



**CITY OF LA MARQUE
CITY COUNCIL
SPECIAL AGENDA
of
November 18, 2024**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a **Special Meeting** on **November 18, 2024**, beginning at **6:00 PM** in the **Council Chambers** at **1109-B Bayou Road La Marque, Texas as well as via videoconference hosted through Zoom** (<https://councilzoom.cityoflamarque.org>). In accordance with Section 551.127(b) of the Texas Local Government Code the presiding officer and a quorum of the La Marque City Council intend to be and will be physically present at 1109-B Bayou Road, La Marque, Texas. This location will be open to the public and the meeting will be broadcast at this location, on Channel 16, and via YouTube (<https://www.youtube.com/watch?v=L6G8ypjyEDo>).

The Council will meet for the purpose of considering the following agenda:

1. CALL MEETING TO ORDER
2. ROLL CALL
3. INVOCATION AND PLEDGE OF ALLEGIANCE
4. CITIZENS PARTICIPATION
LIMITED TO THREE MINUTES PER PERSON

Comments from the public will be heard at this time. Any person with city-related business who has signed up may speak to Council (limited to three (3) minutes). If wishing to speak give the Mayor or presiding officer your full legal name and the item you wish to speak about. In compliance with Texas Open Meeting Act, the City may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. *Press *6 to mute or unmute if you are participating by telephone, press the unmute button if attending via zoom on a smartphone, tablet or computer, or stand if attending in person, and the mayor will call on you in turn.*

5. PUBLIC HEARINGS
Conduct Public Hearing to hear public input on:

- 5.I. Ordinance No. O-2024-0021
Amending Section 44-23 of the City of La Marque, Code of Ordinances

6. OLD BUSINESS

Items presented to the Council for discussion and possible action:

6.I. Ordinance No. O-2024-0021

Amending Section 44-23 of the City of La Marque, Code of Ordinances - *Police*

THIS IS THE SECOND AND FINAL READING

6.II. Resolution No. R-2024-0049

Voting for the Fiscal Year 2025 Board of Directors for Galveston County Appraisal District - *City Clerk*

THIS ITEM WAS TABLED OCTOBER 28, 2024

7. NEW BUSINESS

Items presented to the Council for discussion and possible action:

7.I. Ordinance No. O-2024-0022

Acknowledging and accepting updated information pertaining to the 2024 Water Conservation Plan - *Public Works*

THIS IS THE FIRST READING

7.II. Resolution No. R-2024-0054

Approving an application to the Texas Water Development Board (TWDB) for the Clean Water State Revolving Fund Loan in the Amount of \$11,240,000 - *Public Works*

7.III. Resolution No. R-2024-0055

Approving the submission of an application to the Texas Department of Agriculture (TDA) for FY25 Community Development (CDV) Grant Fund Program - *Public Works*

7.IV. Resolution No. R-2024-0056

Accepting a grant award in the amount of \$100,000 from the Office of the Governor Lonestar Grant Program - *Police*

7.V. Resolution No. R-2024-0057

Amending Resolution No. R-2024-0050 to the Motor Vehicle Crime Prevention Authority for the SB 224 Catalytic Converter Grant Program to include required language - *Police*

7.VI. Resolution No. R-2024-0058

Designating application for grant application, submission, and signatory for contractual documents pertaining to the U.S. Environmental Protection Agency (EPA), Environmental and Climate Justice Community Change Grants Program - *Public Works*

7.VII. Resolution No. R-2024-0059

Designating application for grant application, submission, and signatory for contractual documents pertaining to the Department of Homeland Security (DHS), FEMA, Assistance to Firefighters Grant Program - *Fire*

7.VIII. Grant Award: Coca-Cola and Keep Texas Beautiful
Accepting a no-match grant award from Coca-Cola and Keep Texas Beautiful in the amount of \$10,000 - *Public Works*

7.IX. Texas General Land Office Grant Funding Opportunity
Authorizing the submission of an application to the Texas General Land Office (GLO) for Disaster Recovery Reallocation Program (DRRP) - *Public Works*

7.X. General Consulting Services - Adico Engineers, LLC
Approving a Purchase Order in the amount of \$50,000 for General Consulting Services by Adico Engineers, LLC for FY25 - *Public Works*

7.XI. Newman Road Sanitary Sewer Project
Approving the Design & Construction of a Sanitary Sewer Pipeline on Newman Road from Main Street to Strawn Road - *Public Works*

7.XII. Traffic Study
Considering a request for a traffic study to be conducted on Delaney Road - *District A*

7.XIII. Cell Phone Policy
Considering a policy regarding cell phone usage during city council meetings - *District D*

7.XIV. Naming Policy
Establishing a naming policy for city-owned facilities and properties - *City Clerk*

7.XV. District A
Considering the renaming of certain areas of District A, including Bayou and Brown Street - *District A*

7.XVI. Affidavit Request
Considering a request to solicit an affidavit regarding Lowry News Network - *District A*

7.XVII. Council Qualifications
Reviewing council qualifications regarding the discharge of a felony conviction - *District A*

7.XVIII. Cancellation of Meeting
Canceling of Regular City Council Meeting December 23, 2024 - *City Clerk*

8. CITY MANAGER REPORT
a submitted report to update Council and Community on the standard operations of the City, report can be acknowledged as whole or discussed at the pleasure of Council.

8.I. Items for the Good of the Order

9. EXECUTIVE SESSION
The City Council for the City of La Marque, Texas reserves the right to adjourn into

executive session at any time during this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072(Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development)

9.I. Section 551.071 (Consultation with Attorney)

regarding potential litigation: *A Hoosier vs City of La Marque, Texas*

9.II. Section 551.074 (Personnel Matter)

to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - City Manager

9.III. Section 551.074 (Personnel Matter)

For the purpose of hearing a complaint or charge against an officer or employee:
Councilmember District A

9.IV. Section 551.074 (Personnel Matter)

For the purpose of hearing a complaint or charge against an officer or employee:
Councilmember District C

10. ACTIONS TAKEN FROM EXECUTIVE SESSION

10.I. Section 551.071 (Consultation with Attorney)

regarding potential litigation: *A Hoosier vs City of La Marque, Texas*

10.II. Section 551.074 (Personnel Matter)

to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - City Manager

10.III. Section 551.074 (Personnel Matter)

For the purpose of hearing a complaint or charge against an officer or employee:
Councilmember District A

10.IV. Section 551.074 (Personnel Matter)

For the purpose of hearing a complaint or charge against an officer or employee:
Councilmember District C

11. REQUESTS & ANNOUNCEMENTS

Requests by Mayor and Council Members of items to be placed on future City Council agendas and announcements on city events/community interests TEX. GOV'T CODE §551.415. (b), "items of community interest" include: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; (4) a reminder about an upcoming event organized or sponsored by the governing body (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended

or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and (6) announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda

12. ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on November 15, 2024 by 5:00 p.m.

Kierra K. Nance, TRMC
City Clerk

AFFIDAVIT OF PUBLICATION

State of Pennsylvania, County of Lancaster, ss:

Rachel Cozart, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of The Galveston County Daily News, a newspaper printed and published in the City of Texas City, County of Galveston, State of Texas, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Oct. 16, 2024

NOTICE ID: xX3slbyQ2SOeR2S12xyH

PUBLISHER ID: 1265072

NOTICE NAME: PH O-2024-0021

Publication Fee: \$197.60

I declare under penalty of perjury that the foregoing is true and correct.

Rachel Cozart

(Signed) _____

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 10/16/2024

Nicole Burkholder

Notary Public

Notarized remotely online using communication technology via Proof.

Ordinance
ORDINANCE NO. O-2024-0021

**AN ORDINANCE OF THE CITY OF LA MARQUE,
TEXAS SECTION 44-23 OF THE CITY OF LA
MARQUE, CODE OF ORDINANCES**

PASSED AND APPROVED by City Council of the
City of La Marque on First reading this **14TH**
day of **OCTOBER** 2024.

**A PUBLIC HEARING WILL BE HELD DURING
THE CITY COUNCIL MEETING ON MONDAY,
NOVEMBER 18TH, 2024, AT 6:00 P.M. IN THE
COUNCIL CHAMBERS, 1109-B BAYOU ROAD,
LA MARQUE, TEXAS 77568**

Kierra Nance, City Clerk
City of La Marque

Published: October 16, 2024



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: _____

Department: City Clerk

Agenda Item: 6.I.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Amending Section 44-23 of the City of La Marque, Code of Ordinances - *Police*

THIS IS THE SECOND AND FINAL READING

STAFF BRIEFING:

This revision proposes to revise the current ordinance to clarify that a person convicted of a sexual offense that requires them to register as a "sex offender" does not have to relocate their residency if they currently reside within 2,000 feet of the prohibited areas that have children present. However, should they move/relocate their residency, their subsequent residence must align with the protocols established by the ordinance.

HISTORY:

The current ordinance was somewhat vague on this matter and was open to interpretation. The current revision, compiled by City Attorney Gus Knebel, should remedy the concerns noted with the current ordinance.

FISCAL IMPACT:

N/A

ORDINANCE NO. O-2024-0021

AN ORDINANCE AMENDING SECTION 44-23 OF THE CITY OF LA MARQUE, CODE OF ORDINANCES; PROVIDING FOR A PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, THAT:

Section 1. Section 44-23 of the City of La Marque, Code of Ordinances is amended to read as follows:

Sec. 44-23. Regulation of sex offender residency.

- (a) *Finding and intent.* The foregoing recitals are hereby found to be true and correct and are hereby adopted by the city council and made a part hereof for all purposes as findings of fact. Further, the city council finds that convicted sex offenders use physical violence and present an extreme threat to the health, safety and welfare of our citizens. Sex offenders are likely to use physical violence, to repeat an offense, to have many more victims than are ever reported, and to be prosecuted for only a fraction of their actual sexual offenses. In most cases their victims lack the ability to protect themselves, therefore additional measures should be taken to keep known sex offenders from having access to children in areas where children generally feel safe.
- (b) *Definitions.* The following words, terms, and phrases when used in this section, shall have the meanings ascribed to them in this subsection, unless the context of their usage clearly indicates another meaning.

Permanent residence means a place where the person abides, lodges or resides for 14 or more consecutive days.

Temporary residence means a place where the person abides, lodges or resides for a period of 14 or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, resides or lodges for a period of 4 or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

Sex Offender means a person required to register on the Texas Department of Public Safety's Sex Offender Database.

(c) *Sex offender residency prohibition; penalty; and exceptions.*

- (1) A Sex Offender shall not establish a permanent residence or temporary residence within 2,000 feet of any premise where children commonly gather, including a playground, school, day care center, video arcade facility, public or private youth center, public swimming pool, or church, as those terms are defined in Sections 341.064 and 481.134 of the Health and Safety Code of the State of Texas and Section 42.002 of the Human Resources Code of Texas. It

shall be prima facie evidence that this chapter applies to such person if the person's record appears on the database and the database indicates that the person is a convicted sex offender.

- (2) For the purpose of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest property line of the premises where children commonly gather, as described herein, or in the case of multiple residences on one property, measuring from the nearest wall of the building or structure occupied or the parking/driveway, which ever is closer to the nearest property line of the premises where children commonly gather, as described herein.
 - (3) Penalty. Any person violating a provision of this section shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine in accordance with the general penalties set forth in section 1-7 of the Code of Ordinances.
 - (4) Exceptions. Nothing in this section shall be interpreted to modify or reduce the state's child safety ban. A person, as described in subsection (1), residing within 2,000 feet of those places where children commonly gather does not commit a violation of this chapter if any of the following apply:
 - a. The person established the permanent or temporary residence and has complied with all the sex offender registration laws of the state, prior to the date of the adoption of this section.
 - b. The premises where children commonly gather, as specified herein, within 2,000 feet of the person's permanent or temporary residence was opened after the person established the permanent or temporary residence and complied with all sex offender registration laws of the state.
 - c. The person proves that the information on the database is incorrect and that, if corrected, this chapter would not apply to the person.
 - d. The person is a minor; or
 - e. The person was a minor when he or she committed the offense and was not convicted as an adult.
- (d) *Property owners prohibited from renting real property to sex offenders; penalty.*
- (1) It is unlawful to let or rent any place, structure or part thereof, manufactured home, trailer, or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to the terms of this chapter, if such place, structure or part thereof, manufactured home, trailer, or other conveyance is located within 2,000 feet, as defined in section (c)(2), of any premises where children commonly gather, including a playground, school, day care facility, video arcade facility, public or private youth center, public swimming pool, or church, as those terms are defined in Sections 341.064 and 481.134 of the

Health and Safety Code of the State of Texas and Section 42.002 of the Human Resources Code of Texas.

- (e) *Penalty.* Any person, firm or corporation violating a provision of this section shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine in accordance with the general penalties set forth in section 1-7 of the Code of Ordinances.

Section 2. Severability. In the event any clause, phrase, provision sentence, or part of this Ordinance or the application of the same to any person or circumstance for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 3. Publication and Effective Date. This Ordinance shall be effective thirty days after final passage by City Council, a public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance.

PASSED AND APPROVED by the City Council of the City of La Marque on First Reading this ____ day of _____, **2024**; and

PASSED, APPROVED, AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this ____ day of _____, **2024**.

***** SIGNATURES ON NEXT PAGE *****

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, TRMC, City Clerk

APPROVED AS TO FORM:

Gus Knebel, Consulting City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Agenda Item: 6.II.

Prepared by: _____

Reviewed by: Kierra Nance

Department: City Clerk

AGENDA ITEM DESCRIPTION:

Voting for the Fiscal Year 2025 Board of Directors for Galveston County Appraisal District - *City Clerk*

THIS ITEM WAS TABLED OCTOBER 28, 2024

STAFF BRIEFING:

The Board of Directors of the Galveston Central Appraisal District consists of five members who will serve two-year terms beginning January 1, 2025 through December 31, 2027. In accordance with Sec. 6.03 (e) of the Property Tax Code, the Chief Appraiser notifies taxing entities of the number of votes to which each is entitled, receives the nominations, prepares and distributes the ballot, counts votes, and announces winner.

HISTORY:

A resolution was adopted in September submitting the City's nominee whose name was to appear on a ballot for selection to the Galveston Central Appraisal District Board of Directors.

FISCAL IMPACT:

N/A



Chief Appraiser, Krystal L. McKinney RPA, CCA

October 17, 2024

To All Presiding Officers
CC: City Secretaries, ISD & College Board Presidents:

To whom it may concern,

Enclosed is the ballot for the selection of (5) five appointed Galveston Central Appraisal District directors. Also attached is a copy of the vote allocation and a resolution form for your convenience.

All votes may be cast for (1) one candidate or distributed among the candidates listed on the ballot. Please comply with the following:

- ◆ The votes must be cast by written resolution.
- ◆ A copy of the resolution must accompany the completed ballot.
- ◆ Return the completed ballot and resolution **before *December 15th, 2024***.

You will be notified of the results as soon as the returned ballots are summarized. If you have any questions, please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Krystal L. McKinney", with a stylized flourish at the end.

Krystal L. McKinney
Chief Appraiser

KLM:ldff

*Ballot & Resolutions enclosed in Presiding Officers or Superintendent letters



Chief Appraiser, Krystal L. McKinney RPA, CCA

2025

Board of Directors Election

BALLOT

Number of Votes Taxing Unit is Eligible to Cast: (# of Votes)	Voting Unit: (Entity)
---	------------------------------

CANDIDATES	VOTES
Brast, Scott	
Collins, Robin	
Doyle, Matt	
Farmer, Thomas E.	
Gartman, Donald	
Johnson, Cheryl E.	
Tressler, Chad	
Walker, Patricia	

- ◆ RESOLUTION MUST BE ATTACHED TO THIS BALLOT
- ◆ DEADLINE: *before December 15th, 2024*

A RESOLUTION OF

«Voting Entity»

VOTING IN THE ELECTION OF MEMBERS OF THE BOARD OF DIRECTORS
OF THE
GALVESTON CENTRAL APPRAISAL DISTRICT
2025

RESOLUTION No. _____

WHEREAS, this is selection year for the Board of Directors of the Galveston Central Appraisal District; and

WHEREAS, the Board of Directors consists of nine total members including five appointed members who serve staggered terms, beginning January 1, 2025, in addition there are three elected members, and the Tax-Assessor Collector is an ex-officio member.

WHEREAS, The «Voting Entity» is a voting unit entitled to vote for up to five candidates from a ballot submitted by the Galveston Central Appraisal District, if so desired.

NOW THEREFORE, BE IT RESOLVED BY THE PRESIDING BODY OF THIS VOTING UNIT, THAT:

The number of votes cast for the candidate(s), as exhibited in the attached ballot, is submitted by the «Voting Entity» to the Galveston Central Appraisal District.

PASSED AND APPROVED by «VotingEntity»,
This _____ day of _____, 2024.

Presiding Officer

ATTEST:

Signature and Title

2025 BOD Election Voting Allocation Sheet

ENTITIES	2023 Levy	Levy/TTL Levy	1,000	x5	Total of Votes
Galveston ISD	\$110,913,591	12.895%	128.95187	644.75935	645
Dickinson ISD	\$73,910,645	8.593%	85.931	429.655	430
Friendswood ISD	\$47,084,457.58	5.474%	54.741973	273.70987	275
High Island ISD	\$3,828,532	0.445%	4.45118	22.2559	22
Hitchcock ISD	\$13,964,370	1.624%	16.235446	81.17723	81
Clear Creek ISD	\$99,798,137.42	11.603%	116.02867	580.14335	580
Santa Fe ISD	\$21,225,358.00	2.468%	24.677315	123.38657	123
Texas City ISD	\$74,299,295.40	8.638%	86.382858	431.91429	432
City of Galveston	\$47,097,779	5.476%	54.757461	273.78731	275
City of Texas City	\$38,112,721	4.431%	44.311131	221.55565	221
City of La Marque	\$7,574,375	0.881%	8.806223	44.031115	45
City of Hitchcock	\$3,730,921	0.434%	4.3376942	21.688471	21
City of Jamaica Beach	\$965,438	0.112%	1.1224507	5.6122534	5
City of Dickinson	\$6,375,286	0.741%	7.4121218	37.060609	35
City of Friendswood	\$21,226,345	2.468%	24.678462	123.39231	123
City of Kemah	\$1,049,428	0.122%	1.2201003	6.1005014	6
City of League City	\$49,805,407	5.791%	57.90544	289.5272	290
City of Santa Fe	\$3,206,927	0.373%	3.7284811	18.642406	19
Village of Tiki Island	\$2,727,469	0.317%	3.1710471	15.855236	16
City of Bayou Vista	\$1,332,317	0.155%	1.5489965	7.7449827	8
Galveston County Road and Flood	\$3,823,203	0.444%	4.4449843	22.224922	22
GALVESTON COUNTY	\$161,754,342	18.806%	188.06104	940.30518	940
Galveston College	\$18,210,830	2.117%	21.172523	105.86262	106
College of the Mainland	\$48,099,019	5.592%	55.921536	279.60768	280
Total Levy Amount Voting Entities:	\$860,116,193.40	100.00%	1000	X5	5000
Formula: 2023 Voting Districts Levy/ Grand Total All Voting Levy		%	X1000	X5	equals # of Votes

Total votes to be elected: 834

ORDINANCE NO. O-2024-00

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS ADOPTING THE 2024 WATER CONSERVATION PLAN FOR THE CITY OF LA MARQUE, TEXAS.

Whereas, the City of La Marque Texas desires to update its Water Conservation Plan.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS THAT:

Section 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council of the City of La Marque, Texas and made a part hereof for all purposes.

Section 2. Section 68-138 (a) is amended to read as follows:

(a) The City of La Marque, Texas, 2024 Water Conservation Plan attached hereto as Exhibit “A” is hereby adopted.

Section 3. It is hereby declared to be the intention of the City Council of the City of La Marque, Texas that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 4. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

Section 5. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 6. This Ordinance shall be effective immediately, after final passage by City Council, a public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance.

PASSED, AND APPROVED by the City Council of the City of La Marque on First Reading this ____ day of _____, 2024; and

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this ____ day of _____, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, TRMC, City Clerk

APPROVED AS TO FORM:

Gus Knebel
Consulting City Attorney



2.0 GOALS

La Marque's City's Water Conservation Plan objectives are to improve the efficiency of water use through practices and techniques that will reduce water consumption, reduce summertime usage, especially during dry weather, reduce water loss and increase water reuse.

It is also the goal of La Marque is to expand and improve the Water Conservation Plan to achieve a one percent reduction per year in total gallons per capita per day (gpcd) over the next five (5) and ten-year (10) periods. The one percent reduction per year is recommended by the Texas State Water Conservation Implementation Task Force. The water saving target goals (gpcd) are shown in Table No. 1b below.

La Marque has done well in terms of water conservation. The City's consumption of 152 gpcd in 2019, 160 gpcd in 2020, 154 gpcd in 2021, 161 gpcd in 2022, and 135 gpcd for 2023 demonstrates an average reduction of 2%, meeting the recommended one percent reduction.

The reduction in per capita consumption is a result of a combination of conservation efforts, including the City's accounting program, water system inspection program, the water meter program, system repairs and public education.

The five (5) and ten (10) - year gpcd target goals are shown in Table No. 1a below.

Table 1a
Water Consumption Goals Based on Gallons Per Capita Per Day (gpcd)

	Actual		Target Goals		
Year	2018	2023	2026	2028	2030
Total gpcd	161	131	116	105	100

The above calculations were made by dividing the water diverted or pumped for treatment for potable use by population served.

Table 1b
Water Consumption Goals for 5- and 10-Years (gpcd)

	Historic 5-yr Average	Baseline (2023)	5-yr Goal for year 2028	10-yr Goal for Year 2033
Total GPCD	152	131	105	82
Residential GPCD	123	120	96	75
Water Loss (GPCD)	84	59	26	4
Water Loss (Percentage)	55%	45%	25%	5%

WATER CONSERVATION PLAN 5- AND 10-YR GOALS FOR WATER SAVINGS

Facility Name: City of La Marque

Water Conservation Plan Year: 2024

	Historic 5yr Average	Baseline	5-yr Goal for year <u>2029</u>	10-yr Goal for year <u>2034</u>
Total GPCD ¹	158	131	105*	82*
Residential GPCD ²	123	120	96*	75*
Water Loss (GPCD) ³	84	59	30*	10*

Rick Sailer

1. Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365
2. Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365
3. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

*The 5-yr and 10-yr goals are based on the projected calculations for Household Population, Water Demands, Estimated Total Sales, and Losses. The City expects to see a decrease in water loss with the implementation of water system improvements.

Rick Sailer

From: Jessica Paz <Jessica.Paz@twdb.texas.gov>
Sent: Wednesday, September 25, 2024 6:35 AM
To: Rick Sailer
Cc: Ariana Gonzalez; Brent Berthier; Jose Garza
Subject: Re: Application Review Comments La Marque 73965

[External Email] This message originated from outside your organization.

Good Morning,

Thank you, everything looks great. I have finished my portion of the loan review. If you have any other questions, please reach out to Jose Garza.

Best,

Jessica Paz

Water Conservation Specialist, Municipal Water Conservation
Texas Water Development Board
1700 N. Congress Ave, Austin TX 78701
512-475-1648
www.twdb.texas.gov

From: Rick Sailer <r.sailer@cityoflamarque.org>
Sent: Tuesday, September 24, 2024 10:24 PM
To: Jessica Paz <Jessica.Paz@twdb.texas.gov>
Cc: Ariana Gonzalez <ariana@adico-llc.com>; Brent Berthier <brent@adico-llc.com>; Jose Garza <Jose.Garza@twdb.texas.gov>
Subject: RE: Application Review Comments La Marque 73965

External: Beware of links/attachments.

Please find attached the revised Goals Table for Water Loss and the signed Ordinance for the WCP.

Please advise if these documents meet the requirements and expectations for our commitment for improving our Water Conservation Program and providing accurate details for the Utility Profile document..

Rick Sailer
Utilities Director
Capital Projects Manager

ORDINANCE NO. 0-2024-0010

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS
ADOPTING THE 2024 WATER CONSERVATION PLAN FOR THE CITY OF LA MARQUE,
TEXAS.**

Whereas, the City of La Marque Texas desires to update its Water Conservation Plan.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE,
TEXAS THAT:**

Section 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council of the City of La Marque, Texas and made a part hereof for all purposes.

Section 2. Section 68-138 (a) is amended to read as follows:

(a) The City of La Marque, Texas, 2024 Water Conservation Plan attached hereto as Exhibit "A" is hereby adopted.

Section 3. It is hereby declared to be the intention of the City Council of the City of La Marque, Texas that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 4. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

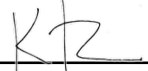
Section 5. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 6. This Ordinance shall be effective immediately, after final passage by City Council, a public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance.

PASSED AND APPROVED by the City Council of the City of La Marque on
First Reading this **15th** day of **July** 2024; and

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on Second
and Final Reading this **9th** day of **September** 2024.

CITY OF LA MARQUE, TEXAS



Keith Bell, Mayor

ATTEST:



Kierra Nance, TRMC, City Clerk

APPROVED AS TO FORM:

Gus Knebel

Consulting City Attorney

Application Filing and Authorized Representative Resolution

A RESOLUTION by the City Council of the City of La Marque requesting financial assistance from the Texas Water Development Board; authorizing the filing of an application for assistance; and making certain findings in connection therewith.

BE IT RESOLVED BY THE City Council OF THE City of La Marque:

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$11,240,000.00 to provide for the costs of Sanitary Sewer Rehabilitation and Improvements.

SECTION 2: That the City Manager be and is hereby designated the authorized representative of the City of La Marque for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the Texas Water Development Board.

SECTION 3: That the following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the City of La Marque, Texas before any hearing held by the Texas Water Development Board on such application, to wit:

Financial Advisor: Brad Angst & David Webb
Stifel, Nicolas & Company

Engineer: Dinh Ho
Adico, Engineers, LLC

Bond Counsel: Johnathan Frels
Bracewell, LLP

PASSED AND APPROVED, this the _____ day of _____, 20____.

ATTEST: _____

By: _____

(Seal)



CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 8.II.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Authorizing an Intent to Apply for the FY25 Texas Water Development Board (TWDB) Clean Water State Revolving Fund (CWSRF) Loan

STAFF BRIEFING:

- The Public Works Department previously submitted a Project Information Form (PIF) to TWDB through the Clean Water SRF Loan Program for design and construction of sanitary sewer (SS) projects to reduce inflow and infiltration (I&I) into our SS Collection System, which creates SS Backups for property owners and SS Overflows (SSO) into the environment.
- The City has been cited by the Texas Commission on Environment Quality (TCEQ) for multiple SSO incidents, which are violations of our Wastewater Discharge Permit, issued by the TCEQ under the National Pollutant Discharge Elimination Program, administered by the Environmental Protection Agency (EPA), created in 1972, as part of Clean Water Act (CWA)
- The PIF, in the amount of \$11M, was submitted for projects which were intended to be completed through the current SS I&I Reduction Project, (funded through the U.S. Housing & Urban Development (HUD) Community Development Block Grant Mitigation (CDBG-MIT) program/ administered by the Texas General Land Office (GLO), but will not be completed due inflationary costs of the original project scope.
- The PIF project will continue rehabilitation of the manholes and SS pipeline replacement or Cured-in-Place-Pipe (CIPP) lining in the eastern section of the City.
- The City was recently notified that the Project was added to the 2025 Intended Use Plan (IUP) for funding opportunity.
- The attached document - Intent to Apply - is required to be sent to TWDB by October 15, 2024.
- The Intent to Apply only confirms that the City is prepared and plans to submit an application for a CWSRF Loan.
- The specifics of the loan will be provided after the application is submitted, and the City can move forward with funding or delay to a future date or could decide not to proceed with the funding opportunity. It is possible that some percentage of the loan could be approved for forgiveness based on the Green Project Reserve Status.
- The Public Works Department is currently processing a CWSRF loan application in the amount of \$10M through the FY24 IUP administered by the TWDB.

- The \$21M total amount will provide the necessary funding to complete the required SS rehabilitations to meet our obligations under the TCEQ and the EPA regulations.

HISTORY:

Feb 2024 - Project Information Form (PIF) submitted to TWDB for FY25 IUP

FISCAL IMPACT:

An \$11M loan at a 2.5% interest rate is \$700,000 per year using a 20-yr payment plan; using a base of 7500 customers, the annual payment is \$93 or \$7.80 per month (\$0.25 per day). *Extending to a 30-yr payment plan, the annual payment reduces to \$522K with a monthly customer fee of \$5.80 or \$0.19 per day.*



P.O. Box 13231, 1700 N. Congress Ave.
Austin, TX 78711-3231, www.twdb.texas.gov
Phone (512) 463-7847, Fax (512) 475-2053

Official Electronic Mail Sent Via Email. No hard copy to follow.

September 16, 2024

Mr. Rick Sailler
Director of Public Works
City of La Marque
r.sailler@cityoflamarque.org

**Re: State Fiscal Year 2025 Clean Water State Revolving Fund (CWSRF)
Application Invitation**

Dear Mr. Sailler:

Congratulations! We are pleased to notify you that the City of La Marque is hereby invited to submit an application for funding through the Texas Water Development Board's (TWDB) Clean Water State Revolving Fund.

Your project is listed in the Intended Use Plan (IUP) as being eligible to receive funding as shown below:

Project Description	Sanitary Sewer I&I Reduction
Eligible Phases	Planning Design & Construction
Project Information Form Number	15698
Eligible Project Cost	\$11,240,000

The maximum loan/bond commitment amount a project may receive under the SFY 2025 IUP is \$60 million. The maximum amount of principal forgiveness that may be committed to a project under the SFY 2025 IUP from all funding options is \$10 million.

Principal Forgiveness Eligibility

Your project has been identified as eligible for principal forgiveness. This eligibility is subject to funding availability and the amount, depending on the funding option, may be dependent on others who may elect to apply. Final principal forgiveness eligibility is determined following a detailed review of the full application budget and will be documented in a Funding Determination Letter prior to the Board taking formal action on the funding request.

Our Mission

Leading the state's efforts
in ensuring a secure
water future for Texas

Board Members

Brooke T. Paup, Chairwoman | L'Oreal Stepney, P.E., Board Member
Bryan McMath, Executive Administrator

Asset Management Funding Option

If you indicated in your PIF that you will be preparing an asset management plan as part of your project, you may be eligible for up to \$100,000 in loan funding with an interest rate of 0% to prepare the plan under the CWSRF Program. Please ensure you mention the asset management plan in your project scope and include funds for these activities in your application budget, if interested.

Required Documentation and Deadlines

To be considered for funding under the SFY 2025 CWSRF Program, please follow the requirements stated below:

- (1) **You must submit your Intent to Apply form to CWSRF@twdb.texas.gov by 5:00 P.M., CST on October 15, 2024.** If you fail to fully complete and submit the Intent to Apply Form by the deadline, your project will not be considered for funding. This will allow the TWDB to invite in rank order additional projects on the lists if an invited entity does not wish to pursue SRF funding for their project at this time.
- (2) If you intend to apply, **your complete application must be received by TWDB no later than 5:00 P.M., CST on November 13, 2024.** Applications will not be accepted after the deadline. We encourage you to submit your application before the deadline, which will allow us to begin a review of your application earlier. Application materials, such as, submittal instructions, guidance documents, frequently asked questions, and a link to our online application portal may be found on our website at www.twdb.texas.gov/financial/applications/.
- (3) **A pre-application meeting is required** for all CWSRF projects to ensure that the applicant and the corresponding TWDB staff discuss the project and ask initial questions prior to the application being submitted.

If you submit an Intent to Apply, please contact Ms. Diana Sanchez by phone at 512-475-1554 or by e-mail at Diana.Sanchez@twdb.texas.gov to schedule a pre-application meeting with [WSI-RWPD-Team 4](#). She will be able to assist you with scheduling a meeting prior to your submission of the application.

To assist you in being successful, please take note of the following tips and reminders which are based on TWDB's experience reviewing prior SRF applications:

- Applicants that will be requesting a SRF loan will most likely be selling bonds to the TWDB. As such, a financial advisor and bond counsel will be required. We highly encourage you to engage these consultants prior to submitting the application and follow the [DBE requirements](#) (equivalency only) if you seek to fund their work using SRF monies.
- Be sure any changes to the project amount are reflected in both the Intent to Apply Form and the application budget.
- For bond purposes only, TWDB SRF loan amounts must be rounded up to the nearest \$5,000. Please round up any loan numbers in the application budget and

confirm the dollar amounts with your TWDB project team before passing resolutions to minimize adjustment during the review period.

We look forward to working with the City of La Marque on its SRF project and are committed to providing excellent customer service and prompt responses to any questions as you complete your application. Should you have any questions or concerns, please contact Moises Madrid, Clean Water Coordinator, by phone at (512) 475-1645 or by email at CWSRF@twdb.texas.gov.

Sincerely,



Marvin Cole-Chaney
Director, Program Administration and Reporting
Water Supply and Infrastructure

Attachment: Intent to Apply Form

cc: Mr. Dinh Ho, P.E., Adico, LLC, dinh@adico-llc.com
Nancy Richards, Team Manager; ws-rwpd-team4@twdb.texas.gov



Clean Water State Revolving Fund SFY 2025

Intent to Apply

Instructions

Please indicate your intention to apply for funding from the Clean Water State Revolving Fund (CWSRF) in the amount listed in the [CWSRF 2025 IUP](#).

Deadline to submit your Intent to Apply is October 15, 2024.

Submit this document as an attachment to CWSRF@twdb.texas.gov.

Failure to return this form by the deadline will be considered as no intention to apply and your project will not be considered for funding.

General Information

PIF #: Click or tap here to enter text.

Entity (Applicant) Name: Click or tap here to enter text.

Project Name: Click or tap here to enter text.

Intent to Apply

Entity intends to submit an application for this project: ☐ Yes ☐ No

Requested funding amount appearing in SFY 2025 CWSRF Intended Use Plan is confirmed:

☐ Yes ☐ No

If "No" above, please explain in the space provided below. Please note that due to limited program capacity, only decreases in requested funding amount may be considered. TWDB staff may contact you to follow up on any requested adjustments:

Click or tap here to enter text.

Click or tap here to enter text.

Signature

Click or tap here to enter text.

Title

Click or tap here to enter text.

Printed

Email Address



Texas Water Development Board Clean Water State Revolving Fund Project Information Form Rating Report

Authority: La Marque			
PIF #:	15698	Program:	CWSRF
		PPL Year:	2025
Related PIFs:			
Project Name: Sanitary Sewer I&I Reduction			
Project Type: POTW		Project Phase: Planning Design & Construction	
Project Description: Perform CCTV and pipeline replacement or CIPP pipeline rehabilitation to reduce Inflow and Infiltration into the sanitary sewer system.			

	Start Date	Completion Date	Phase Cost
Planning:			\$240,000.00
Acquisition:			\$0.00
Design:			\$800,000.00
Est. Construction:	07/01/2025	12/31/2025	\$10,200,000.00

Green Project: Yes-BC

Green Amount: \$10,000,000.00

Project Rating:

Criteria	Answer	Score
Sec. 212 - Is the work required by a schedule that is imposed by court order, EPA administrative order, TCEQ enforcement order, or participation in SSO Initiative?	SSO Plan	20.00
Sec. 212 - Does the project involve extending service (centralized or alternative system) to populated areas of an existing developed community that are not served by a centralized collection system?	No	0.00
Sec. 212 - Has a public health official found that a nuisance dangerous to public health and safety exists resulting from water supply and sanitation problems in the area to be served by the project?	No	0.00
Sec. 212 - Is a water body impacted by the proposed project listed in a Watershed Protection Plan that is under development or has been accepted by the TCEQ or TSSWCB?	No	0.00
Sec. 212 - Will the project include innovative or alternative types of collection or treatment technology?	No	0.00
Sec. 212 - Does the project involve more stringent permit limitations?	No	0.00
Sec. 212 - Does the project result in regionalization? (See specific criteria)	No	0.00
Sec. 212 - Will a majority of the funds being requested from the SRF for the project be used to implement measures to reduce the demand for publically owned treatment works capacity through water conservation, efficiency, or reuse?	Yes	5.00
Sec. 212 - For a qualified nonprofit, will a majority of the funds being requested from the SRF for the project be used to assist owners and operators of small and medium POTWs?	No	0.00
Sec. 212 - Does the proposed project involve a facility that requires expansion of its hydraulic capacity or removal of extraneous flow?	% permitted capacity is ≥ 65% and < 75% and proj. improves problem	15.00
Sec. 212 - The proposed project impacts a water body that does not meet applicable water quality standards. (refer to water bodies listed as Category 4a, 5a, 5b, or 5c in the latest Watershed Action Planning Strategy Table).	Priority 5a	40.00
Sec. 319 - Has a public health official found that a nuisance dangerous to public health and safety exists resulting from water supply and sanitation problems in the area to be served by the proposed project?	N/A	0.00
Sec. 319 - Does a threat exist to an aquifer or groundwater that may be impacted by the proposed project?	N/A	0.00



**Texas Water Development Board
Clean Water State Revolving Fund
Project Information Form Rating Report**

Sec. 319 - Is a water body impacted by the proposed project listed in a Watershed Protection Plan that is under development or has been accepted by the TCEQ or TSSWCB?	N/A	0.00
Sec. 319 - The proposed project impacts a water body that does not meet applicable water quality standards. (refer to water bodies listed as Category 4a, 5a, 5b, or 5c in the latest Watershed Action Planning Strategy Table).	N/A	0.00
Sec. 319 - Does the project include stream bank restoration or contain elements of Low Impact Development, such as vegetated filter strips, bio-retention, rain gardens, or porous pavement?	N/A	0.00
Sec. 320 - Does the project restore, protect, and enhance coastal natural resources?	N/A	0.00
Sec. 320 - Does the project improve water quality?	N/A	0.00
Sec. 320 - Does the project enhance public access?	N/A	0.00
Sec. 320 - Does the project improve onshore infrastructure and environmental management?	N/A	0.00
Sec. 320 - Does the project mitigate erosion and stabilize shorelines?	N/A	0.00
Sec. 320 - Does the project educate the public on the importance of coastal natural resources?	N/A	0.00
All Proj. - Will a majority of the funds being requested from the SRF for the project be used to implement innovative approaches to manage, reduce, treat, or recapture stormwater or subsurface drainage water?	No	0.00
All Proj. - Will a majority of the funds being requested from the SRF for the project be used to implement reuse or recycling wastewater, stormwater, or subsurface drainage water? If yes, please explain.	No	0.00
All Proj. - In the past 5 years, has an asset management plan been adopted by the entity's governing body?	No	0.00
All Proj. - Is the entity planning to prepare an asset management plan as part of the proposed project?	Yes	1.00
All Proj. - Has asset management training been administered to the entity's governing body and employees?	No	0.00
All Proj. - Does the proposed project address specific targets, goals, or measures in a water conservation or drought contingency plan that has been adopted by the entity's governing body within the past 5 years?	No	0.00
All Proj. - Does the proposed project address specific goals in a system-wide or plant-wide energy assessment, audit, or optimization study that has been conducted within the past three years?	No	0.00
All Proj. - Does the proposed project implement elements contained in a state or regional water plan, integrated water resource management plan, regional facility plan, regionalization or consolidation plan, or TMDL implementation plan?	No	0.00
All Proj. - Entity qualifies as a disadvantaged community.	No	0.00
All Proj. - Entity previously received TWDB planning, acquisition, and/or design funds for this project.	No	0.00
Rating:		81.00



CITY COUNCIL AGENDA FORM

Meeting Date: February 26, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 10.VI.

Reviewed by: _____

AGENDA ITEM DESCRIPTION:

Submission of PIF to TWDB for sanitary sewer repairs using CWSRF loan program

STAFF BRIEFING:

- The City recently submitted a loan application request to TWDB for \$10M through the CWSRF Program.
- The City was selected by TWDB to submit the request based on the Project Scope of the project.
- The Public Works Department and TWDB recommend that we submit a similar PIF for the 2025 CWSRF Program, in case the current application does not meet specific requirements; by doing so, the Project will remain in the TWDB CWSRF Intended Use Plan (IUP) for the 2025 funding cycle. There is no commitment by the City to move forward with the 2025 PIF submittal if the 2024 loan application is accepted. .

HISTORY:

March 2023 - PIF submitted to TWDB for 2024 CWSRF funding opportunity in the amount of \$10M for sanitary sewer improvements.

