contracts, subgrants and MOUs. Each project is subject to audit.

1.7 Authority for the CWC Funding

Title VI of the Clean Water Act (CWA) authorizes the US Environmental Protection Agency (EPA) to award capitalization grants to states for the purpose of establishing a Clean Water State Revolving Fund. Legislative provisions in several EPA Appropriation Acts allow the District to receive its capitalization allotment as Title II grants for any activities eligible to receive funding under Title VI.

Provisions in Public Laws 101-144 and 101-302 allow the single-government entities of the District of Columbia, the Virgin Islands, and the Pacific trust territories to receive their annual allotments for Title VI capitalization grants as Title II construction grants. An additional provision in Public Law 102-389 expands the range of activities which DC may fund with such grants to include CWA Title VI-eligible activity.

DOEE may apply for and receive federal grants. DC Official Code § 8-151.07(8).

1.8 DOEE's Authority to Issue Subgrants

DOEE has grant-making authority under:

- a) The Renewable Energy Portfolio Standard Act of 2004 (D.C. Law 15-340, D.C. Official Code §§ 34-1431-40), including § 34-1436(b) and (c);
- b) The Water Pollution Control Act of 1984, effective March 16, 1985, as amended, (D.C. Law 5-188; D.C. Official Code § 8-103.01 *et seq.*);
- c) The District Department of the Environment Establishment Act of 2005, effective February 15, 2006, as amended, (D.C. Law 16-51, D.C. Official Code § 8-151.01 *et seq.*);
- d) The Comprehensive Stormwater Management Enhancement Amendment Act of 2008, effective March 25, 2009, (D.C. Law 17-371; D.C. Official Code § 8-152.01 *et seq.*); and
- e) Other applicable laws and regulations.

DOEE issues and manages subgrants of EPA funding in compliance with [EPA's subaward policy](#).

1.9 Conflicts With Applicable Law

If any requirement of this document conflicts with a provision of an applicable law, including a District or federal statute or regulation, the applicable law provision shall control.

SECTION 2. SUBMISSION OF APPLICATION

2.1 RFA Release Date and Informational Meeting

The release date of this RFA is Friday, April 28, 2017.

A pre-proposal meeting will be held on Wednesday, May 10, 2017, at 1:30 p.m. at 1200 First Street N.E. Please meet in the DOEE 5th floor reception area. Participants may call in toll-free at (866) 741-7514. Use participant code 2014667. Attendance is not mandatory.

2.2 Obtaining a Copy of the RFA

A person may obtain a copy of this RFA by any of the following means:

Download from the Department's website, www.doe.dc.gov. Select the *Resources* tab. Cursor over the pull-down list and select *Grants and Funding*. On the new page, cursor down to the announcement for the FY18 CWC Project Request. Click on *Read More* and download this Notice and related information from the *Attachments* section.

Email a request to Cwcproject.fy18@dc.gov with "Copy of FY18 CWC Project Request[mailto:](mailto:Cwcproject.fy18@dc.gov)." in the subject line.

Pick up a copy in person from the Department's reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. To make an appointment, call Suzanne Wald at (202) 673-6745 and mention the FY18 CWC Project Request by name.

Write the Department at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Suzanne Wald, RE: FY18 CWC Project Request" on the outside of the envelope.

2.3 Applications: When, What, and Where

When: All applications must be received at the address below by 4:30 p.m. on **Tuesday, May 30, 2017.**

Applications will be dated and recorded temporarily as "received" pending review by DOEE for completeness. DOEE considers an application to be "filed" only if all the required materials are submitted. Late or incomplete applications will be considered received, not filed. An application is not filed when sent. Late or incomplete applications will not be determined to be "filed."

What: The contents of the Application are specified in Section 3. Each applicant must submit five paper copies of the application and one electronic copy. The Department will not receive faxed copies. In addition, a complete electronic copy of the application must be emailed to cwcproject.fy18@dc.gov.

Where: The paper copies must be filed with DOEE at the following address:

District of Columbia Department of Energy and Environment

RFA – Grants

5th Floor

1200 First Street NE

Washington, DC 20002

ATTN: FY18 CWC Project Request

2.4 FY18 PPL Publication

DOEE will publish the draft fiscal year 2018 PPL, along with a notice of a public comment period and a public hearing, in the *D.C. Register*. DOEE expects this posting to occur about eight weeks after the project application deadline. DOEE will directly advise applicants to the present RFA solicitation and CWC stakeholders of the availability of the draft fiscal year 2018 PPL and the opportunity to comment.