October 2023 - TWDB published the 2024 Intended Use Plan (IUP)

Decemeber 2023 - TWDB invitation to apply for CWSRF and DWSRF for 2025 Fiscal Year

January 2024 - Loan application was submitted to TWDB for a \$10M Sanitary Sewer Project

FISCAL IMPACT:

None at this time. (the estimated annual payment on a \$10M - 20-yr loan @ 2.15% interest is \$600K)

Clean and Drinking Water State Revolving Funds Project Priority Invitation State Fiscal Year 2025

The Texas Water Development Board (TWDB) invites entities to submit information on projects to be included in the upcoming state fiscal year's State Revolving Fund programs' "General Activities" Intended Use Plans.

Project Information Forms must be received by 11:59 p.m. CST on Friday, March 1, 2024.

To be included in the initial Project Priority List for **State Fiscal Year (SFY) 2025**, entities must submit a completed Project Information Form (PIF) one of two ways:

- 1) via TWDB's [Online Loan Application \(OLA\)](#) system, or
- 2) by emailing the [Microsoft Word version](#) of the PIF to CWSRF@twdb.texas.gov or DWSRF@twdb.texas.gov, respectively.

PIFs submitted last year must be updated to be included in the SFY 2025 Intended Use Plan project priority lists. You may update your PIF in OLA or submit updated forms via email.

For assistance in completing your PIF, watch the "[How to fill out a Project Information Form](#)" webinar and/or review the **SRF Project Information Form Guidelines** found on our website under Project Information Forms & Guidance.

The Clean and Drinking Water State Revolving Funds financial assistance programs help communities save money by providing cost-effective funding for wastewater and water infrastructure projects. Entities that use these programs achieve substantial savings by receiving below-market interest rates and, in some instances, principal forgiveness. Principal forgiveness may be available for entities that qualify as disadvantaged communities or small/rural disadvantaged systems, for projects with green components, for urgent need situations, or for Very Small Systems.

In 2023, the 88th Texas Legislature passed Senate Bill (SB) 28 and Senate Joint Resolution (SJR) 75 providing for the creation of the Texas Water Fund. In addition, SB 30 authorized a one-time, \$1 billion supplemental appropriation of general revenue to the Texas Water Fund, contingent on enactment of SB 28 and approval of SJR 75 by voters. The supporting constitutional amendment (Proposition 6) was approved by voters on November 7, 2023.

The TWDB is currently in the process of planning for how the supplemental appropriation will be distributed to financial assistance programs. Projects from the State Revolving Fund (SRF) Project Information Form (PIF) solicitation are eligible to receive this appropriation. As such, TWDB encourages water and wastewater systems to submit PIF's that include projects that meet the priorities stated in the legislation, specifically **water conservation strategies** and **water loss mitigation projects**.

For assistance regarding the Clean and Drinking Water State Revolving Fund programs, please contact Heather O'Keefe at 512-475-1835. You can also email the respective programs at CWSRF@twdb.texas.gov or DWSRF@twdb.texas.gov.

PIF Estimated Costs - #1766007

Entity Name: La Marque

New Entity Name: null

Project Name: Sanitary Sewer I&I Reduction

Report generated by: TWDB4WVPRODOLA3\$, Wed Mar 01 08:13:54 CST 2023

Please review the estimated costs below, then sign and upload.

Signature

[Handwritten Signature]



Seeking planning funding Y

Seeking acquisition funding N

Seeking design funding N

Seeking construction funding N

Cost Category	(a) Planning	(b) Acquisition	(c) Design	(d) Construction	(e) Total (a)+(b)+(c)+(d)
POTW Project: Treatment Project	\$0	\$0	\$0	\$0	\$0
POTW Project: Collection Project	\$0	\$0	\$0	\$8,900,000	\$8,900,000
NPS Project	\$0	\$0	\$0	\$0	\$0
Estuary Management Project	\$0	\$0	\$0	\$0	\$0
Engineering	\$200,000	\$0	\$730,000	\$150,000	\$1,080,000
General, Legal, Financial	\$20,000	\$0	\$0	\$0	\$20,000
Contingency	\$0	\$0	\$0	\$0	\$0
Other (Describe Cost)	\$0	\$0	\$0	\$0	\$0
Subtotal (Add all rows above)	\$220,000	\$0	\$730,000	\$9,050,000	\$10,000,000
Financing from Local Funds	\$0	\$0	\$0	\$0	\$0
Financing from Other Funds	\$0	\$0	\$0	\$0	\$0
Subtotal, SRF-Funded Amount	\$220,000	\$0	\$730,000	\$9,050,000	\$10,000,000

* Return to previous screen

General Information

- Intro
- Application Roles
- General Info
- Legal Authority
- Funding Program
- Associated PIF(s)*

Project Description

- Project Location
- Project Type
- Other Funding Sources
- Primary Contact
- Officers & Members
- Consultants

Legal

- Resolution and Affidavit
- Parity of Debt, CCN, & Enforcement
- Pledge
- Legal Documents

Engineering/Environmental

- Feasibility Report
- Project Schedule
- Planning Information
- Cost Estimate
- Water Availability

General Information - Project Description

Project Need. Description of Project Need (for example, is the project need compliance issue, avoid potential compliance issues, extend service, expar

The City currently has 4-5 times increase in flow during wet weather conditions, which overloads rain water into the system causing multiple SSO conditions. We are currently completing some pipeline restoration, but need to perform much more work. It is our intention to reduce SSO over the next 5-10 years by sealing the system and controlling or stopping Inflow and Infiltration.

We will also complete an Asset Management Program with this project, covering all facilities such as lift stations and the WWTP (currently under redesign and expansion) and the Collection System

Project Description. Description of Project, including a bulleted list of proj and alternatives considered (including existing facilities).

Pipelines in the older section of the City are constructed of Vitrified Clay Pipe (VCP) or older cast material. The Project will perform CCTV inspection in 10 miles of pipeline, and either repair by Cured-in-place-pipe technology or replace if needed.



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR AGENDA
of
February 26, 2024**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a **Regular Meeting** on **February 26, 2024**, beginning at **6:00 PM** in the **Council Chambers** at **1109-B Bayou Road La Marque, Texas as well as via videoconference hosted through Zoom** (<https://councilzoom.cityoflamarque.org>). In accordance with Section 551.127(b) of the Texas Local Government Code the presiding officer and a quorum of the La Marque City Council intend to be and will be physically present at 1109-B Bayou Road, La Marque, Texas. This location will be open to the public and the meeting will be broadcast at this location, on Channel 16, and via YouTube (<https://www.youtube.com/watch?v=L6G8ypjyEDo>).

The Council will meet for the purpose of considering the following agenda:

1. CALL MEETING TO ORDER
2. ROLL CALL
3. INVOCATION AND PLEDGE OF ALLEGIANCE
4. PRESENTATIONS
 - 4.I. Proclamation - Black History Month
 - 4.II. Proclamation - Mainland Pawn Shop
5. CITIZENS PARTICIPATION
LIMITED TO THREE MINUTES PER PERSON

Comments from the public will be heard at this time. Any person with city-related business who has signed up may speak to Council (limited to three (3) minutes). If wishing to speak give the Mayor or presiding officer your full legal name and the item you wish to speak about. In compliance with Texas Open Meeting Act, the City may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. *Press *6 to mute or unmute if you are participating by telephone, press the unmute button if attending via zoom on a smartphone, tablet or computer, or stand if attending in person, and the mayor will call on you in turn.*

6. MINUTES

6.I. Special City Council Minutes 02.06.2024

7. PUBLIC HEARINGS

Conduct Public Hearing to hear public input on:

7.I. 2023 Land Use Assumption and Capital Improvements Plan

The updated Land Use Assumptions and Capital Improvements Plan for the 2023 Impact Fee Study

7.II. Ordinance No. O-2024-0003

Making a change to the Code of Ordinances concerning the terms of various boards and commissions

8. OLD BUSINESS

8.I. Ordinance No. O-2024-0003

Making a change to the Code of Ordinances concerning the terms of various boards and commissions

THIS IS THE SECOND AND FINAL READING

8.II. Proposed Ordinance

Issuing a Conditional Use Permit for construction of a data storage facility and showroom located at Galveston County Property ID #752487

THIS ITEM WAS TABLED 02.12.2024

8.III. 2023 Land Use Assumptions and Capital Improvement Plans

Discussion/ possible action regarding the 2023 Land Use Assumptions and Capital Improvement Plans for the 2023 Impact Fee Study

9. NEW BUSINESS

Items presented to the Council for discussion and possible action:

9.I. Proposed Resolution

Approving the aerial spraying of mosquitoes by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration

9.II. Proposed Resolution

Adoption, Approval and Acknowledgment of Contract Documents for GLO Contract No. 24-065-011-E168 - Community Development Block Grant - Mitigation Program - Regional Mitigation Program Projects

9.III. Proposed Resolution

Ordering the General Election to be held on May 4, 2024 for the purpose of electing the position of one (1) Mayor; one (1) Councilmember (District "A"); and one (1) Councilmember (District "C") to the La Marque City Council for a three (3) year term

9.IV. Proposed Resolution

Reaffirming commitment to participation and inclusion in the NFIP program

9.V. Proposed Resolution

Approving the submission of an application and authorizing signatory power for contractual documents pertaining to the small, rural, and tribal body-worn camera micro-grant program

9.VI. Linebarger Goggan Blair & Sampson, LLP

Contract for fines and fees collection services with Linebarger Goggan Blair & Sampson, LLP

9.VII. SETH Grant Appropriations

Southeast Texas Housing Authority Grant for rental assistance

10. CITY MANAGER REPORT

a submitted report to update Council and Community on the standard operations of the City, report can be acknowledged as whole or discussed at the pleasure of Council.

10.I. 2023 Code Enforcement Updates and Statistics

10.II. 2023 Fire Prevention Statistics

10.III. 2023 Fire Operations Statistics

10.IV. Sales Tax Report

10.V. La Marque Public Library January 2024 Report

10.VI. Municipal Court January 2024 Report

10.VII. Clean Water State Revolving Loan Fund (CWSRF)

Submission of Project Information Form (PIF) to the Texas Water Development Board (TWDB) for Sanitary Sewer repairs using Clean Water State Revolving Loan Fund (CWSRF)

10.VIII. State Revolving Fund (SRF) Submission

Submission of Project Information Form (PIF) to TWDB for State Revolving Fund (SRF) loan of \$16M for 2-inch waterline replacement

10.IX. Eyes on La Marque Program

A multi-phase program designed to increase vigilance in the City of La Marque

10.X. LMPD Memo #35: Partnership Actions with Texas City Housing Authority

10.XI. City of La Marque Customer Service Training Program 2024

10.XII. BAYTRAN Membership

10.XIII. Citizens Police Academy Class #13

10.XIV. Internship Program: High School and College

11. EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072(Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development)

12. ACTIONS TAKEN FROM EXECUTIVE SESSION

13. ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on February 23, 2024 at 4:00 p.m.

Kierra K. Nance, TRMC
City Clerk



Clean Water State Revolving Fund (CWSRF)

The CWSRF assists communities by providing low-cost financing for a wide range of wastewater, stormwater, reuse, and other pollution control projects. Streamlining the program provides year-round funding as projects are included in the CWSRF Intended Use Plan.

Eligible Applicants

- Political subdivisions, including water supply corporations that are Designated Management Agencies (DMAs)
- Authorized Indian tribal organizations
- Private entities (for nonpoint source or estuary projects only)

Eligible Projects

Planning, design, acquisition, and construction of:

- Wastewater treatment facilities
- Wastewater recycling and reuse facilities including “purple pipe” distribution systems
- Nonpotable reuse
- Wastewater collection systems
- Existing wastewater facilities
- Stormwater control
- Nonpoint source pollution control projects, such as correction of failing onsite systems and wetlands restoration
- Estuary management projects identified in either the Galveston Bay or Coastal Bend Estuary Management Plans

Benefits and Terms

- Below-market fixed interest rates (subsidized interest rates based on participant’s existing credit rating)
- Principal forgiveness for qualifying disadvantaged, small/rural disadvantaged, emergency relief, and green projects
- Up to 30-year repayment period
- There is no maximum eligible commitment amount for a project under the Fiscal Year 2023 Intended Use Plan; however, the total funding available by category is limited. Please refer to future Intended Use Plans to determine maximum funding per project.

Program Requirements

- Loan origination fee
- Projects must be listed in the current CWSRF Intended Use Plan
- Entities receiving assistance greater than \$500,000 must adopt a water conservation and drought contingency plan
- Davis-Bacon wage rate requirements
- American Iron and Steel (AIS) requirements
- Build America Buy America (BABA) requirements
- National Environmental Policy Act (NEPA)-type environmental review
- For equivalency projects only:
 - Disadvantaged Business Enterprise program
 - Additional steps when procuring architecture and engineering services

For specific questions on the program, please contact CWSRF@twdb.texas.gov.

Detailed information on the program is also available at www.twdb.texas.gov/financial/programs/CWSRF.

**TEXAS WATER DEVELOPMENT BOARD CLEAN
WATER STATE REVOLVING FUND (CWSRF) GREEN
PROJECT INFORMATION WORKSHEETS**

OVERVIEW

Background

The Federal Appropriation Law for the current fiscal year Clean Water and Drinking Water State Revolving Fund programs contains additional requirements. The Green Project Reserve (GPR) is included as part of these additional requirements. The GPR requires that not less than 20% of the funds made available from the capitalization grant shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. In a memo dated April 21, 2010, EPA outlined procedures for implementing these additional requirements. Attachment 2 of this memo provided guidance for determining GPR project eligibility and is available from the Texas Water Development Board as guidance form TWDB-0161.

TWDB GPR Procedures

The selection process for GPR projects involves an initial step in which potential GPR projects are listed in ranked order in the Intended Use Plan (IUP). Project GPR status in the IUP is based on preliminary "Green" information provided by the potential applicant on the Project Information Form (PIF) during the IUP solicitation phase. This is followed by a verification process in which the potential applicant is required to provide adequate documentation to verify the project or project components as either categorically or business case eligible for the GPR. The applicant will be required to provide complete information for approval prior to presentation to the Board for a funding commitment. In accordance with EPA instructions, all approved business cases will be made available to the public and posted on the TWDB website after a funding commitment is made.

To accomplish the above, TWDB staff is providing the attached GPR guidance and Green Project Information Worksheets to communities being considered for funding through the GPR. Information provided on these worksheets will be used by TWDB staff to verify GPR eligibility. TWDB staff may issue comments or request additional information depending on the type of "green" improvements proposed and the adequacy of information provided by the potential applicant on these worksheets. These worksheets will not be considered complete until all TWDB staff comments are addressed and any requested information is provided.

Program requirements for business case eligible GPR projects will be considered met only after the business case submittal is approved. The business case submittal will consist of the completed Green Project Information Worksheets with the applicant's business case and supporting documents attached. Program requirements for categorically eligible GPR projects will be considered met upon submittal of the completed Green Project Information Worksheets.

**TEXAS WATER DEVELOPMENT BOARD CLEAN
WATER STATE REVOLVING FUND (CWSRF) GREEN
PROJECT INFORMATION WORKSHEETS**

Information on Completing Worksheets

Complete the following worksheets for projects being considered for the Green Project Reserve (GPR). Part II should be completed for projects or project components considered categorically eligible. Part III should be completed for projects or project components considered business case eligible.

The intent of these worksheets is not to require exhaustive responses or redundant information. Information provided on these forms may be concise but must be of sufficient detail such that the GPR eligibility is clearly demonstrated. Information requested on these forms already provided to the TWDB during the Intended Use Plan (IUP) project solicitation period in the form of a detailed business case may be included by reference.

Many of the worksheets following require a detailed description of the proposed improvements. This description should accomplish various goals. The overall rationale and justification of the project or proposed improvements being considered for the GPR should be clearly demonstrated and the proposed improvements should be sufficiently described such that it is clear that the proposed GPR improvements will achieve the anticipated benefits and savings. Furthermore, certain types of GPR projects may require a more detailed analysis than others to adequately justify GPR eligibility. Although the space provided for responses is limited, additional pages should be attached as necessary.

For questions or additional information on completing worksheets, please contact your [Regional Team Manager](#).

**TEXAS WATER DEVELOPMENT BOARD CLEAN
WATER STATE REVOLVING FUND (CWSRF) GREEN
PROJECT INFORMATION WORKSHEETS**

Additional Guidance for Common GPR Projects

The purpose of this Texas Water Development Board GPR guidance is to provide additional information and clarification for certain types of GPR projects described in EPA's GPR guidance document titled *Attachment 2, 2010 Clean Water and Drinking Water State Revolving Fund 20% Green Project Reserve: Guidance for Determining Project Eligibility* (TWDB-0161), see link below. Information provided herein should be considered supplemental and is intended to support TWDB-0161 guidance by emphasizing and further describing specific requirements for certain types of GPR projects. For project types not specifically described herein, EPA GPR guidance (TWDB-0161) should be used to evaluate GPR eligibility.

<http://www.twdb.texas.gov/financial/instructions/doc/TWDB-0161.pdf>

Green Infrastructure

Green infrastructure includes a wide array of practices at multiple scales that manage wet weather and that maintains and restores natural hydrology by infiltrating, evapotranspiring and harvesting and using stormwater. On a regional scale, green infrastructure is the preservation and restoration of natural landscape features, such as forests, floodplains and wetlands, coupled with the policies such as infill and redevelopment that reduce overall imperviousness in a watershed. On the local scale, green infrastructure consists of site- and neighborhood-specific practices, such as bioretention, trees, green roofs, permeable pavements and cisterns.

Green infrastructure guidance can be found in Part A, Section 1 of the EPA GPR guidance (TWDB-0161).

Water Efficiency

EPA's WaterSense program defines water efficiency as the use of improved technologies and practices to deliver equal or better services with less water. Water efficiency encompasses conservation and reuse efforts, as well as water loss reduction and prevention, to protect water resources. A few common types of water efficiency improvements eligible for the Clean Water SRF GPR are further described below.

Reuse / Reclaimed Water

Reuse or reclaimed water projects that replace potable sources with non-potable may be categorically eligible for the GPR under the water efficiency category. Part A, Section 2.2-6 of the EPA GPR guidance addresses recycling and water reuse projects. The extra treatment cost, pumping and distribution pipes associated with the water reuse count towards the eligible costs. Golf course irrigation with reuse water is an eligible activity.

Energy Efficiency

Energy efficiency is the use of improved technologies and practices to reduce the energy consumption of water quality projects, use energy in a more efficient way, and/or produce/utilize renewable energy. Part A, Section 3.0 of the EPA GPR guidance (TWDB-0161) addresses energy efficiency GPR requirements for the Clean Water SRF program. Energy efficiency benefits and savings must be clearly identifiable and a substantial part of the rationale or justification for the project and not simply incidental. A few common types of energy efficiency projects eligible for the GPR are further describe below.

Renewable Energy

Renewable energy projects, such as wind, solar, geothermal and micro-hydroelectric and biogas combined heat and power systems (CHP) that provide power to a POTW are considered categorically eligible for the GPR. These projects are described in EPA GPR guidance (TWDB-0161) Part A, Section 3.2-1.

System or Unit Process Improvements

According to Part A, Section 3.2-2 of the EPA GPR guidance, projects may be categorically eligible for the GPR if the project achieves a 20% reduction in energy consumption. The following criteria apply:

- 1) Calculation of reduction in energy consumption is based on the system or unit process. A unit process is a portion of the wastewater system such as the collection system, pumping stations, aeration system, or solids handling, etc. In the Clean Water SRF program, a system or unit process approach is used to evaluate energy reduction as opposed to an individual component approach.
- 2) The energy used by the existing system should be based on name plate data when the system was first installed, recognizing that the old system may be currently operating at a lower overall efficiency than at the time of installation.
- 3) A project that achieves less than a 20% reduction in energy efficiency may still be eligible for the GPR but must be justified using a business case.
- 4) Any energy efficiency projects requiring a business case must demonstrate that the project is cost effective. An evaluation must identify energy savings and payback on capital and operation and maintenance costs that does not exceed the useful life of the asset.
- 5) New publicly owned treatment works or capacity expansion projects are expected to be designed to maximize energy efficiency and are expected to select high efficiency premium motors where cost effective, therefore, these types of projects are not eligible for the GPR.

Lift Station Elimination

Lift station elimination projects may be eligible for the GPR under the energy efficiency category. Part A, Section 3.0 of the EPA GPR guidance addresses energy efficiency GPR requirements for the Clean Water SRF program. Lift station elimination projects may be eligible for the GPR based on the following:

- 1) According to Section 3.2-2, the project may be categorical if it achieves a 20% reduction in energy consumption. Calculation of reduction in energy consumption is based on the system or unit process. A unit process is a portion of the wastewater system such as the collection system, pumping stations, aeration system, or solids handling, etc. Therefore, for a lift station elimination project to be considered as categorically eligible, it would have to account for at least 20% of all energy consumed by lift stations in the system.
- 2) Section 3.5-3 lists pump station elimination projects as an example of a project requiring a business case to justify GPR eligibility. To be eligible under this option the business case must demonstrate that the project is cost effective. An evaluation must identify energy savings and payback on capital and operation and maintenance costs that does not exceed the useful life of the asset.

Inflow/infiltration

Inflow/infiltration (I/I) projects may be eligible for the GPR under the energy efficiency category. Part A, Section 3.0 of the EPA GPR guidance addresses energy efficiency GPR requirements for the Clean Water SRF program. Sections 3.5-4 and 3.5-5 specifically lists I/I projects as examples of projects that require a business case to justify GPR eligibility. The following applies:

- 1) According to Section 3.5-4, I/I correction projects that save energy from pumping and reduced treatment costs and are demonstrated to be cost effective are eligible for the GPR. These projects cannot add new structural capacity.
- 2) According to Section 3.5-5, I/I correction projects where excessive groundwater infiltration is contaminating the influent requiring otherwise unnecessary treatment processes (i.e. arsenic laden groundwater) and are demonstrated to be cost effective are eligible for the GPR.

Environmentally Innovative

Environmentally innovative projects include those that demonstrate new and/or innovative approaches to delivering services or managing water resources in a more sustainable way. These types of projects are described in EPA GPR guidance (TWDB-0161) Part A, Section 4.0.

Construction of US Green Building Council LEED certified buildings is considered categorically eligible for the GPR. All building costs are eligible and any level of certification is acceptable.

Decentralized wastewater treatment solutions to existing deficient or failing onsite wastewater system may be eligible for the GPR. Refer to EPA guidance (TWDB-0161) Part A, Section 4.2-6 for requirements.

Illustrative Lending Rate Memorandum | Sep 20, 2024

The Texas Water Development Board's Illustrative Lending Rates (ILR), shown as of the above date, assume level debt service, and are subject to change and availability of funds. Actual rates will vary depending on length, time of closing and structure. For Clean Water State Revolving Funds (CWSRF) and Drinking Water State Revolving Funds (DWSRF), actual rates will also depend upon the entity's corresponding rating. These rates are listed for comparative and marketing purposes only. Also included here are the [2023 State Water Implementation Fund for Texas \(SWIFT\) rates](#) for the current funding cycle.

For assistance, please look up [contact information for your Regional Team](#).

State Revolving Funds for Projects in the SFY 2024 Intended Use Plan

Clean Water State Revolving Fund - 20 Year Term

Equivalency CWSRF Estimated Rates

Rating	Market¹	TWDB^{2, 3}
AAA	3.17%	1.90%
AA	3.29%	1.97%
A	3.50%	2.10%
BAA	3.87%	2.32%

Non-Equivalency CWSRF Estimated Rates

Rating	Market¹	TWDB^{2, 3}
AAA	3.17%	2.06%
AA	3.29%	2.14%
A	3.50%	2.28%
BAA	3.87%	2.52%

Clean Water State Revolving Fund - 30 Year Term

Equivalency CWSRF Estimated Rates

Rating	Market¹	TWDB^{2, 3}
AAA	3.92%	2.35%
AA	4.04%	2.42%
A	4.18%	2.51%
BAA	4.46%	2.68%

Non-Equivalency CWSRF Estimated Rates

Rating	Market¹	TWDB^{2, 3}
AAA	3.92%	2.55%
AA	4.04%	2.63%
A	4.18%	2.72%
BAA	4.46%	2.90%

Drinking Water State Revolving Fund - 20 Year Term

Equivalency DWSRF Estimated Rates

Rating	Market¹	TWDB^{2,3}
AAA	3.17%	2.06%
AA	3.29%	2.14%
A	3.50%	2.28%
BAA	3.87%	2.52%

Non-Equivalency DWSRF Estimated Rates

Rating	Market¹	TWDB^{2,3}
AAA	3.17%	2.22%
AA	3.29%	2.30%
A	3.50%	2.45%
BAA	3.87%	2.71%

Drinking Water State Revolving Fund - 30 Year Term

Equivalency DWSRF Estimated Rates

Rating	Market¹	TWDB^{2,3}
AAA	3.92%	2.55%
AA	4.04%	2.63%
A	4.18%	2.72%
BAA	4.46%	2.90%

Non-Equivalency DWSRF Estimated Rates

Rating	Market¹	TWDB^{2,3}
AAA	3.92%	2.74%
AA	4.04%	2.83%
A	4.18%	2.93%
BAA	4.46%	3.12%

Table Legend

1. Market rates applicable to the State Revolving Funds utilize the 13th and 20th year MMD rates, converted to yield to maturity, for the corresponding rating to approximate 20 and 30-year terms, respectively.
2. TWDB rates utilize the 13th and 20th year MMD rates for the applicable credit rating, converted to yield to maturity, and reduced by a percentage subsidy as shown below, to approximate 20 and 30-year terms, respectively.

Interest Rate Subsidies – All Ratings

Rating	Equivalency	Non-Equivalency
CWSRF	40%	35%
DWSRF	35%	30%

3. Origination fee (not applicable to principal forgiveness) is 1.75% for CWSRF or 2.00% for DWSRF.

For more information on CWSRF or DWSRF programs, click links below:

- <https://www.twdb.texas.gov/financial/programs/CWSRF/>
- <https://www.twdb.texas.gov/financial/programs/DWSRF/>

General Obligation Programs – Estimated Rates

<i>Type of Funds</i>	<i>Terms</i>	<i>Market¹</i>	<i>TWDB²</i>	<i>Difference</i>
<i>Development Fund (Tax Exempt)</i>	20	3.95%	4.04%	-0.09%
<i>Development Fund (Tax Exempt)</i>	30	4.39%	4.46%	-0.07%
<i>Development Fund (Taxable)</i>	20	5.65%	5.81%	-0.16%
<i>Agricultural Loans (Taxable)</i>	7	4.69%	3.92%	0.77%
<i>EDAP (Tax Exempt)</i>	20	3.95%	3.60%	0.36%
<i>EDAP (Taxable)</i>	20	5.65%	4.91%	0.74%

Table Legend

1. Market GO rates are calculated from sample level debt service schedules using the BAA-rated MMD tax-exempt and taxable scales, as appropriate.
2. TWDB GO rates are calculated from sample level debt service schedules using TWDB-adopted rate scales.

Texas Water Development Board

OLA ID 1976350

PIF No. 15698

Entity Name: La Marque

Project Name: Sanitary Sewer I&I Reduction

TABLE OF CONTENTS

General Information

Contact Information

Service Area

Document - ServiceAreaMap

Previous PIF

Project Description

Rating Criteria POTW

Document - POTWEnforcementAction

Additional Rating Criteria

Rating Criteria for All Projects - Effective Management

Green Project Information

Refinancing.

Readiness to Proceed to Construction

Estimated Costs

Document - EstimatedCostsSignature

Additional Attachments

Document - Additional_Attachments

Document - Additional_Attachments

Document - Additional_Attachments

Document - Additional_Attachments

Document - Additional_Attachments

Submittal

General Information

Project Information

Funding Type CWSRF

Project Category POTW

CWSRF Entity Type SUBDIVISION

Contact Information

County Galveston

Entity Contact Information	Engineering Firm Contact Information
Name of Entity La Marque	Name of New Entity
Prefix Mr.	Prefix Mr.
First Name Rick	First Name Dinh
Last Name Sailler	Last Name Ho
Addr 1 1111 Bayou Rd	Addr 1 2114 El Dorado
Addr 2	Addr 2
City La Marque	City Friendswood
State TX	State TX
Zip 77568-4160	Zip 77546-6505
Phone (409) 938-9213	Phone (832) 895-1093
Fax	Fax
Suffix	Suffix
OrgName	OrgName
DeptName Public Works	DeptName Engineering
Title Director	Title Principal
Email r.sailler@cityoflamarque.org	Email dinh@adico-llc.com
	Firm Name Adico Consulting Engineers, LLC
Make Changes Y	Make Changes Y
TxWISE Id: 12947	No Engineering TxWISE Id

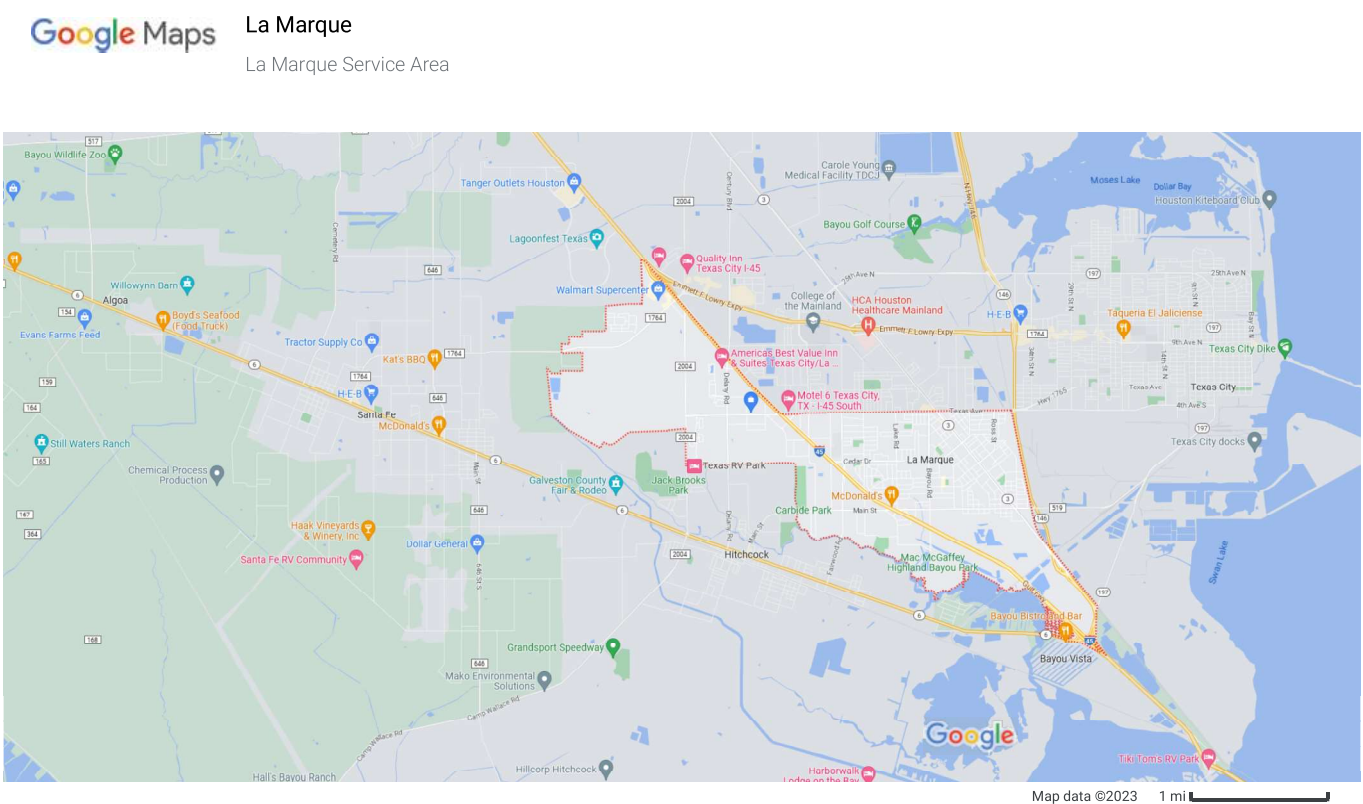
Service Area

Population Served 19,147

Total Household Connections 7,268

La Marque - Google Maps

<https://www.google.com/maps/place/La+Marque,+TX/@29.3691977,-95.031735,13z/data=!...>



Previous PIF

Previous PIF N

Project Description

Project Name Sanitary Sewer I&I Reduction

Project Short Desc Perform CCTV and pipeline replacement or CIPP pipeline rehabilitation to reduce Inflow and Infiltration into the sanitary sewer system.

Project Long Desc Pipelines in the older section of the City are constructed of Vitrified Clay Pipe (VCP) or older cast material. The Project will perform CCTV inspection in 10 miles of pipeline, and either repair by Cured-in-place-pipe technology or replace if needed.

What is the need for the proposed project? Please describe any current Health and Compliance Factor and/or MCL Violations and physical deficiencies. The City currently has 4-5 times increase in flow during wet weather conditions, which overloads rain water into the system causing multiple SSO conditions. We are currently completing some pipeline restoration, but need to perform much more work. It is our intention to reduce SSO over the next 5-10 years by sealing the system and controlling or stopping Inflow and Infiltration.

We will also complete an Asset Management Program with this project, covering all facilities such as lift stations and the WWTP (currently under redesign and expansion) and the Collection System.

Is this proposed project Emergency Relief? N

Rating Criteria POTW

A. Enforcement Action

Is the work required by a schedule that is imposed by court order, EPA administrative order, TCEQ Notice of Enforcement or Agreed Order, or participation in the TCEQ's SSO Initiative? Y

B. Unserved Area

1. Does the project involve extending service (centralized or alternative system) to populated areas of an existing developed community that are not served by a centralized collection system?

N

2. Has a public health official found that a nuisance dangerous to public health and safety exists resulting from water supply and sanitation problems in the area to be served by the proposed project?

Only the most recent letters (last ten (10) years) will be accepted. To determine your local designated public health official, you can search a list of public health officials.

If “Yes,” attach a letter from a Designated Agent licensed by the TCEQ or a registered sanitarian from the Texas Department of State Health Services that documents the nuisance. N

3. If the proposed project is providing service to areas currently using on-site sewage facilities (OSSF), please provide the number of on-site systems to be removed from service.

C. Watershed Protection Plan

Is a water body impacted by the proposed project listed in a Watershed Protection Plan that is under development or has been accepted by the TCEQ or TSSWCB?

If “Yes,” attach the cover page, table of contents, and highlighted page(s) from the plan that clearly identify(ies) the water body and how the project will implement an element of the plan.

Please visit the Texas State Soil and Water Conservation Board site for a detailed list of Watershed Protection Plans. N

D. Innovative and Alternative

1. Will the project include innovative or alternative collection or treatment technology, as defined below?

- Alternative Technology Proven wastewater management techniques that provide for the reclaiming and reuse of water, productively recycle wastewater constituents, or recover energy. Specifically, alternative technology includes land application of effluent and sludge, aquifer recharge, aquaculture, direct reuse, horticulture, revegetation of disturbed land, containment ponds, sludge composting and drying prior to land application, self-sustaining incineration, methane recovery, individual and onsite systems, and small diameter pressure and vacuum sewers and small diameter gravity sewers carrying partially or fully treated wastewater.

- Innovative Technology Nonconventional methods of treatment, such as rock reed, root zone, ponding, irrigation, or other technologies, which represent a significant advance in the state of the art. N

2. For stormwater projects required under an NPDES permit, will the proposed project treat or minimize urban stormwater pollution discharges using any of the following innovative approaches: decentralized or distributed stormwater controls; low impact development technologies and nonstructural approaches; stream buffers; wetland restoration and enhancement; actions to minimize the quantity of and direct connections to impervious surfaces; or soil, vegetation, or other permeable materials?

Note: Stormwater projects that are not specifically part of a NPDES permit may be considered

NPS projects. For additional information, contact Financial Assistance, (512) 463-0991, financial_assistance@twdb.texas.gov.

E. More Stringent Effluent Limits

Does the project involve more stringent permit limitations? This can include conversion to a no-discharge or partial reuse facility to avoid a higher level of treatment.

If "Yes," attach a copy of the new discharge permit or a letter from the TCEQ stating the new limits.

F. Regional Projects

1. Does the project result in removing one or more existing WWTPs from service, thereby reducing the number of plant outfalls?
2. Is the project a trunk sewer that will convey wastewater from a plant that will be removed from service to an existing treatment plant?
3. Is the project a trunk sewer to an existing or developing area that will convey wastewater to an existing WWTP, thereby avoiding the construction of a separate treatment facility?
4. Will the project expand an existing regional facility to receive flow from another community rather than create or continue use of a separate wastewater treatment facility?

G. Will a majority of the funds being requested from the SRF for the project be used to implement measures to reduce the demand for publically owned treatment works capacity through water conservation, efficiency, or reuse? Y

If yes, please explain. Reducing I&I into the SS system will reduce the need for building larger POTW to handle higher flows

H. For a qualified nonprofit entity only, (an entity having Federal tax-exempt status), will a majority of the funds being requested from the SRF for the project be used to implement assistance to owners and operators of small and medium publicly owned treatment works to either (a) plan, develop, and obtain financing for eligible CWSRF projects, including planning, design, and associated preconstruction activities; or (B) assist such treatment works in achieving compliance with the Federal Water Pollution Control Act (FWPCA)? N

I. Wastewater Treatment Plant Parameters

1. Does the project result in abandoning or relieving a WWTP and diverting flow to another facility? N

WWTP Name Westside Wastewater Treatment Facility

TCEQ Permit # WQ0010410003

NPDES # TX0114821

No-Discharge Facility? N

If "No," identify the Discharge Segment Highland Bayou - Segment 2424

	Current Permit Limits	Proposed Permit Limits
Average Daily Flow (million gallons/day - MGD)	no value	no value
Peak 2-Hour Flow (gallons/min - gpm)	no value	no value
CBOD/BOD (mg/l)	no value	no value
TSS (mg/l)	no value	no value
Chlorination (mg/l)	no value	no value
Nitrogen (mg/l)	no value	no value
Phosphorus (mg/l)	no value	no value
DO (mg/l)	no value	no value
Dechlorination (mg/l)	no value	no value
Status of Permit Application	3.0 MGD	3.0 MGD

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 2, 2013

CERTIFIED MAIL - RETURN RECEIPT REQUESTED 91 7108 2133 3935 2174 8746

The Honorable Bobby Hocking
Mayor of City of La Marque
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Re: Sanitary Sewer Overflow ("SSO") Initiative
City of La Marque, Galveston County
RN101917284
Enforcement Case No. 46605

05-08-13 P08:17 IN

05-08-13 P08:17 IN

Dear Mayor Hocking:

In June and August of 2012, a member of our regional staff conducted a record review of the City of La Marque ("City") to determine compliance with applicable laws and regulations pertaining to wastewater collection systems. Based on a letter dated January 31, 2013 from Mr. Michael Morgan, Public Works Director, it was recommended that the City be placed into the Sanitary Sewer Overflow ("SSO") Initiative Program.

We propose that the Texas Commission on Environmental Quality ("Commission" or "TCEQ") and the City enter into the enclosed Agreement. The Agreement lists the deficiencies addressed by this action and any specific technical requirements necessary to resolve the deficiencies. Please review the Agreement, affix your signature and the date, and return it to this office within 30 days after the date of this letter. A copy of the Agreement is provided for your files. Also, enclosed for your convenience is a return envelope.

If you observe any inaccuracies in the document, please contact us immediately so that an amended Agreement can be considered within the 30-day deadline. If you have any questions, please contact Mr. Harvey Wilson of my staff at Harvey.Wilson@tceq.texas.gov or (512) 239-0321.

Sincerely,

A handwritten signature in cursive script that reads "Susan Johnson".

Susan Johnson, Manager
Enforcement Division
Texas Commission on Environmental Quality

SJ/hw

Enclosures: Original Agreement with Attachments, Return Envelope

cc: Manager, Water Section, Houston Regional Office, TCEQ
Ms. Carol Butler, City Manager, 1111 Bayou Road, La Marque, Texas 77568

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

How is our customer service? tceq.texas.gov/customer survey

printed on recycled paper using vegetable-based ink

Texas Commission on Environmental Quality

AGREEMENT

CITY OF LA MARQUE
RN10191728
Enforcement Case No. 46605
Galveston County, Texas

The Texas Commission on Environmental Quality ("Commission" or "TCEQ") is the state agency charged with enforcing TEX. WATER CODE ch. 26 (the "Code") and the regulations promulgated pursuant to the Code.

The City of La Marque ("the City") owns and operates a wastewater collection system located in Galveston County, Texas (the "System"). The System consists of approximately 401,280 linear feet of collection lines, 21 lift stations, and 833 manholes.

The City has reported four unauthorized discharges totaling approximately 100,000 gallons during the period between April 1, 2011, and March 31, 2013. The majority of these discharges were due to deteriorated collection lines which allowed inflow and infiltration of rain water, subsequently creating blockage of sewer lines. The City will be required to rehabilitate the System to insure a reduction of risk to the public health and the environment and to comply with Commission requirements.

PROVISIONS

In response to these deficiencies and in an effort to eliminate the potential threat to public health, the City and the Commission have entered into an Agreement. This Agreement formalizes the commitments made by the City in the Plans submitted to the TCEQ dated January 31, 2013 (see Attachment A). The provisions of this Agreement are as follows:

1. The Executive Director recognizes that the City has:
 - a. Performed a sanitary sewer system evaluation;
 - b. Rehabilitated 65,000 linear feet of sewer lines;
 - c. Rehabilitated 3,500 vertical feet of manhole openings;
 - d. Installed 28 new manholes;
 - e. Made 365 repairs at specific points in the collection system;
 - f. Replaced one generator at the sewer treatment plant and positioned generators at two lift stations;

- g. Identified 85,000 linear feet of sewer lines that need to be rehabilitated; and
 - h. Identified 185 manholes that need to be rehabilitated.
- 2. By December 31, 2013, the City shall;
 - a. Inspect and repair 80 manholes. All damaged lids shall be replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;
 - b. Inspect and clean at least 40,000 linear feet of sewer pipe by CCTV, smoke testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet; and
 - c. Inspect each of the 21 operating lift stations and the pumps and emergency power generators at least once each month and remove any fats, oils and grease ("FOG") deposits or debris deposits.
- 3. By December 31, 2014, the City shall;
 - a. Inspect and repair an additional 80 manholes. All damaged lids shall be replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;
 - b. Inspect and clean an additional 40,000 feet of sewer pipe by CCTV, smoke testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet; and
 - c. Repair or replace the cracked, collapsed, or broken lines identified in 2.b and noted in the 2013 annual report;
 - d. Inspect each of the operating lift stations and the pumps and emergency power generators at least once each month and remove any FOG or debris deposits; and
 - e. Install new sewer lines in the Hathaway and Walnut collection basins.

4. By December 31, 2015, the City shall;
 - a. Inspect and repair an additional 80 manholes. All damaged lids shall be replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;
 - b. Inspect and clean an additional 40,000 feet of sewer pipe by CCTV, smoke testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet; and
 - c. Repair or replace any cracked, collapsed, or broken lines identified in 3.b and noted in the 2014 annual report;
 - d. Inspect each of the operating lift stations and the pumps and emergency power generators at least once each month and remove any FOG or debris deposits; and
 - e. Install new sewer lines in the West Gravity and Duroux collection basins.
5. By December 31, 2016, the City shall;
 - a. Inspect and repair an additional 80 manholes. All damaged lids shall be replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;
 - b. Inspect and clean an additional 40,000 feet of sewer pipe by CCTV, smoke testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet; and
 - c. Repair or replace any cracked, collapsed, or broken lines identified in 4.b and noted in the 2015 annual report;
 - d. Inspect each of the operating lift stations and the pumps and emergency power generators at least once each month and remove any FOG or debris deposits; and
 - e. Install new sewer lines in the Camp Circle collection basin.
6. By December 31, 2017, the City shall;
 - a. Inspect and repair an additional 80 manholes. All damaged lids shall be

replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;

- b. Inspect and clean an additional 40,000 feet of sewer pipe by CCTV, smoke testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet; and
 - c. Repair or replace any cracked, collapsed, or broken lines identified in 5.b and noted in the 2016 annual report;
 - d. Inspect each of the operating lift stations and the pumps and emergency power generators at least once each month and remove any FOG or debris deposits; and
 - e. Install new sewer in the McKinney Extension collection basin.
7. By December 31, 2018, the City shall;
- a. Inspect and repair an additional 80 manholes. All damaged lids shall be replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;
 - b. Inspect and clean an additional 40,000 feet of sewer pipe by CCTV, smoke testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet;
 - c. Repair or replace any cracked, collapsed, or broken lines as identified in 6.b and noted in the 2017 annual report;
 - d. Inspect each of the operating lift stations and the pumps and emergency power generators at least once each month and remove any FOG or debris deposits;
 - e. Install new sewer lines in the East Gravity collection basin.
8. By December 31, 2019, the City shall;
- a. Inspect and repair an additional 80 manholes. All damaged lids shall be replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;

- b. Inspect and clean an additional 40,000 feet of sewer pipe by CCTV, smoke testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet;
 - c. Repair or replace any cracked, collapsed, or broken lines as identified in 7.b and noted in the 2018 annual report;
 - c. Inspect each of the operating lift stations and the pumps and emergency power generators at least once each month and remove any FOG or debris deposits; and
 - d. Install new sewer lines in the First Street, Scott Street, Highway 3, and East collection basins.
- 9. By December 31, 2020, the City shall;
 - a. Inspect and repair an additional 80 manholes. All damaged lids shall be replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;
 - b. Inspect and clean an additional 40,000 feet of sewer pipe by CCTV, smoke testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet;
 - c. Repair or replace any cracked, collapsed, or broken lines identified in 8.b and noted in the 2019 annual report;
 - d. Inspect each of the operating lift stations and the pumps and emergency power generators at least once each month and remove any FOG or debris deposits; and
 - e. Install new sewer lines in the Ross Street collection basin.
- 10. By December 31, 2021, the City shall;
 - a. Inspect and repair an additional 80 manholes. All damaged lids shall be replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;
 - b. Inspect and clean an additional 40,000 feet of sewer pipe by CCTV, smoke

testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet; and

- c. Repair or replace any cracked, collapsed, or broken lines identified in 9.b and noted in the 2020 annual report;
 - d. Inspect each of the operating lift stations and the pumps and emergency power generators at least once each month and remove any FOG or debris deposits; and
 - e. Repair and rehabilitate all of the sewer lines in the Delaney, Volney, Jackson, Shady lane, and Vauthler collection basins.
11. By December 31, 2022, the City shall;
- a. Inspect and repair an additional 80 manholes. All damaged lids shall be replaced, all manhole lids shall be raised above the water flow line of the surrounding area, rain guards shall be installed, and all voids around pipe penetrations shall be filled;
 - b. Inspect and clean an additional 40,000 feet of sewer pipe by CCTV, smoke testing, or jetting, and provide root and debris control by chemical or mechanical means, and specify in the annual report a listing of the cracked, collapsed, or broken sewer lines in need of being repaired or replaced within this 40,000 linear feet; and
 - c. Repair or replace any cracked, collapsed, or broken lines identified in 10.b and noted in the 2021 annual report;
 - d. Inspect each of the operating lift stations and the pumps and emergency power generators at least once each month and remove any FOG or debris deposits; and
 - e. Repair and rehabilitate all of sewer lines in the Salt Grass, Mark 45, Highway 519, Highway 2004, and Beatrice collection basins.
12. The City shall evaluate the effectiveness of its corrective actions by continually monitoring the flow in the collection System and comparing the flow before and after any wet period and monitoring the number and volume of unauthorized discharges and comparing the number and volume of discharges in the current year to previous years.
13. On December 31, 2013, and on an annual basis thereafter, the City shall submit a report to the Commission that contains information regarding the progress of the corrective actions contained in Provision Nos. 2 through 11. The reports shall include specific corrective actions that were completed during the reporting period, as well as any

proposed corrective actions that were delayed or not completed, including explanations why the actions were delayed or not completed, in accordance with the attached TCEQ SSO Agreement Annual Progress Report (Attachment B).

14. By March 31, 2023, the City shall submit a written Final Report that contains the following:
 - a. A summary of all corrective actions that have been completed in accordance with the Provisions in this Agreement;
 - b. A summary of all Provisions in this Agreement that were not completed, including reasons why specific corrective actions were delayed or not completed; and
 - c. A description of the overall improvement the corrective actions had on the System.
15. The Executive Director may grant an extension or modification to any provision of this Agreement upon a written and substantiated showing of good cause. All requests for extensions or modifications by the City shall be made in writing to the TCEQ. Extensions or modifications are not effective until the City receives written approval from the TCEQ. The determination of what constitutes good cause rests solely with the TCEQ.
16. The City shall submit copies of all correspondence, reports, and documentation required by Provision Nos. 12, 13 and 14 to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Manager, Water Section
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Street, Suite H
Houston, Texas 77023-1452

City of Galveston
SSO Agreement
Page 8

In return for the City's agreement and adherence to these terms, the Commission will withhold further enforcement actions for minor violations related to the noted deficiencies. Should unforeseen circumstances indicate a need to alter the above mentioned schedule, the City must immediately notify the Commission so that an amendment can be discussed.

The effective date of this Agreement is the signature date of the City's authorized representative. Acceptance of the terms of this Agreement is indicated by the signature below.

Authorized representative of
the City of La Marque

Date

Printed name of authorized representative
for the City of La Marque

Title

Ms for

Susan Johnson

Susan Johnson, Manager
Water, Enforcement Division

Date

5/1/13

Instructions: Send this signed, original Agreement to Harvey Wilson, Enforcement Division,
MC 169, Texas Commission on Environmental Quality, P. O. Box 13087, Austin,
Texas 78711-3087

POTWRegionalProjects N/A

Additional Rating Criteria

A. Will a majority of the funds being requested from the SRF for the project be used to implement innovative approaches to manage, reduce, treat, or recapture stormwater or subsurface drainage water? Y

If yes, please explain. The SS I&I Reduction Project will reduce stormwater flows into the SS system.

B. Will a majority of the funds being requested from the SRF for the project be used to implement reuse or recycling wastewater, stormwater, or subsurface drainage water? N

Rating Criteria for All Projects - Effective Management

A. Asset Management

1 a. In the past 5 years, has an asset management plan been adopted by the entity's governing body that incorporates an inventory of all assets, an assessment of the criticality and condition of the assets, a prioritization of capital projects needed, and a budget? Note: A Capital Improvement Plan (CIP) alone does not constitute an asset management plan. N

b. If "No," is the entity planning to prepare an asset management plan as part of the proposed project? If so, include language in the Project Description that states this. Y

2. Has asset management training been administered to the entity's governing body and employees? N

B. Water Conservation

Does the proposed project address specific targets, goals, or measures in a water conservation or drought contingency plan that has been adopted by the entity's governing body within the past five years? N

C. Energy Efficiency

Does the proposed project address specific goals in a system-wide or plant-wide energy assessment, audit, or optimization study that has been conducted within the past three years? N

D. Implementation of Water Plans

Does the proposed project implement elements contained in a state or regional water plan, integrated water resource management plan, regional facility plan, regionalization or consolidation plan, finalized Economically Distressed Areas Program (EDAP) facility plan, or a total maximum daily loads (TMDL) implementation plan? N

Green Project Information

A. Does the proposed project contain, either partially or completely, green elements as defined by the Green Project Information Worksheets? Y

B. Enter the estimated cost of the green portion of the proposed project. \$10,000,000

C. Describe and justify in the space below the green elements of the proposed project and, if available, attach a green business case below. This project consists of replacement of damaged sanitary sewer lines past its useful life.

Inflow and infiltration (I&I) in a sanitary sewer system can lead to a number of problems, including increased wastewater treatment costs, increased risk of sewage overflows, and potential environmental impacts. Therefore, reducing I&I is an important project that can help to improve the performance and sustainability of the sewer system.

Stormwater into a wastewater collection system can have a number of negative impacts, including:

1. Increased wastewater treatment costs: When stormwater enters the wastewater collection system, it increases the volume of water that must be treated at the wastewater treatment plant. This can result in higher treatment costs for the plant, which may be passed on to ratepayers.
2. Overloading of the wastewater treatment plant: The increased volume of water entering the wastewater collection system during storm events can overwhelm the capacity of the treatment plant, leading to overloading of the system and potential discharge of untreated wastewater into the environment.
3. Infrastructure damage: The additional water entering the wastewater collection system during storm events can cause damage to pipes, manholes, and other infrastructure. This can result in costly repairs and can also lead to increased risk of sewer overflows.
4. Environmental impacts: When untreated wastewater is discharged into the environment due to overloading of the treatment plant or sewer overflows, it can cause environmental damage. Untreated wastewater can contain pathogens, nutrients, and other pollutants that can harm aquatic ecosystems and human health.
5. Increased energy use: Treating the additional volume of water that enters the wastewater collection system during storm events requires additional energy to run the treatment plant, which can increase the carbon footprint of the wastewater treatment process.

There are several ways to incorporate green elements into wastewater collection system inflow and infiltration (I&I) repairs, including:

1. Sustainable materials: When making repairs to the wastewater collection system, sustainable materials such as recycled content materials, locally sourced materials, and low-impact construction techniques should be used wherever possible. This can help to reduce the environmental impact of the repairs and improve the long-term sustainability of the system.
2. Education and outreach: Education and outreach programs can be implemented to inform the public about the importance of managing stormwater and reducing I&I in the wastewater collection system. This can include promoting the use of rain barrels, green roofs, and other LID techniques, as well as providing information on how to properly dispose of household chemicals and other pollutants.
3. Monitoring and evaluation: Monitoring and evaluating the effectiveness of green elements incorporated into the wastewater collection system repairs is important to ensure that they are providing the intended benefits. This can include monitoring water quality, tracking stormwater runoff volumes, and evaluating the effectiveness of green infrastructure and LID techniques in reducing I&I.

Incorporating green elements into wastewater collection system inflow and infiltration repairs can help to reduce the impact of stormwater on the system and improve its sustainability. It can also provide other benefits such as improved water quality, reduced energy use, and improved environmental health.

Overall, the impacts of I&I of stormwater into a wastewater collection system can be significant and can lead to increased costs, damage to infrastructure, environmental harm, and increased energy use. Therefore, it is important to implement measures to reduce I&I and manage stormwater in a way that reduces its impact on the wastewater collection system.

Refinancing.

Will CWSRF funds be used to refinance existing debt related to this project and received from a source other than the TWDB? N

Readiness to Proceed to Construction

A. Permitting

Have permits necessary for construction been acquired; in particular, TCEQ wastewater discharge permit for wastewater treatment plant construction or wastewater reuse authorization (if applicable)?

B. Land Acquisition

Have all land acquisitions and easements necessary to complete the project been obtained? Y

1. Have you completed the design process including full development of plans and specifications?
(If "No," proceed to Question 2. If "Yes," proceed to Question 4.) N

2. Has design work progressed beyond preliminary design? N

C. Design

3. Will design work be initiated after the TWDB releases design funds for this project? Y

D. Environmental Review

1. Have you received a Finding of No Significant Impact (FNSI), Categorical Exclusion (CE), a Record of Decision (ROD), or an environmental determination prepared by another entity in compliance with the National Environmental Policy Act (NEPA) for this project? For projects that may qualify for a FNSI, please review 31 TAC §375.63; or that require a CE, review 31 TAC §375.52 (state) or 31 TAC §375.62 (federal); or that require a ROD, review 31 TAC §375.66; or that have a determination by another entity, review 31 TAC §375.56 (state) or 31 TAC §375.70 (federal). N

2. If an environmental finding has not been issued, does your project meet the criteria to receive Categorical Exclusion as defined at 31 TAC §375.52 (state) or 31 TAC §375.62 (federal)? Y

3. Can you submit an environmental report with the completed loan application that documents coordination with agencies has proceeded sufficiently to determine that no major issues remain? N

4. Will the environmental review be initiated after the TWDB releases planning funds for this project? N

E. Construction Phase

Start Date (mm/dd/yyyy) 07-01-2025

Completion Date (mm/dd/yyyy) 12-31-2025

F. Project Bidding and Contracts

Will the proposed project be ready to advertise for construction bids immediately following a funding commitment for construction costs? N

If you are seeking reimbursement for eligible planning and/or design costs, was the work performed in compliance with applicable state law and federal crosscutters, including procurement following Disadvantaged Business Enterprise (DBE) requirements? Please visit the TWDB's DBE web page for more information. N

How many months will it take to close the loan after receiving a funding commitment? Projects deemed ready to proceed to construction must be able to expend funds quickly after receiving a funding commitment. 3

Estimated Costs

Seeking planning funding Y

Seeking acquisition funding N

Seeking design funding N

Seeking construction funding N

Cost Category	(a) Planning	(b) Acquisition	(c) Design	(d) Construction	(e) Total (a)+(b)+(c)+(d)
POTW Project: Treatment Project	\$0	\$0	\$0	\$0	\$0
POTW Project: Collection Project	\$0	\$0	\$0	\$10,000,000	\$10,000,000
NPS Project	\$0	\$0	\$0	\$0	\$0
Estuary Management Project	\$0	\$0	\$0	\$0	\$0
Engineering	\$220,000	\$0	\$800,000	\$200,000	\$1,220,000
General, Legal, Financial	\$20,000	\$0	\$0	\$0	\$20,000
Contingency	\$0	\$0	\$0	\$0	\$0
Other (Describe Cost)	\$0	\$0	\$0	\$0	\$0
Subtotal (Add all rows above)	\$240,000	\$0	\$800,000	\$10,200,000	\$11,240,000
Financing from Local Funds	\$0	\$0	\$0	\$0	\$0
Financing from Other Funds	\$0	\$0	\$0	\$0	\$0
Subtotal, SRF-Funded Amount	\$240,000	\$0	\$800,000	\$10,200,000	\$11,240,000

Green component costs as a percentage of "Subtotal, SRF-Funded Amount" 89.00%

Anticipated Commitment(s) ONETIME

PIF Estimated Costs - #1976350

Entity Name: La Marque

New Entity Name: null

Project Name: Sanitary Sewer I&I Reduction

Report generated by: TWDB4WVPRODOLA3\$, Fri Mar 01 15:35:42 CST 2024

Please review the estimated costs below, then sign and upload.

Signature 

Seeking planning funding Y

Seeking acquisition funding N

Seeking design funding N

Seeking construction funding N

Cost Category	(a) Planning	(b) Acquisition	(c) Design	(d) Construction	(e) Total (a)+(b)+(c)+(d)
POTW Project: Treatment Project	\$0	\$0	\$0	\$0	\$0
POTW Project: Collection Project	\$0	\$0	\$0	\$10,000,000	\$10,000,000
NPS Project	\$0	\$0	\$0	\$0	\$0
Estuary Management Project	\$0	\$0	\$0	\$0	\$0
Engineering	\$220,000	\$0	\$800,000	\$200,000	\$1,220,000
General, Legal, Financial	\$20,000	\$0	\$0	\$0	\$20,000
Contingency	\$0	\$0	\$0	\$0	\$0
Other (Describe Cost)	\$0	\$0	\$0	\$0	\$0
Subtotal (Add all rows above)	\$240,000	\$0	\$800,000	\$10,200,000	\$11,240,000
Financing from Local Funds	\$0	\$0	\$0	\$0	\$0
Financing from Other Funds	\$0	\$0	\$0	\$0	\$0
Subtotal, SRF-Funded Amount	\$240,000	\$0	\$800,000	\$10,200,000	\$11,240,000

Additional Attachments

The following documents are attached after this page:

130610 Agenda Item SSOI Agreement.pdf

2013 Report.pdf

TCEQ SSO acceptance.pdf

Agenda Submission Form-SSO.pdf

City of La Marque-Waiver Sanitary Sewer II Reduction Project.pdf



CITY COUNCIL AGENDA FORM

Meeting Date: June 10, 2013

Agenda item: _____

Prepared by: Michael Morgan

Reviewed by: _____

Department: Public Works & Utilities

AGENDA ITEM DESCRIPTION: To approve the City Manager as the authorized representative to enter into an Agreement with the Texas Commission on Environmental Quality (TCEQ) 10 Year Sanitary Sewer Overflows (SSO) Program.

Attachments for Reference



TCEQ 10 Year SSO Program Agreement

Staff Briefing: The enclosed Agreement is for your review. TCEQ has approved our original program as presented to Council on February 25, 2013. However, the enforcement division has increased the yearly milestones for cleaning and repairs to the sewer collection system. In addition to the original submitted program, the enforcement division is requiring 80 manholes to be inspected and repaired, inspect and clean 40,000 linear feet of sewer pipe yearly and clean 21 operating lift stations monthly by removing all fats, oils and grease deposits or debris. Thence every year after, the City will be required to do the same quantities as noted above and repair or replace the cracked, collapsed or broken lines identified in the prior year.

History (if applicable): In June and August of 2012, a member of TCEQ's regional staff conducted a record review of the City of La Marque to determine compliance with applicable laws and regulations pertaining to wastewater collection systems. Based on a letter date January 31, 2013 from Michael Morgan, Public Works Director, it was recommended that the City be placed into the Sanitary Sewer Overflow ("SSO") Initiative Program. On February 25, 2013 staff submitted paperwork to Council to approve submitting the SSO Program to the TCEQ.

Target Implementation: June 10, 2013 City Council Meeting

Significant Action Dates: On December 31, 2013, and on an annual basis thereafter, the City shall submit a report to the Commission that contains information regarding the progress of the corrective actions. By March 31, 2023, the City shall submit a written Final Report. For additional information, please see attached program agreement.



CITY COUNCIL AGENDA FORM

Action:

☐

Ordinance

☐

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☐

TCEQ 10 Year SSO Program Agreement

*Cost Details:

Budgeted Annually	02-3011-22-00 \$200,000.00
Grants	\$3,581,279.00
Capitol Funds	02-7110-22-00 \$418,300.00
Additional City Funds Needed	\$3,395,667.56
Total Program Estimated Expenditure	\$7,395,246.56

*The Cost Details enclosed above were presented to Council as estimated expenditures needed based on the original TCEQ 10 Year SSO Program. The new added footages being proposed by the enforcement division **are not included** in the above Cost Details. The additional City funds needed could double towards the end of the required program.

Staff Recommend Motion: Motion to approve the City Manager as the authorized representative to enter into an Agreement with the Texas Commission on Environmental Quality (TCEQ) 10 Year Sanitary Sewer Overflows (SSO) Program.

Fiscal Impact: By December 31, 2013, estimated expenditures will be \$120,000 for cleaning and TVing of sewer lines for the first year program. 2014/15 Secure Funding of approximately \$3,500,000 for the start of the ten year program.

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
SANITARY SEWER OVERFLOW (SSO) AGREEMENT
ANNUAL PROGRESS REPORT**

INSTRUCTIONS

- This form is optional; however, it identifies the required and optional information to be included in the annual progress report for participants in the SSO Initiative. **Participants are highly encouraged to use the form.**
- You may attach to this form any additional information that demonstrates the progress made during the reporting period (such as graphs, photos, work order receipts, etc.)
- The **annual reporting period is located in your Agreement**. Typically, an initial progress report is due 90 days after the effective date of the Agreement, with progress reports due annually thereafter.
- This form may also serve as a template for developing your SSO plan.
- For each section that is completed, please reference the corresponding provision number from the Agreement.
- Participants are required to report the items marked with an asterisk (*) including all items in Section 1 through Section 4.

SECTION 1. PARTICIPANT INFORMATION

1.1 Participant Name*	City of La Marque
1.2 Case Number (located on the Agreement)*	46605
1.3 Regulated Entity Number*	RN101917284
1.4 State Water Quality Permit Number (if applicable)*	WQ0010410003
1.5 Representative Name & Title*	Michael Morgan Dir. of Public Works
1.6 Representative Phone #* (area code and # - no dashes)	(409) 938-9280
1.7 Annual Reporting Period (Month and Year - see instructions)*	January 1, 2013- December 31, 2013

SECTION 2. EVALUATING THE EFFECTIVENESS OF THE PLAN

2.1 Provide the total number of SSOs (As a separate attachment, include a list of SSOs that details the date, volume, and cause for each SSO event) that occurred during the reporting period.*	0				
2.2 Provide a brief summary of how the corrective actions that were completed during this reporting period have already contributed to a reduction of SSOs in the system.*	The program has only been in operation for the first year. During this time period we have only completed a small amount of cleaning the lines and rehabilitation. This work hasn't made any noticeable changes in discharge flow rates at the Wastewater Treatment Plant, when comparing wet weather flow rates between 2012 and 2013 calendar years. There was a 10% reduction in this reporting period in Wastewater flows, but similarly there was a 17% reduction in rainfall.				

2.3 What actions are currently being taken or planned to ensure a reduction of SSOs will occur in the future?*	Staff has prepared computerized Rainfall Data Spreadsheets for the past three calendar years: 2011, 2012, 2013 too observe rainfall intensity to compare individual sewage collection basins pump run hours and wastewater flow rates. This data base of information will be entered quarterly each year throughout the 10 year program to monitor the progress. The City has contracted with Cobb, Fendley & Associates, Inc. to provide Engineering services for developing a cleaning and televising services project, develop bid specifications following the amounts outlined in the SSO agreement, bid the work to a contractor within the 2014 calendar year, evaluate the cleaning and televising reports and make recommendations to City staff for required repairs identified in the evaluation. This information will be included in the 2014-15 budgeting proses and submitted to City Council. The City has authorized the filling of vacant positions within the Utility line repair crews to assist with the evaluation of the sewer lines as part of the SSO agreement. Train all public works Employees in-regards to SSO's identification and properly report the information to department Supervisors.
2.4 Provide any additional information that demonstrates the success of your program (e.g. Compare the number of wet weather overflows with dry weather overflows to show inflow/infiltration (I/I) reduction).*	When comparing wet weather flow rates between 2012 and 2013 calendar years. There was a 10% reduction in this reporting period in Wastewater flows, but similarly there was a 17% reduction in rainfall.

SECTION 3. INTERIM MEASURES TO MITGATE SSOs

3.1 Describe your SSO response plan.*	The City funds an overtime program for call-out of two employees 24/7 to clear line Stoppages. If a customer experiences a problem, it's reported to the Public Works dispatcher during work hours or to the Police Department dispatcher nonemergency number for after working hours. The dispatcher calls the employee by phone and the employee responds to correct the problem. Service line stoppages are cleared with a mechanical water jet trailer and larger lines are cleared with a vacuum/water jet truck. If an over flow occurs at the resident property line clean-out, the product is cleaned up with a rack or shovel and properly disposed of. When a main line SSO is discovered the overflow is investigated by a Department Supervisor, the estimated gallons and length of time is determined to report the total SSO gallons. This information is reported on TCEQ-00501 form and forwarded to the TCEQ. The supervisor takes action to correct the problem and the area is cleaned up. The City's collection system has experienced line collapses. A vacuum truck or Bypass pump was established to prevent overflow of the collection system.
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3.2 What actions were taken during this reporting period to mitigate SSOs?*	A vacuum truck was used to pump manholes down during repairs and the sewage was transported to the nearest sewage collection location within the system for disposal. Bypass pump was established to prevent overflow of the collection system.
3.3 What improvements were made to your SSO response plan?*	No changes have been implemented to the response plan.

SECTION 4. SOURCES OF FUNDING

4.1 Provide a summary of the costs expended for completed projects during this reporting period.*	Project Delivery/environmental: \$23,000.00 Engineering: \$12,850.00 Construction: \$283,262.13
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4.2 Describe the anticipated and confirmed sources of funding for the next two years.*	Anticipated funding: • \$600,000.00- annual funding for sanitary sewer reconstruction, these funds would come from a series of City Revenue Bonds over the life of the SSO program. • \$200,000.00- annual budgeting for engineering services for developing a cleaning and televising services project outlined in the SSO agreement. • \$50,000.00- annual budgeting for in-house cleaning, television inspection, smoke testing, sewer line installation and point repairs. Confirmed funding: • \$79,299.30- remaining funding TxDBG No. 712171 for sanitary sewer reconstruction. • \$752,051.00- funding TxDBG No. DRS210044 for 36-inch sanitary sewer reconstruction. • \$2,305,369.00- funding TxDBG No. DRS220094 for sanitary sewer reconstruction. • \$200,000.00- annual budgeting for engineering services for developing a cleaning and televising services project outlined in the SSO agreement. • \$50,000.00- annual budgeting for in-house cleaning, television inspection, smoke testing, sewer line installation and repairparts.
SECTION 5. OPERATIONS AND MAINTENANCE (O&M) PROGRAM	
5.1 Briefly describe your O&M Program for the reporting period.*	Utility department maintains two repairs crews consisting of 3 employees on each crew. When service disruptions are reported involving the sewer system a work order is given to the crew for repairs. A crew foreman monitors the repair work for proper construction and use of materials for sewer system repairs. Lift station wet wells are checked at a minimum of once a month for grease buildup. When buildups accrue, the wet well is cleaned manually and disposed of in a bar screening dumpster at the waste water plant. The City contracts annually with the Galveston County Health Department to conduct inspection of grease traps. The inspection service helps identify improperly maintained grease traps too minimize the grease buildup in sewage lines and lift stations. Two sanitary sewer reconstruction projects were awarded for line replacement to reduce I&I in the collection system.
5.2 O&M Activities	Quantify the following components of your O&M activities for the reporting period. If you did not conduct an activity, please indicate with N/A.
5.2.1 Inspection frequency of the system (sewer pipes, lift stations, manholes, etc.)*	No routine schedule was established Inspection of Manholes; • City staff- 6 • Contractor- 22 LF Sewer pipe inspected TV: • City staff- 510 • Contractor-6,198 21 lift stations was checked monthly for (FOG)

5.2.2 Cleaning frequency of the system (sewer pipes, lift stations, manholes, etc.)*	No routine schedule was established Cleaned Manholes: • City staff- 6 • Contractor- 22 LF Sewer pipe cleaned: • City staff- 15,823 • Contractor-6,198 21 lift stations was cleaned monthly for (FOG)
5.2.3 Total number of linear feet of sewer pipe in the system*	400,000
5.2.4 Total number of linear feet of sewer pipe inspected*	6,708
5.2.5 Total number of manholes in the system*	800
5.2.6 Total number of manholes inspected*	28
5.2.7 Total number of lift stations in the system*	21
5.2.8 Total number of lift stations inspected*	21
5.2.9 Total number of linear feet of sewer pipe cleaned*	22,021
5.2.10 Describe the types of SSO-related employee training that was completed (e.g., Capacity, Management, Operations, & Maintenance; Fats, Oils, & Grease; etc.)*	No training was conducted.

5.2.11 Other	N/A
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SECTION 6. SYTEM EVALUATION & REHABILITATION

6.1 System Evaluation	Quantify or describe the following measures used to evaluate your system's capacity; inflow/infiltration (I/I) rate; etc. that were completed during the reporting period. If you did not conduct an activity, please indicate with N/A.
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6.1.1 Flow Monitoring (e.g., wastewater treatment facility; lift stations; rainfall records, etc.)	Staff has prepared computerized Rainfall Data Spreadsheets for the past three calendar years: 2011, 2012, 2013 too observe rainfall intensity to compare individual sewage collection basins pump run hours and wastewater flow rates. This information is collected daily This information will be entered into data base quarterly each year throughout the 10 year program to monitor the progress. The 2011 calendar year was a year of extremely low ran fall giving us a good starting point of compression between dry weather flows and wet weather flows.
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6.1.2 Dye Testing (e.g., to identify leaks, illegal connections, etc.)	No Dye testing was conducted during this reporting period.
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6.1.3 Smoke Testing (e.g., to identify illegal connections, exposed cleanouts, etc.)	No smoke testing was conducted during this reporting period. A request for modernized equipment will need to be requested for in the 2014-15 budget that utilizes no toxic smoke.
6.1.4 Evaluation to identify the location and condition of sewer pipes.	Older record drawings are being reviewed to evaluate the age, locations of easements and lines. This information will be supplied to the Engineer for project development to clean and televise lines.
6.1.5 Evaluation to identify the location and condition of manholes.	Older record drawings are being reviewed to evaluate the age and locations of manholes. This information will be supplied to the Engineer for project development to clean and televise lines.

6.1.6 Evaluation to identify the location and condition of lift stations.	All lift stations are identified with in the system. The pumping equipment is checked daily by a employee and pumping records are maintained. The City budgets \$30,000.00 annually for equipment maintenance.
6.1.7 Closed Circuit Television	The City owns and operates a fully equipped TV truck and portable service line television equipment. The City has experienced a larger turnover in employees over the last two years. This turnover has resulted in filling jobs with inexperienced work force with limited knowledge with operating this equipment. We are seeking training for new employees and pursuing contractors for this work to meet the SSO requirements for the remainder of the program.
6.1.8 System Mapping Updates	Made no mapping updates during this reporting period.

6.1.9 Other	N/A
6.2 Rehabilitation Projects	Quantify or describe the following rehabilitation projects that were completed during the reporting period. Please provide specific details, such as the number of linear feet, sizes of sewer pipes, number of manholes, etc. If you did not conduct an activity, please indicate with N/A.
6.2.1 Number of Sewer Pipes Repaired/Rehabilitated*	Contractors rehabilitated 7,528 LF of old pipe and replaced 101 service taps with new property line clean-out.
6.2.2 Number of Sewer Pipes Replaced*	0
6.2.3 Number of Sewer Pipes Removed	0
6.2.4 Number of Sewer Pipes Added	2311 LF
6.2.5 General Sewer Pipe Improvements	City staff has replaced 730 LF of pipe Replaced 11 broken property line clean-outs Installed 22 clean-out tops Completed 36 point repairs
6.2.6 Number of Manholes Repaired/Rehabilitated*	28
6.2.7 Number of Manholes Replaced*	N/A
6.2.8 Number of Manholes Removed	N/A
6.2.9 Number of Manholes Added	12

6.2.10 General Manhole Improvements (e.g., installing locks, replacing covers, etc.)	No improvements were made in this reporting period. We have 9 manholes with locking covers with air vents above the 100 year flood level to be installed in March 2014.
6.2.11 Number of Lift Stations Repaired/Rehabilitated*	1
6.2.12 Number of Lift Stations Replaced*	N/A
6.2.13 Number of Lift Stations Removed	N/A
6.2.14 Number of Lift Stations Added	N/A
6.2.15 General Lift Station Improvements (e.g., electrical upgrades, installation of monitoring systems, etc.)	One duplex lift station was retrofitted with new control equipment and two pumps. General repairs are made through the year installing pump impellers, bearings, check valves, motors and electrical parts.
6.2.16 Other	N/A

7.1 General SSO Education & Outreach	Quantify or describe the following measures completed under your SSO Education Program (if applicable) during the reporting period. Please provide specific details, such as number/frequency of brochures distributed, etc.
7.1.1 Educational Brochures (e.g., bill inserts, door knockers, etc.)	No Educational information was passed out.
7.1.2 Media Advertisements (e.g., television, radio, newspaper, etc.)	No Media information was published.
7.1.3 Website Updates	No Website information was updated.
7.1.4 Educational/Training Opportunities (e.g., community events, school programs, etc.)	No community education was conducted.
7.1.5 City Ordinances	No Ordinances updates were made during the reporting period. The City has an established ordinance within the La Marque Municipal Code Sec. 68-41 prohibiting disposal of any storm water, surface water, ground water and roof run-off to the sanitary sewer.
7.1.6 Other	N/A

7.2 Fats, Roots, Oil, & Grease (FROG) Program	Quantify or describe the following measures completed under your FROG Program (if applicable) during the reporting period. Please provide specific details, such as number/frequency of brochures distributed, etc.
7.2.1 Number of Grease Trap/Interceptor Inspections*	0
7.2.2 Grease Ordinance Updates	No Ordinances updates were made during the reporting period. The City has an established ordinance within the La Marque Municipal Code Sec. 68-43 regulating the disposal of grease, oil and sand.
7.2.3 Grease Ordinance Enforcement	No Enforcement actions were taken during this reporting period. The City has established a contract through the Galveston County Health Department to inspect grease traps in 2014.
7.2.4 Grease Control Methods	If large amounts of grease become excessive in any lift station, a sight investigation of local grease traps are conducted for possible code violations.

7.2.5 Food Service Establishment Training	The City publishes a Best Management Practices for Restaurants Pamphlet in two languages. This pamphlet is available in City facilities and distributed at public events.
7.2.6 Root Control Methods	No root control products were used in the collection system during this reporting period.
SECTION 8. ADHERENCE TO MILESTONES	
8.1 Discuss/describe all of the milestones that were completed in accordance with the requirements of the Agreement during the reporting period.*	A. Inspect and repair 80 manholes, this item was incomplete within the reporting period. B. Inspect and clean at least 40,000 linear feet of sewer pipe, this item was incomplete within the reporting period. C. Inspect each of the 21 operating lift stations and equipment monthly. This was completed and (FOG) were manually cleaned out when identified.

8.2 Discuss/describe all of the milestones that were NOT completed in accordance with the requirements of the Agreement during this reporting period. Include any changes you plan to make to ensure that milestones are completed for the next two years.*	A. Inspect and repair 80 manholes: Only 28 manholes, 35% were cleaned and repaired leaving 26 to be repaired in the next two years of the program. B. Inspect and clean at least 40,000 linear feet of sewer pipe: Only 22,021 LF of pipe were cleaned 55% and 6,708 was inspected. From this inspection and cleaning of lines the City has replaced 730 LF of pipe, 11 broken property line clean-outs, installed 22 clean-out tops, and completed 36 point repairs. Contractors have rehabilitated 7,528 LF of old pipe and replaced 101 service taps with new property line clean-out. The incomplete quantity of cleaned and inspected pipe will be added to the next two years. Due to the timing and final approval of the agreement around June 2013 with the La Marque City Council created funding problems and a shorter time period to complete the required milestones established in the first year of the program. We are moving forward with the program and plan on adding the items that were missed in the 2013 program to the 2014 and 2015 program periods. We have contracted with Cobb, Fendley & Associates, Inc. to provide Engineering services for developing a cleaning and televising services project, develop bid specifications following the amounts outlined in the SSO agreement, bid the work to a contractor within the 2014 calendar year, evaluate the cleaning and televising reports and make recommendations to City staff for required repairs identified in the evaluation. This information will be included in the 2014-15 budgeting proses and submitted to City Council.
8.3 Provide a list of scheduled projects that are planned for the next two years.*	TxCDBG No. 712171 Clean and televise 800 LF of pipe Replace 800 LF of pipe Rehabilitate 88 VF of Manhole Install 20 new service lines with new property line clean-outs TxCDBG No. DRS210044 Clean and televise 2,750 LF of pipe Replace 945 LF of 30-inch with CIPP Replace 1,677 LF of 27-inch with CIPP Rehabilitate 9 manholes with locking covers with air vents above the 100 year flood level. Install 13 new service lines with new property line clean-outs TxCDBG No. DRS220094 Clean and televise 16,785 LF of pipe Replace 16,785 LF of 6 up to 36 inch Rehabilitate 33 manholes. Install 159 new service lines with new property line clean-outs.

SECTION 9. MISCELLANEOUS

Provide any additional information you feel necessary to demonstrate compliance under the terms of the SSO Initiative.

SECTION 10. SIGNATURE

Signature: <u>Michael Morgan</u>	Date: <u>02/13/2014</u>
Name (printed or typed): <u>Michael Morgan</u>	Title: <u>Dir. of Public Works</u>

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

March 18, 2013

Protecting Texas by Reducing and Preventing Pollution

CERTIFIED MAIL 7012 1640 0001 7338 5808
RETURN RECEIPT REQUESTED

The Honorable Bobby Hocking, Mayor
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Re: **Notice of SSO Plan Acceptance**
Sanitary Sewer Overflow (SSO) Initiative
Westside Wastewater Treatment Facility Collection System,
La Marque, Galveston County, Texas
Regulated Entity No.: 101917284, TCEQ ID No.: WQ0010410003, EPA ID No.: TX0114821

Dear Mayor Hocking:

The Texas Commission on Environmental Quality's (TCEQ) Houston Region Office has completed the review of your Sanitary Sewer Overflow (SSO) Plan dated January 31, 2013. The plan appears to address the SSOs in your collection system. Based upon our review, your plan is approved and will be forwarded to the Enforcement Division for incorporation into an Agreement. Please note that upon receipt, the Enforcement Division will also review the plan and may request additional information if necessary to formalize your SSO Plan into the Agreement. **In addition, you should be aware that participation in the TCEQ's SSO Initiative does not preclude federal enforcement action taken by the Environmental Protection Agency.**

If you or members of your staff have any questions, please feel free to contact Ms. Heather Maloney at the Houston Region Office at (713) 767-3776.

Sincerely,

A handwritten signature in black ink, appearing to read "ES", written over a horizontal line.