2.5 Updates and Questions and Answers (Q & A)

Additional information may become available before the application is due. It is the applicant's responsibility to stay up-to-date on the status and requirements of the grant for which it is applying.

DOEE welcomes questions seeking clarification of matters in this RFA. Questions about the RFA should be sent to cwcproject.fy18@dc.gov with "Clean Water Construction Program FY18 Project Priority List" in the subject line.

DOEE will publish updates and Questions and Answers (Q&A) regarding this solicitation at doee.dc.gov. DOEE will also create an email list to send updates and information regarding the solicitation. A person can be put on the email list by immediately emailing cwcproject.fy18@dc.gov with the subject line "RE: Clean Water Construction Program FY18 Project Priority List – Add me to the email list."

DOEE will provide the information to those on the email list at the same time the information is uploaded to the DOEE website. Paper copy updates will be available for pickup at DOEE's offices by appointment. DOEE will not mail out updates or Q&A materials.

The cut-off date for receipt of any questions is one week prior to the application deadline.

2.6 DOEE Contacts

Questions and requests for additional information about this solicitation should be directed to Suzanne Wald at cwcproject.fy18@dc.gov or 202-673-6745.

SECTION 3. APPLICATION CONTENT

3.1 Application Format

Proposals should be formatted as follows:

- a) Use plain, white, 8 ½" x 11" recycled paper with one-inch margins, headers and footers;
- b) Applications should be double-sided if possible;
- c) Limit each project description to 5 double-spaced pages. Photographs, construction drawings and outreach materials are not included in the page limit.
- d) Staple the application in the top left-hand corner. Do not use a plastic cover or other form of binding.

3.2 Cover Sheet

Include a cover sheet in the format specified in Appendix 3.

3.3 Proposal Content

Proposals are scored according to the criteria detailed in the PPRS (Appendix 6). The scoring of each application is based on a 100-point scale. **The applicant should read this list carefully, ensuring that the proposal addresses each of the criteria.**

- 1) **Summarize the project in one of two paragraphs.**
- 2) **Present the project in detail.**
 - a. Present the purpose of the proposed project, including why it is needed or what problem is being corrected.
 - b. Identify the site address, and watershed benefitting from the project. Note if the project is sited in a District Priority Watershed (Appendix 8). Appendix 8 provides a list of District Priority Watersheds, a map to roughly identify the watershed boundaries, and a link to the map in DCGIS online that allows the applicant to enter the project site street address in order to verify the project's location relative to the selected watersheds.

- c. Quantify the estimated outputs. The output is a short-term result achieved at the end of the project period.

Applications proposing the installation of stormwater BMPs must provide estimated outputs using the stormwater retention volume calculator, Appendix 7. Use of this calculator requires estimates for contributing drainage area, the type of stormwater best Management Practices to be installed, and the number of BMPs to be installed. The applicant can define assumptions and report estimated outputs in a range if the project is not in a stage of design that would provide real measurements.

Applications proposing stream and habitat restoration will provide an estimate of linear feet of stream habitat to be restored or square feet of land area to be restored.

- d. Furnish a list of permits required to be obtained, and note if any permit applications have been submitted, and if applications have been acquired.
- e. Provide a good estimate of the timeline for project implementation, including administrative and project milestones in each phase of implementation.
- f. Describe the outreach and education plan, if applicable.
- g. Describe how the project will be maintained. Identify the parties responsible for maintenance; describe basic maintenance activities; and provide reasonable assurance that maintenance will be performed for the life of the project.
- h. Describe how the success of the project will be measured.
- i. Present the project budget and budget narrative.

CWC projects are currently funded at a 55% federal grant share and 45% local match share. The federal funding source is EPA's Clean Water State Revolving Fund (SRF) allocation (66.418), which the District receives in the form of a grant. Local match can be any non-federal funding source.

Funding may be used for all activities required to design, permit, manage and construct approved projects. Funding can also be used for project-related outreach and education. All projects must demonstrate stormwater runoff reduction; increase water quality; and/or enhance habitats which protect and/or improve water quality. Funds are not restricted by the type of construction and may be used for new construction or redevelopment, for the

retrofit of existing properties/structures, and habitat restoration and/or creation. Long-term project maintenance is required, but is not fundable.