Elizabeth Sears
Team Leader
Water Quality Management
Houston Region Office

EWS/HMM/cs

cc: Michael Morgan, Director of Public Works / Utilities, City of La Marque, 1500 Municipal Street, La Marque, Texas 77568



CITY COUNCIL AGENDA FORM

Meeting Date: February 25, 2013

Agenda item: _____

Prepared by: Mike Morgan

Reviewed by: _____

Department: Public Works & Utilities

AGENDA ITEM DESCRIPTION:

Consider Possible Action authorization City Staff to submit the sanitary sewer overflows (SSO's) program to Texas Commission on Environmental Quality

X the Presentation of proposed Texas Commission on Environmental Quality sanitary sewer overflows Plan of Action.

Staff Briefing: On June 27 and August 7, 2012, an investigation was conducted on the City's wastewater treatment facilities by the Texas Commission on Environmental Quality, in which evidence of sanitary sewer overflows (SSO's) were documented. Based on findings in the investigation, the City's facility was selected to participate in the SSO initiative, which is intended to assist municipalities with addressing SSO's that might escalate to such a degree as to cause a negative impact on human health and/or the environment.

History (if applicable)

Over the past fifteen years the City has performed a number of various construction tasks to prevent sanitary sewer overflows (SSO's). The City started an investigation in 1995 which resulted in numerous point repairs. Between 1998 and 2012, the City has worked diligently on sanitary sewer rehabilitation which has resulted in approximately 65,000 linear feet of sanitary sewer rehabilitation, 3,500 vertical feet of manhole rehabilitation, 365 point repairs, and installation of 28 new manholes. There was major improvement in the amount and duration of SSO's resulted from the rehabilitation. However, with the City's aging sewer system, we occasionally still see some signs of SSO's. Most of the noted SSO's occur during heavy rainfall.

Target Implementation: At the February 25, 2013 City Council Meeting or future meeting disunited by the City Manager



CITY COUNCIL AGENDA FORM

Significant Action Dates:

2013/14 Proposed Remedial Action, install new gravity sewer lines ranging from six inches to thirty-six inches (6 in. – 36 in.) in the West Gravity, Hwy 3, Hathaway, Camp Circle and Walnut sewage collection basins.

2014/15 Proposed Remedial Action, install new gravity sewer lines ranging from six inches to thirty-six inches (6 in. – 36 in.) in the West Gravity and Duroux sewage collection basins.

2014/15 Secure Funding of approximately \$3,000,000 for the remainder of the ten year program.

2015/16 Proposed Remedial Action, install new gravity sewer lines ranging from six inches to ten inches (6 in. – 10 in.) in the Walnut and Camp Circle sewage collection basins.

2016/17 Proposed Remedial Action, This is a twofold program of smoke testing and install new gravity sewer lines ranging from six inches to ten inches (6 in. – 10 in.) in the McKinney Ext sewage collection basins.

2017/18 Proposed Remedial Action, This is a twofold program of smoke testing and install new gravity sewer lines ranging from six inches to ten inches (6 in. – 10 in.) in the East Gravity sewage collection basins.

2018/19 Proposed Remedial Action, This is a twofold program of smoke testing and install new gravity sewer lines ranging from six inches to ten inches (6 in. – 10 in.) in the First Street and Scott St. sewage collection basins.

2019/20 Proposed Remedial Action, This is open for readjustment of time schedules

2020/21 Proposed Remedial Action, This is a twofold program of smoke testing and install new gravity sewer lines ranging from six inches to ten inches (6 in. – 10 in.) in the Ross Street sewage collection basins.

2021/22 Proposed Remedial Action, This program is solely of smoke testing and point repairs on gravity sewer lines ranging from six inches to ten inches (6 in. – 10 in.) in the Delaney, Volney, Jackson, Shady Lane and Vauthier sewage collection basins.

2022/23 Proposed Remedial Action, This program is solely of smoke testing and point repairs on gravity sewer lines ranging from six inches to ten inches (6 in. – 10 in.) in the Salt Grass, Mark 45, Hwy 519, Hwy 2004 and Beatrice sewage collection basins.



CITY COUNCIL AGENDA FORM

Action:

☐

Ordinance

☐

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☒

Other – Plan of Action

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name	
Line Item #	

Staff's Recommended Motion:

Fiscal Impact: N/A



March 3, 2023

Texas Water Development Board

Re: Disadvantaged Community Designation Review; Sanitary Sewer I&I Reduction Project

The City of La Marque is requesting that the Texas Water Development Board review the city's designation as a Disadvantaged Community. The PIF only permits the city to be taken into consideration under the disadvantaged community guidelines during the initial application.

Though within the city census blocks 7228, 7229, and 7230 will be the most impacted areas for the Sanitary Sewer I&I Reduction project. According to data.census.gov, these specific areas fall below the annual median household income. Attached is a table of the stated census block with the provided median income.

We are asking that the TWDB take the facts presented above into account.

1. The directly impacted areas do not meet the 75% AMHI requirement.
2. This project will take place in the areas below the AMHI.
3. As requested by the TWDB, the data was obtained directly from data.census.gov.
4. The attached map, which is currently uploaded under the disadvantage tab, will affect areas 2, 4, 5, 6, 7, and 11 that are included in the census blocks mentioned above.

We sincerely thank the Texas Water Development Board staff for taking the facts into account for the City of La Marque and its citizens who reside in these Disadvantaged areas.

Table: ACSDT5Y2021.B19013

	Census Tract 7228, Galveston County,	Census Tract 7229, Galveston County,	Census Tract 7230, Galveston County,
Label	Estimate	Estimate	Estimate
Median household income in the past 12 months (in 2021 inflation- adjusted dollars)	\$ 43,702.00	\$ 48,095.00	\$ 39,941.00

Submittal

I, Rick Sailer - Public Works Director, as the designated authorized representative of the La Marque, hereby approve and authorize the submission of this project information form to the Texas Water Development Board. I certify that all information contained herein is true and correct to the best of my knowledge. I understand the failure to submit a complete project information form by the stated deadlines may result in the withdrawal of the form without review.

Submitted by Rick Sailer - Public Works Director

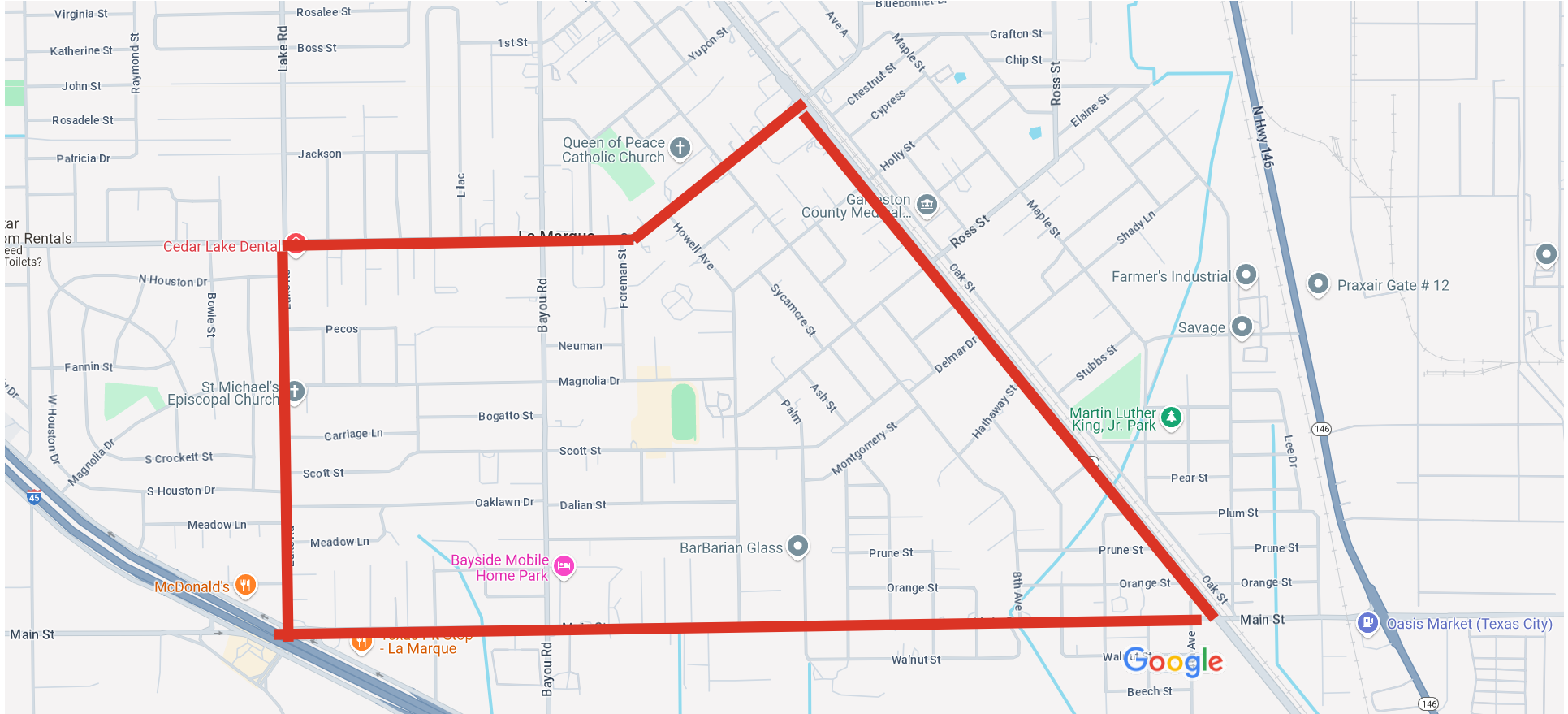
Telephone Number (409) 938-9213

Submitted date 2024-03-01 15:39:39.44



La Marque

FY25 CWSRF Area



Map data ©2024 1000 ft

La Marque

Shared · 4 places



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 7.III.

Reviewed by: Gus Knebel, City
Attorney

AGENDA ITEM DESCRIPTION:

Approving the submission of an application to the Texas Department of Agriculture (TDA) for FY25 Community Development (CDV) Grant Fund Program - *Public Works*

STAFF BRIEFING:

- The Texas Department of Agriculture is accepting Grant Application for the FY25 Community Development Program.
- The maximum grant amount is \$750,000 with a 15% City share (\$112,500).
- The City share could be less depending on the total Project cost, or the City could desire to lesser amount, but the scoring would be lower for the award.
- Staff is considering a stormwater improvement project located on Ashley Drive and Westward Avenue to reduce flooding potential.
- The Wisteria SW Improvement Project is currently in progress and was funded with Grant proceeds from the FY23 TDA CDV Program.

HISTORY:

The City applied and received Grant funding through TDA for the FY23 Program.

FISCAL IMPACT:

\$112,500 maximum if the Project Cost is \$750,000

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND.

WHEREAS, the City Council of La Marque desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of the City of La Marque to apply for funding under the Texas Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LA MARQUE, TEXAS,

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture and placed in competition for funding under the Community Development Fund (25-26 cycle), seeking the full amount of \$750,000.00.
2. That the City of La Marque commits to dedicating no less than 51% of grant funds for activities identified by the state planning region as First Priority.
3. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
4. That the City of La Marque will contribute a minimum of 15% of the requested grant amount, equivalent to \$112,500.00, which will be used towards construction activities.

Passed and approved this _____ day of _____, 2024.

Mayor Keith Bell
City of La Marque, Texas

City Clerk, Kierra Nance
City of La Marque, Texas

Rick Sailer

From: CDBG <cdbg-bounces+r.sailer=cityoflamarque.org@lists.state.tx.us> on behalf of Texas Community Development Block Grant program <cdbg@lists.state.tx.us>
Sent: Monday, September 23, 2024 5:22 PM
To: cdbg@lists.state.tx.us
Subject: TxCDBG Announcement: Applications available for the Community Development Fund and Colonia Fund Construction Program

[External Email] This message originated from outside your organization.

TDA is pleased to announce the release of two new grant opportunities for the upcoming Program Year 2025:

2025 Community Development Fund (CDV)

Purpose: The Community Development Fund is the largest fund category in the TxCDBG program. This fund is available on a biennial basis for funding through a competition in each of the 24 state planning regions. Although most funds are used for public facilities (water/wastewater infrastructure, street and drainage improvements and housing activities), there are numerous other activities for which these funds may be used.

Maximum Grant Amount: \$750,000
Community Application Deadline: December 9, 2023
Link to [CDV landing page](#), including the Application Guide

2025 Colonia Fund Construction Program (CFC)

Purpose: The Colonia Fund - Construction program provides eligible applicants with grants to fund water and wastewater improvements, housing rehabilitation for low- to moderate-income households, and similar basic needs for colonia residents.

The term “colonia” means any identifiable unincorporated community that is determined to be a colonia on the basis of objective criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing; and was in existence as a colonia before the date of the enactment of the Cranston-Gonzalez National Affordable Housing Act (November 28, 1990). The colonia must be located within 150 miles of the Texas-Mexico border to be eligible for CFC funding.

Maximum Grant Amount: \$1,000,000
Community Application Deadline: December 9, 2023
Link to [CFC landing page](#), including the Application Guide

Application Webinars and Technical Assistance

The application process for 2025 has been revised to include two distinct phases. The Community Application, due December 9, 2025, will collect information needed to assess community eligibility and scoring. Applicants that score within funding range will be invited to submit a Project Application that identifies a project and details the specific work to be performed.

A webinar has been planned to assist applicants with this new process – no registration is required, and the link to join the session can be found on the [TxCDBG Training](#) webpage.

October 2, 2024	Application Webinar for 2024 TxCDBG Opportunities	2pm
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If you have questions regarding either application, please reach out to CDBGApps@TexasAgriculture.gov.



[Grants & Services](#) > [Rural Economic Development](#) > [\(TxCDBG\) Rural Community Development Block Grant](#)

Texas Community Development Block Grant Program (TxCDBG)



The primary objective of the Community Development Block Grant program is to develop viable communities by providing decent housing and suitable living environments and expanding economic opportunities principally for persons of low- to moderate-income. Eligible Texas CDBG applicants are non-entitlement cities under 50,000 in population and non-entitlement counties that have a non-metropolitan population under 200,000 and are not eligible for direct CDBG funding from HUD.

Click on a button to access more information:

Program Overview



Implementation Manual



Fund Categories and Applications



Training and Events



Administrator Certification



Additional Information and Resources



**TxCDBG Announcement
SIGN UP and Archive**

[Submit a TDA-GO support ticket.](#)

[Contact Information](#) | Email: CDBGApps@TexasAgriculture.gov





TxCDBG Program Overview

History

The CDBG program is governed by [Title I of the Housing and Community Development Act of 1974](#) (the Act) and Federal regulations at [24 CFR 570, Subpart I](#). The introduction of the CDBG program in 1974 signaled a move away from individual categorized federal development assistance programs towards the block grant model, which gives communities broad latitude in using funds for a variety of development activities. The Omnibus Budget Reconciliation Act of 1981 authorized states to administer the CDBG programs.

CDBG Objectives

The primary objective of the Community Development Block Grant program is to develop viable communities by providing decent housing and suitable living environments, and expanding economic opportunities principally for persons of low- to moderate-income.

To achieve these goals, the CDBG regulations outline the eligible activities and the National Objectives that each activity must meet. As a recipient of CDBG funds, the state is charged with ensuring that these HUD requirements are met. Specifically, the state is responsible for assuring the US Department of Housing and Urban Development that each project it funds meets one of three National Objectives: Benefit low-and moderate income persons; Aid in the prevention or elimination of slums or blight; or meet a need having a particular urgency, which represents an immediate threat to the health and safety of residents.

In line with the federal objectives, the state administers its CDBG programs according to the following goals: Improve public facilities to meet basic human needs, principally for low- and moderate-income persons. Improve housing conditions, principally for persons of low- and moderate-income. Expand economic opportunities by creating or retaining jobs, principally for low- and moderate-income persons. Provide assistance and public facilities to eliminate conditions hazardous to the public health and of an emergency nature.

Primary Beneficiaries

All projects funded through the CDBG program typically meet the first national objective (benefit low- and moderate-income persons) by benefiting at least 51 percent low- to moderate-income persons, which are defined as those who earn equal to or less than 80 percent of the area median family income figure (where the area is a metropolitan statistical area or a non-metropolitan county) or Earn equal to or less than less than 80 percent of the statewide non-metropolitan median family income figure, as defined under the US Department of Housing and Urban Development Section 8 Housing Assistance Program. For income eligibility in your area, please review the most recent Income Limits document.

Some projects funded through the CDBG program may meet the second national objective of aiding in the elimination of slum or blight while the remainder of CDBG projects will fall under the third national objective. The third national objective includes activities designed to meet community development needs having a particular urgency, which the CDBG Program applies to Disaster Relief and Urgent Need Fund projects.

Program Administration

The state of Texas administers its CDBG programs in accordance to funding rules and regulations set by HUD. It submits an Action Plan for the next fiscal year. The Action Plan describes the methods that will be used to allocate funds among the various CDBG programs, including award amounts per program, application selection criteria. Once HUD approves the Action Plan it becomes codified into the Texas Administrative Code.

The TxCDBG program then makes applications available in accordance with each program's funding rules. Applications received for competitive funding programs are reviewed and scored using program-specific criteria and

Once awards are made from the CDBG program, contracts are executed between the department and the local county



officials, and the grantee begins the implementation of their proposed project. To guide grantees in the implementation of their projects, the grantees follow the CDBG Project Implementation Manual. The Manual describes the methods a CDBG grant recipient uses to administer the CDBG contract, and includes relevant forms. This document covers the post award process.

Funding

Every year, the US Department of Housing and Urban Development provides federal Community Development Block Grant funds directly to states, which, in turn, provide the funds to small, rural cities with populations less than 50,000, and to counties that have a non-metropolitan population under 200,000 and are not eligible for direct funding from HUD. These small communities are called "non-entitlement" areas because they must apply for CDBG dollars through the Texas CDBG program. Larger cities, such as Dallas, Houston and others, receive CDBG monies directly from HUD, and are called "entitlement" areas.

Program Links:

[Fair Housing in Texas](#)

[TxCDBG Current \(2024\) Funding Breakdown](#)

[Success Stories](#)

[Eastern Kerr County Wastewater Story](#)

[Access TDA-GO!](#)

[Texas Homeland Security](#) | [Texas Veterans Portal](#) | [Texas.gov](#) | [TRAIL State Search](#) | [Where the Money Goes](#) | [Report Fraud](#)
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Community Development Fund Goals and Requirements

The Community Development Fund (CD Fund) provides funding for a variety of community priorities to support low- to moderate-income persons. Although most funds are used for public facilities (water/wastewater infrastructure, street and drainage improvements and housing activities), there are numerous other activities for which these funds may be used.

Funds are allocated to each state planning region to ensure a broad geographic distribution of funds as described in the one-year action plan. Additional funds deobligated from previous awards may be made available using the same formula. Funds allocated to a region that does not have an eligible application to fund will be reallocated to other regions to maximize the number of awards granted.

Community Application Due Date	December 9, 2024, 11:59 p.m. C.T.
Grant Amount	\$750,000
Minimum Match Amount	\$0 – see Scoring Criteria
National Program Objective	Benefit for Low- to Moderate-Income Persons
Application Method	Applications will be accepted online via the TDA-GO! grant management system. The system may be accessed by navigating to https://tda-go.intelligrants.com/ .

Eligible Applicants

To be eligible to apply for and to receive funding under the TxCDBG Program, a community must meet all of the following criteria, in accordance with Title 24, Part 570 of the Code of Federal Regulations and Title 4, Part 1, Chapter 30, Subchapter A, Section 30.4 of the Texas Administrative Code (TAC), and TxCDBG program requirements:

- 1) Qualify as a unit of general local government (UGLG).
An UGLG is a city, county, town, township, village, or other general purpose political subdivision of the state, or as otherwise defined in 42 U.S.C. §5302. Special purpose political subdivisions are not eligible as TxCDBG applicants.
- 2) Qualify as a non-entitlement community.
Only communities NOT identified as part of the federal CDBG entitlement program may apply for TxCDBG funding. Entitlement communities are listed in Appendix B Community Application Scoring Elements. Municipalities located within an entitlement county may elect to participate with either the county program or the state non-entitlement program, but not both, for each three-year period; please contact the entitlement county to confirm eligibility for the current year.
- 3) Levy and collect a local property tax or local sales tax option in the current fiscal year.
- 4) Meet Progress Thresholds for existing TxCDBG grant agreements.
Applicants must demonstrate current compliance with progress threshold requirements for existing TxCDBG grant awards to be eligible for additional rounds of TxCDBG funding.
 - Mid-Point Progress Threshold: Existing Grant Agreements beginning on or before the date identified in the chart below must have satisfied all Group B requirements prior to the Community Application due date.

- Final Progress Threshold: Existing Grant Agreements beginning on or before the date identified in the chart below must be completed and have submitted both the Project Completion Report (PCR) and the final payment request prior to the Community Application due date.
 - Where the Community Application due date falls between the date of an existing grant agreement's original end date and the date the Project Completion Report is due, TDA will initially accept a Community Application and will assess compliance with the Final Progress Threshold on the date the PCR become due.

Details regarding documentation for meeting these thresholds can be found in the TxCDBG Project Implementation Manual.

Fund Category	Mid- Point Progress Threshold applies if Grant Start Date is at least:	Final Progress Threshold applies if Grant Start Date is at least:
Community Development Fund (CDV)	12 months prior to due date (12/2/2023)	24 months prior to due date (12/2/2022)
Downtown Revitalization Program (CDM)	12 months prior to due date (12/2/2023)	24 months prior to due date (12/2/2022)
Colonia Fund (CFC and CEDAP, excluding CSH)	12 months prior to due date (12/2/2023)	24 months prior to due date (12/2/2022)
FAST Fund (CFA)	9 months prior to due date (6/2/2024)	18 months prior to due date (6/2/2023)
State Urgent Need Fund (CSU)	9 months prior to due date (12/2/2023)	12 months prior to due date (6/2/2023)
Pilot Projects: • Rural Economic Development • FAST Rural Outreach & Wellness Program	n/a	n/a

Eligible Project Activities

The 2025-2026 TxCDBG Community Application does not require identification of a specific project or activity. The following information is provided in order for communities to understand the type of projects that may be considered for communities if/when invited by TDA to submit a Project Application.

All eligible TxCDBG program activities (see Appendix D TxCDBG Activity Code Reference Table) are eligible for the CD Fund.

CD Fund projects must benefit a primarily residential area AND must primarily benefit low- to-moderate income residents. This may include:

- A project intended to benefit all residents of the community, or
- A project that is narrowly tailored to benefit a specific neighborhood or street.
- Reference TxCDBG Guide to National Program Objective for detailed guidance on eligible activities.

Prioritized Project Activities

The Community Application requires the applicant to commit to selecting a project based on activity priorities established by each state planning region. See page 10 Scoring Criteria for detailed information. The most common activities prioritized by the regions are:



Ashley - Westward SW Project



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CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Cesar Garcia

Department: Police

Agenda Item: 7.IV.

Reviewed by: Gus Knebel, City Attorney

AGENDA ITEM DESCRIPTION:

Accepting a grant award in the amount of \$100,000 from the Office of the Governor Lonestar Grant Program - *Police*

STAFF BRIEFING:

The city was awarded \$100,000 (no match) for the purchase of public safety equipment that can be utilized between fire and police. These funds will be used towards items originally approved as ARPA expenses for police and/or fire equipment as allowable by funding agency.

HISTORY:

Council passed a resolution on May 11, 2024, to apply for the Lonestar Grant.

FISCAL IMPACT:

None-this is a \$100,000 no-match grant award.

RESOLUTION NO. R-2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, APPROVING AND ACCEPTING THE AWARD FOR FUNDING BY THE OFFICE OF THE GOVERNOR LONESTAR GRANT PROGRAM.

WHEREAS, the Office of the Governor awarded to the City of La Marque on November 1, 2024, in the amount of \$100,000, with no required matching funds from the City; and

WHEREAS, on May 11, 2024, the City Council signed resolutions to proceed with applying for the Office of the Governor, Lonestar Grant Program; and

WHEREAS, the grant funds are to be allocated to be used towards Public Safety Equipment;

WHEREAS, City Attorney Gus Knebel has reviewed and approved the attached Statement of Grant Award (SGA); and

WHEREAS, the City of La Marque, Texas, acknowledges that if an authorized signatory of the City changes (elections, illness, resignations, etc.) the City shall provide them with a resolution stating the new authorized signatory shall be; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS AS FOLLOWS:

WHEREAS; the City of La Marque designates the City Manager, Cesar Garcia, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED, accepting the award for funding by the Office of the Governor, Lonestar Grant Program..

PASSES, APPROVED, AND ADOPTED by the City Council of the City of La Marque on this the 18th day of November, 2024.

Keith Bell
Mayor

Kierra Nance, TRMCCity Clerk

Statement of Grant Award (SOGA)

The Statement of Grant Award is the official notice of award from the Office of the Governor (OOG). This Grant Agreement and all terms, conditions, provisions and obligations set forth herein shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and all other State of Texas agencies and any other agencies, departments, divisions, governmental entities, public corporations, and other entities which shall be successors to each of the Parties or which shall succeed to or become obligated to perform or become bound by any of the covenants, agreements or obligations hereunder of each of the Parties hereto.

The approved project narrative and budget for this award are reflected in eGrants on the 'Narrative' and 'Budget/Details' tabs. By accepting the Grant Award in eGrants, the Grantee agrees to strictly comply with the requirements and obligations of this Grant Agreement including any and all applicable federal and state statutes, regulations, policies, guidelines and requirements. In instances where conflicting requirements apply to a Grantee, the more restrictive requirement applies.

The Grant Agreement includes the Statement of Grant Award; the OOG Grantee Conditions and Responsibilities; the Grant Application in eGrants; and the other identified documents in the Grant Application and Grant Award, including but not limited to: 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Chapter 783 of the Texas Government Code, Title 34, Part 1, Chapter 20, Subchapter E, Division 4 of the Texas Administrative Code, and the Texas Grant Management Standards (TxGMS) developed by the Comptroller of Public Accounts; the state Funding Announcement or Solicitation under which the grant application was made, and for federal funding, the Funding Announcement or Solicitation under which the OOG was awarded funds; and any applicable documents referenced in the documents listed above. For grants awarded from the U.S. Department of Justice, the current applicable version of the Department of Justice Grants Financial Guide and any applicable provisions in Title 28 of the CFR apply. For grants awarded from the Federal Emergency Management Agency (FEMA), all Information Bulletins and Policies published by the FEMA Grants Program Directorate apply. The OOG reserves the right to add additional responsibilities and requirements, with or without advance notice to the Grantee.

By clicking on the 'Accept' button within the 'Accept Award' tab, the Grantee accepts the responsibility for the grant project, agrees and certifies compliance with the requirements outlined in the Grant Agreement, including all provisions incorporated herein, and agrees with the following conditions of grant funding. The grantee's funds will not be released until the grantee has satisfied the requirements of the following Condition(s) of Funding and Other Fund-Specific Requirement(s), if any, cited below:

Grant Number:	5229901	Award Amount:	\$100,000.00
Date Awarded:	11/1/2024	Grantee Cash Match:	\$0.00
Grant Period:	09/01/2024 - 08/31/2025	Grantee In Kind Match:	\$0.00
Liquidation Date:	11/29/2025	Grantee GPI:	\$0.00
Program Fund:	BD-Operation Lone Star Grant Program	Total Project Cost:	\$100,000.00
Grantee Name:	La Marque, City of		
Project Title:	Operation Lone Star - FY2025		
Grant Manager:	James Ziehl		
Unique Entity Identifier (UEI):	YJKKQFGMY838		

CFDA:	N/A
Federal Awarding Agency:	N/A - State Funds
Federal Award Date:	N/A - State Funds
Federal/State Award ID Number:	2024-BD-ST-0001
Total Federal Award/State Funds Appropriated:	\$101,302,104.79
Pass Thru Entity Name:	Texas Office of the Governor – Homeland Security Grants Division (HSGD)
Is the Award R&D:	No
Federal/State Award Description:	The purpose of the program is to enhance interagency border security operations supporting Operation Lone Star including the facilitation of directed actions to deter and interdict criminal

activity. Program participants shall assist in the execution of coordinated border security operations.



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Alice Ashley

Department: Police

Agenda Item: 7.V.

Reviewed by: Gus Knebel, City Attorney

AGENDA ITEM DESCRIPTION:

Amending Resolution No. R-2024-0050 to the Motor Vehicle Crime Prevention Authority for the SB 224 Catalytic Converter Grant Program to include required language - *Police*

STAFF BRIEFING:

Re-Signing of resolution to submit to the Motor Vehicle Crime Prevention Authority for the SB 224 Catalytic Converter Grant Program.

The Motor Vehicle Crime Prevention Authority requires a clause that was not included in the original resolution presented to council.

"WHEREAS, this grant program will assist this jurisdiction to combat motor vehicle theft, motor vehicle burglary and fraud-related motor vehicle crime"

HISTORY:

The council has already passed this resolution at the November 28th, 2024 council meeting. This is only to include a clause that was not in the original Resolution.

FISCAL IMPACT:

None

PROPOSED RESOLUTION XXXX-XXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS,
AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND DESIGNATING
SIGNATORIES FOR CONTRACTUAL DOCUMENTS PERTAINING TO THE MOTOR VEHICLE
CRIME PREVENTION AUTHORITY SB 224 CATALYTIC CONVERTER GRANT PROGRAM**

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies in combating motor vehicle crimes, including catalytic converter theft; and

WHEREAS, this grant program will assist the City of La Marque to combat motor vehicle theft, motor vehicle burglary and fraud-related motor vehicle crime; and

WHEREAS, the City of La Marque assures that, in the event of loss or misuse of the grant funds, the City will return the funds in full to the Motor Vehicle Crime Prevention Authority; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of La Marque that:

NOW THEREFORE, BE IT RESOLVED and ordered that Cesar Garcia, City Manager, is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Prevention Authority Grant Program and all other necessary documents to accept said grant; and that Forrest Gandy, designated as the Program Director, and Christine Turner, designated as the Financial Officer for this grant.

PASSED AND APPROVED this day of _____ 2024_____.

Keith Bell, MAYOR

ATTEST:

Kierra Nance, TRMC, City Clerk

RESOLUTION R-2024-0050

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND DESIGNATING SIGNATORIES FOR CONTRACTUAL DOCUMENTS PERTAINING TO THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY SB 224 CATALYTIC CONVERTER GRANT PROGRAM

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement agencies in combating motor vehicle crimes, including catalytic converter theft; and

WHEREAS, this grant program will provide valuable resources to assist the City of La Marque in addressing catalytic converter theft; and

WHEREAS, the City of La Marque assures that, in the event of loss or misuse of the grant funds, the City will return the funds in full to the Motor Vehicle Crime Prevention Authority; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of La Marque that:

NOW THEREFORE, BE IT RESOLVED and ordered that Cesar Garcia, City Manager, is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Prevention Authority Grant Program and all other necessary documents to accept said grant; and that Alice Ashley, designated as the Program Director, and Christine Turner, designated as the Financial Officer for this grant.

PASSED AND APPROVED this 28th day of October 2024.



Keith Bell, MAYOR

ATTEST:



Kierra Nance, TRMC, City Clerk

MOTOR VEHICLE CRIME PREVENTION AUTHORITY



Fiscal Year 2025 Request for Applications, 2nd Solicitation – SB 224 Catalytic

Converter Grant

September 16, 2024

Notice of Request for Applications

The Motor Vehicle Crime Prevention Authority (MVCPA) has authorized the issuance of the Fiscal Year 2025 (FY 2025) **Request for Applications (RFA)**. Senate Bill 224 provides that, “The money deposited to the credit of the general revenue fund for coordinated regulatory and law enforcement activities intended to detect and prevent catalytic converter theft in this state... may be appropriated to the Authority for the activities required by this section.” To implement SB 224, the MVCPA is providing grants to local law enforcement taskforces and agencies to combat Catalytic Converter Theft. Eligible applicants may request funds for program operation by submission of an application consistent with the information, including the requirements and conditions stated in this RFA. This RFA is posted in the Texas Register for at least thirty (30) days prior to the due date for Applications.

All applications submitted will be for FY 2025. If awarded an FY 2025 SB 224 Catalytic Converter Grant, the MVCPA may provide a FY 2026 grant subject to availability of funding and grantees’ positive program performance. The MVCPA may use the same FY 2025 application and prorated budget values as originally submitted for the additional period. Any ongoing program (scope) changes or budget changes will be submitted by grantees through the grant adjustment process after the creation of the second-year grants.

Due Date

Grant Applications from eligible applicants must be completely submitted on-line at <https://MVCPA.tamu.edu> on or before **5:00 PM, November 12, 2024. First**

time applicants must establish an account and perform account setup steps prior to an application being able to be submitted.

The required Resolution and any optional supporting documents must be scanned and submitted as attachments to the application at <https://MVCPA.tamu.edu> on or before **5:00 PM, November 12, 2024.**

Applicable Authority and Rules

Motor Vehicle Crime Prevention Authority grant programs are governed by the following statutes, rules, standards, and guidelines:

- Texas Transportation Code Chapter 1006
(<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.1006.htm>)
- Texas Administrative Code (TAC): Title 43; Part 3; Chapter 57
([https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=3&ti=43&pt=3](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=43&pt=3))
- Texas Grant Management Standards (TxGMS) as promulgated by the Texas Comptroller of Public Accounts
(<https://comptroller.texas.gov/purchasing/grant-management/>)
- The current Motor Vehicle Crime Prevention Authority Grant Administrative Manual and any subsequent adopted grantee instruction manuals
(https://www.txdmv.gov/sites/default/files/body-files/MVCPA_FY20_Grant_Admin_Manual.pdf)
- This Request for Applications issued on **September 16, 2024.**

Eligible Applicants.

Only Texas law enforcement agencies through their city or county are eligible to apply for the FY 2025 SB 224 Catalytic Converter Grant funding.

Application Category

New Grant – These are potentially annual grants subject to available legislative funding. A 20 % Cash Match is required for this application. Applicants meeting

the eligibility requirements may submit a new grant application to the priority established by the MVCPA in the FY 2025 RFA. New applicants shall email MVCPA at GrantsMVCPA@txdmv.gov from an official governmental agency email account to request an account and that access be established.

Grant Type

Reimbursement – This is a total program budget reimbursement grant. Applicants that are awarded grants will expend local (agency) funds and then will be reimbursed quarterly, subject to compliance with standard and special conditions as contained in the Statement of Grant Award (SGA), at the agreed rate for all allowable, reasonable, and necessary program costs incurred.

Grant Term

The FY 2025 grant cycle is a one (1) year funding cycle to begin on **Signing Date of Resolution by Authorized Official, 2024, and end August 31, 2025**. Subject to availability of funding and grantees' positive program performance the MVCPA may provide a FY 2026 grant using the same on-line application systems and prorated budget values as originally submitted. No obligations or expenses may be incurred or made outside of the grant period(s).

Method of Application

Grant Applications from eligible applicants shall be submitted on-line at <https://MVCPA.tamu.edu> **on or before 5:00 PM, November 12, 2024**. All forms will be completed on-line. The Resolution and all supporting documents must be submitted as attachments.

Resolution Required

A Resolution (Order or Ordinance) by the applicant governing body is required to make application for these funds. The resolution shall provide that the governing body applies for the funds for the purpose provided in statute (SB 224 and this RFA) and agrees to return the grant funds in the event of loss or misuse and

designate the officials that the governing body chooses as its agents to make uniform assurances and administer the grant if awarded.

Only the governing body that submits an application needs to adopt and submit a Resolution. Participating jurisdictions in multi-agency taskforces shall agree and commit to the grant through Interlocal Cooperation Contract or agreements as provided under Texas Local Government Code Chapter 362, Texas Government Code Chapter 791, and TxGMS.

In the event a governing body has delegated the application authority to a city manager, chief of police, sheriff or other official, then applicants must submit on-line a copy of the delegation order (documentation) along with the Resolution signed by the official. A sample Resolution is attached as Appendix A.

Program Category

To be eligible for consideration for funding, a law enforcement taskforce grant application must be designed to support one or more of the following MVCPA program categories (43 TAC §57.14):

Law Enforcement, Detection, and Apprehension - provide financial support to law enforcement agencies for catalytic converter theft and crime enforcement teams (referred to as taskforces). Taskforces will develop organized methods to combat catalytic converter theft through the enforcement of applicable law. This may include recovery of vehicles, clearance of cases, arrest of law violators, and disruption of organized motor vehicle crime. This category includes development of uniform programs to prevent stolen catalytic converters from entering Mexico or being removed from Texas through outbound seaports.

Prosecution/Adjudication/Conviction - provide financial support for taskforces to work with prosecutors and the judiciary to implement programs designed to reduce the incidence of catalytic converter theft.

Prevention, Anti-Theft Devices and Automobile Registration - provide financial support for taskforces to work with organizations and communities to reduce the incidence of catalytic converter theft. The application shall demonstrate how financial support will assist motor vehicle owners to reduce catalytic converter theft.

Reduction of the Sale of Stolen Vehicles or Parts - provide financial support for taskforces to work with businesses, organizations, and communities to reduce the sale of catalytic converters. Applicants will develop organized methods to combat the sale of stolen catalytic converters using any of the following: vehicle identification number (VIN) inspections; inspections of motor vehicle part and component distribution enterprises; parts labeling and etching methods; and means to detect the fraudulent sale of stolen catalytic converters.

Educational Programs and Marketing – provide financial support for taskforces to work with individuals, businesses, organizations, and communities to assist motor vehicle owners in detecting and preventing catalytic converter theft. Develop and provide specialized training or education program(s) to the public on detecting and preventing catalytic converter theft, law enforcement on interdiction and prosecution, and government officials on detecting and preventing catalytic converter theft in this state.

Priority Funding

The MVCPA enabling statute provides that “The authority shall allocate grant funds primarily based on the number of motor vehicles stolen in, or the motor vehicle burglary or theft rate across, and the number of fraud-related motor vehicle crimes committed in the state rather than based on geographic distribution.” (TTC Section 1006.151(c); SB 224). In addition, the following grant features will be given priority consideration in evaluating new grant applications:

Continuing Funded Programs in Compliance with MVCPA Grant Conditions

- Applications that provide for the continuation of existing programs that currently meet the program and fiscal reporting conditions of the MVCPA grant program. Applicants must provide the ongoing need and their progress and impactful performance toward detecting and preventing catalytic converter theft.

The applicant must describe the experience and qualifications of investigators used in the program and how utilization of grant inventory and resources for continued operation of these specialized investigative grant programs are useful for state and local governments.

Programs to Combat Organized Catalytic Converter Crime –

Applications for detecting and preventing catalytic converter theft enforcement teams that introduce, increase, or expand efforts to detect and prevent theft of catalytic converters by organized crime.

Border and Port Security – Applications that provide specific initiatives to identify and prevent stolen catalytic converters from crossing the border with Mexico using automatic license plate readers, training of local state and federal personnel in the identification of stolen vehicles, and bridge and port inspections.

Use of Technology – Applications that incorporate automatic license plate reader programs, surveillance equipment, and other uses of technology to increase the number of stolen catalytic converters recovered and the number of persons arrested for catalytic converter crimes.

Theft of Parts from a Motor Vehicle – Applications that incorporate a reasonable, objective plan to combat and prevent the theft of catalytic converters.

Dedicated Prosecutors – Applications that incorporate a dedicated prosecutor to increase the priority of catalytic converter theft prosecutions and decrease the number of repeat offenders through successful and timely prosecution efforts.

Supporting Documents

Documents that provide evidence of local support or commitment from other officials or agencies for the application may be submitted following the same instructions as the Resolution. Interagency agreements shall be submitted prior to payments being authorized if an award is made. MVCPA recommends that interagency agreements be completed after award determinations are made to ensure correct amounts are reflected in those agreements. All interagency agreements must meet the conditions and elements required in the TxGMS.

Supplanting Prohibited

Grant funds provided by the Authority under this RFA shall not be used to supplant federal, state, or local funds that otherwise would be available for the same purposes (43 Texas Administrative Code §57.9). Supplanting means the replacement of other funds with MVCPA grant funds. This shall include using existing resources already available to a program activity as cash match.

NICB – Applicants may enter into formal agreements with the National Insurance Crime Bureau (NICB) to work on grant funded activities. The amount of salary and other direct costs related to the work on grant activity provided by the NICB may be reported. Time certifications are required to be made by the employee for these positions as required by TXGMS.

In-Kind Match

Only include in-kind match if necessary for the local jurisdiction. In-kind match may be used to: 1) reflect the total level of jurisdictions' effort/costs to combat catalytic converter theft; 2) reflect how the grant program fits into jurisdictions' operation; 3) effectively operate a single program with multiple funding streams;

and/or 4) contributions from the applicant or third parties that are for grant funded activity. Costs in detail line items shall not be split between in-kind match and grant funding. For example, the entire salary of an officer shall be placed in one expense type rather than split between grant and in-kind.

Reporting and Webinar Attendance Requirements

Applicants that are awarded grants will be required to provide:

Quarterly Progress Reports - The MVCPA requires the submission of quarterly progress reports to demonstrate progress toward meeting goals and activities provided in the grant application. These include: 1) Monthly progress toward meeting statutorily required performance measures; 2) Monthly progress recorded on the Goals, Strategies and Activities report; and 3) Quarterly Summary and Success section. Grantees designated as Border/Port Security grants are required to complete additional sections required by the Texas Legislature.

Quarterly Financial Reports – Reports of actual expenses incurred are required to request funds. All expenditures must be in accordance with local policies and procedures and grant requirements. Grantees shall review all expenditures, ensure all applicable regulations are followed, and maintain documentation that is accurate and complete. All expenses must be supported by appropriate documentation.

Webinar Attendance: One grant financial representative from the applicant agency is required to attend a monthly session via teleconference or webinar that includes information on MVCPA grant administration.

One law enforcement officer is required to attend the information sharing and networking sessions on a monthly session via teleconference or webinar that includes law enforcement issues and other MVCPA issues critical to the successful operation of MVCPA taskforces.

Funding Requirements and Conditions:

State Funds Availability – All awards by the MVCPA are subject to availability of state funds.

Right of Refusal – The Authority reserves the right to reject any or all the applications submitted.

Awards – Publishing the RFA does not legally obligate the Authority to fund any programs.

Partial Funding – The Authority may choose to offer funds for all, or any portion of a program submitted in an application.

Substitution – The Authority may offer alternative funding sources, special conditions, or alternative program elements in response to submitted Applications.

Application Required – Registration for on-line access is required. The MVCPA is not responsible for applicants that cannot complete the registration and application process on time.

No Alternative Application Submission – Paper applications and requests for funding are not accepted in lieu of the on-line grant application process.

Review Criteria – Authority staff and any designated MVCPA Board member(s) will review each grant using subjective and objective tools and comparative analysis. The weight given to each section or combination of sections is at the sole discretion of the Authority.

Questions and Clarification – During the review period, the applicant may be contacted by Authority staff to answer questions or to seek clarification regarding information provided in the application. Failure to promptly respond will not disqualify an applicant, but information that is submitted after the review period may not be considered.

Final Selection – The Authority may select and award programs that best meet the statutory and legislative purposes of SB 224 and that reflect its current priorities. No appeal may be made regarding the Authority's decisions.

Changes in Application – If an applicant proposes changes to be made in the program type or participation of jurisdictions after an award is determined, then the Authority will review the changes and may make modifications (including the amount) or cancel the award as deemed appropriate by the Authority.

Delayed Start – An applicant that is awarded a grant and does not begin operations within 30 days of the issuance of the Statement of Grant Award is considered terminated.

Application instructions – the MVCPA will provide additional details and instructions in the on-line application system that are incorporated by reference as part of this RFA and which must be followed during the application and award process.

Program Income – is defined in the TxGMS. Current grantees carrying forward program income to future years will follow the new rules established by the Texas Comptroller and MVCPA Grant Administrative Manual.

TCOLE Certifications Required – All law enforcement agencies regulated by Chapter 1701, Occupations Code must certify that they are in compliance with the Texas Commission on Law Enforcement standards or provide a certification from the Texas Commission on Law Enforcement that states that the requesting agency is in the process of achieving compliance with said rules.

Selection Process:

Eligible applications will be reviewed. Grant award decisions by MVCPA are final and not subject to judicial review.

Applications that do not meet the stated requirements of this RFA and that are not eligible for review will be notified within ten (10) working days after the due date.

Application Workshop

Potential applicants are requested to attend the on-line “Motor Vehicle Crime Prevention Authority SB224 Catalytic Converter Grant Application Workshop” which has been scheduled for: Wednesday November 20, 2024 (1:30 PM to 3:00 PM). Join by using the following links:

THIS MEETING WILL BE HELD REMOTELY VIA MICROSOFT TEAMS MEETING

Join on your computer, mobile app or room device.

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MVCPA Application Checklist

Each Applicant must:

- 1) Complete the on-line Application on or before **5:00 PM, November 12, 2024.**
- 2) Complete the Resolution with the city or county and attach with other supporting documents on or before **5:00 PM, November 12, 2024.**



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Alice Ashley

Department: Public Works

Agenda Item: 7.VI.

Reviewed by: Gus Knebel, City Attorney

AGENDA ITEM DESCRIPTION:

Designating application for grant application, submission, and signatory for contractual documents pertaining to the U.S. Environmental Protection Agency (EPA), Environmental and Climate Justice Community Change Grants Program - *Public Works*

STAFF BRIEFING:

Project Overview

This project will modernize critical city infrastructure and operations by:

Transitioning to Electric Vehicles (EVs):

- **Goal:** Replace the city's gas-powered fleet with EVs to significantly reduce greenhouse gas emissions and operational costs.
- **Impact:** Estimated 30% reduction in fleet-related emissions, promoting a sustainable model for city transport

Installing EV Charging Stations Throughout the City:

- **Goal:** Establish multiple charging stations to support the new EV fleet and encourage community EV adoption.
- **Impact:** Infrastructure will provide accessible charging points, reducing range anxiety and supporting a city-wide shift to cleaner transportation.

Sustainable Roof Upgrades for Key City Buildings:

- **Goal:** Replace and upgrade roofs for the library, municipal building, and police department to improve energy efficiency and lay the groundwork for solar panel installations.
- **Impact:** Energy savings from improved insulation and enhanced durability, reducing the carbon footprint of each facility.

Solar Panel Installations to Reduce Energy Costs and Emissions:

- **Goal:** Retrofit city facilities with solar panels to decrease reliance on non-renewable energy sources.
- **Impact:** Projected 40% decrease in municipal energy consumption, fostering long-term sustainability and substantial cost savings.

HVAC System, Ductwork, and Wiring Replacements for Energy Efficiency:

- **Goal:** Replace aging HVAC systems with high-efficiency models and upgrade ductwork and wiring to ensure maximum energy conservation.
- **Impact:** Improved indoor air quality and reduced energy usage, contributing to a healthier workplace and more sustainable energy practices.

HISTORY:

FISCAL IMPACT:

\$10-\$20M. No impact to City Funds as this is a no match grant.

RESOLUTION NO. XXXX-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, DESIGNATING APPLICATION FOR GRANT APPLICATION SUBMISSION AND SIGNATORY FOR CONTRACTUAL DOCUMENTS PERTAINING TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), ENVIRONMENTAL AND CLIMATE JUSTICE COMMUNITY CHANGE GRANTS PROGRAM

WHEREAS; the City of La Marque, Texas is in preparation for grant application for Environmental Protection Agency (EPA), Environmental and Climate Justice Community Change Grants Program; and

WHEREAS; the City of LaMarque, Texas finds it in the best interest of the citizens of the City of La Marque that the city be operated for the FY 2025-2026; and

WHEREAS; it is necessary to appoint persons to execute contractual application documents directly pertaining to the application submittal to the Environmental Protection Agency (EPA), Environmental And Climate Justice Community Change Grants Program; and

WHEREAS; the City of La Marque, Texas, acknowledges that if an authorized signatory of the City changes (elections, illness, resignations, etc.) the City shall provide them with a resolution stating the new authorized signatory shall be and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS AS FOLLOWS:

WHEREAS; the City of La Marque designates the City Manager, Cesar Garcia, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED; that City of La Marque, Texas approves submission of the grant application for the Environmental Protection Agency (EPA), Environmental and Climate Justice Community Change Grants Program.

PASSES, APPROVED, AND ADOPTED by City Council of the City of La Marque on this the 18th day of November, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell
Mayor

ATTEST:

Kierra Nance
City Clerk



Home <<https://epa.gov/>> / News Releases <<https://epa.gov/newsreleases/search>>

Biden-Harris Administration Announces \$2 Billion to Fund Environmental and Climate Justice Community Change Grants as Part of Investing in America Agenda

EPA's Office of Environmental Justice and External Civil Rights announces the largest single investment in environmental justice in history, funded by President Biden's Inflation Reduction Act

November 21, 2023

Contact Information

EPA Press Office (press@epa.gov)

WASHINGTON — Today, the Biden-Harris administration announced approximately \$2 billion in funding available to support community-driven projects that deploy clean energy, strengthen climate resilience, and build capacity for communities to tackle environmental and climate justice challenges. The U.S. Environmental Protection Agency's (EPA's) Community Change Grants are the single largest investment in environmental justice going directly to communities in history, and will advance collaborative efforts to achieve a healthier, safer, and more prosperous future for all.

These funds, part of President Biden's Investing in America agenda, are made possible by the President's Inflation Reduction Act—the biggest-ever investment in clean energy and climate action.

“Throughout my Journey to Justice tour, I've heard from residents and advocates calling for resources to support local solutions in communities that have long been overlooked and forgotten,” **said EPA Administrator Michael S. Regan.** “Today, thanks to President Biden's commitment to investing in communities that have long struggled to access federal funding, we are delivering on these calls to action. This historic, unprecedented funding has the promise to turn disadvantaged and overburdened areas into healthy, resilient, and thriving communities for current and future generations.”

“For far too long, communities that have borne the brunt of power plant and industrial pollution have been left out and left behind,” **said John Podesta, Senior Advisor to the President for Clean Energy Innovation and Implementation.** “The Inflation Reduction Act and President Biden's Justice40 initiative change that by bringing new investment, clean energy, and good-paying jobs to disadvantaged communities.”

“President Biden is leading a whole-of-government effort to confront longstanding environmental injustices and inequities,” **said White House Council on Environmental Quality Chair Brenda Mallory.** “Thanks to this historic funding covered under the President's Justice40 Initiative, we are investing in locally-driven solutions to make a positive difference for communities that have suffered from pollution, underinvestment, and decades of disproportionate environmental impacts. Investments like these show how we are delivering on the President's ambitious environmental justice agenda and his commitment to build more equitable and resilient communities for generations to come.”

The Community Change Grants deliver on President Biden's historic commitment to advance equity and justice, including his Justice40 Initiative [🔗](https://www.whitehouse.gov/environmentaljustice/justice40/)

[<https://www.whitehouse.gov/environmentaljustice/justice40/>](https://www.whitehouse.gov/environmentaljustice/justice40/). The Community Change Grants will deliver 100 percent of the benefits of this program to disadvantaged communities that are marginalized by underinvestment and overburdened by pollution. This program also dedicates \$200 million of Inflation Reduction Act funding to provide technical

assistance to applicants and grant recipients, which will enhance the ability of disadvantaged communities to access resources for environmental and climate justice activities.

The activities to be performed under the grants are expected to fall under the following categories:

- Climate resiliency and adaptation.
- Mitigating climate and health risks from urban heat islands, extreme heat, wood heater emissions, and wildfire events.
- Community-led air and other (including water and waste) pollution monitoring, prevention, and remediation.
- Investments in low- and zero-emission and resilient technologies and related infrastructure.
- Workforce development that supports the reduction of greenhouse gas emissions and other air pollutants.
- Reducing indoor toxics and indoor air pollution.
- Facilitating the engagement of disadvantaged communities in state and federal advisory groups, workshops, rulemakings, and other public processes.

The Community Change Grants Notice of Funding Opportunity (NOFO)

<<https://epa.gov/inflation-reduction-act/inflation-reduction-act-community-change-grants-program>>, administered through the Office of Environmental Justice and External Civil Rights (OEJECR), <<https://epa.gov/aboutepa/about-office-environmental-justice-and-external-civil-rights>> has several unique characteristics to advance environmental and climate justice, many of which are responsive to feedback and input the agency has heard from communities. These include:

- **Rolling Applications:** The NOFO will be open for a year, closing on November 21, 2024, and EPA will review applications on a rolling basis. This allows applicants to utilize technical assistance and possibly resubmit a new application if not initially selected. EPA encourages applicants to apply as early as possible.

- **Two-track Submission Processes:** Applications can be submitted under two separate tracks depending on the project scope and funding requested.
 - Track I, Community-Driven Investments for Change, is expected to award approximately \$1.96 billion for 150 projects for \$10-20 million each.
 - Track II, Meaningful Engagement for Equitable Governance, is expected to award approximately \$40 million for 20 projects for \$1-3 million each.
- **Oral Presentations:** Track I applicants may also be invited to participate in an oral presentation. These oral presentations will enable EPA reviewers to hear directly from the applicants and their partners to learn more about community priorities, desired outcomes, and plans for long-term sustainability. This new format is responsive to community requests to engage with EPA in more accessible ways.
- **Target Investment Areas:** Out of the \$2 billion in funding, EPA has identified five Target Investment Areas (TIA) to help ensure that communities with unique circumstances, geography, and needs can equitably compete for funding. These are:
 - **Tribes in Alaska:** \$150 million for projects benefitting Indian Tribes in Alaska including funds for cleanup of contaminated lands.
 - **Tribes:** \$300 million for projects benefitting Tribal communities in the other states.
 - **Territories:** \$50 million for projects benefitting disadvantaged communities in the United States' territories of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.
 - **Disadvantaged Unincorporated Communities:** \$50 million for projects benefitting small and rural areas that lack fixed, legally determined geographic boundaries, such as Colonias.
 - **U.S.-Southern Border Communities:** Consistent with EPA's longstanding commitment to addressing transborder pollution challenges, \$100 million for projects benefitting non-Tribal disadvantaged communities within 100 kilometers north of the U.S.-Mexico border.

- **Technical Assistance:** The \$200 million for technical assistance is available in direct response to feedback from communities and environmental justice leaders who have long called for capacity building support for communities and their partners as they work to access critical federal resources. With this funding, there are two TA programs dedicated for the Community Change Grants. Applicants can learn more about, and express interest in, the technical assistance on EPA's Community Change Grants Technical Assistance webpage <<https://epa.gov/inflation-reduction-act/community-change-grants-technical-assistance>>.

Read the Community Change Grants NOFO <<https://epa.gov/inflation-reduction-act/inflation-reduction-act-community-change-grants-program>>.

OEJECR will also host multiple informational webinars while the NOFO is open, with the first being held on December 7, 2023. These webinars will address questions, and some may facilitate the formation of partnerships and information sharing. More information on upcoming webinars can be found on EPA's Inflation Reduction Act Community Change Grants Program webpage. <<https://epa.gov/inflation-reduction-act/inflation-reduction-act-community-change-grants-program>>

Learn more about environmental justice at EPA <<https://epa.gov/environmentaljustice>>

Learn more about Inflation Reduction funding at EPA <<https://epa.gov/inflation-reduction-act>>

For up-to-date information about the NOFO, including information on the webinars, subscribe to the Office of Environmental Justice and External Civil Rights' listserv by sending a blank email to: join-epa-ej@lists.epa.gov. Follow OEJECR on X (formerly Twitter): @EPAEnvJustice  <<https://twitter.com/epaenvjustice>>.

Background

The Inflation Reduction Act (IRA) created the Environmental and Climate Justice Program, the largest investment in environmental and climate justice in U.S. history when it was signed into law by President Biden on August 16, 2022. Under this program, EPA was provided \$3 billion to award grants and fund related technical assistance to benefit disadvantaged communities.

Earlier in 2023, EPA issued a Request for Information [\[link\]](#)

[<https://www.regulations.gov/docket/epa-hq-oejecr-2023-0023>](https://www.regulations.gov/docket/epa-hq-oejecr-2023-0023), held a dedicated consultation with EPA's National Environmental Justice Advisory Council, and hosted multiple webinars to gain public input on innovative strategies and approaches for competition design, community engagement, equitable distribution of financial resources, grantee eligibility for funding, capacity-building and outreach, and more. This feedback was crucial in designing key elements of the Community Change Grants and this NOFO, including the Target Investment Areas, incorporating oral presentations, the rolling application period, and more. EPA thanks everyone for their incredibly valuable time and input, which ensured the creation of a more inclusive and accessible grant program.

Last updated on November 21, 2023

FEDERAL AGENCY AND OFFICE: U.S. Environmental Protection Agency, Office of Environmental Justice and External Civil Rights (OEJECR)

FUNDING OPPORTUNITY TITLE: Environmental and Climate Justice Community Change Grants Program

ANNOUNCEMENT TYPE: Notice of Funding Opportunity (NOFO)

FUNDING OPPORTUNITY NUMBER: EPA-R-OEJECR-OCS-23-04

ASSISTANCE LISTING NUMBER: 66.616

ACTION: Modification No. 1 to the NOFO

DATE: December 21, 2023

SUMMARY: This modification revises and clarifies the NOFO issued on November 21, 2023, in certain areas including the ones listed below. This version of the NOFO supersedes the version issued on November 21, 2023. If there are any questions, please email CCGP@epa.gov.

1. The language in Section I.D has been clarified to make clear that Lead Applicants can submit a maximum of two eligible applications.
2. Clarified at the end of Section I.G that the Compliance Plan cannot exceed 5 single-spaced pages.
3. Clarified in Section II.C that Lead Applicants can submit a maximum of two eligible applications.
4. Revised the first paragraph of Section III.B to clarify that a CBO must be in all Statutory Partnerships and that a Statutory Partnership is just between two eligible entities one of which must be a CBO.
5. Revised the threshold eligibility criterion in Section III.D.4 regarding the Project Area Map.
6. Clarified in Section IV.A.4 that the attachment for the Compliance Plan cannot exceed 5 single-spaced pages.
7. Made several clarifications to Section IV.B.4 including:
 - Clarified that the attachments for Track I and II applications are not part of the Project Narrative and not subject to the Project Narrative page limitation.
 - Made several changes to the Community Vision Description and Selected Strategies sections of the Track I Project Workplan to emphasize benefits to disadvantaged communities within the Project Area.
 - Revised the Program Budget Description for Track II applications.
8. Made clarifications to the Community Vision Description and Selected Strategies evaluation criterion, and first oral presentation evaluation criterion, in Section V.C.
9. Revised the Environmental Results criterion in Section V.D to indicate that each sub criterion is worth 2 points.

10. Added language to Section V.E.2 regarding impactful benefits.
11. Made clarifications to Appendix A regarding the Project Area and Project Area Map including:
 - Requiring a map for Track 1 applications addressing farmworker communities and DUCs as defined in Appendix A.
 - Clarified that the Project Area may include multiple census block groups that are designated as a disadvantaged community by EPA, but the disadvantaged census block groups need not be fully contiguous with each other.

FEDERAL AGENCY AND OFFICE:	U.S. Environmental Protection Agency, Office of Environmental Justice and External Civil Rights (OEJECR)
FUNDING OPPORTUNITY TITLE:	Environmental and Climate Justice Community Change Grants Program
ANNOUNCEMENT TYPE:	Notice of Funding Opportunity (NOFO)
FUNDING OPPORTUNITY NUMBER:	EPA-R-OEJECR-OCS-23-04
ASSISTANCE LISTING NUMBER:	66.616
IMPORTANT DATES:	
November 21, 2023	NOFO Opening Date
November 21, 2024	Application Closing Date
March 2024	Initial Award Selections
May / June 2024	<u>Anticipated</u> Start of Period of Performance for Initial Selections

DEADLINE: Application packages will be accepted on a rolling basis, as further explained in the NOFO, until November 21, 2024, at 11:59 PM (Eastern Time) through Grants.gov. Applications received after the closing date and time will not be considered for funding.

In alignment with EPA’s commitment to conducting business in an open and transparent manner, copies of applications selected for award under this NOFO may, as appropriate, be made publicly available on the OEJECR website or other public website for a period after the selected applications are announced. Therefore, applicants should clearly indicate which portion(s) of the application, if any, they are claiming contains 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 applicant.

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 Solicitation Clauses that are incorporated by reference in this NOFO in [Section I.J](#). 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 a firm or individual’s “unique” qualifications.

TABLE OF CONTENTS:

Section I. Funding Opportunity Description	6
A. Background: Inflation Reduction Act and Executive Orders	6
B. Statutory and Regulatory Authority	7
C. Community Change Grants Objectives	8
D. NOFO Competition Features	8
E. Technical Assistance.....	9
F. Community or Tribal Relocation Resources	10
G. Funding Track I: Community-Driven Investments for Change.....	10
H. Funding Track II: Meaningful Engagement for Equitable Governance	21
I. EPA Strategic Plan Linkage, Anticipated Outputs, Outcomes & Performance Measures.....	24
J. Additional Provisions for Applicants Incorporated into the NOFO	25
Section II. Federal Award Information	26
A. Number and Amount of Awards	26
B. Target Investment Areas (TIA) for Track I Applications	26
C. Rolling Application Submittal and Review Process, Application Award Limits, and Application Resubmission Procedures.....	27
D. Conditional Awards.....	28
E. Period of Performance	28
F. Partial Funding	28
G. Additional Awards	28
H. Funding Type.....	29
Section III. Eligibility Information	30
A. Eligible Applicants.....	30
B. Statutory Partnership Requirements and Collaborating Entities	32
C. Cost-Sharing or Matching Funds	33
D. Threshold Eligibility Criteria.....	33
Section IV. Application and Submission Information.....	36
A. Requirement to Submit through Grants.gov and Limited Exception Procedures	36
B. Content of Application Submission.....	39
C. Informational Webinars and Application Assistance	48
Section V. Application Review Information	49
A. Threshold Eligibility Review Process	49

B. Review Panel and Evaluation Process.....	49
C. Track I Application Review Process, Evaluation Criteria, and Oral Presentations.....	49
D. Track II Application Review Process and Evaluation Criteria	56
E. Final Selection Process and Other Factors.....	59
F. Anticipated Announcement and Federal Award Date.....	60
Section VI. Award Administration Information	61
A. Award Notification and Disputes.....	61
B. Administrative and National Policy Requirements	61
C. Audit Requirements.....	64
D. Remedies for Non-Compliance.....	64
E. Program Administration Activities.....	65
F. Fraud, Waste, and Abuse Awareness.....	65
G. Quality Management Plans (QMPs) & Quality Assurance Project Plans (QAPPs).....	65
Section VII. Contact Information	67
Appendix A. Definition of Disadvantaged Communities and Mapping Requirements.....	68
Appendix B. Partnership Agreement between the Lead Applicant and Statutory Partner.....	72
Appendix C. Climate Action Strategies and Associated Project Activities.....	73
Appendix D. Pollution Reduction Strategies and Associated Project Activities.....	80
Appendix E. Job Quality & Equitable Employment Opportunities	83
Appendix F. Track I and II Outputs and Outcomes	84
Appendix G. Budget Template.....	89
Appendix H. Alaska Tribal Lands Target Investment Area.....	94

Section I. Funding Opportunity Description

[\(back to the Table of Contents\)](#)

A. Background: Inflation Reduction Act and Executive Orders

The Environmental and Climate Justice Community Change Grant program (Community Change Grants) – the subject of this NOFO – offers an unprecedented opportunity to transform disadvantaged communities across the United States into healthy, climate resilient, and thriving communities for their current and future residents. The Community Change Grants will fund community-driven projects that address climate challenges and reduce pollution while strengthening communities through thoughtful implementation. The historic levels of support provided by these grants will enable communities and their partners to overcome longstanding environmental challenges and implement meaningful solutions to meet community needs now and for generations to come.

The Inflation Reduction Act (IRA) created the Environmental and Climate Justice Program (ECJP)—the largest investment in environmental and climate justice in U.S. history—when it was signed into law by President Biden on August 16, 2022. The ECJP is now contained in Section 138 of the Clean Air Act (CAA), 42 U.S.C. § 7438. Under this program, EPA was provided \$2.8 billion to award grants to help disadvantaged communities address a wide range of environmental and climate justice issues, and \$200 million for technical assistance related to these grants. This historic investment advances [Executive Order 13985](#), *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, which established a whole-of-government approach to advancing equity and opportunity, and [Executive Order 14008](#), *Tackling the Climate Crisis at Home and Abroad*, which created the government-wide [Justice 40 Initiative](#) that established the goal that 40 percent of the overall benefits of certain federal investments flow to disadvantaged communities. Awards under the ECJP also support core goals of [Executive Order 14091](#), *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, and [Executive Order 14096](#), *Revitalizing Our Nation’s Commitment to Environmental Justice for All*.

The Community Change Grants are the final and most comprehensive piece of EPA’s implementation of ECJP IRA funding. The Community Change Grants will complement grant programs that EPA launched in 2022 and 2023, including those for the Collaborative Problem-Solving, Government-to-Government, and Thriving Communities Grantmaker programs. Collectively, these programs will empower communities and their partners to design, develop, and implement multi-faceted community-driven projects. These programs will address the diverse and unique needs of disadvantaged communities by:

1. Reducing and preventing pollution;
2. Building resilience to climate change and mitigating current and future climate risks;
3. Enhancing meaningful involvement in government processes related to environmental and climate justice;
4. Expanding access to high-quality jobs and economic opportunity through workforce development; and
5. Bolstering community strength by ensuring that local residents receive the benefits of investments and have the opportunity to build on them for current and future generations.

Through the approximately \$2 billion to be awarded under the Community Change Grants, and the technical assistance that will be available to eligible applicants related to the grants, EPA will advance the goals of these Executive Orders (EO) and the agency’s environmental and climate justice priorities. [Environmental justice](#), as defined by EO 14096, means the just treatment and meaningful involvement of all people,

regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other federal activities that affect human health and the environment so that people:

- Are fully protected from disproportionate and adverse human health and environmental effects (including risks) and hazards, including those related to climate change, the cumulative impacts of environmental and other burdens, and the legacy of racism or other structural or systemic barriers; and
- Have equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices.

B. Statutory and Regulatory Authority

The authority for the awards under this NOFO is Clean Air Act (CAA) § 138, codified at 42 U.S.C. § 7438. Of the \$2.8 billion appropriated, approximately \$2 billion will be awarded for the Community Change Grants under this NOFO. As provided in 42 U.S.C. § 7438(a)(1) and (b)(1), all the funds must be awarded by September 30, 2026, the grants cannot be longer than three years in duration, and no extensions will be granted.

Eligible entities and eligible activities are defined in 42 U.S.C. § 7438(b)(2) and (3) and are further described below and in [Section I](#) and [Section III](#) of this NOFO.

Section 138(b)(2) of the CAA specifies that an eligible entity may use a grant awarded under this NOFO for:

1. community-led air and other pollution monitoring, prevention, and remediation, and investments in low and zero-emission and resilient technologies and related infrastructure and workforce development that help reduce greenhouse gas emissions¹ and other air pollutants;
2. mitigating climate and health risks from urban heat islands, extreme heat, wood heater emissions, and wildfire events;
3. climate resiliency and adaptation;
4. reducing indoor toxics and indoor air pollution; or
5. facilitating engagement of disadvantaged communities in state and federal advisory groups, workshops, rulemakings, and other public processes.

In addition, Section 102(2)(I) of the National Environmental Policy Act, 42 U.S.C. § 4332(2)(I) is applicable to international work, if any, under this NOFO. Further, all funded activities under this NOFO must comply with federal, state, and local laws and regulations, including but not limited to:

1. 2 CFR 200.435(b), which restricts the use of grant funds to defend a recipient that is subject to a criminal, civil or administrative proceeding against it commenced by any government for fraud or similar offenses;
2. 2 CFR 200.435(g), which precludes the use of grant funds to prosecute claims against the Federal Government; and
3. 2 CFR 200.450(c), which restricts the use of federal funds by nonprofit organizations for certain lobbying or electioneering activities but does not preclude the use of federal funds to promote adoption of local ordinances, including those related to zoning.

¹ “Greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

4. 40 CFR Parts 5 and 7, which prohibit discrimination on the basis of race, color, national origin (including limited-English proficiency), disability, sex, and age by recipients and subrecipients of federal financial assistance.

C. Community Change Grants Objectives

The Community Change Grants will support comprehensive community and place-based approaches to redressing environmental and climate injustices for communities facing legacy pollution, climate change, and persistent disinvestment. These concentrated local investments will fund community-driven, change-making projects that center collaborative efforts for healthier, safer, and more prosperous communities.

Designed with meaningful community, Tribal, and other stakeholder involvement, the investments EPA makes through the Community Change Grants are intended to achieve the following objectives:

1. Provide resources for community-driven projects to address environmental and climate challenges in communities facing disproportionate and adverse health, pollution, and environmental impacts, and suffering from generations of disinvestment.
2. Invest in strong cross-sectoral collaborations with partners who bring a robust commitment to working with and for communities with environmental and climate justice concerns.
3. Unlock access to additional and more significant resources to advance environmental and climate justice goals from across the federal government and other sources.
4. Empower communities and strengthen their capacity to drive meaningful positive change on the ground for years to come.
5. Strengthen community participation in government decision-making processes that impact them.

D. NOFO Competition Features

EPA anticipates awarding approximately \$2 billion in funding through this NOFO, depending on funding availability, quality of applications received, EPA priorities, and other applicable considerations. EPA will consider applications under two separate tracks.

- **Track I applications – Community-Driven Investments for Change** will focus on multi-faceted applications with Climate Action and Pollution Reduction Strategies to meaningfully improve the environmental, climate, and resilience conditions affecting disadvantaged communities. Awards under Track I are expected to be \$10-20 million each and cannot exceed \$20 million. EPA expects to award approximately \$1.96 billion for approximately 150 Track I awards, including those under the Target Investment Areas described in Section II.B.
- **Track II applications – Meaningful Engagement for Equitable Governance** will facilitate the engagement of disadvantaged communities in governmental processes to advance environmental and climate justice. Awards under Track II are expected to be \$1-3 million each and cannot exceed \$3 million. EPA will award approximately \$40 million for approximately 20 Track II awards.

The number of Track I and Track II awards are estimates, and EPA reserves the right to increase or decrease the total number of awards and dollar amounts for each track, contingent on the quality of applications received, the amount of funds awarded to selected applicants, budget availability, agency priorities, programmatic considerations, or a combination of these.

Target Investment Areas for Track I Applications: EPA has identified five Target Investment Areas (TIA) to help ensure that communities with unique circumstances, geography, and needs can equitably compete for funding (see [Section II.B](#)). Applicants applying under a specified TIA will compete against other applicants under the same TIA, as opposed to the broader application pool. Please note that applicants applying for the TIA for Alaska Tribal lands should review Appendix H for additional guidance pertaining to the Climate Action and Pollution Reduction Strategies to include in their application, including those related to the Alaska Native Claims Settlement Act (ANCSA).

Eligible Applicants: Eligible applicants for the Community Change Grants include a partnership between two community-based non-profit organizations (CBOs), or a partnership between a CBO and one of the following: a Federally recognized Tribe, a local government, or an institution of higher education (IHE), including Minority Serving Institutions as further described in [Section III.A](#). Other organizations and entities may participate in the Community Change Grants as Collaborating Entities through subawards, or as contractors selected in accordance with competitive procurement requirements. Further details about applicant eligibility, partnership requirements, Collaborating Entities, subawards, and procurement contracts are in [Section III](#).

Under this NOFO, Lead Applicants, as defined in [Section III.A](#), may submit a maximum of two eligible applications and may receive up to two awards, if they demonstrate the capacity and capabilities to effectively perform, manage, oversee, and complete the awards within the three-year grant period of performance. The two applications may be two Track I applications, two Track II applications, or one of each. Lead Applicants who submit more than two total eligible applications will be asked to withdraw the excess one(s). EPA will not review more than two eligible applications from any one Lead Applicant.

In addition, EPA is introducing several features to enhance community involvement and ease the application process. Unless otherwise noted, the following applies to both Track I and Track II applications:

- **Rolling Applications.** EPA will allow applications to be submitted on a rolling basis over a 12-month period, through November 21, 2024, and will permit applicants to resubmit an unsuccessful application after a debriefing with the agency. Further details about the rolling application and resubmission process are in Sections II and V.
- **Fast-Tracked Approach.** EPA will review and expeditiously select high-quality applications to deliver results and benefits to disadvantaged communities. Further information is in [Section V](#).
- **Indirect Costs Limitation.** As further described in Appendix G, there is a 20% cap on indirect costs for certain recipients and subrecipients.
- **Track I Two-Phase Evaluation Process.** Applicants for Track I whose applications score well following the written application review will be invited to participate in an oral presentation, as further described in [Section V](#), at which they will have an opportunity to share information about the community-oriented nature of their projects and how they will successfully implement the grant. The Track II application process does not involve an oral presentation.

E. Technical Assistance

Under the IRA, EPA received \$200 million for technical assistance to eligible entities in connection with the ECJP. Technical assistance will be available for pre-award technical assistance including but not limited to designing a project, preparing an application, or facilitating partnerships, and for post-award technical assistance to help grant recipients manage, oversee, perform, and report on the grants. Further details about technical assistance can be found [here](#). Receiving technical assistance does not guarantee that applicants will be selected for funding.

F. Community or Tribal Relocation Resources

Projects for community or Tribal relocation activities are not eligible for funding under this NOFO and will not be reviewed. For purposes of this NOFO, relocation activities generally include activities intended to plan or assist the moving of an individual from their residence or a business from its place of business.² EPA is working with other federal agencies on a separate and tailored effort to develop a support mechanism for communities that want to implement community-driven relocation plans. EPA intends to share relocation assistance information in future guidance [posted on the Community Change Grants website](#). In the interim, information related to Federally-assisted relocation can be found on [FEMA's webpage](#) and in the [HUD Climate Resilience Implementation Guide for Community Driven Relocation](#). Any questions about whether an activity is considered a relocation activity should be sent by email to CCGP@epa.gov prior to applying.

G. Funding Track I: Community-Driven Investments for Change

1. Track I Objectives

Track I is the primary emphasis for the Community Change Grants. These projects will be implemented through strong collaborations to achieve sustained impacts related to climate resilience, pollution reduction, community health, economic prosperity, and community strength. This approach catalyzes change by focusing on the following objectives:

- **Increase community resilience through climate action activities:** Implement comprehensive Climate Action Strategies and infrastructure that build the resilience and adaptive capacities of communities, reduce greenhouse gas (GHG) emissions, and better prepare for and reduce the impacts of climate change.
- **Reduce local pollution to improve public health:** Reduce and remediate quantifiable health-harming pollutants to improve public health.
- **Center meaningful community engagement:** Conduct robust community engagement throughout the project – from design to implementation.
- **Build community strength:** Develop strategies to increase the likelihood that benefits of the investments accrue to existing residents of disadvantaged communities, both immediately and sustainably beyond the grant period.
- **Reach priority populations:** Support people within the Project Area as described in Appendix A who are acutely exposed to and impacted by climate, pollution, and weather-related threats, and / or who exhibit acute vulnerabilities to the impacts of environmental pollution.³
- **Maximize integration across projects:** Ensure that the projects and activities within the Project Area are integrated and complement each other to maximize benefits.

² The Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. § 4601 et seq. (URA) would apply if a construction project funded through a Community Change Grant has an incidental effect of permanently displacing residents or businesses.

³ This may include populations of concern as identified in [The Impacts of Climate Change on Human Health in the United States: A Scientific Assessment \(2016\)](#) that “experience disproportionate, multiple, and complex risks to their health and well-being in response to climate change,” such as children and pregnant women, older adults, and those with low incomes, limited-English-proficiency, disabilities or chronic medical conditions, or other risks that may put them at greater vulnerability.

2. Track I Community Vision Description

Track I applications should be rooted in addressing specific, community-driven environmental justice challenges. Accordingly, Track I applications should begin with a Community Vision Description that, at a minimum, provides an overview of the Project Area (as described in Appendix A) to benefit from the grant, a clear description of the challenges the Project Area faces, and a vision for how the grant will respond to those challenges to advance environmental and climate justice in the Project Area. This description should provide essential context for the rest of the application, informing how the Climate Action and Pollution Reduction Strategies were selected and the positive impact the applicant envisions the grant will have in the Project Area. The Community Vision Description is further described in [Section IV.B: Content of Application Submission](#).

3. Track I Application Requirements

Track I applications must address the following six requirements, as further described below. Additional information about the contents of the Project Narrative for Track I applications can be found in [Section IV.B: Content of Application Submission](#) and information about how applications will be evaluated can be found in [Section V.C: Track I Application Review Process, Evaluation Criteria, and Oral Presentations](#).

Requirement 1. Climate Action Strategy: Applications must include at least one project aligned with at least one of the Climate Action Strategies as described below. The Climate Action Strategies focus on strengthening the community's climate resilience and / or reducing GHG emissions. Climate Action Strategies should be responsive to the community challenges described in the Community Vision Description.

Requirement 2. Pollution Reduction Strategy: Applications must include at least one project aligned with at least one of the Pollution Reduction Strategy as described below. The Pollution Reduction Strategy can include monitoring, prevention, reduction, and remediation activities that support community efforts to address quantifiable and health-harming pollutants. Pollution Reduction Strategies range broadly depending on the type and pathway of pollution (e.g., indoor, or outdoor air pollution, water pollution, soil pollution). Pollution Reduction Strategies should be responsive to the community challenges described in the Community Vision Description.

Requirement 3. Community Engagement and Collaborative Governance Plan: Successful implementation of environmental and climate justice projects requires relationships among an ecosystem of community leaders and members along with partners across varied sectors. To help ensure that the community itself drives project development and implementation, applicants must submit a Community Engagement and Collaborative Governance Plan which should demonstrate how the applicant will inform, respond to, and engage community members throughout project development and implementation. This plan should include a Collaborative Governance Structure, which describes the roles and responsibilities of the Lead Applicant, Collaborating Entities, and community residents in implementing the project.

Requirement 4. Community Strength Plan: Applicants must submit a Community Strength Plan that describes how their proposed projects will enhance the overall strength and economic prosperity of the community, including maximizing the benefits of the projects for existing residents and minimizing potential risks associated with investing significant resources into the Project Area. This should include strategies for how the projects will promote inclusive economic development, drive benefits of the projects to existing residents, and proactively address unintended displacement consequences. This plan should speak to how the projects will enhance the overall wellbeing of the community, ensuring existing

community members receive the benefits of these investments and can build on those benefits for future generations.

Requirement 5. Readiness Approach: Given the statutory requirement that all Community Change Grants must be completed within three years, applicants must describe how they will be able to initiate grant performance upon award, or generally no later than 120 days after award, so they can successfully complete the grant within the three-year period of performance.

Requirement 6. Compliance Plan: Applicants must submit a Compliance Plan that describes how they will: (1) ensure compliance with the grant's terms and conditions, including 2 CFR § 200.302(b) (financial management), 2 CFR § 200.303 (internal controls), and 2 CFR § 200.332 (requirements for pass-through entities); and (2) manage broader legal and compliance risks.

Details of Track I Application Requirements

Requirement 1. Climate Action Strategies: Applicants must include at least one project aligned with at least one of the Climate Action Strategies identified below. When addressing the strategy in their application, applicants should describe relevant challenges faced in the Project Area and how the selected Climate Action Strategy(ies) and associated project(s) will address those challenges. Each Climate Action Strategy outlined below is focused on building short-term and long-term climate resilience, reducing GHGs, and providing additional co-benefits so that impacted communities can adapt to the changing climate. Applicants are also encouraged, as applicable, to integrate processes that minimize burdens to human health and the environment while maximizing benefits to the Project Area through such means as integrating nature-based solutions, utilization of low-carbon building materials, or sourcing sustainable products and materials to perform the projects. When selecting a Climate Action Strategy and designing their climate action projects, applicants may refer to the [National Climate Resilience Framework](#) released in September 2023.

Examples of project activities and guidelines associated with the strategies can be found in Appendix C. While applicants may select from among the examples in the Appendix, applicants may also submit other types of project activities as long as they are consistent with a Climate Action Strategy described in [Section I.G](#) of the NOFO and are eligible for funding under §138(b)(2) of the CAA.

Strategy 1: Green Infrastructure and Nature-Based Solutions

Many disadvantaged communities face complex climate challenges, such as urban heat island effects and flooding risks. Strategy 1 supports using nature-based solutions (NBS), also referred to as green infrastructure, to address such climate risks. Nature-based solutions are generally actions to protect, sustainably manage, or restore natural systems to address the impacts of climate change, while simultaneously providing benefits for people and the environment.⁴ Projects under this strategy can include planting shade trees, restoring native plants and wetlands to capture stormwater, and deploying other green infrastructure solutions that often have the co-benefit of reducing GHG emissions. Communities also may incorporate vegetation or similar natural features into traditional infrastructure.