If the project will occur in stages (solicitation, design, permitting, construction), then identify the cost associated with each stage. Determine that costs are allowable in accordance with [2 CFR Part 200, Subpart E](#). Identify project match. The total of all sources of project match must meet at least 45% of the total project budget. Match contributions must be documented and verifiable with cost accounting. Contribution of in-kind services would not meet the criteria for match. Finally, all construction projects must provide proof of 100% performance bond and 100% payment bond¹.

Provide a detailed project budget, adding or subtracting budget categories, as necessary:

Budget Categories	Project Budget	Federal Funding (55% of funding request)	Non-DOEE Match Provided (up to 45% of funding request)
Planning			
Design			
Construction Management			
Construction			
Other			
Totals			

- j. As possible, include photographs of existing site conditions; completed designs; other graphics, or evaluative reports to support the preceding items.
- k. Address the Scoring Criteria.

Project categories and the associated scoring criteria are described in detail in the District Project Priority Rating System, Appendix 6. Identify the CWC project category that best fits the proposed project, and address each applicable criterion within this section. A project application earns points based on the project's potential to address the priorities described by these criteria.

3) **Describe the Applicant.**

- a. Organization.

¹ Some District of Columbia agencies may have official approval for 50% performance bond. DOEE will require documentation of this approval if the project is funded.

Describe the organization's history, mission, and current or past projects that demonstrate the organization's capacity to achieve the project's goals. This section should be limited to one page. To provide further information, the Applicant can reference its website or attach organizational brochure or resume.

b. Key personnel.

Identify the key team members for the project and provide brief biographies or their resumes. The team members can be staff, volunteers or contractors.

c. Past performance on District Grants/Contracts.

d. Identify District agencies from which the Applicant has received funding as a contractor, grantee, or partner in the past five years and provide specific information including:

- (A) The grant(s) or contract(s) title;
- (B) The District agency/agencies;
- (C) The grant number(s), contract number(s), or other identifier(s);
- (D) The amount(s) paid; and
- (E) What was accomplished as a result of the funding(s).

e. Briefly describe any disputes, investigations, or audits related to any of these District grants or contracts, grants, or partnerships in the past five years.

f. Partners.

g. Sometimes partnerships can improve the success of a project. These partnerships might be with government agencies, nongovernmental organizations (NGOs), companies, or individuals. If a partner is to be involved in the project, the Applicant must describe the partner's involvement and resource commitments. The proposal must identify and attach a letter of support on the partner's letterhead, signed by an authorized official if the partner is a government agency, NGO, or business entity.

h. In lieu of a letter, an Applicant may attach an email from the partner (or an authorized official if the partner is a government agency, NGO, or business entity) that states support of the project and identifies the

partner's name, address, website, and a contact name, telephone number, and email address.

- i. For the following types of partners, provide the documentation indicated.

- (A) District of Columbia Public Schools

- If the Applicant will work with the District of Columbia Public Schools (DCPS), it must include a letter of support from the principal of each school with which it will work, and, if available, from each participating teacher. Teachers and principals may send a joint letter.

- (B) Property Owner

- If the applicant is not the property owner, include a statement from the property owner that explicitly gives permission to perform work on owner's property. If the project includes construction or installation, the letter must acknowledge that the property owner will be responsible (either directly or through an agreement with another entity) for project maintenance.

- (C) Partnering Organization

- j. If the Applicant has identified a project partner, it must include a letter of intent from the collaborating organization/s, agreeing to participate in the proposed project. The letter should demonstrate that the partnering organization understands the project presented for funding and the activities and/or services that the partner will provide.