Strategy 2: Mobility and Transportation Options for Preventing Air Pollution and Improving Public Health and Climate Resilience

Many disadvantaged communities lack access to affordable low- or zero-emission transportation options, leading to disproportionate difficulties in daily life, limiting access to educational and

⁴ Applicants may use the White House's [Nature-Based Solutions Resource Guide](#) as a resource for integrating nature-based solutions.

economic opportunities, and creating vulnerability to climate risks. Strategy 2 focuses on providing community members with access to low- and zero-emission technologies to improve their overall health and well-being, reduce emissions, and increase access to important community destinations such as schools, workplaces, health care centers, and community spaces. Projects funded under this strategy may include installing protected bike lanes or walking paths, supplying traditional or electric bikes to community members, and deploying other low- or zero-emission transportation solutions. The impact of such projects could include improved public health outcomes, reduced GHG emissions from the transportation sector, more equitable access to community resources, increased community connectivity and safety, and greater community resilience to extreme weather events.

Strategy 3: Energy-Efficient, Healthy, and Resilient Housing and Buildings

Residential and commercial buildings are a significant source of GHG emissions due to the large amounts of electricity consumed for heating, cooling, lighting, and other similar functions. Many disadvantaged communities also face a disproportionately high energy burden, defined as the percentage of gross household income spent on energy costs. Many factors can influence high energy burden, including higher-cost fuels, such as propane or other bottled fuels, and energy-inefficient homes due to a lack of insulation in older homes or older appliances. Strategy 3 supports investments in low- and zero-emission technologies and energy efficiency upgrades that can help decarbonize residential and commercial buildings, decrease energy burden, and increase resilience for communities. Many of these activities also contribute to positive public health outcomes by improving indoor air quality and the safety and comfort of buildings. Co-benefits associated with this strategy can be maximized by combining additional Climate Action and Pollution Reduction Strategies to improve indoor air quality and / or produce additional resiliency benefits. This strategy can support a range of residential and commercial buildings, including single-family homes, multi-family housing buildings, small businesses, community health facilities, community centers, nonprofit offices, schools, and other similar community-serving buildings.

Strategy 4: Microgrid Installation for Community Energy Resilience

Many disadvantaged communities suffer from unreliable access to electricity, a problem that is becoming more acute due to increased heating and cooling demands during extreme weather events driven by climate change. Strategy 4 supports the installation of microgrids powered by low- and zero-emission renewable energy to improve electric reliability, enhance overall energy efficiency, reduce emissions of GHG and other air pollutants, and build a community's capacity to prepare for and withstand power disruptions. The U.S. Department of Energy [defines](#) microgrids as “a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity with respect to the grid.” A microgrid can operate autonomously when disconnected from the grid or when there is no grid to connect to, such as in some remote communities. When connected and operated with the grid, a microgrid can provide grid ancillary services.

Strategy 5: Community Resilience Hubs

Many disadvantaged communities lack the resources to evacuate in a safe and timely manner when disaster strikes or is imminent. Strategy 5 supports the creation of, or upgrades to, community-level resilience hubs, which are public-serving spaces that provide shelter and essential services during extreme weather, natural hazards, or other events causing or contributing to an emergency or disaster, such as dangerous wildfire woodsmoke, toxic releases, industrial fires, or similar hazardous chemical incidents. These community-level resilience hubs can also serve as community-convening spaces that provide educational activities and related emergency and disaster preparedness resources to community residents year-round.

Strategy 6: Brownfield Redevelopment for Emissions Reduction and Climate Resilience

Many disadvantaged communities contain brownfield sites that impede economic development. Redeveloping brownfields provides an opportunity to make investments that contribute to community revitalization, resilience, and GHG emissions reduction. Redeveloping brownfield sites also supports infill development that significantly reduces residential vehicle use and the associated GHG emissions. Strategy 6 supports the redevelopment of brownfield sites that have already been cleaned up, or where a site assessment indicates that cleanup is not necessary for reuse. These projects should seek to improve energy efficiency through investments in low- and zero-emission technologies, integrate climate resiliency, and / or mitigate climate change impacts while also promoting economic development and improving public health for residents. Examples could include construction of a public park or partnering on a LEED Certified low-income housing project on a former brownfield site.

Note: Projects funded under this Climate Action Strategy must be performed on sites where cleanup is complete or where the site does not require any cleanup activities for the intended use or reuse of the site.

Strategy 7: Waste Reduction and Management to Support a Circular Economy

Disadvantaged communities often bear the brunt of environmental contamination from improper disposal of physical waste, or from disposal in landfills adjacent to those communities. This strategy supports circular economy⁵ activities and promotes sustainable use of natural resources to keep materials and products in circulation for as long as possible, resulting in the reduction of GHG emissions and other pollution across a product's lifecycle. Examples of these projects may include efforts to reduce food waste (e.g., composting, anaerobic digestors), or to promote the reduction, reuse, and recycling of disaster debris, construction and demolition debris, and other materials and products. Project activities should demonstrate that they will result in materials being diverted from end-disposal facilities (e.g., landfills, incinerators) to reduce GHG emissions, toxic air pollution, and soil and water pollution.

Strategy 8: Workforce Development Programs for Occupations that Reduce Greenhouse Gas Emissions and Air Pollutants

Individuals in disadvantaged communities often lack pathways into fast-growing and well-paying job opportunities related to environmental and climate justice. This strategy allows applicants to propose workforce development programs to enable individuals in these communities to pursue career pathways in fields related to the reduction of GHG emissions and other air pollutants. Strong workforce development proposals should include all three of the following features, as detailed in Appendix C: (1) multi-sectoral partnerships that bring together workforce expertise and enable pathways into high-quality careers that help reduce GHG emissions and other air pollutants; (2) high-quality training models, such as pre-apprenticeships or Registered Apprenticeship Programs, that are worker-centered, demand-driven, and lead to good jobs that help reduce GHG emissions and other air pollutants; and (3) strategies for recruiting and retaining individuals from disadvantaged communities, especially for populations that face barriers to employment. Given that workforce development opportunities can be significant to achieving environmental and climate justice in many communities, EPA anticipates making a minimum of fifteen awards for high-ranking applications that include a workforce training program as further described in [Section V.E](#). Note that it is a statutory requirement that workforce development activities funded under this program be focused specifically on reducing greenhouse gas emissions and other air pollutants.

⁵ A circular economy keeps materials, products, and services in circulation for as long possible.

Requirement 2. Pollution Reduction Strategies: Applications must include at least one project aligned with at least one of the Pollution Reduction Strategies identified below. When addressing the strategy in their application, applicants should describe relevant challenges faced in the Project Area and how the selected Pollution Reduction Strategy(ies) will address those challenges. Each Pollution Reduction Strategy outlined below is focused on pollution monitoring, prevention, and remediation of quantifiable and health-harming pollutants.

Applications that include activities to increase monitoring capabilities or raise community awareness of pollution must also include an associated remediation, implementation, or infrastructure pollution reduction project that addresses the identified pollution issue.

Examples of project activities and guidelines associated with the strategies can be found in Appendix D. While applicants may select from among the examples in the Appendix, applicants may also submit other types of project activities as long as they are consistent with a Pollution Reduction Strategy described in [Section I.G](#) of the NOFO and are eligible for funding under §138(b)(2) of the CAA.

Strategy 1: Indoor Air Quality and Community Health Improvements

Disadvantaged communities often face high levels of indoor air pollution from several sources, including mold, lead paint, radon, asbestos, fossil fuel combustion, and pollution from outdoors that seeps inside. These pollutants can have a detrimental impact to human health, particularly for vulnerable populations including children, the elderly, and people with health conditions like asthma and heart disease.⁶ Activities under Strategy 1 can include education on air toxins / toxics and how to monitor them (e.g., curriculum development, outreach strategies, public education activities) and direct assessment and remediation to reduce harmful air pollution (e.g., installation of filtration systems, building retrofits that address multiple sources of pollution, replacement of wood heaters that do not meet EPA standards, asbestos abatement in schools).

Strategy 2: Outdoor Air Quality and Community Health Improvements

Outdoor air pollution from mobile and stationary sources can compromise human health and the environment in many ways, including by triggering asthma attacks and heart attacks, exacerbating respiratory disease, and causing children and adults to miss school and work on bad air days. Activities funded under Strategy 2 could include: funding the purchase, upgrade, and / or maintenance of equipment and technology to allow for the inspection, testing, monitoring, and sampling of air pollution; purchasing equipment that limits community exposure to outdoor air pollutants; and reducing exposure to near-road pollution, pollution from airports and ports, and mobile source pollution. This could include land use and zoning policies that enable households to live in affordable, dense, and vibrant communities within urban and rural areas. These activities can be bolstered by educating the public on air toxins / toxics and how to monitor them (e.g., curriculum development, outreach, public education), and communication of air pollution assessment results to reduce exposure, including during environmental emergencies or events where the risk of pollution exposure is high.

Strategy 3: Clean Water Infrastructure to Reduce Pollution Exposure and Increase Overall System Resilience

Disadvantaged communities often lack access to clean water and clean drinking water. Functional water infrastructure is essential for protecting the quality of drinking water resources as well as the safety of recreational waters communities use for subsistence fishing, swimming, and other activities everyone deserves to enjoy. Strategy 3 addresses challenges communities face in accessing clean, reliable drinking water and wastewater treatment. Projects funded under this strategy may include focused

⁶ [Indoor Air Quality \(IAQ\)](#).

infrastructure investments that can be completed within the three-year project period and within the funding amounts specified in this NOFO, as well as assessment and planning that will enable communities to better access tens of billions of dollars in federal water infrastructure funding from other sources such as EPA's Clean Water and Drinking Water State Revolving Funds. Targeted infrastructure projects can include identification and replacement of lead pipes in homes and public spaces, improved resilience of water systems through deployment of backup power such as onsite renewable energy and storage, targeted efficiency upgrades, septic to sewer conversions, lining waste lagoons, and investments in redundancy such as backup wells. Assessment and planning efforts could include, for example, a leak detection and pipe replacement plan, or a PFAS monitoring program that informs a funding application to one of several sources of state and federal funding.

Strategy 4: Safe Management and Disposal of Solid and Hazardous Waste

Disadvantaged communities are disproportionately exposed to solid and hazardous waste, which negatively impacts public health. This strategy supports pollution prevention, recycling, and disposal activities related to the management of solid and hazardous waste, such as discarded electronics, tires, single-use plastics, and other disposable items. Community-level responses to these challenges could include, for example, the purchase of equipment and the development of facilities to manage solid and hazardous waste to improve public health outcomes. Brownfields cleanup is not contemplated under this strategy and is not a Community Change Grants program priority.

Requirement 3. Community Engagement and Collaborative Governance Plan: Track I applications must include a Community Engagement and Collaborative Governance Plan. Successful implementation of environmental and climate justice projects requires relationships and meaningful engagement among an ecosystem of community leaders and members alongside partners across many sectors. This plan is required to help ensure that grant activities are driven and informed by the views of the Project Area community and are accomplished through collaboration among key stakeholders. The plan should describe how the applicant will engage, educate, and be responsive to community members throughout project development and / or implementation. Additionally, the plan should incorporate a Collaborative Governance Structure that demonstrates how the Lead Applicant and Collaborating Entities (as described in [Section III.A](#)) will work together to successfully implement the grant in a timely, effective, and equitable manner.

The Community Engagement and Collaborative Governance Plan cannot exceed 10 single spaced pages – excess pages will not be reviewed. It should address the following elements and any others the applicant deems relevant to their projects:

- **Past Community Outreach and Engagement Conducted:** The applicant should demonstrate what outreach and engagement methods were used to engage with the Project Area community, including any with specific neighborhoods or groups, and how this impacted the selection of the strategies and associated projects as well as the applicant's implementation approach.
- **Community Engagement Plan Implementation:** The applicant should demonstrate the specific community engagement methods, as well as how they will mitigate barriers and involve relevant governmental stakeholders, necessary to support overall implementation including:
 - **Clear Methods for Engagement and Transparency:** The applicant should describe the following elements:
 - Outreach methods that provide opportunities for broad and diverse community member involvement in project development and / or implementation and feedback during grant performance.
 - Transparent mechanisms that will promote meaningful accountability to the needs and preferences of residents in the Project Area.

- Mechanism(s) that will be used to continuously inform the community before and during project implementation on project status, benefits available to them through the project, and indicators being tracked, such as air quality improvements or trees planted.
 - **Mitigating Barriers:** The applicant should describe measures to minimize and mitigate barriers around community engagement and participation in project development and / or implementation including but not limited to those related to linguistic differences, communication challenges, disabilities, inaccessible technology, lack of trust or awareness, transportation, childcare, and elderly / adult care.⁷
 - **Government Involvement:** As applicable, the applicant should demonstrate the support and involvement of government agencies needed to facilitate successful grant performance. For example, projects that intersect with local-government authorities such as permitting, planning, and zoning are encouraged to demonstrate the involvement and cooperation of local government authorities.
- **Collaborative Governance Structure:** The applicant should provide details regarding the roles and responsibilities of the Lead Applicant, Collaborating Entities, and community residents and / or community-selected representatives for implementing, managing, and overseeing the application's project activities, including how they should meet regularly to discuss project implementation. The description should include at a minimum:
 - Outreach methods to solicit community representatives and processes to choose representatives to enable a broad cross-section of community representatives to participate so different voices are heard.
 - An explanation of how the Lead Applicant and Collaborating Entities will coordinate with each other and community members to inform and engage the community on project development and progress.
 - An outline of the planned decision-making processes between the Lead Applicant and Collaborating Entities, including procedures to ensure that decisions are transparent and can be made in an expedited manner when necessary.
 - Processes for replacing a Collaborating Entity to ensure that the replacement entity has comparable skills, qualifications, expertise, community support, and experience to avoid any adverse impact on grant performance. EPA approval of the qualifications, expertise, and experience of the replacement Collaborating Entity will be required pursuant to 2 CFR 200.308I(2) and / I(c)(6).

Note: Awards may include terms and conditions requiring that subaward agreements between the Lead Applicant and Collaborating Entities (including the Statutory Partner described in [Section III.A](#)) contain provisions reflecting certain of the requirements above.

Requirement 4. Community Strength Plan: Track I applications must include a Community Strength Plan. Advancing environmental and climate justice requires bolstering the strength and economic prosperity of a community for the benefit of local residents, while also ensuring those residents can remain within the community and benefit from the investments over the long term. [Executive Order 14096](#), *Revitalizing Our Nation's Commitment to Environmental Justice for All*, states, "Advancing environmental justice will require investing in and supporting culturally vibrant, sustainable, and resilient communities in which every person has safe, clean, and affordable options for housing, energy, and transportation. It is also necessary to prioritize building an equitable, inclusive, and sustainable economy that offers economic opportunities.

⁷ Refer to the EPA Office of Grants and Debarment Guidance on Selected Items of Cost for Recipients, EPA Guidance on Participant Support Costs, and EPA Subaward Frequent Questions, including for additional information on paying for light refreshments, providing dependent care stipends or services for community meeting participants, and meeting participant transportation stipends.

Pursuing these and other objectives integral to advancing environmental justice can successfully occur only through meaningful engagement and collaboration with underserved and overburdened communities to address the adverse conditions they experience and ensure they do not face additional disproportionate burdens or underinvestment.”

In alignment with this Executive Order and to help EPA assess whether the proposed projects will benefit disadvantaged communities, as required by §138(b)(1) of the CAA, this plan should describe how the projects in the application are intended to (1) maximize the economic benefits of the projects for existing residents in the Project Area, and (2) avoid unintended consequences for existing residents in the Project Area including the displacement of residents in the Project Area.

This plan cannot exceed 5 single-spaced pages – excess pages will not be reviewed. Consistent with the above discussion, the plan should address the following elements.

1. Maximizing Economic Benefits of Projects:

The plan should describe how the projects included in the application will maximize economic benefits for individuals in the Project Area, including priority populations defined in footnote 3.

Examples of economic benefits, as described below, could include (1) opportunities for local small businesses or contractors; (2) jobs for community members; (3) financial savings for residents; and other similar benefits, in alignment with EPA grant regulations and applicable law.⁸

- **Business Opportunities:** Applicants may need to hire contractors to carry out certain project activities. Applicants may inform local businesses of open solicitations and encourage them to compete for contracts. For example, applicants may consider partnering with their local government’s small business office to broadly advertise contracting opportunities. Similarly, applicants should make a “good faith effort” to provide disadvantaged business enterprises (DBEs) with an opportunity to compete for contracts in accordance with [EPA’s 40 CFR Part 33 Disadvantaged Business Enterprise rule](#).⁹
- **Job Opportunities:** Applicants may propose measures to facilitate the employment and retention of workers from disadvantaged communities on funded projects. For example, applicants may propose developing recruitment strategies in partnership with their local workforce development board; funding supportive services for workers on grant-funded projects (e.g., transportation, childcare, mental health supports), coordinating such services with local social service providers; or establishing goals for hiring individuals from disadvantaged communities on the projects and transparently tracking progress toward those goals. Applicants may propose measures to increase community awareness of these job opportunities and the associated skill requirements, such as hiring workshops or job fairs. Applicants may also describe specific measures that will ensure Project Area residents are developing skills that are necessary to take advantage of existing or future jobs in professions contributing to the reduction of GHG emissions and other air pollutants.

⁸ Note that applicants are not bound by statutory or administrative local-preference requirements, per 2 CFR 200.319(c).

⁹ Note: Please carefully review Section IV.d, “Contracts and Subawards,” of EPA’s Solicitation Clauses that are incorporated by reference in this NOFO in [Section I.J](#). EPA expects recipients of funding to comply with competitive procurement contracting requirements. 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 a firm or individual’s “unique” qualifications. For example, applicants cannot name local contractors as part of this Community Strength Plan without adhering to these competitive procurement requirements.

Note: Jobs funded under this program should be high-quality jobs, in alignment with the U.S. Department of Labor and Commerce's [Good Jobs Principles](#), as described in Appendix E. Applicants may propose measures to increase the likelihood that these will be good jobs for individuals from disadvantaged communities, such as training for employers / contractors on grant-funded projects to promote best practices such as equal opportunity recruitment and hiring practices, good benefits, healthy organizational culture, and opportunities for advancement. Additionally, jobs for construction activities funded under this grant will be required to pay prevailing wage rates, as required by CAA § 314 and the Davis-Bacon and Related Acts.

- **Financial Savings:** Applicants may also describe how and the extent to which Project Area residents will receive direct economic benefits from the Climate Action and Pollution Reduction projects in the applications, such as through energy bill savings or affordable zero- or low-emission transportation solutions. The plan may also discuss how the applicant plans not only to deliver these benefits for residents in the short-term but also to preserve them for the long-term. As an example, applicants working on a transportation project that will deliver immediate cost savings for residents may negotiate with a vendor / contractor to lock-in long-term cost savings for community members.

Applicants may consider using tools to align stakeholders around these benefits, such as a Community Benefits Agreement (CBA), which is a legally binding contract that defines benefits. Parties to a CBA may include CBOs, neighborhood associations, local government entities, contractors and developers, and other similar project stakeholders. Applicants are reminded of the three-year period of performance for the grant and should be prepared to expeditiously begin the negotiation of community benefits to prevent project delays.

2. Displacement Avoidance:

Benefits to disadvantaged communities can be evaluated by whether residents are able to retain the benefits of EPA-funded projects over the short and long-term. While climate action and pollution reduction can have a positive impact on a community, those benefits can also lead to unintended consequences, such as increased costs of living in a Project Area. Given that the purpose of CAA §138 is to fund activities that will benefit disadvantaged communities, applicants should describe measures to increase the likelihood that existing community members of the Project Area will benefit from investments in both the immediate and long term.

Applicants should discuss potential short-term and long-term risks associated with the proposed projects to residents, small businesses, nonprofits, and other community members in the Project Area. Applicants should assess and describe the community's vulnerability to rising costs attributable to the proposed projects and assess potential impacts to households, small businesses, and other existing groups. Based on the specific risks identified, applicants should describe measures for mitigating those risks as applicable. Some measures can mitigate these displacement vulnerabilities in the short-term, whereas other measures can have long-term impacts. For example, for projects that increase the energy efficiency of multi-family housing facilities, and that may have the unintended effect of raising rents for those facilities, the approach may focus on outreach / education to residents, such as information packets, tenant protection workshops that feature information about tenant rights under applicable state and local laws, or other educational activities. Other approaches may focus on securing commitments from landlords benefiting from EPA-funded property improvements to extend affordable housing covenants or agree not to raise rents

unnecessarily.¹⁰ Applicants can also describe how they will work with relevant entities, such as local governments, to create policies, plans, or programs to mitigate unintended impacts of the EPA-funded investments.

Applicants should describe any work already underway in the Project Area that would mitigate these risks, or existing policies, ordinances, or programs that are relevant. For example, an applicant could describe any ordinances in the Project Area designed to expedite construction or availability of additional affordable housing. Applicants can also describe any Climate Action and Pollution Reduction Strategies proposed as part of this application that might help mitigate displacement risks by providing project co-benefits. For example, a strategy that promotes increased housing density as a tool to reduce emissions could have the co-benefit of reducing housing costs by increasing housing supply.

Requirement 5. Readiness Approach: Given the statutory requirement that all Community Change Grants must be completed within three years, applicants must describe their approach for initiating grant performance upon award, or generally within 120 days after award, in compliance with the requirements in 2 CFR Parts 200 and 1500, 40 CFR Part 33 that apply to all EPA grants so they can successfully complete the grant within the three-year period.

This includes addressing the readiness considerations listed below, and any others, that are applicable to the projects and how they will be met. If any of the below considerations are not applicable, the application should explain why not.

- **Government Approvals:** If government approval at any level (e.g., construction permits) is necessary to implement or perform a project, the applicant must demonstrate that they have obtained such approval. If such approval has not been obtained, then the applicant must demonstrate how they will obtain it immediately after award, so it does not impede grant implementation.
- **Federal Requirements for Construction Projects:** Applicants must demonstrate that they have systems in place, or a plan to have such systems in place immediately after the grant award, to comply with CAA § 314 and the Davis-Bacon and Related Acts prevailing wage requirement, the Build America Buy America domestic preference requirement, and other cross-cutting statutory and Executive Order requirements that apply to Federally funded construction projects.
- **Alignment with Existing Plans:** Applicants must demonstrate that the project(s) in the Project Area as defined in Appendix A are consistent with any community development, climate resilience, or hazard mitigation plans, or other comparable government land use restrictions.
- **Site Control:** Applicants must demonstrate that they own or control the site where a project will be performed or that they will have legally binding access or permission to the site so they can perform the project(s).
- **Operations and Maintenance:** Applicants must describe their operations and maintenance plan and financing approach for their project's infrastructure investments, if relevant, which may include long-term service costs, fee structures, detailed indebtedness for all properties, and other relevant information demonstrating how operations and maintenance of the investment will be assured during and after the grant award.

¹⁰ Note that any agreements must be in alignment with local and state housing laws. For example, in some instances, state or local law may allow a landlord to raise rents to compensate for increases in property taxes attributable to the value of EPA funded improvements.

Requirement 6. Compliance Plan: Applicants must submit a Compliance Plan that describes how they will: (i) ensure compliance with the grant’s terms and conditions, including 2 CFR § 200.302(b) (financial management), 2 CFR § 200.303 (internal controls), and 2 CFR § 200.332 (requirements for pass-through entities); and (ii) manage broader legal and compliance risks. This plan cannot exceed 5 single-spaced pages – excess pages will not be reviewed.

H. Funding Track II: Meaningful Engagement for Equitable Governance

Under this track, eligible applicants may submit projects, as described in CAA § 138(b)(2)(E), for “facilitating engagement of disadvantaged communities in State and Federal advisory groups, workshops, rulemakings, and other public processes.” EPA has interpreted “other public processes” as encompassing local, Tribal, and other governmental processes. All funded activities under this NOFO must comply with federal, state, and local laws and regulations, including but not limited to:

1. 2 CFR 200.435(b), which restricts the use of grant funds to defend a recipient that is subject to a criminal, civil or administrative proceeding against it commenced by any government for fraud or similar offenses;
2. 2 CFR 200.435(g), which precludes the use of grant funds to prosecute claims against the federal Government; and
3. 2 CFR 200.450(c), which restricts the use of federal funds by nonprofit organizations for certain lobbying or electioneering activities but does not preclude the use of federal funds to promote adoption of local ordinances, including those related to zoning.
4. 40 CFR Parts 5 and 7, which prohibit discrimination on the basis of race, color, national origin (including limited-English proficiency), disability, sex, and age by recipients and subrecipients of federal financial assistance.

Track II Objectives

Section 138 of the CAA provides that grants may be awarded for the purpose of “facilitating engagement of disadvantaged communities in State and Federal advisory groups, workshops, rulemakings, and other public processes.” Accordingly, Track II applications intend to build the capacity of communities and governments to evaluate and redress environmental and climate injustices by giving disadvantaged communities a meaningful voice in government decision-making processes. By supporting direct participation of disadvantaged communities in the development and implementation of solutions, policies, and programs, the Community Change Grants can help close equity gaps and redress environmental and climate injustices.

Track II applications should focus on breaking down systemic barriers to community participation in government processes impacting environmental and climate justice. This can be done by creating engagement and feedback mechanisms with two-way communications between community members and government decision-makers. Applications should focus on ways to provide disadvantaged communities with information about issues that directly impact them, while simultaneously creating mechanisms for the government to gather input to ensure community needs inform decision-making and are integrated into government processes and policies. Applications in this track should strive to enable communities to play a meaningful role in making and implementing decisions.

Effective projects should also involve partnerships between community organizations, governments, philanthropic organizations, the private sector, and / or third-party facilitators and evaluators who can support collaboration across sectors to facilitate the engagement of disadvantaged communities in governmental decision-making processes.

Track II Project Examples

The following are examples of activities that may be proposed under Track II. Applicants may expand or refine these examples or submit projects that are not listed below if they demonstrate how they will facilitate the engagement of disadvantaged communities in governmental processes.

Example 1. Educational and Training Programs

These projects prepare, train, and educate members of disadvantaged communities on how to engage in government processes related to environmental and climate justice activities.

Examples of activities that could be performed under this type of project include but are not limited to:

- Creating a leadership development program that trains community members to identify environmental and climate justice challenges, devise strategies to address them, and recommend actions to governmental authorities. Example topics could include how to review public sector budgets, navigate specific processes such as land-use ordinances or National Environmental Policy Act (NEPA) reviews, and participate effectively in public meetings. The [EPA EJ Academy](#) is an example of a type of project applicants may consider developing for their own community.
- Designing and implementing a training program to help members of disadvantaged communities effectively participate in advisory boards, commissions, land use authorities, or other bodies that involve community members in environmental and climate related policy making.
- Partnering with a government to develop and / or implement Equity Action Plans that identify and address barriers to equity and opportunity and discrimination that disadvantaged communities may face. Equity Action Plans should meaningfully incorporate community input and result in city-or-statewide transformational, equitable change in environmental or climate related policies. For informational purposes only, please find [here](#) a link to Equity Action Plans developed by federal agencies that may help applicants with designing and preparing these types of projects.

Example 2. Environmental Advisory Boards (EABs)

These are projects that facilitate the engagement of disadvantaged communities in environmental decision-making by establishing advisory councils, taskforces, or similar bodies to engage with government. These boards should have regular meetings to create consistent opportunities for disadvantaged communities to provide recommendations on actions government entities should take to address environmental and climate justice challenges. These bodies should include members from disadvantaged communities, may include additional representatives from other stakeholder groups that can effectively represent important and related perspectives (including Tribal, academia, youth / elderly / disability populations, government, etc.).

Examples of activities under an EAB-type project may include but are not limited to facilitating the engagement and involvement of disadvantaged communities in governmental processes at different levels of government to provide input, recommendations, and advice on matters such as:

- Permitting decisions for factories or industrial sites.
- Community infrastructure upgrades to address pollution and climate concerns.

- Zoning and siting guidance for fence-line / frontline communities¹¹ such as new school placements, highway construction, and industrial and commercial uses of land.
- Issues and actions of municipal and public utilities related to workforce development, drinking water shutoffs, drinking water quality and affordability, and aging wastewater treatment infrastructure in / near disadvantaged communities.

Example 3. Collaborative Governance Activities

These are projects that facilitate the process of providing recommendations and implementing decisions that will benefit disadvantaged communities. Projects can focus on creating collaborative bodies with members from and / or representing the interests of disadvantaged communities, governmental entities, and other stakeholders to work on environmental and climate justice issues.

Functions these bodies may focus on include co-producing solutions with disadvantaged communities to identify and address environmental issues. This could be done through obtaining feedback from a wide range of experts and stakeholders, including but not limited to those working in public health, housing, economic development, environmental justice, and other relevant fields, to identify environmental and directly related public health issues, develop solutions, and then work towards implementing the ideas with the necessary parties.

Examples of activities under a collaborative governance project may include but are not limited to facilitating the engagement and involvement of disadvantaged communities in governmental processes on matters such as:

- Participating in the development of one or more community benefits agreements to help ensure that environmental projects funded by federal, state, and / or private entities meaningfully engage and account for community needs. For informational purposes only, the resource [here](#) from the Department of Energy provides information that may help applicants with designing and preparing these types of projects.
- Creating a governance body or “development community” for a brownfields post-cleanup redevelopment project.¹²
- Creating a source water protection plan to protect public health and reduce burdens on water systems.
- Recommending organizational changes to government entities that make them more receptive and sensitive to the environmental and climate justice concerns of disadvantaged communities.

Example 4. Participation in Governmental Funding and Budgeting Processes

These are projects that use participatory budgeting to inform public spending on environmental priorities. Participatory budgeting is an approach to making decisions about governmental spending that is focused on meaningfully and deeply engaging the community in governmental funding processes. Projects can enable community-based organizations to partner with a public entity to design and implement processes whereby members of disadvantaged communities have input into, and influence, decisions about how to allocate public budgets for environmental and climate justice priorities. An example of a project using participatory budgeting could involve designing a program where the community identifies problems,

¹¹ A fence-line community or frontline community is generally one immediately adjacent to high polluting facilities such as industrial parks, manufacturing facilities, or commercial facilities and is directly affected by the noise, odors, traffic, and chemical and pollution emissions of the operations of these entities.

¹² U.S. Department of Health & Human Services. [Build a Development Community](#).

evaluates proposals, and recommends decisions for public funding of projects that implicate environmental and climate justice issues.

I. EPA Strategic Plan Linkage, Anticipated Outputs, Outcomes & Performance Measures

1. Strategic Plan Linkage

Awards made under this NOFO will support the following goals and objectives of the [FY 2022-2026 EPA Strategic Plan](#). Applications must explain how their projects will further these goals and objectives.

Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights

- Objective 2.1: Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels which includes the strategy of Building Community Capacity and Climate Resilience and Maximizing Benefits to Overburdened and Underserved Communities: EPA will increase support for community-led action by providing unprecedented investments and benefits directly to communities with environmental justice concerns and by integrating equity throughout Agency programs.

Depending on the projects included in them, awards will also support and advance the following EPA [Strategic Plan Goals](#) as applicable:

- Goal 1: Tackle the Climate Crisis
- Goal 4: Ensure Clean and Healthy Air for All Communities
- Goal 5: Ensure Clean and Safe Water for All Communities
- Goal 6: Safeguard and Revitalize Communities; and
- Goal 7: Ensure Safety of Chemicals for People and the Environment.

2. Environmental Results: Outputs and Outcomes

Pursuant to [EPA Order 5700.7A1, Environmental Results under Assistance Agreements](#), applicants must describe the environmental outputs and outcomes to be achieved under the award. Applicants should specifically describe 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 goals and objectives of the Community Change Grants program.

The following questions may be useful to consider when developing output and outcome measures of quantitative and qualitative results:

- What measurable short- and longer-term results will the grant achieve?
- How will the Lead Applicant and Collaborating Entities measure progress in achieving the expected results (including outputs and outcomes), and how will the approach to measuring progress use resources effectively and efficiently?
- Are the projected outputs and outcomes specific and detailed? Are specific target measures included where possible? Are target measures reasonable and achievable within the project period and for the funding amount?

See Appendix F for further details on expected outputs and outcomes from Track I and II awards.

3. Performance Measurement Plan

The evaluation component of the Community Change Grants is essential. In their Performance Measurement Plan, applicants should describe how they plan to track and measure their project implementation and progress towards achieving the expected outputs and outcomes, including those identified in Appendix F, throughout the performance period.

Generally, higher quality performance measurement plans include specific target metrics for both outputs and outcomes. The applicant's performance measurement plan should help gather insights, will be a mechanism to track progress toward output and outcome objectives, and may provide the basis for developing lessons learned to inform future funding recipients.

Applicants should incorporate program evaluation activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting project goals. Applications may include funding in the budget for personnel with expertise in planning, designing, developing, implementing, and evaluating programs.

J. Additional Provisions for Applicants Incorporated into the NOFO

Additional provisions that apply to Sections III, IV, V, and VI of this NOFO and / or awards made under this NOFO can be found at [EPA Solicitation Clauses](#). These provisions are important for applying to this NOFO, and applicants must review them when preparing applications for this NOFO. If you are unable to access these provisions electronically at the website above, please email CCGP@epa.gov to obtain the provisions.

Section II. Federal Award Information

[\(back to the Table of Contents\)](#)

A. Number and Amount of Awards

EPA anticipates awarding approximately \$2 billion in funding through this NOFO depending on funding availability, quality of applications received, EPA priorities, and other applicable considerations. Awards under Track I are expected to be between \$10-20 million each and cannot exceed \$20 million. Awards under Track II are expected to be between \$1-3 million each and cannot exceed \$3 million. EPA expects to award approximately \$1.96 billion for about 150 Track I awards, including those under the Target Investment Areas described below in B, and approximately \$40 million for about 20 Track II awards. These amounts are estimates only, and EPA reserves the right to increase or decrease the total number of awards and funding amounts for each Track contingent on the quality of applications received, the amount of funds awarded to selected applicants, budget availability, and / or agency priorities and programmatic considerations. In addition, given that workforce development programs as described in [Section I.G](#) can be significant to achieving environmental and climate justice in many communities, EPA anticipates making a minimum of fifteen awards for high-ranking applications that include a workforce training program(s) as further described in [Section V.E](#).

B. Target Investment Areas (TIA) for Track I Applications

Out of the \$2 billion in funding, EPA has identified five Target Investment Areas (TIA) listed below to help ensure that communities with unique circumstances, geography, and needs can equitably compete for funding. The amounts are estimates only and subject to change based on the number and quality of applications received, funding considerations, and agency priorities. Applicants interested in submitting an application for projects benefitting a TIA must identify this in their application. Consistent with the Track I evaluation process described in [Section V](#), applications for these areas will be evaluated against each other (for example, applicants for TIA C will be evaluated against other applicants for TIA C). Applications for the TIAs must address the Track I application requirements identified in [Section I.G](#).

- TIA A: Tribes in Alaska: an estimated \$150 million for projects benefitting Indian Tribes in Alaska.
- TIA B: Tribes in the Continental United States and Hawaii: an estimated \$300 million for projects benefitting Tribal communities outside Alaska. This also includes projects benefitting Tribal communities that are in the Border Area identified below in E.
- TIA C: Territories: an estimated \$50 million for projects benefitting disadvantaged communities in the United States' territories of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.
- TIA D: Disadvantaged Unincorporated Communities: an estimated \$50 million for projects benefitting disadvantaged unincorporated communities as defined in Appendix A.
- TIA E: United States (U.S). – Southern Border Communities: Consistent with EPA's longstanding approach to addressing transborder climate and pollution challenges, an estimated \$100 million for projects benefitting non-Tribal disadvantaged communities within 100 kilometers north of the U.S.-Mexico border.

Special Requirements for Cross-Border Projects to Benefit U.S. Disadvantaged Communities

EPA's strong preference is that the work for all projects to be performed under the awards made through this NOFO will be performed entirely within the United States. However, in limited circumstances, projects to benefit U.S. disadvantaged communities near an international border may require some international work to be performed within 100 kilometers of that border (e.g., within 100 km south of the U.S.-Mexico

border for a TIA E application, or within 100 km north of the U.S.-Canada border for any application). In those limited cases, to be eligible for funding consideration, the applicant must demonstrate in their application that:

- The project(s) will directly and predominantly benefit disadvantaged communities in the U.S., for example by monitoring and / or preventing pollution from an international source that is impacting the disadvantaged community in the U.S.
- Any work outside of the U.S. is necessary for the project(s) to be successful in benefitting the disadvantaged communities in the U.S. — e.g., the project(s) will not be effective otherwise.
- Any work outside of the U.S. will not be a substantial part of the project.
- The applicant will ensure that any work outside of the U.S. will be timely and properly completed and monitored to ensure it is effectively performed.

Failure to address how the application meets these conditions will render the application ineligible for review as stated in Section III.D. Applications involving cross-border work that are selected for award must address any cross-border work issues (e.g., site access and control) during the workplan negotiations following selection and before award. The appropriate terms and conditions will be included in the grant. Projects benefitting Project Areas along the U.S.-Mexico Border should be consistent with guidance and best practices outlined by EPA's Border Program.^{13 14}

C. Rolling Application Submittal and Review Process, Application Award Limits, and Application Resubmission Procedures

1. Applications may be submitted under this NOFO through November 21, 2024, to provide applicants, to the maximum extent practicable, flexibility on when to submit an application. Applications will be reviewed and evaluated on a rolling basis as described in [Section V](#) to facilitate and expedite the review and award process. EPA cannot guarantee that funding will be available through the end of the NOFO 12-month application period as funding availability is dependent on the volume and quality of applications received, as well as other applicable programmatic and funding considerations. As such, it is possible that funding could be exhausted before the conclusion of the 12-month rolling application period.
2. Under this NOFO, Lead Applicants, as defined in [Section III.A](#), may submit a maximum of two eligible applications and receive up to two awards if they demonstrate their capacity and capabilities to effectively perform, manage, oversee, and complete both awards within the three-year grant period of performance. The two applications may be either two Track I applications or two Track II applications, or one of each. Lead Applicants who submit more than two total eligible applications will be asked to withdraw the excess one(s). EPA will not review more than two eligible applications from any one Lead Applicant.
3. Lead Applicants whose initial eligible application(s) is not selected for funding may, after timely requesting and receiving a debriefing on the application (as described in the Section VI Debriefings and Disputes clauses included in the [EPA Solicitation Clauses](#)), resubmit a revised application one additional time while the NOFO remains open. For example, if a Lead Applicant submits two eligible applications and both are not initially selected for funding, they may resubmit each application one additional time within the 12-month NOFO open period as explained above and further below. There is no guarantee that resubmissions, even after a debriefing, will be selected

¹³ [United States – Mexico Environmental Program.](#)

¹⁴ [U.S.-Mexico Border Program – Borderwide Resources.](#)

for funding. In addition, applicants who submit applications towards the end of the 12-month rolling period may not have an opportunity to resubmit the application because the NOFO is expected to close for applications on November 21, 2024. While EPA intends to review applications and provide debriefings as expeditiously as possible, applicants should keep this in mind when determining the timing of their application submission to ensure there is sufficient time for a resubmission.

4. The resubmitted application must be clearly identified as a resubmission of a previously submitted application by providing the date of the original submission through www.grants.gov and / or the date of the EPA debriefing in the updated application package. The resubmission should take into consideration the feedback received during a debriefing and any other relevant considerations, and it cannot be a completely different application from the one initially submitted. If EPA determines, in its sole discretion, that it is a different application bearing little resemblance to the original application, it may be rejected and not reviewed.

D. Conditional Awards

EPA may make conditional awards under this NOFO, which will be subject to applicable terms and conditions in the grant award.

E. Period of Performance

The period of performance of every grant funded under this NOFO cannot by statute exceed three years. There can be no extensions. Projects must be designed to be successfully and effectively completed within three years. EPA anticipates that the first awards under this NOFO will be made in the late Spring of 2024 and will continue to be made on a rolling basis until funding is exhausted. EPA cannot predict when funding will be exhausted since it is dependent on the volume and quality of applications received, as well as other applicable programmatic and funding considerations. As such, it is possible that funding could be exhausted before the 12-month rolling application period is over.

F. Partial Funding

EPA reserves the right to partially fund applications by funding discrete portions or phases of applications. If EPA decides 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, and therefore maintains the integrity of the competition and selection process. **To facilitate consideration of an application for partial funding, if applicable, EPA recommends that applications separate costs for the proposed grant in the program budget by project category, to the extent practicable.**

G. Additional Awards

EPA reserves the right to make additional awards under this NOFO, consistent with EPA policy and guidance, if additional funding becomes available after all the selections are made under this NOFO. For this NOFO, this only applies to making additional awards for those applications considered during the final monthly review, described in [Section V](#). Any additional selections for awards will be made no later than 6 months after the final monthly review.

H. Funding Type

EPA anticipates awarding cooperative agreements under this NOFO because it is expected that there will be substantial Federal involvement through the EPA Project Officer with selected applicants in the performance of the grant and for effective EPA oversight of grantee performance. Although EPA will negotiate precise terms and conditions relating to substantial federal involvement as part of the award process with each grantee awarded a cooperative agreement, the anticipated substantial federal involvement may include:

- Closely monitoring the grantee's performance to verify the results reported by the applicant;
- Reviewing proposed procurement, in accordance with the Procurement Standards in 2 CFR Parts 200 and 1500;
- Reviewing evidence of completion of project phases (e.g., planning) before providing approval for the grantee to begin work on the next project phase (e.g., implementation);
- Reviewing the substantive terms of contracts, subawards, or other financial transactions (EPA will not select contractors, subrecipients, or program beneficiaries);
- Approving qualifications of key personnel (EPA will not select employees or contractors employed by the grantee);
- Reviewing and commenting on reports prepared under the cooperative agreement (the final decision on the content of reports will rest with the grantee); and
- Addressing compliance with Build America, Buy America requirements, in accordance with 2 CFR § 184, and providing technical assistance, if necessary, on compliance with CAA § 314 and the Davis-Bacon and Related Acts.

In addition, there may be Federal involvement with selected applicants in the performance of the grant, which may include co-sponsoring community meetings and other events and collaborating during performance of the scope of work.

Section III. Eligibility Information

[\(back to the Table of Contents\)](#)

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

A. Eligible Applicants

Consistent with CAA §138(b)(3) and Assistance Listing 66.616, applicants eligible to apply and receive grants under this NOFO are (1) a partnership between two community-based nonprofit organizations (CBOs) as defined below, or (2) a partnership between a CBO and one of the following: a federally recognized Tribe, a local government, or an institution of higher education. These types of partnerships for eligibility purposes are known as Statutory Partnerships. Further eligibility requirements are described below.

1. Community-Based Non-Profit Organization (CBO)

To qualify as a CBO for eligibility purposes, an organization must demonstrate that they are a “nonprofit organization” as defined at 2 CFR 200.1, which “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 and is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization.”

Applicants must include documentation in their application demonstrating that they are a nonprofit organization by one of two ways: 1) a written determination by the Internal Revenue Service that they are exempt from taxation under Section 501 of the Internal Revenue Code, or 2) based on a written determination by the state, territory, commonwealth, Tribe, or other United States governmental entity in which they are located. This can be done, for example, by submitting a letter, certificate, or articles of incorporation from the state where the organization is located that recognizes them as a nonprofit organization. Nonprofit organizations described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995 are not eligible to apply. Foreign non-profit organizations cannot qualify as a CBO for eligibility purposes.

In addition to being considered a nonprofit organization, an organization must demonstrate that they are a public or private nonprofit organization that supports and / or represents a community and/or certain populations within a community through engagement, education, and other related services provided to individual community residents and community stakeholders. A “community,” for these purposes, can be characterized by a particular geographic area and / or by the relationships among members with similar interests and can be characterized as part of a local, regional, or national community where organizations are focused on the needs of urban, rural, and / or Tribal areas, farmworkers, displaced workers, children with high levels of lead, people with asthma, subsistence fishers, and other similar groups. For purposes of this NOFO, the CBO must have a geographic presence or connection in, or relationship with, the specified community that the projects are intended to benefit. For example, national or statewide CBOs must demonstrate the CBO’s connection to the community that will benefit from the grants.

For the purposes of this NOFO, applicants that demonstrate that they are Alaska Native Nonprofit Organizations or Alaska Native Nonprofit Associations are considered CBOs. In addition, Inter-Tribal Consortia may be able to qualify as CBOs if they meet the above requirements. The for-profit Alaskan Native Corporations are not eligible under the CBO definition and therefore are unable to apply as CBOs.

2. Local Government (in partnership with a CBO)

The following units of government within a state, as defined by the regulations in [2 CFR 200.1](#), are eligible to enter a Statutory Partnership with a CBO:

- County
- Borough
- Municipality
- City
- Town
- Township
- Parish
- Local public authority, including any public housing agency under the United States Housing Act of 1937
- Special district
- School district
- Intrastate district
- Council of governments, whether incorporated as a nonprofit corporation under State law; and
- Any other agency or instrumentality of a multi-, regional, or intra-State or local government.

3. Federally Recognized Tribe (in partnership with a CBO)

For the purposes of eligibility for entering into a Statutory Partnership with a CBO, EPA uses the definition of “Indian Tribe” in §302(r) of the CAA which provides that the term “...means any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village, which is Federally recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.” Note that this definition does not include Alaskan Native Corporations or State-recognized Tribes.

4. Institutions of Higher Education (in partnership with a CBO)

For the purposes of eligibility for entering into a Statutory Partnership with a CBO, the grant regulations at [2 CFR 200.1](#) state that Institutions of Higher Education (IHEs) are defined at [20 U.S.C. § 1001](#).

EPA also recognizes that it is important to engage all available minds to address the environmental and climate justice challenges the nation faces. Accordingly, EPA encourages Minority Serving Institutions (MSIs) to participate in the grants under this NOFO, including by partnering with a CBO.

For purposes of this NOFO, the following are considered MSIs:

1. Historically Black Colleges and Universities, as defined by the Higher Education Act (20 U.S.C. § 1061(2)). A list of these schools can be found at [Historically Black Colleges and Universities](#).
2. Tribal Colleges and Universities (TCUs), as defined by the Higher Education Act (20 U.S.C. § 1059c(b)(3) and (d)(1)). A list of these schools can be found at [American Indian Tribally Controlled Colleges and Universities](#).
3. Hispanic-Serving Institutions (HSIs), as defined by the Higher Education Act (20 U.S.C. § 1101a(a)(5)). A list of these schools can be found at [Hispanic-Serving Institutions](#).
4. Asian American and Native American Pacific Islander-Serving Institutions; (AANAPISIs), as defined by the Higher Education Act (20 U.S.C. § 1059g(b)(2)). A list of these schools can be found at [Asian American and Native American Pacific Islander-Serving Institutions](#).

5. Predominantly Black Institutions (PBIs), as defined by the Higher Education Act of 2008, 20 U.S.C. § 1059e(b)(6). A list of these schools can be found at [Predominantly Black Institutions](#).

B. Statutory Partnership Requirements and Collaborating Entities

Please refer to Section III.A above for who is eligible to apply for the grants. The Statutory Partnership application is comprised of one Lead Applicant (an eligible CBO, Federally recognized Tribe, local government, or institution of higher education) who enters into a Partnership Agreement with one Statutory Partner (which is one of the following eligible entities– a CBO, Federally recognized Tribe, local government, or institution of higher education) to carry out the grant activities if the application is selected for funding. Please note that a CBO must be either the Lead Applicant or a Statutory Partner in every Statutory Partnership (e.g., there cannot be a statutory partnership of a local government and an institution of higher education or either of these entities and an Indian Tribe). In other words, as identified in Section III.A all Statutory Partnerships must include a CBO. If the application is selected for award, the Lead Applicant will enter into a subaward with the Statutory Partner that must contain the elements of the Partnership Agreement in Appendix B. The Lead Applicant must include a copy of a written and signed Partnership Agreement with their application to be eligible for funding consideration.

To ensure effective grant performance to meet the objectives of the Community Change Grants outlined in [Section I](#), subawards from the Lead Applicant to other entities to implement and perform specific grant project activities identified in the application will be necessary. These other entities, including the Statutory Partners, are collectively referred to as Collaborating Entities in the NOFO. Given the community centered focus of the Community Change Grants, applications that do not include Collaborating Entities will likely not score well during the evaluation process. Collaborating Entities may include Statutory Partners (CBOs, Federally-recognized Tribes, local governments, and institutions of higher education) and entities that cannot legally be Statutory Partners (e.g., states, territorial governments, and international organizations). However, for-profit firms and individual consultants or other commercial service providers cannot be Collaborating Entities. Subawards made by the Lead Applicant and Collaborating Entities to implement the project strategies and activities under the application must be made consistent with the grant regulations at 2 CFR 200.331 and as permitted in [Appendix A of the EPA Subaward Policy](#).

If selected for award, the Lead Applicant will become the grantee, operating as a pass-through entity for purposes of 2 CFR Part 200 and the [EPA Subaward Policy](#), and taking responsibility for making subawards to Collaborating Entities. The Lead Applicant will also be accountable to EPA for effectively carrying out the full scope of work and the proper financial management of the grant (including the subawards it makes under the grant, and contracts to consultants and procurement contractors selected in accordance with the competitive procurement requirements in 2 CFR Parts 200 and 1500 as well as EPA’s 40 CFR Part 33 Disadvantaged Business Enterprise rule). Additionally, as provided in 2 CFR § 200.332, the Collaborating Entities, and other subrecipients, will be accountable to the Lead Applicant for proper use of EPA funding. Note that pursuant to 2 CFR § 200.332(a)(2), as implemented in Items 2 and 4 of EPA’s *Establishing and Managing Subawards* [General Term and Condition](#), successful Lead Applicants in the Statutory Partnership must ensure that the terms and conditions of the grant agreement “flow down” to all subrecipients in the subawards. EPA has developed an optional template for subaward agreements, available in [Appendix D of the EPA Subaward Policy](#).

As noted above, Collaborating Entities cannot include for-profit procurement contractors or individual consultants who may be involved in project performance but who receive procurement awards made in compliance with the competitive procurement requirements in 2 CFR Parts 200 and 1500 and 40 CFR Part 33. Further information on procurement and distinguishing between subawards and procurement

transactions can be found in the [Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#) and in [EPA Subaward Policy](#).

C. Cost-Sharing or Matching Funds

No cost-sharing or matching is required as a condition of eligibility under this NOFO.

D. Threshold Eligibility Criteria

Applications must meet the threshold eligibility criteria below to be considered for funding. **Applications that do not meet all the applicable threshold eligibility criteria will be deemed ineligible for funding consideration and will not be considered further.** If necessary, EPA may contact applicants to clarify issues relating to threshold eligibility criteria compliance prior to making an eligibility determination. In addition, applicants should contact EPA with any questions about the threshold eligibility criteria prior to submission of their applications. Applicants whose applications are deemed ineligible for funding consideration because of the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

Applications must meet the following threshold eligibility criteria to be considered eligible for funding under this NOFO:

1. Applications must comply with the content and submission requirements listed below.
 - Applications must substantially comply with the application submission instructions and requirements set forth in [Section IV](#) of this NOFO or else they will be rejected. However, where a page limit is expressed in [Section IV](#) with respect to the application, or parts thereof, pages in excess of the page limitation will not be reviewed. Applicants are advised that readability is of paramount importance and should take precedence in application format, including selecting a legible font type and size for use in the application.
 - In addition, initial applications must be submitted through Grants.gov as stated in [Section IV](#) of this NOFO (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 NOFO. Applicants are responsible for following the submission instructions in [Section IV](#) of this NOFO to ensure that their application is timely submitted. Please note that applicants experiencing technical issues with submitting through Grants.gov should follow the instructions provided in [Section IV](#), which include both the requirement to contact Grants.gov and email a full application to EPA prior to the deadline.
 - 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 technical problems associated with Grants.gov or SAM.gov. 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.

DO NOT WAIT! Register in SAM.gov or Grants.gov as soon as possible. Finalizing these registrations could take a month or more. You do not want a late registration to prevent you from being able to properly submit your application through [Grants.gov](#).

2. All applicants must meet the eligibility and statutory partnership requirements in III.A and include a Partnership Agreement (See Appendix B) with the application.

3. All applications must demonstrate, as required by CAA § 138(b)(1), that the projects will benefit disadvantaged communities as defined in Appendix A. While projects may have an incidental benefit to census block groups or other areas that are not considered disadvantaged communities as defined in Appendix A, the applicant must demonstrate how all the projects in the application will primarily benefit disadvantaged communities as defined in Appendix A.
4. Track I applications proposing to serve a geographically defined community identified as disadvantaged in Appendix A must submit a Project Area Map that defines which specific census block groups are designated as disadvantaged within the Project Area. Track I applications proposing to serve a farmworker community or DUC as defined in Appendix A must submit a Project Area Map showing where the communities that will benefit from the project are located.
5. Given the requirement under CAA § 138(b)(1) that all grants must be completed within three years, all applications must describe how the projects in the application, including any construction projects, can be completed within three years of award.
6. All Track I applications must include projects under at least one [Climate Action Strategy](#) and at least one [Pollution Reduction Strategy](#) as described in [Section I.G](#). Track I applications also must include a [Community Engagement and Collaborative Governance Plan](#), [Community Strength Plan](#), [Readiness Approach](#), and [Compliance Plan](#) as described in [Section I.G](#).
7. All Track I applications including a workforce development project under the Climate Action Strategy must demonstrate how it will help reduce air pollutants and GHG emissions.
8. All Track I applications for projects under [Climate Action Strategy 6: Brownfield Redevelopment](#), must be performed on sites where cleanup is complete or where the site does not require any cleanup activities for the intended use or reuse of the site, as well as meet the requirements stated in Appendix C for Brownfields Redevelopment projects.
9. All Track I applications for Pollution Reduction activities to increase monitoring capabilities or raise community awareness of pollution must also include an associated remediation, implementation, or infrastructure pollution reduction project that addresses the identified pollution issue.
10. Track I applications cannot request more than \$20 million in EPA funding and Track II applications cannot request more than \$3 million in EPA funding. Applications requesting more than these amounts will be rejected. If necessary, EPA will clarify any questions about the funding amounts requested prior to application review.
11. A Track I application for a TIA defined in [Section II.B](#) can only address one TIA. An application cannot address more than one TIA.
12. Track I applications submitted for TIA A benefitting Alaskan Tribal lands that include a project(s) for the assessment and cleanup of sites covered by the Contaminated ANCSA Lands Assistance Program must meet the relevant requirements specified in Appendix H.

13. Applications submitted for TIA E for U.S.-Southern Border Communities projects, as well as any including projects that may include project activities within 100 km of a U.S. border as discussed in [Section II.B](#), must meet the special requirements identified in [Section II.B](#).
14. Written applications must be submitted in English only. Applications written in languages other than English will not be reviewed or considered for award. If you need assistance to submit the written application in English, technical assistance may be available. Please refer to [Section I.E](#).
15. Multiple Applications. Lead Applicants may submit no more than two eligible applications under this NOFO, and receive no more than two awards, as explained in [Section II](#). Excess applications will not be reviewed. If a Lead Applicant submits more than two eligible applications, they will be contacted by EPA to determine which one(s) to withdraw. Notwithstanding this limitation, a Lead Applicant may be a Statutory Partner or Collaborating Entity on other applications.
16. Resubmissions. As stated in [Section II.C](#), a resubmitted application must be clearly identified as a resubmission of a previously submitted eligible application through such means as providing the date of the original submission and / or date of the EPA debriefing. It cannot be a completely different application from the one originally submitted. If EPA determines, in its sole discretion, that it is a completely different application bearing little resemblance to the original application, it may be rejected and not reviewed.
17. EPA will not consider any application that includes projects that are exclusively designed to conduct scientific research. However, applications may include research components such as building blocks for outreach, training, and program implementation projects. In such cases, applications should clearly articulate this link, explain why the research is necessary for the project's success, and ensure that such research does not already exist.
18. EPA will not consider any application requesting funding for assessment, removal, or remediation of Superfund sites.

Note: If an application is submitted that includes any ineligible projects, tasks, or activities, including but not limited to ones that EPA determines cannot be funded under the statutory / regulatory authorities for the grant, 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. This includes but is not limited to projects requesting funding for relocation activities as described in [Section I.F](#).

Applicants who have any questions about whether their project can be funded under the statutory / regulatory authorities for the grants and this NOFO, or whether certain costs related to the project are allowable costs, should clarify the issue with EPA prior to submitting their application. Failure to do so may result in the projects and / or costs being ineligible for funding and may impact the eligibility of the entire application.

Section IV. Application and Submission Information

[\(back to the Table of Contents\)](#)

Note: Additional provisions that apply to this section of the NOFO, including those related to Intergovernmental Review, can be found in the [EPA Solicitation Clauses](#).

A. Requirement to Submit through Grants.gov and Limited Exception Procedures

Applicants must apply electronically through [Grants.gov](#) under this NOFO based on the grants.gov instructions below. If your organization has no access to the internet or access is very limited, you may request an exception from applying through Grants.gov for the remainder of this calendar year by following the procedures outlined [here](#).

Issues with submissions with respect to this NOFO only are addressed in section 3: *Technical Issues with Submission* below.

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 in SAM.gov. If you do not have a SAM.gov account, then you will need to create an account using [login.gov](#) to complete your SAM.gov registration.

SAM.gov registration is FREE. The process for entity registration includes obtaining a Unique Entity ID (UEI), a 12-character alphanumeric ID assigned 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 renew your registration every 365 days to keep it active.

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

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

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 **registering in grants.gov for the first time can take a month or more** for new registrants. Applicants must ensure that all registration requirements are met 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.

Application Submission Process

To begin the application process under this NOFO, go to Grants.gov and click the red “Apply” button at the top of the view grant opportunity page associated with this opportunity.

The electronic submission of your application to this NOFO must be made by an official representative of your organization who is registered with [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 [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.

Application Submission Deadline

Your organization's AOR must submit your complete application package (including any resubmission as explained in Section II.C) electronically to EPA through [Grants.gov](#) no later than November 21, 2024, at 11:59 PM ET. Please allow for enough time to successfully submit your application and allow for unexpected errors that may require you to resubmit. Please see [Section II](#) and [Section V](#) describing the rolling application submittal and review process for this NOFO.

Applications submitted through Grants.gov will be time and date stamped electronically. Please note that successful submission of your application through Grants.gov does not necessarily mean your application is eligible for award. Any application submitted after the application deadline time and date deadline will be deemed ineligible and not considered.

3. 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:

- a. Contact the Grants.gov Support Center **before** the application deadline date.
- b. Document the Grants.gov ticket / case number.
- c. Send an email with EPA-R-OEJECR-OCS-23-04 in the subject line to CCGP@epa.gov before the application deadline time and include the following information:
 - i. Grants.gov ticket / case number(s)
 - ii. Description of the issue
 - iii. The entire application package in PDF format

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

Please note that successful submission through Grants.gov or email does not necessarily mean your application is eligible for award.

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

4. Required Forms and Documents

The following forms and documents are required under this NOFO:

Mandatory Documents for Track I and Track II Applications

1. **Application for Federal Assistance** (SF-424)
2. **Budget Information for Non-Construction Programs** (SF-424A)
3. **EPA Key Contacts Form** 5700-54
4. **EPA Preaward Compliance Review Report Form** 4700-4 (Please see these [Useful Tips](#) for completing this form)
5. **Project Narrative Attachment Form**: Use this to prepare your Project Narrative as described in [Section IV.B](#) below.
6. **Attachments**: Use the “Other Attachments Form” in Grants.gov for the following additional documents. These attachments are not subject to the page limitation that applies to the Project Narrative identified below and some have their own page limitation as identified below:
 - **Attachments for Track I and Track II Applications:**
 - **Attachment A**: Program Budget Template (See below in [Section IV.B](#) and also optional template in Appendix G)
 - **Attachment B**: Partnership Agreement (See [Section III.A](#) and Appendix B)
 - **Attachment C**: Any other documents or information not listed above, such as an Indirect Cost Rate Agreement.
 - **Attachments for Track I Applications Only:**
 - **Attachment D**: Project Area Map as described in Appendix A.
 - **Attachment E**: Community Engagement and Collaborative Governance Plan as described in [Section I.G](#) that does not exceed 10 single spaced pages-excess

- pages will not be reviewed.
- **Attachment F:** Community Strength Plan as described in [Section I.G](#) that does not exceed 5 single spaced pages--excess pages will not be reviewed.
- **Attachment G:** Readiness Approach Information as described in [Section I.G](#).
- **Attachment H:** Compliance Plan as described in Section I.G that does not exceed 5 single-spaced pages--excess pages will not be reviewed.

B. Content of Application Submission

Applicants should read the following sections very carefully. A complete application package includes the forms, documents, and attachments listed above in [Section IV.A.4: Required Forms and Documents](#), which includes the materials further described below.

Applicants should ensure that their application materials, including attachments, address all the applicable evaluation criteria in Section V, and applicable threshold eligibility criteria in Section III.D, for Track I and II applications. The evaluation criteria in Section V place increased emphasis on certain evaluation criteria that are integral to ensuring that the application will advance environmental and climate justice, meet CCG objectives, and maximize benefits to disadvantaged communities.

Note: Please see [Section V](#) for information on the Track I oral presentation process referenced in [Section I.D](#).

Project Narrative for Track I and II Applications

Below are the instructions for both Track I and Track II applications. There are different instructions for each track, so applicants should carefully read the instructions and contact EPA at CCGP@epa.gov with any questions. There are also certain attachments for Track I and II applications that must be submitted as identified in Section IV.A.4 above.

The Project Narrative for both application tracks are comprised of Sections A and B as described below for each track and should include the information and content below. Applicants should ensure they include information addressing the relevant evaluation criteria in [Section V](#) for Track I or II applications and any applicable threshold eligibility criteria in [Section III.D](#). Please make sure the required attachments identified in Section IV.A.4 for Track I and II applications also include the applicable information.

- The Project Narrative for Track I applications must not exceed twenty (20) single-spaced pages and be on letter size pages (8 ½ X 11 inches). Excess pages will not be reviewed. The attachments for Track I described in Section IV.A.4 are not part of the Project Narrative.
- The Project Narrative for Track II applications must not exceed fifteen (15) single spaced pages and be on letter size pages (8 ½ X 11 inches). Excess pages will not be reviewed. The attachments for Track II described in Section IV.A.4 are not part of the Project Narrative.

Applicants are encouraged to be concise and do not need to use all the pages within the page limit. Links to external websites or content will not be reviewed or considered. Any pages beyond the page limitations will not be reviewed by the Review Panel. It is recommended that applicants use a standard font (e.g., Times New Roman, Calibri, and Arial) and a 12-point font size with 1- inch margins. While these guidelines establish the acceptable type size requirements, applicants are advised that readability is of paramount importance and should take precedence in selection of an appropriate font for use in the application. **The grant application forms and other attachments identified in [Section IV.A.4: Required Forms and Documents](#) above are not included in the Project Narrative page limits for Track I and II applications.**

To assist EPA reviewers, applicants should reference the numbers and titles of the evaluation criteria identified in Section V.C in their Project Narratives (and attachments) to help identify where the criteria are being addressed as applicable. Applicants should contact EPA with any questions about the application content requirements.

Track I Project Narrative

Track I applications include a Project Narrative with two sections as identified below: (A) Executive Summary and (B) Project Workplan. Together these cannot exceed 20 pages as described above.

Section A. Executive Summary

The Executive Summary should contain the elements below and should not exceed three pages.

- **Application Title:** Provide a name for the application.
- **Lead Applicant:** Name of the Lead Applicant.
- **Statutory Partner to the Lead Applicant:** Name of the Statutory Partner.
- **Contact Information:** Include a name, title, email address, and phone number for key personnel for the Lead Applicant and, Statutory Partner.
- **Eligibility:** Describe how the Lead Applicant and Statutory Partner meet the eligibility requirements in [Section III.A](#) of the NOFO.
- **Climate Action Strategy:** Specify which Climate Action Strategy(ies) is addressed in the application.
- **Pollution Reduction Strategy:** Specify which Pollution Reduction Strategy(ies) is addressed in the application.
- **Grant Award Period and Completion:** Provide estimated beginning and ending dates for the period of performance for your proposed grant. Given the requirement under CAA § 138(b)(1) that all grants must be completed within three years, all applications must state how the projects in the application, including any construction projects, can be completed within three years of award.
- **Amount of EPA Funding Requested:** See award sizes specified in [Section II.A](#).
- **Target Investment Area:** If the application is for a Target Investment Area as defined in Section II.A, please identify which one. If the application is not for a Target Investment Area, put N/A.
- **Disadvantaged Community to benefit from the projects:** Identify and describe the disadvantaged community, as defined in Appendix A, intended to benefit from the projects in the application.
- **Other Sources of Funding:** Briefly explain, to the extent you can, whether funding for the projects in your application is available under the Infrastructure Investments and Jobs Act (IIJA), other IRA programs, or other funding streams and if so your reasons for seeking funding for these projects under this NOFO. Please also note the Duplicate Funding clause included in Section IV of [the EPA Solicitation Clauses](#) incorporated by reference in this NOFO and referenced in Section V.E.
- **Resubmission Status:** Specify if the application is for a resubmission of a previously submitted and reviewed application. If so, please identify the date of the original submission and the date of EPA debriefing of the previously submitted application (See Section II.C for further information on the resubmission process).

Section B. Project Workplan

The Project Workplan should contain the elements below.

Part 1. Community-Driven Investments for Change

1.1 Community Vision Description.

- **Community Description:** Provide an overview of the Project Area described in Appendix A, including its resources, assets, and characteristics. Describe how the boundary of the Project Area was determined and demonstrate how the project activities in the Project Area are designed and focused to provide impactful benefits to the residents of disadvantaged communities in the Project Area as defined in Appendix A.¹⁵

Applicants should note that while they can determine the Project Area for their projects consistent with the instructions in Appendix A, concentrated and compact Project Areas may maximize benefits to the residents of the disadvantaged communities in the Project Area. Activities spread across a large Project Area may be more dispersed and less impactful. As described in Section V.C, EPA will evaluate applications based in part on the extent and quality to which project benefits will accrue to the residents of disadvantaged communities in the Project Area as defined in Appendix A in an impactful manner.

- **Community Challenges:** Describe the needs and challenges the Project Area is facing, including climate impacts, climate change risks / exposures, and / or localized pollution. Describe the impact of these challenges on the residents of the disadvantaged communities in the Project Area as defined in Appendix A and particularly on priority populations within the Project Area who are acutely exposed to and impacted by climate, pollution, and weather-related threats, and / or who exhibit acute vulnerabilities or susceptibilities to the impacts of environmental pollution. See footnote 3 for more information on priority populations.
- **Community Vision:** Articulate an overall vision for the impact and benefits the grant would have on the Project Area in the near and long term, including the effect it will have on reducing and preventing pollution; building resilience to climate change and mitigating current and future climate risks; creating high-quality jobs and expanding economic opportunity through workforce development; and bolstering Project Area strength by ensuring that residents of the disadvantaged communities in the Project Area receive the benefits of investments and have the opportunity to build on them for current and future generations.

1.2 **Selected Strategies:** As described in [Section I.G](#), applications must address at least one Climate Action Strategy and at least one Pollution Reduction Strategy. Accordingly, applications should address the following requirements:

- **Strategy Overview** – for each selected Climate Action and Pollution Reduction Strategy:
 - Provide an overview of the strategy and associated projects and describe how they will be implemented during the grant term.
 - Describe how the strategies and associated projects in the application are integrated and / or designed to complement each other to provide impactful benefits to the residents of disadvantaged communities within the Project Area as defined in Appendix A and describe how the scale and scope of the Project Area was designed to accomplish this.

¹⁵ Disadvantaged communities as defined in Appendix A include census block groups designated as geographically defined disadvantaged communities, as well as farmworker communities and DUCs.

- Explain how the amount / proportion of the requested funding was determined for each strategy and associated project in the application.
- **Climate Action Strategies**
 - Describe how the project(s) associated with the Climate Action Strategy(ies) will address the climate impacts, risks, and / or challenges facing the Project Area and especially the residents of disadvantaged communities within the Project Area as defined in Appendix A; will decrease GHG emissions within the Project Area and increase the overall resilience of the Project Area to current and anticipated climate impacts; and are responsive to the Project Area needs and challenges identified in the Community Vision Description.
- **Pollution Reduction Strategies**
 - Describe how the project(s) associated with the Pollution Reduction Strategy(ies) will address the localized pollution challenges facing the Project Area and especially the residents of disadvantaged communities within the Project Area as defined in Appendix A; will make substantial and measurable (i.e., quantifiable) progress towards preventing, reducing, and / or mitigating existing and future sources of pollution to benefit the Project Area; and are responsive to the Project Area needs and challenges identified in the Community Vision Description.

Part 2. Program Management, Capability and Capacity

- 2.1 **Performance Management Plan, Outputs / Outcomes:** Applicants should describe 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 Community Change Grants goals and objectives. (See [Section I.I and Appendix F](#) for more detail on expected outputs and outcomes). In addition to identifying expected project outputs and outcomes, applicants should describe how they plan to track and measure their project performance, including through indicator tracking, to monitor progress towards achieving the expected outputs and outcomes throughout the performance period.

Applicants should also:

- Describe how they selected the expected outputs and outcomes and how they will lead to improvements to the environmental conditions and public health of the community members of the Project Area in the short and long term.
 - Describe how the expected project outputs and outcomes are specific and include achievable and reasonable target measures within the project period.
 - Describe how the recipient will use program evaluation activities (e.g., utilizing proper evaluation tools and personnel / organizations with experience in evaluating program and project progress / success) from project initiation through project completion to meaningfully document and measure their progress towards achieving project goals.
- 2.2 **Project Linkages to the EPA Strategic Plan:** Applications should describe how the proposed project activities support and advance EPA Strategic Plan Goal 2 (Take Decisive Action to Advance Environmental Justice and Civil Rights), Objective 2.1, (Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels). See [Section I.I](#). In addition,

applications, depending on the projects included in them, should also address how they support and advance the following EPA Strategic Plan Goals as applicable:

- Goal 1 - Tackle the Climate Crisis
- Goal 4 - Ensure Clean and Healthy Air for All Communities
- Goal 5 - Ensure Clean and Safe Water for All Communities
- Goal 6 - Safeguard and Revitalize Communities; and
- Goal 7 - Ensure Safety of Chemicals for People and the Environment

Refer to the [EPA Strategic Plan](#).

2.3 **CBO Experience and Commitment:** Applications should describe the following for the Lead Applicant and / or Statutory Partner for the proposed grant:

- Their history and experience as a CBO.
- The depth of their commitment, connections, and relationships with the disadvantaged communities the application is intended to benefit.

2.4 **Programmatic and Managerial Capability and Resources:** Applications should provide information demonstrating the Lead Applicant's and Statutory Partner's ability to successfully complete, oversee, and manage the award including:

- Their organizational experience and capacity related to performing the proposed projects or similar activities (e.g., experience in managing projects and activities like those in the application).
- Their resources, capacity, capabilities, staff (e.g., project manager and other key personnel), expertise, and skills to perform and manage the award activities effectively during the three-year award period. For Lead Applicants submitting two applications under this NOFO, this includes how they demonstrate they have the above attributes to perform, manage, and oversee two awards effectively within the three-year award period.
- Their financial stability, controls in place, and capacity to manage taxpayer dollars ethically and efficiently as well as the policies and controls to be in place for project oversight and to manage program risk. This includes controls to identify waste, fraud, and abuse, and reduce the potential for waste, fraud, and abuse, by including plans and policies for program oversight, including confidential reporting (e.g., whistleblower protections), and risk management.
- A projected milestone schedule for the proposed projects (up to three years) with a breakout of the project activities into phases with associated tasks and timeframes for completion of tasks, including the approach, procedures, and controls for ensuring that the award funds will be expended in a timely and efficient manner while ensuring that costs are eligible, reasonable, and allowable.

2.5 **Past Performance:** Describe federally funded and / or non-federally funded assistance agreements (assistance agreements include grants and cooperative agreements but not contracts) that the Lead Applicant performed within the last three years (no more than three agreements in total) and provide the information below for them. EPA agreements are preferred to be included.

- Describe whether, and how, the Lead Applicant was able to successfully complete and manage the agreements.
- Describe the history of the Lead Applicant in meeting the reporting requirements under the agreements including submitting acceptable final technical reports.
- Describe how the Lead Applicant documented and / or reported on whether progress towards achieving the expected results (i.e., outputs and outcomes) under those agreements was being made. If progress was not made, please indicate whether, and how, that was documented.

Note: In evaluating the Lead Applicant's past performance, the Agency will consider the information provided in the application and may also consider relevant information from other sources, including information from EPA files and / or from current and prior federal agency grantors (e.g., to verify and / or supplement the information provided by the applicant). If there is no relevant or available past performance information, please indicate this in the application, and you will receive a neutral score for these factors under Section V. Failure to provide any past performance information, or to include a statement that you do not have any relevant or available past performance or reporting information, may result in a zero score for these factors (see also Section V).

Part 3. Feasibility, Sustainability, and Budget: Provide the following information:

- 3.1 **Feasibility:** Demonstrate that all the projects in the application can be successfully and effectively performed within the three-year grant period of performance, and the degree of risk that they cannot be. This includes describing how the strategies and associated projects can individually and collectively be completed within three years.
- 3.2 **Sustainability:** Demonstrate the extent to which the benefits and outcomes from the projects can be sustained after the three-year grant period of performance based on factors including but not limited to whether (i) the applicant will leverage funding and / or resources from other sources to ensure the sustainability of the projects beyond the three-year grant term and (ii) the description of an operations and maintenance approach including plans and commitments to ensure there is continued funding available for operation and maintenance activities of infrastructure activities for the projects after the grant term is over (e.g., are there demonstrated commitments for continuing operation and maintenance funding / resources from the appropriate parties after the three year grant term is over) including coordination with appropriate responsible parties.
- 3.3 **Program Budget Description:** Provide a detailed budget description and estimated funding amounts for each project component / task similar to that on the budget found in SF-424A, which includes the EPA funding requested to be expended over the three-year period of performance. This section provides an opportunity for a narrative description of the budget or aspects of the budget found in the SF-424A. In the description, explain how the budget is reasonable to accomplish the projects, and the cost-effectiveness of the budget in terms of maximizing the share of funds used for the delivery of benefits to disadvantaged communities (both the direct costs of funds passed through for financial assistance as well as associated indirect costs).

Note: A template to depict the program budget description is included as Appendix G and may be used to supplement the budget description in the Project Narrative. Applicants that do not use the template will not be penalized and applicants can convey the information in other forms. While the program budget description is part of the Project Narrative page limit, the template is not part of

the page limit for the Project Narrative and will not count against the 20-page Project Narrative page limit for Track I applications.

C. Track I Application Attachments. These attachments must be submitted with the application as stated in Section IV.A.4 above and are not part of the Project Narrative described above. Please note any page limits that apply to these attachments.

- Project Area Map (Attachment D). Submit a Project Area Map as described in Appendix A.
- Community Engagement and Collaborative Governance Plan (Attachment E). Applications must include a Community Engagement and Collaborative Governance Plan that should address the elements of the plan as described in [Section I.G](#). This plan cannot exceed 10 pages (excess pages will not be reviewed).
- Community Strength Plan (Attachment F). Applications must include a Community Strength Plan that should address the elements of the plan as described in [Section I.G](#). This plan cannot exceed 5 pages (excess pages will not be reviewed).
- Readiness Approach (Attachment G). Applicants must demonstrate, based on the Readiness Approach Requirements described in [Section I.G](#), their ability and readiness to proceed with grant performance for the projects in the application upon receiving an award, and generally no later than 120 days after award, in order to ensure that the projects can be completed within the statutory three-year grant period. As appropriate, this may include a description of the completed project planning and design phases related to the project(s) as well as demonstrating that the applicant has obtained and / or complied with the necessary approvals, permits, permissions, and any other applicable requirements, to commence project performance upon award, and if not their plan for doing so within 120 days of award. There is no page limit for this information, but applicants should be as concise as possible.
- Compliance Plan (Attachment H). Applications must include a Compliance Plan as described in [Section I.G](#) that does not exceed 5 pages (excess pages will not be reviewed).

Track II Application Requirements

Track II applications include a Project Narrative with two sections as identified below: (A) Executive Summary and (B) Project Workplan. Together these cannot exceed 15 pages as described above.

Section A. Executive Summary

The Executive Summary should contain the elements below and should not exceed two pages.

- **Application Title:** Provide a name for the application.
- **Lead Applicant:** Name of the organization applying.
- **Statutory Partner to the Lead Applicant:** Name of the Statutory Partner.
- **Contact information:** Include a name, title, email address, and phone number for key personnel for Lead Applicant, Statutory Partner.
- **Eligibility:** Describe how the Lead Applicant and Statutory Partner meet the eligibility requirements in [Section III.A](#) of the NOFO.
- **Disadvantaged Community to benefit from the projects:** Identify and describe the disadvantaged communities, as defined in Appendix A, intended to benefit from the projects in the

application.

- **Grant Award Period and Completion:** Provide estimated beginning and ending dates for the period of performance for your proposed grant. Given the requirement under CAA § 138(b)(1) that all grants must be completed within three years, all applications must state how the projects in the application can be completed within three years of award.
- **EPA Funding Requested:** See award sizes specified in [Section II.A.](#)
- **Other Sources of Funding** Briefly explain, to the extent you can, whether funding for the projects in your application is available under the Infrastructure Investments and Jobs Act (IIJA), other IRA programs, or other funding streams and, if so, your reasons for seeking funding for these projects under this NOFO. Please also note the Duplicate Funding clause included in Section IV of [the EPA Solicitation Clauses](#) incorporated by reference in this NOFO and referenced in Section [V.E.](#)
- **Resubmission Status:** Specify if the application is for a resubmission of a previously submitted and reviewed application. If so, please identify the date of the original submission and date of EPA debriefing of the previously submitted application (See Section II.C for further information on the resubmission process).

Section B. Project Workplan

1. **Track II Program Objectives:** Applications should describe the following:

- How the application addresses the Track II objectives identified in [Section I.H.](#)
- What methods, tools, and trainings the applicant will use to facilitate the engagement of disadvantaged communities in state and Federal advisory groups, workshops, rulemakings, and / or other public processes, including local, Tribal, and other governmental processes, related to environmental and climate justice.
- How the application addresses the disadvantaged community's lack of access to, or weak relationships with, governmental entities, including how the application improves those relationships, increases points of access for disadvantaged communities with government entities, and creates channels to work cooperatively to promote environmental and climate justice
- How the application will result in governmental entities better understanding the root causes of environmental and climate justice issues that impact disadvantaged communities, so government leaders and decision-makers are better prepared to proactively address concerns before issues materialize.

2. **Project Collaboration and Participation:** Applications should describe the following:

- How meaningful input and feedback was considered from the disadvantaged community and other stakeholders in designing and developing the project and how input will continue to be obtained and considered during grant performance.
- The facilitation and accountability measures to establish and maintain trust between the disadvantaged community and government officials to ensure the community can collaborate in an authentic and meaningful way, rather than an insincere manner, on environmental and climate justice issues with governmental bodies.
- The applicant's and any Collaborating Entities' history of relationships and collaborations with disadvantaged communities, governmental bodies, and other stakeholders to address environmental and environmental / climate justice issues.

3. **Project linkages:** Applicants should describe how their application supports and advances [EPA Strategic Plan](#) Goal 2 (Take Decisive Action to Advance Environmental Justice and Civil Rights),

Objective 2.1, (Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels).

4. **Program Budget Description:** Provide a detailed budget description and estimated funding amounts for each project component / task similar to that on the budget found in SF-424A, which includes the EPA funding requested to be expended over the three-year period of performance. This section provides an opportunity for a narrative description of the budget or aspects of the budget found in the SF-424A. In the description, explain how the budget is reasonable to accomplish the projects, and the cost-effectiveness of the budget in terms of maximizing the share of funds used for the delivery of benefits to disadvantaged communities (both the direct costs of funds passed through for financial assistance as well as associated indirect costs).

Note: A template to depict the program budget description is included as Appendix G and may be used to supplement the budget description in the Project Narrative. Applicants that do not use the template will not be penalized and applicants can convey the information in other forms. While the program budget description is part of the Project Narrative page limit, the template is not part of the page limit for the Project Narrative and will not count against the 15-page Project Narrative page limit for Track II applications.