SECTION 4. FILING REQUIREMENTS FOR NONGOVERNMENTAL ORGANIZATIONS

Documents to file as part of the proposal

If the applicant is not an agency of the District government, each of the following documents in this Section must be filed as part of the proposal package. If a government agency must issue a required document, and the applicant has requested the document, DOEE may accept a copy of the applicant's request to the agency as proof of the request.

a) Certificate of Good Standing

Each applicant must submit a current Certificate of Good Standing from the District Department of Consumer and Regulatory Affairs. DOEE requires that the submitted Certificate of Good Standing reflect a date within a six-month period immediately preceding the application's submission.

b) Promises, Certifications, Assertions, and Assurances

Each applicant must sign and submit the "Promises, Certifications, Assertions, and Assurances" ("PCA") in Appendix 2. Signing the PCA is a condition of eligibility for this grant. If the applicant is not prepared to sign the PCA, it should not apply for a grant. Compliance with the promises, certifications, and assurances in the PCA is a continuing condition of eligibility for this grant.

The PCA must be signed by the applicant or, if the applicant is an organization, by a duly authorized officer of the organization.

The PCA also includes a sworn statement verifying that the Applicant is not in arrears (i.e. is "current") on all obligations outstanding to the District, including all District agencies. The applicant must be "current" as of the date of the application and the date of a grant award. DOEE requires, as a condition of continuing eligibility, that a grantee stay current on such obligations during the period of the grant.

c) IRS W-9 Tax Form

The applicant must submit a current completed W-9 form prepared for the U.S. Internal Revenue Service (IRS). DOEE defines "current" to mean that the document was completed within the same calendar year as that of the application date.

d) Tax Exemption Affirmation Letter

The tax exemption affirmation letter is the IRS's determination letter of non-profit status. If this letter is not available, then the applicant should provide its most recent IRS Form 990 tax return, if one was submitted. If no return has yet been filed, the organization can submit its application for tax-exempt status. If the group has a supporting organization with an IRS tax-exempt status determination, then that organization's tax exemption affirmation letter should also be submitted.

If there is no IRS tax exemption affirmation letter because the organization is a religious organization, then the applicant may submit the best evidence it can of its status. Examples of potential best evidence for this purpose include, but are not limited to (i) a letter from the leader of the organization verifying that the organization is a religious group; (ii) a letter from the group's board chair or similar official, verifying that the organization is a religious group; (iii) the applicant's most recently submitted state sales or other tax exemption form, if it exists (Form 164 in the District of Columbia); or (iv) the state's issued tax exemption certificate or card, if it exists. (*See IRS publication no. 1828, Tax Guide for Churches and Religious Organizations.*)

e) Applicant's Current Fiscal Year Budget

The applicant must submit its full budget, including projected income, for the current fiscal year, using a format at least as detailed as that presented in the PPRS, Appendix 6. Also, the applicant should submit a comparison of budgeted versus actual income and expenses of the fiscal year to date.

f) Applicant's Financial Statements

If the applicant has undergone an audit or financial review, it must provide the most recent audited financial statements or reviews. If audited financial statements or reviews are not available, the applicant must provide its most recent complete year's unaudited financial statements.

g) Separation of Duties Policy

The applicant must state how the organization separates financial transactions and duties among people within the organization in order to prevent fraud or waste. This may be a statement that already exists as a formal policy of the organization, or the applicant may create the statement for purposes of the application. The applicant should state which of these situations apply.

This statement should:

- 1) Describe how financial transactions are handled and recorded;
- 2) Provide the names and titles of personnel involved in handling money;

- 3) Identify how many signatures the financial institution(s) require on the organization's checks and withdrawal slips; and
- 4) Address other limits on staff and board members' handling of the organization's money.

h) System for Award Management (SAM) with federal government

If a project within this RFA is funded wholly or partially by federal funding sources, applicants for that project must be registered in the System for Award Management at www.sam.gov and provide evidence of this registration as part of its application package to DOEE.

SECTION 5. PROJECT EVALUATION

5.1 Review Panel

The review panel for the solicitation will be composed of individuals with knowledge in the areas directly related to the CWC program goals. The review panel will review, score and rank each project application.

Review panels vary in size. Typically three to five people sit on a review panel. At least two of the review panel will be DOEE staff. Whenever practicable each panel will have at least one person from outside of DOEE.

The reviewers will evaluate projects for their potential contribution to protecting and enhancing water quality.

5.2 Scoring Criteria

Each proposal is scored according to the criteria detailed in the PPRS, Appendix 6. The scoring of each application is based on a 100-point scale. The applicant should read Appendix 6 carefully, ensuring that the proposal addresses each of the criteria.

SECTION 6. AWARDS TO NONGOVERNMENTAL ORGANIZATIONS

Appendix 1, “General Terms and Conditions” is incorporated by reference in this RFA. Applicants and grantees must comply with any and all applicable terms and conditions in Appendix 1. In addition, the following terms and conditions apply after DOEE has made its decision to grant an award.

1) DOEE’s announcement of award

DOEE will announce an award after (1) receipt of the federal fiscal year CWC grant from EPA that explicitly approves the use of funds for the award, and (2) the DOEE Director’s authorization for the award.

2) Documents to file if DOEE notifies that it will make the grant

Upon receipt of an award, the grantee must provide the following documents:

a. Certificate of Insurance

The grantee must submit a certificate of insurance giving evidence of the required coverage addressed in Appendix 1, General Terms and Conditions. DOEE will presume that the budget covers the cost of this required insurance and will not later adjust the subgrant award for this amount.

b. Assurance of Continued Truth and Accuracy

The grantee must reaffirm upon acceptance of the subgrant that the statements it signed in support of its application are still true and correct, or, if not, what has changed.

3) Grantee’s reports

The grantee must file reports as one of the continuing conditions for eligibility:

a. Quarterly status reports

DOEE will provide a reporting template with the notice of the award. Quarterly reports will be due on each of the following dates. The reports discuss grant activities for the preceding quarter:

1 st Q (Jan-Mar):	April 1
2 nd Q (Apr-Jun):	July 1
3 rd Q (Jul-Sep):	October 1
4 th Q (Oct-Dec):	January 1

If a report's due date falls on a weekend or District holiday, the report will be due the next business day.

The report must detail actions taken in the quarter preceding the report date, highlight outputs achieved, and report unforeseen changes to project timetable, staffing or partnerships, as well as any other changes that may affect project outcomes.

b. A final report

DOEE will provide the final report template with the notice of the grant. This report may include the grantee's quantification of the project's outputs and describing the extent to which project outcomes met or will meet the objectives of the funded proposal. DOEE prefers hard data, and analysis of the data.

4) **Reimbursement of project expenditures**

DOEE will not reimburse a grantee for work that is undertaken before DOEE awards the grant.

DOEE's standard practice for grant award payments is to reimburse for expenditures related to work performed. In limited cases DOEE may advance funds at the beginning of the grant period. If the applicant seeks an advance payment it must make the request in its proposal, and explain the request.

The grantee may submit a reimbursement request or invoice after costs have been incurred. Each request/invoice must be accompanied by supporting detail.

Reimbursements will be mailed to the address on file for the grantee. DOEE may make electronic payments in lieu of mailing checks. DOEE generally pays grant invoices six (6) weeks after DOEE receives them.

DOEE will withhold the final ten percent (10%) invoiced under a grant until all activities have been completed, including receipt of the final report.

SECTION 7. OTHER PROJECT REQUIREMENTS

A government applicant is not required to file the documents that Section 4 requires. However, all applicants, including governmental entities, should review the following appendices:

Appendix 4: EPA Administrative Conditions. EPA's Administrative Conditions apply to DOEE (the Grant Recipient) and subrecipients of DOEE CWC funds.

Appendix 5: EPA Federal Insert. Conditions of the Federal Insert apply to DOEE (the Grant Recipient), subrecipients of DOEE CWC funds, and all contractors, subcontractors and subgrantees paid for work on the subrecipient's project.

A cover sheet must be submitted as the first document in the application. It should use the format of Appendix 3. If the applicant is applying for more than one project, each project should have its own cover sheet. Please use the Appendix 3 template to prepare the cover sheet.

There is no special design format to this cover sheet, except that the items must stay in their numbered order. This cover sheet may be submitted single-spaced.

An application submitted without the properly filled-in cover sheet will be considered NOT filed. The result could be that the applicant misses the filing deadline.

Filename: 00 cwc_fy18 rfa request partners projects.docx

LIST OF APPENDICES

Appendix 1 – General Terms and Conditions

Appendix 2 – Promises, Certifications, Assertions And Assurances (“PCA”)

Appendix 3 – Cover Sheet

Appendix 4 – EPA Administrative Conditions

Appendix 5 – EPA Federal Insert

Appendix 6 – DOEE Project Priority Rating System

Appendix 7 – Stormwater Retention Volume Calculator

Appendix 8 – District Priority Watersheds