5. **Environmental Results:** Applicants should describe the following:
 - Their plan, with associated timeframes, for tracking and measuring their progress in achieving the expected project outcomes and outputs for Track II applications. See [Section I.I and Appendix F](#) for more detail on expected outputs and outcomes.
 - Whether and how the projects and their outcomes are sustainable beyond the three-year grant period, and how they will leverage resources, community support, etc. to facilitate this. The quality and specificity of the proposed outputs and outcomes, and how they will lead to the success of the grants, should also be addressed.
6. **CBO Experience and Commitment:** Applicants should describe the following for the Lead Applicant and / or Statutory Partner for the proposed grant:
 - Their history and experience as a CBO.
 - The depth of their commitment, historical connections, and relationships with the disadvantaged community the application is intended to benefit.
7. **Programmatic and Managerial Capability and Resources:** Provide information demonstrating the Lead Applicant's and Statutory Partner's ability to successfully complete, oversee, and manage the award including:
 - Their organizational experience and capacity related to performing the proposed projects or similar activities (e.g., experience in managing projects and activities like those in the application).
 - Their resources, capacity, capabilities, staff (e.g., project manager and other key personnel), expertise, and skills to perform and manage the award activities effectively during the three-year award period. For Lead Applicants submitting two applications under this NOFO, this includes how they demonstrate they have the above attributes to perform, manage, and oversee two awards effectively within the three-year award period.
 - Their milestone schedule for the proposed projects (up to three years) including the breakout of the project activities into phases and timeframes for completion of tasks, and the approach, procedures, and controls for ensuring that the award funds will be expended in a timely and efficient manner while ensuring that costs are eligible, reasonable, and allowable.

- Their legal and financial controls in place, and capacity to manage taxpayer dollars ethically and efficiently as well as the policies and controls for project oversight and program risk. This includes the extent and quality to which the application includes controls to identify waste, fraud, and abuse, and reduce the potential for waste, fraud, and abuse by including plans and policies for program oversight, including confidential reporting (e.g., whistleblower protections).
8. **Past Performance:** Describe federally funded and / or non-federally funded assistance agreements (assistance agreements include grants and cooperative agreements but not contracts) that the Lead Applicant performed within the last three years (no more than three agreements in total) and provide the information below for them. EPA agreements are preferred to be included.
- Describe whether, and how, the Lead Applicant was able to successfully complete and manage the agreements.
 - Describe the Lead Applicant's history of meeting the reporting requirements under the agreements including submitting acceptable final technical reports.
 - Describe how the Lead Applicant documented and / or reported on whether progress towards achieving the expected results (i.e., outputs and outcomes) under those agreements was being made. If progress was not being made, please indicate whether, and how, this was documented.

Note: In evaluating the Lead Applicant's past performance, the Agency will consider the information provided in the application and may also consider relevant information from other sources, including information from EPA files and / or from current and prior federal agency grantors (e.g., to verify and / or supplement the information provided by the applicant). If there is no relevant or available past performance information, please indicate this in the application, and you will receive a neutral score for these factors under Section V. Failure to provide any past performance information, or to include a statement that you do not have any relevant or available past performance or reporting information, may result in a zero score for these factors (see also Section V).

C. Informational Webinars and Application Assistance

Applicants are encouraged to participate in webinars with EPA to address questions about this NOFO as well as to facilitate forming partnerships to apply under this NOFO. EPA will host a series of webinars about this NOFO while this NOFO remains open for application submission. EPA will post information about the webinars, schedule for webinars, as well as additional information about this NOFO (e.g., frequently asked questions, technical assistance), on [Inflation Reduction Act Community Change Grants Program](#) page. A recording of each webinar will be posted at the link above along with presented materials. EPA expects to host an informational webinar on December 7, 2023—please check the website listed above for further information.

In addition, for the partnership facilitation webinars, there will be break out group discussions on establishing partnerships with other organizations eligible to apply for EPA funding or to participate as Collaborating Entities in the projects. Please note that the EPA does not intend that the partnership forums to be used by individual consultants, consulting firms or other for-profit vendors to market their services to potential applicants as partners or otherwise.

Please note that in accordance with [EPA's Policy for Competition of Assistance Agreements](#), EPA Order 5700.5A1, EPA staff will not meet with individual applicants to discuss draft applications, provide informal comments on draft applications, or provide advice to applicants on how to respond to evaluation criteria.

Please note, however, that as stated in Section I, technical assistance will be available to eligible applicants for help with this NOFO.

Applicants are responsible for the contents of their applications. However, consistent with the provisions in the NOFO, EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about this NOFO.

Section V. Application Review Information

([back to the Table of Contents](#))

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

A. Threshold Eligibility Review Process

All applications will be evaluated for threshold eligibility purposes based on the threshold eligibility criteria described in [Section III.D](#).

B. Review Panel and Evaluation Process

All applications that pass the threshold eligibility review process will be evaluated and scored by review panels using the track-specific evaluation criteria and processes described below. Review panels will be comprised of EPA staff and / or external reviewers. Track I applications will be reviewed by separate review panels for the written application and oral presentation. Track II applications will undergo only a written application review. See below for additional detail about the evaluation criteria and processes for each track.

C. Track I Application Review Process, Evaluation Criteria, and Oral Presentations

All eligible Track I applications (including those for the TIAs described in [Section II.B](#)) will be evaluated on a 200-point scale as follows—155 points for the written application review and 45 points for the oral presentation review:

- The maximum points available for an application are 200 points—155 points for the written application based on the criteria specified below for Track I written applications, and 45 points for the oral presentation based on the criteria below.
- Applicants whose written application scores at least 110 points will then proceed to an oral presentation. Oral presentations will be conducted consistent with the procedures described below. Applicants who proceed to an oral presentation will be provided further information about the process following the evaluation of the written application.
- Applicants who do not proceed to an oral presentation will receive notification of non-selection from EPA and may request a debriefing as explained in the Section VI Debriefings and Disputes clauses included in the [EPA Solicitation Clauses](#) incorporated by reference in the NOFO. Applicants may resubmit an application in certain circumstances as noted in [Section II.C](#).
- The oral presentation will be worth 45 points and be evaluated based on the oral presentation criteria below.
- Applications that receive a total score of 170 or more (based on the written application and oral presentation) will be referred to the Selection Official for final selection consideration as described in [Section V.E](#) below.

- Applications that receive a total score between 110-169 (based on the written application and oral presentation) will be ranked and referred to the Selection Official, on an approximately monthly basis, for final selection consideration as described in [Section V.E](#) below.
- Applications not selected for award based on the monthly review will receive notification from EPA and may request a debriefing as explained in the Section VI Debriefings and Disputes clauses included in the [EPA Solicitation Clauses](#) incorporated by reference in the NOFO. Applicants may resubmit an application in certain circumstances as noted in Section II.C.

Track I Written Application Criterion

Section	Possible Points
Part 1. Community Driven Investments for Change	80 total
1.1 Community Overview	10
1.2 Selected Strategies	45
1.3 Community Engagement and Collaborative Governance Plan	15
1.4 Community Strength Plan	10
Part 2. Program Management, Capability, and Capacity	35 total
2.1 Performance Management Plan, Outputs / Outcomes	6
2.2 Project Linkages to the EPA Strategic Plan	4
2.3 CBO Experience and Commitment	5
2.4 Programmatic and Managerial Capability and Resources	15
2.5 Past Performance	5
Part 3. Readiness to Perform, Feasibility, and Sustainability	40 total
3.1 Readiness Approach	8
3.2 Feasibility	9
3.3 Sustainability	5
3.4 Program Budget Description	8
3.5 Compliance Plan	10
TOTAL	155

Evaluation Criteria for Track I Written Applications (155 points total)

Part 1. Community Driven Investments for Change (80 points total)

1.1 Community Vision Description (10 points)

- **Community Description:** Applications will be evaluated based on their description of the Project Area including its resources, assets, and local characteristics, as well as how the project activities in the Project Area are designed and focused to maximize benefits for the residents of disadvantaged communities in the Project Area. Please note that in evaluating applications under this criterion, EPA will evaluate the extent and quality to which project benefits will accrue to the residents of the disadvantaged communities in the Project Area, as defined in Appendix A, in an impactful manner. (4 points)
- **Community Challenges:** Applications will be evaluated based on how well they describe the challenges and needs the residents of the disadvantaged communities in the Project Area, as defined in Appendix A, are facing, including climate impacts, climate change risks / exposures, and / or localized pollution, and the impact these challenges have on priority populations within the Project Area who are acutely exposed to and impacted by climate,

pollution, and weather-related threats, and / or who exhibit acute vulnerabilities or susceptibilities to the impacts of environmental pollution. See footnote 3 for more information on priority populations. (3 points)

- **Community Vision:** Applications will be evaluated based on the quality and extent to which they articulate an overall and clear vision for the impacts and benefits the grant would have on the residents of the disadvantaged communities in the Project Area as defined in Appendix A in the near and long term. (3 points).

1.2 Selected Strategies (45 points)

- **Strategy Overview (15 points).** Applications will be evaluated based on the quality and extent to which they:
 - Provide an overview of the strategies and associated projects and describe how they will be implemented during the grant term. (5 points)
 - Describe how the strategies and associated projects in the application are integrated and / or designed to complement each other to benefit the residents of the disadvantaged communities in the Project Area, and how the scale and scope of the Project Area was developed to accomplish this. (7 points)
 - Explain how the amount / proportion of the requested funding was determined for each strategy and aligned project in the application. (3 points)
- **Climate Action Strategies (15 points).** Applications will be evaluated based on the quality and extent to which they:
 - Describe how the associated projects will address the identified climate impacts and / or climate change risk(s) / exposure(s) within the Project Area, and especially those facing residents of disadvantaged communities in the Project Area as defined in Appendix A and explain how the project(s) will decrease GHG emissions within the Project Area and / or increase overall Project Area resilience to current and anticipated climate impacts. (8 points)
 - Describe how the selected Climate Action Strategies and associated projects help meet the needs and challenges of the Project Area as articulated in the Community Vision Description. (7 points)
- **Pollution Reduction Strategies (15 points).** Applications will be evaluated based on the quality and extent to which they:
 - Describe how the associated project(s) will address the identified localized pollution challenges facing the Project Area, and especially the residents of disadvantaged communities within the Project Area as defined in Appendix A, and will make substantial and measurable (i.e., quantifiable) progress towards preventing, reducing, and / or mitigating existing and future sources of pollution to benefit the Project Area. (8 points)
 - Describe how the selected Pollution Reduction Strategies help meet the needs and challenges of the Project Area as articulated in the Community Vision Description. (7 points)

1.3 Community Engagement and Collaborative Governance Plan (15 points): The Community Engagement and Collaborative Governance Plan described in [Section I.G will be evaluated based on the quality and extent to which it demonstrates:](#)

- **Past Community Outreach and Engagement Conducted:** How the applicant's past engagement with the Project Area community impacted the Strategy and associated project selection and implementation approach included in the application, including the outreach and engagement methods used for the Project Area and specific neighborhoods or groups within the Project Area. (4 points)
- **Community Engagement Plan Implementation:** The specific community engagement methods used by the applicant, as well as how they will mitigate barriers and involve relevant governmental stakeholders necessary to support overall project implementation. (6 points)
- **Collaborative Governance Structure:** The details regarding the roles and responsibilities of the Lead Applicant, Collaborating Entities, and community residents and / or community-selected representatives for implementing, managing, and overseeing the application's project activities, including how regularly they will meet to discuss project implementation. (5 points)

1.4 **Community Strength Plan (10 points):** The Community Strength Plan as described in [Section I.G will be evaluated based on the quality and extent to which it demonstrates:](#)

- **Maximizing Economic Benefits of Projects:** How the projects included in the application are intended to provide economic benefits for individuals in the Project Area, including priority populations as defined in footnote 3. (5 points)
- **Displacement Avoidance:** The measures for mitigating potential near-term and long-term risks associated with the proposed projects to residents, small businesses, nonprofits, and other community members, the vulnerability the community faces to rising costs attributable to their proposed project, and the potential project impacts to households, small businesses, and other existing groups. (5 points)

Part 2. Program Management, Capability, and Capacity (35 points total)

2.1 Performance Management Plan and Outputs / Outcomes (6 points): Applications will be evaluated based on:

- Whether the application describes an effective plan, with associated timeframes, for tracking and measuring progress in achieving the expected project outcomes and outputs including those identified in Appendix F, as appropriate, and any additional ones identified in the application. (2 points)
- The quality and specificity of the proposed outputs and outcomes and how they will lead to improvements to the environmental conditions and public health of the disadvantaged communities in the short and long term. (2 points)
- Whether, and how, the applicant has incorporated program evaluation activities (e.g., utilizing proper evaluation tools and personnel / organizations with experience in evaluating program and project progress / success) from project initiation through project completion to meaningfully document and measure their progress towards achieving project goals and how they will use the results of the evaluations to meet the project goals within the required timeframes. (2 points)

- 2.2 **Project Linkages to the EPA Strategic Plan (4 points):** Applications will be evaluated based on the extent and quality to which the proposed project activities support and advance EPA Strategic Plan Goal 2 (Take Decisive Action to Advance Environmental Justice and Civil Rights), Objective 2.1, (Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels).

In addition, applications, depending on the projects included in them, will also be evaluated based on the quality and extent to which they also support and advance the following EPA Strategic Plan Goals as applicable:

- Goal 1 - Tackle the Climate Crisis
- Goal 4 - Ensure Clean and Healthy Air for All Communities
- Goal 5 - Ensure Clean and Safe Water for All Communities
- Goal 6 - Safeguard and Revitalize Communities; and
- Goal 7 - Ensure Safety of Chemicals for People and the Environment

- 2.3 **CBO Experience and Commitment (5 points):** The CBO(s) that are either the Lead Applicant and / or Statutory Partner for the proposed grant will be evaluated based on their history and experience as a CBO and the depth of their commitment, connections, and relationships with the disadvantaged communities the application is intended to benefit.

- 2.4 **Programmatic and Managerial Capability and Resources (15 points):** The Lead Applicant and Statutory Partner will be evaluated based on their ability to successfully complete, oversee, and manage the award considering:

- Their organizational experience and capacity related to performing the proposed project(s) or similar activities (e.g., experience in managing projects and activities like those in the application). (4 points)
- Their resources, capacity, capabilities, staff (e.g., project manager and other key personnel), expertise, and skills to perform and manage the award activities effectively during the three-year award period. For Lead Applicants submitting two applications under this NOFO, this includes how they demonstrate they have the above attributes to perform, manage, and oversee two awards effectively within the three-year award period (4 points)
- The milestone schedule for the proposed projects (up to three years) including the breakout of the project activities into phases and timeframes for completion of tasks, and the approach, procedures, and controls for ensuring that the award funds will be expended in a timely and efficient manner while ensuring that costs are eligible, reasonable, and allowable. (3 points)
- Their financial stability, controls in place, and capacity to manage taxpayer dollars ethically and efficiently as well as the policies and controls for project oversight and program risk. This includes the extent and quality to which the application includes controls to identify waste, fraud, and abuse, and reduce the potential for waste, fraud, and abuse by including plans and policies for program oversight, including confidential reporting (e.g., whistleblower protections). (4 points)

- 2.5 **Past Performance (5 points):** The Lead Applicant will be evaluated based on their ability to successfully complete and manage the proposed projects considering their:

- Past performance in successfully completing and managing the assistance agreements identified in response to [Section IV.B](#). (3 points)
- History of meeting the reporting requirements under the assistance agreements identified in response to [Section IV.B](#) including whether the applicant submitted acceptable final technical reports under those agreements and the extent to which the applicant adequately and timely reported on their progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not. (2 points)

Note: The focus of this criterion is on the Lead Applicant's past performance and not that of any other Collaborating Entities or contractors / consultants who may be assisting the applicant with performance of the award. In evaluating the Lead Applicant under these factors, EPA will consider the information provided in the application and may also consider relevant information from other sources, including information from EPA files and from current / prior grantors. If the Lead Applicant does not have any relevant or available past performance related to federal or non-federal grants, this should be stated explicitly in the application (e.g., our organizations have no relevant past grants experience). Including this statement will ensure you receive a neutral score for these factors (a neutral score is half of the total points available in a subset of possible points). Failure to include this statement may result in your receiving a score of 0 for these factors.

Part 3. Readiness to Perform, Feasibility, and Sustainability (40 points total):

- 3.1 Readiness Approach (8 points):** Applications will be evaluated based on the applicant's ability and readiness to proceed with grant performance for the projects in the application, based on the Readiness Approach Requirements described in [Section I.G](#), upon receiving an award, or generally no later than 120 days after award, to ensure that the projects can be completed within the statutory three-year grant period. As appropriate, this may include evaluating the description of the completed project planning and design phases related to the project(s) as well as demonstrating that the applicant has obtained and / or complied with the necessary approvals, permits, permissions, and any other applicable requirements, to commence project performance upon award, and if not generally within 120 days of award.
- 3.2 Feasibility (9 points):** Applications will be evaluated based on whether it is demonstrated that all the projects in the application can be successfully and effectively performed within the three-year grant period of performance, and the degree of risk that they cannot be. This includes also evaluating how the strategies and associated projects can individually and collectively be completed within three years.
- 3.3 Sustainability (5 points):** Applications will be evaluated based on whether it is demonstrated that the benefits and outcomes from the projects in the application can be sustained after the three-year grant period of performance based on factors including but not limited to whether (i) the Applicant will leverage funding and / or resources from other sources to ensure the sustainability of the projects beyond the three-year grant term and (ii) the description of an operations and maintenance approach including the plans and commitments to ensure there is continued funding available for operation and maintenance activities of infrastructure activities for the projects after the grant term is over (e.g., are there demonstrated commitments for continuing operation and maintenance funding / resources from the appropriate parties after the three year grant term is over) including coordination with appropriate responsible parties.
- 3.4 Program Budget Description (8 points):** The program budget will be evaluated based on:

- The reasonableness of the budget and allowability of the costs for each component / activity of the projects in the application. This includes evaluating whether funding is well balanced and equitably distributed to project partners, including sub-awardees, commensurate with their role in the project, and whether funding is categorized into the proper budget categories providing clarity, accuracy, and granularity on the applicant's planned use of the grant funds during the project period. (4 points)
- The cost effectiveness of the budget / project in terms of maximizing the share of funds used for the delivery of benefits to disadvantaged communities (both the direct costs of funds passed through for financial assistance as well as associated indirect costs to the greatest extent practicable). (4 points)

3.5 Compliance Plan (10 points): Applications will be evaluated based on the quality and extent to which the Compliance Plan addresses the elements for the Compliance Plan described in [Section I.G.](#)

Track I Oral Presentation (45 points total)

The oral presentation is intended to supplement the written application. and provide an opportunity for applicants to further explain their projects. The oral presentations will be conducted through video teleconferencing; however, requests for a telephone-only conference will be considered, provided the applicant describes why video teleconferencing is a barrier that cannot be overcome with technical assistance provided through EPA as noted in Section I.E. Pre-recorded presentations that lack real-time interaction will not be allowed. EPA will also provide interpretive services for the oral presentation upon request.

Further instructions and details about the oral presentation (e.g., date, time, requirements, limitations and / or prohibitions on the use of written material or other media to supplement the oral presentations, the time permitted for each oral presentation) will be provided to those applicants selected to participate in an oral presentation. EPA will maintain a record of the oral presentation (e.g., transcription) and relevant information from the oral presentation may be incorporated into the grant award terms and conditions as appropriate.

Applicants are responsible for determining who will represent them at the oral presentation, but it must include a representative(s) of the Lead Applicant and should include Collaborating Entity and community representatives as necessary. Contractors, including consultants, cannot attend the oral presentation for the applicant.

The oral presentation will be approximately 45 minutes including an introduction and closing. It is expected it will be conducted by two EPA and / or external reviewers who will evaluate the oral presentation based on the criteria below. The reviewers may ask clarifying questions during the presentation to enhance their understanding of the application, but they will be limited to clarifying issues related only to the areas listed below. The oral presentation cannot be used to change the scope of the applicant's written application, make any substantive changes to it, cure material omissions in the written applications, and / or otherwise revise the written application. The oral presentation will be evaluated on the below criteria.

Oral Presentation Criteria (45 points total)

- **Community Overview:** Can you further elaborate on how you developed the scope and scale of the Project Area as described in Appendix A to help ensure that the project benefits will accrue to residents of disadvantaged communities in the Project Area in an impactful manner and will not be

dispersed and minimized throughout the Project Area? What are the greatest needs for these residents within the Project Area, and, if your application is not selected for funding what would be the adverse consequence to them? (9 points)

- **Strategy Rationale:** Why did you select the strategies and projects within the application, and how will they (collectively and individually) transform the Project Area to address environmental and climate justice challenges now and in the future (beyond the three-year grant term)? Also, when the three-year grant term is complete, how will you assess whether the grant was successful in achieving its objectives to benefit the Project Area and what will success look like? (9 points)
- **Community Engagement and Collaborative Governance:** Describe your commitment, as well as that of the Collaborating Entities as described in Section III.A of the NOFO, to efficiently and effectively perform the projects in the application within three years and describe how all entities will work together to achieve the project objectives within the three-year grant performance period. (9 points)
- **Management Capacity:** Explain how you have the programmatic, technical, administrative, and managerial capability, experience, and resources to properly manage the grant consistent with grant regulations and requirements including those in 2 CFR §200 (9 points)
- **Performance Challenges:** What do you anticipate are the greatest challenges to completing the projects in the application within the three-year time frame, and what are your plans for overcoming them? (9 points)

D. Track II Application Review Process and Evaluation Criteria

All eligible Track II application will be evaluated on a 100-point scale using the criteria specified below. **There will be no oral presentation component for the Track II applications.**

Track II applications that score at least 85 points will be referred to the Selection Official for final selection consideration as described in [Section V.E](#) below. Those Track II applications whose total score is below 85 will be ranked by EPA staff and reviewed on an approximately monthly basis by the Selection Official. Those not selected for award during the monthly review will receive notification from EPA and may request a debriefing as explained in the Section VI: Debriefings and Disputes clauses are included in the [EPA Solicitation Clauses](#) incorporated by reference in the NOFO. Applicants may resubmit an application in certain circumstances as noted in [Section II.C](#).

Evaluation Criteria for Track II Applications

Track II applications will be evaluated using the criteria below on a 100-point scale.

Track II Evaluation Criteria

Section	Possible Points
1. Program Objectives	35
2. Project Collaboration and Participation	20
3. Project Linkages	4
4. Budget	8
5. Environmental Results	6
6. CBO Experience & Commitment	5

7. Programmatic and Managerial Capability and Resources	16
8. Past Performance	6
TOTAL	100

1. **Track II Program Objectives (35 points):** Applications will be evaluated based on the quality and extent to which they demonstrate:
 - How the project(s) in the application address the Track II objectives identified in [Section I.H.](#) (10 points)
 - The methods, tools, and trainings, the applicant will use to facilitate the engagement of disadvantaged communities in state and Federal advisory groups, workshops, rulemakings, and / or other public processes, including local, Tribal, and other governmental processes, related to environmental and climate justice. (10 points)
 - How the project(s) in the application address and improve the disadvantaged community's lack of access to, or weak relationships with, governmental entities and changes those relationships to increase points of access for disadvantaged communities with government to work cooperatively to promote environmental and climate justice. (8 points)
 - Will result in governmental entities better understanding the root causes of environmental and climate justice issues that impact disadvantaged communities, so the communities are better prepared to proactively address them before the issues materialize. (7 points)
2. **Project Collaboration and Participation (20 points):** Under this criterion, applications will be evaluated based on the quality and extent to which they:
 - Demonstrate that meaningful input and feedback was considered from the disadvantaged community and other stakeholders in designing and developing the applications and how feedback / input will continue to be obtained and considered during grant performance. (10 points)
 - Describe the facilitation and accountability measures to establish and maintain trust between the disadvantaged community and government officials to ensure the community can collaborate in a meaningful manner on environmental and climate justice issues with governmental bodies. (5 points)
 - Demonstrate the applicant's and Collaborating Entities relationships and history of collaborations with disadvantaged communities, governmental bodies, and other stakeholders to address environmental and environmental / climate justice issues. (5 points)
3. **Project linkages (4 points):** Applications will be evaluated based on the extent and quality to which the proposed project activities support and advance EPA Strategic Plan Goal 2 (Take Decisive Action to Advance Environmental Justice and Civil Rights), Objective 2.1, (Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels).
4. **Budget (8 points):** Under this criterion, applicants will be evaluated based on:

- The reasonableness of the budget and allowability of the costs for each component / activity of the project and their approach, procedures, and controls for ensuring that awarded grant funds will be expended in a timely and efficient manner to comply with the statutory 3-year project period limitation. (4 points)
 - The cost effectiveness of the budget / project in terms of maximizing the share of funds used for the delivery of benefits to disadvantaged communities (both the direct costs of funds passed through for financial assistance as well as associated indirect costs to the greatest extent practicable). (4 points)
5. **Environmental Results (6 points):** Applications will be evaluated based on the quality and extent to which:
- They describe an effective plan, with associated timeframes, for tracking and measuring their progress in achieving the expected project outcomes and outputs for Track II applications including those identified in Appendix F. (2 points)
 - They demonstrate that the project can ensure sustainability of outcomes beyond the three-year grant period, and how they will leverage resources, community support, etc. to facilitate this. (2 points)
 - The quality and specificity of the proposed outputs and outcomes, and how they will lead to the success of the grants, are described. (2 points)
6. **CBO Experience and Commitment (5 points):** The CBO(s) that are either the Lead Applicant and / or Statutory Partner for the grant will be evaluated based on their history and experience as a CBO and the depth of their commitment, connections, and relationships with the disadvantaged communities the application is intended to benefit.
7. **Programmatic and Managerial Capability and Resources (16 points):** The Lead Applicant and Statutory Partner will be evaluated based on their ability to successfully complete, oversee, and manage the award considering:
- Their organizational experience and capacity related to performing the proposed projects or similar activities (e.g., experience in managing projects and activities like those in the application). (4 points)
 - Their resources, capacity, capabilities, staff (e.g., project manager and other key personnel), expertise, and skills to perform and manage the award activities effectively during the three-year award period. For Lead Applicants submitting two applications under this NOFO, this includes how they demonstrate they have the above attributes to perform, manage, and oversee two awards effectively within the three-year award period. (4 points)
 - The milestone schedule for the proposed projects (up to three years) including the breakout of the project activities into phases and timeframes for completion of tasks, and the approach, procedures, and controls for ensuring that the award funds will be expended in a timely and efficient manner while ensuring that costs are eligible, reasonable, and allowable. (3 points)
 - Their legal and financial controls in place, and capacity to manage taxpayer dollars ethically and efficiently as well as the policies and controls for project oversight and

program risk. This includes the extent and quality to which the application includes controls to identify waste, fraud, and abuse, and reduce the potential for waste, fraud, and abuse by including plans and policies for program oversight, including confidential reporting (e.g., whistleblower protections). (5 points)

8. **Past Performance (6 points total):** The Lead Applicant will be evaluated based on their ability to successfully complete and manage the proposed projects considering their:

- Past performance in successfully completing and managing the assistance agreements identified in response to Section IV. (3 points)
- History of meeting the reporting requirements under the assistance agreements identified in response to Section IV including whether the applicant submitted acceptable final technical reports under those agreements and the extent to which the applicant adequately and timely reported on their progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not. (3 points)

The focus of this criterion is on the Lead Applicant's past performance and not that of any other Collaborating Entities or contractors / consultants who may be assisting the applicant with performance of the project. In evaluating the Lead Applicant under these factors, EPA will consider the information provided in the application and may also consider relevant information from other sources, including information from EPA files and from current / prior grantors. If you do not have any relevant or available past performance related to federal or non-federal grants, you should state this explicitly in your application (e.g., our organization has no relevant past grants experience). Including this statement will ensure you receive a neutral score for these factors (a neutral score is half of the total points available in a subset of possible points). Failure to include this statement may result in your receiving a score of 0 for these factors.

E. Final Selection Process and Other Factors

The Selection Official will make the final selection recommendations for Track I and II applications based on the evaluation criteria and process described above. In addition, in making the final selection recommendations for award, the Selection Official may also consider any of the "other" factors below, and as noted in [Section I](#) and [Section II](#) EPA anticipates making a minimum of fifteen awards for high-ranking applications that include a workforce training project(s) as described in [Section I.G](#).

In making the final selection recommendations for award, the Selection Official may consider any of the following "other factors":

1. Geographic diversity to promote a mix of high-scoring applications benefitting disadvantaged communities located in urban, rural, or remote areas, different regions of the country, territories, as well as the geographical nature or impact of the project(s).
2. Program priorities- how the application supports and advances EPA and OEJECE's goals and priorities, including those in EPA's Strategic Plan that focus on environmental climate and justice issues. This may also include considering how the application promotes Community Change Grant program objectives, the depth and extent of community involvement in project development and implementation, the extent and quality to which the project activities will provide impactful benefits to the residents of disadvantaged communities in the Project Area as defined in Appendix A rather than attenuated benefits spread out throughout a large Project Area, and the priority that the grants

must be able to be successfully completed within three years to meet CAA § 138 statutory requirements.

3. Organizational diversity in terms of applicant type and size to ensure a broad representation of applicants receiving awards to improve program effectiveness and equity.
4. Whether the applicant is participating in a federal capacity building program as part of the Thriving Communities Network (please see complete list at [Federal Interagency Thriving Communities Network](#) or the [Rural Partners Network](#)).
5. Whether the projects support, advance, or complement funding related to [Community Disaster Resilience Zones \(CDRZs\)](#) as designated by FEMA.
6. The capacity and capabilities of Lead Applicants, who are selected for two awards under this NOFO, to successfully perform, manage, and oversee both grants within the three-year grant term and the risks posed by multiple awards to successful grant performance.
7. The extent to which the EPA funding may complement or be coordinated with other EPA funding or other Federal and / or non-Federal sources of funds / resources to leverage additional resources to contribute to the performance and success of the grant. This includes but is not limited to funds and other resources leveraged from businesses, labor organizations, non-profit organizations, education and training providers, and / or Federal, state, Tribal, and local governments, as appropriate.
8. Duplicate funding considerations as stated in Section IV of [the EPA Solicitation Clauses](#) incorporated by reference in this NOFO. This includes considering whether funding for the projects in the application is available under the Infrastructure Investments and Jobs Act (IIJA), other IRA programs, or other funding streams and if so the applicant's reasons for seeking funding for these projects under this NOFO.
9. Availability of funds.

In addition, because the objectives of this NOFO are part of a government-wide effort to address environmental and climate justice concerns and challenges, information pertaining to proposed selection recommendations may be shared by EPA with other Federal, state, local, territorial, or Tribal governmental departments or agencies before final selections are made in order to determine whether potential selections under this NOFO: (1) are expected to be funded by another department or agency to minimize the possibility of duplicate funding, (2) could be affected by permitting, regulatory or other issues involving another department or agency, and / or (3) will complement or can be used to leverage funding and capacity-building by another department or agency to maximize value. Note that this process is separate from the Intergovernmental Review requirements in 40 CFR Part 29.

F. Anticipated Announcement and Federal Award Date

As stated in [Section II.C](#), applications will be reviewed and selected on a rolling basis and may be submitted through November 21, 2024. EPA anticipates it will announce initial selection decisions for awards under this NOFO by March 2024 with the initial awards being made in May / June 2024.

Section VI. Award Administration Information

[\(back to the Table of Contents\)](#)

Note: Additional provisions that apply to this section of the NOFO, including those related to responsibilities under civil rights laws, can be found in the [EPA Solicitation Clauses](#).

A. Award Notification and Disputes

EPA anticipates that the first notification of selected applicants will be made via electronic mail in March 2024 and will continue to be done on a rolling basis. The notification will be sent to the original signer of the application, or the contact listed in the application. This notification, which informs the applicant that its application has been selected, is not an authorization to begin work. The official notification of an award will be made by the EPA Award Official. Applicants are cautioned that only a grants officer is authorized to bind the Government to the expenditure of funds; selection does not guarantee an award will be made. For example, statutory authorization, funding, readiness to perform projects, 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 a grants officer, is the authorizing document and will be provided through electronic mail. The successful applicant may be requested to prepare and submit additional documents and forms that must be approved by EPA before the grant can officially be awarded. The time between notification of selection and finalization of the award agreement can take up to 90 days or longer.

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 at [Grant Competition Dispute Resolution Procedures](#). Copies of these procedures may also be requested by contacting the person listed in [Section VII](#) of the 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.

Non-profit applicants that are recommended for funding under this announcement are subject to pre-award administrative capability reviews consistent with Section 8b, 8c, and 9d of [EPA Order 5700.8: EPA's Policy on Assessing Capabilities of Non-Profit Applicants for Managing Assistance Awards](#). In addition, non-profit applicants selected for awards over \$200,000 may be required to fill out and submit to the grants management office EPA Form 6600.09, United States Environmental Protection Agency Administrative Capability Questionnaire with supporting documents as required in EPA Order 5700.8.

Depending on the projects in the grant award, EPA will impose programmatic terms and conditions to ensure successful and timely grant performance. In addition, if applicants have any questions about whether a proposed project cost is eligible or allowable, they should contact EPA for clarification prior to application submittal.

B. Administrative and National Policy Requirements

Grantees will be subject to administrative and national policy requirements. Note that EPA plans to establish programmatic requirements in the terms and conditions of each grant agreement to implement these administrative and national policy, and other relevant, requirements, which will include but not be limited to: this award is subject to the requirements of the Uniform Administrative Requirements, Cost

Principles and Audit Requirements for Federal Awards; Title 2 CFR, Parts 200 and 1500. EPA also has programmatic regulations located in 40 CFR Chapter 1 Subchapter B.

A listing and description of general EPA regulations applicable to the award of assistance agreements is available on the [EPA Policies and Guidance for Grants](#) page.

Readiness to Perform Requirements: Following selection and before award, EPA may work with selected applicants to ensure that all approvals, requirements, permits, and permissions that are needed to begin performance will, if not already obtained or complied with, be resolved by the time of award, and if not generally within 120 days of award (unless extended by EPA). A term and condition may also state that EPA may terminate the award for the recipients' failure to meet these requirements.

State / Territories Operation and Maintenance: Because of their unique roles, State and territorial governments may receive subawards to help implement specific project activities such as an infrastructure project in which they own the land or where they have governmental technical expertise and staffing necessary to effectively implement activities of an infrastructure or other type of project. The terms of the EPA award will also require, if applicable, that state and territorial subrecipients commit to operation and maintenance funding for any infrastructure constructed or improved on land they own with funding available under the NOFO.

Build America, Buy America Act (BABA): Certain projects under this NOFO may be subject to the Buy America domestic content sourcing requirements under the Build America, Buy America (BABA) provisions of the Infrastructure Investment and Jobs Act (IIJA) (P.L. 117-58, §§ 70911-70917). These provisions apply when using Federal funds for the purchase of goods, products, and materials on any form of construction, alteration, maintenance, or repair of infrastructure in the United States. BABA requires that all iron, steel, manufactured products, and construction materials consumed in, incorporated into, or affixed to federally funded infrastructure projects must be produced in the United States. Please consider this information when preparing budget information and your application. The award recipient must implement these requirements in its procurements, and these requirements must flow down to all subawards and contracts at any tier. For more information, consult EPA's Build America, Buy America [website](#). When supported by rationale provided in the Infrastructure Investments and Jobs Act (IIJA) §70914, the recipient may submit a BABA waiver request to EPA. The recipient should request guidance on the submission instructions of an EPA waiver request from their EPA Project Officer. A list of approved EPA waivers is available on the BABA website. In addition to BABA requirements, all procurements under grants may be subject to the domestic preference provisions of 2 CFR §200.322.

Davis-Bacon and Related Acts (DBRA): The Davis-Bacon and Related Acts (42 U.S.C. §§ 3141-3144) set labor standards, including prevailing wages and fringe benefits, and apply to most federally funded contracts for construction of public works. The DBRA labor standards and reporting requirements apply to construction projects assisted with grants authorized by the CAA, including this program, as provided in CAA § 314 (42 U.S.C. § 7614).¹⁶ A term and condition specifying DBRA compliance requirements will be included in the grant agreement.

Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA): The URA applies to acquisitions of property and displacements of individuals and businesses that result from federally

¹⁶ EPA will use the definition of *Construction* in 40 CFR 33.103 to determine whether funding will be for a construction project. That definition defines *Construction* as “. . . erection, alteration, or repair (including dredging, excavating, and painting) of buildings, structures, or other improvements to real property, and activities in response to a release or a threat of a release of a hazardous substance into the environment, or activities to prevent the introduction of a hazardous substance into a water supply.”

assisted programs. The URA and Federal Highway Administration's implementing regulations at 49 CFR Part 24 require grantees to follow certain procedures for acquiring property for grant purposes, such as notice, negotiation, and appraisal requirements. The statute and regulations also contain requirements for carrying out relocations of displaced persons and businesses, such as reimbursement requirements for moving expenses and standards for replacement housing. A term and condition specifying URA compliance requirements will be included in the grant agreement.

National Historic Preservation Act (NHPA): Section 106 of the NHPA requires all federal agencies to consider the effects of their undertakings, including the act of awarding a grant agreement, on historic properties. If NHPA compliance is required, necessary Section 106 consultation activities, such as historic or architectural surveys, structural engineering analysis of buildings, public meetings, and archival photographs, can be considered allowable and allocable grant costs. A term and condition specifying NHPA compliance requirements will be included in the grant agreement.

Note that Section 7(c) of the Energy Supply and Environmental Coordination Act of 1974 (15 U.S.C. § 793(c)(1)) exempts all actions under the CAA from the requirements of NEPA (National Environmental Policy Act). This Section states: "No action taken under the Clean Air Act shall be deemed a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969." Therefore, as a grant program authorized under the CAA, NEPA will not apply to projects funded under the Community Change Grants.

Justice40 Reporting: The activities to be performed under the awards are expected to contribute to the President's goal that 40% of overall benefits of certain federal investments flow to disadvantaged communities (the Justice40 Initiative. See Section I.A). Recipients, therefore, will be expected to report on certain metrics to demonstrate to what extent the activities contribute to the 40% goal. A term and condition specifying reporting of metrics demonstrating the extent to which the grant's activities advance this 40% goal will be included in each grant agreement.

Signage: The activities to be performed under the awards are expected to publicize that they were funded by the U.S. Environmental Protection Agency and the Inflation Reduction Act (e.g., via signs at the place(s) of performance. The award will include appropriate terms and conditions about signage requirements.

Environmental Justice Grant Applicant Database: The Community Change Grants program strives to support as many CBOs that apply regardless of their ultimate success in receiving a grant, by, as appropriate 1) familiarizing applicants with federal grant application requirements, 2) sharing expectations and responsibilities of managing federal grants, 3) providing constructive feedback and recommendations on ways to strengthen unselected applications, 4) helping organizations build sustainability into projects so they continue to grow and develop after the project period is over, and 5) facilitating connections with other potential resources that can help organizations address community needs. To facilitate the achievement of these, all applicants who apply under this NOFO will be added to our Environmental Justice Grant Applicant Database.

Reporting Requirements: Grantees will be subject to both program performance as well as financial and administrative reporting requirements, as described below. Note that EPA will only collect reporting information from the Lead Applicant (rather than from any subrecipients), but each Lead Applicant may need to collect reporting information from subrecipients (e.g., Collaborating Entities, Statutory Partners) to meet these reporting requirements.

Program Performance Reporting: In accordance with 2 CFR § 200.329, each grantee will be subject to program performance reporting requirements. Reporting requirements effective during the period of

performance will be established in the grant agreement's terms and conditions, and reporting requirements effective after the period of performance will be established in a closeout agreement.

During the period of performance, EPA will require each grantee to submit quarterly performance reports within 30 days after the end of each reporting period (and with additional requirements every fourth quarterly report i.e., annually) as well as a final performance report within 90 days after the end of the period of performance. EPA will require that each grantees chief executive officer or equivalent review and submit each of these reports. EPA will use information from these reports as part of program-wide public reporting, except to the extent such information includes confidential business information (CBI) or personally identifiable information (PII) pursuant to 2 CFR § 200.338.¹⁷ Included below is information that EPA may require in these reports.

Financial and Administrative Reporting Requirements: Each grantee will be subject to financial and administrative reporting requirements, which will be included in the grant agreement's terms and conditions ([EPA's General Terms and Conditions](#)). These requirements will include, but not be limited to:

- **Federal Financial Report:** In accordance with 2 CFR § 200.328 and 2 CFR § 200.344, each grantee must submit the Federal Financial Report ([SF-425](#)) at least annually and no more frequently than quarterly. The frequency of reporting and report submission instructions will be specified in the terms and conditions.
- **Financial Records Retention:** In accordance with 2 CFR § 200.334, each grantee will be required to retain financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to the grant award for a period of three years from the date of submission of the final expenditure report. Additional record retention requirements on program income used after the end of the period of performance will be specified in close-out agreements.
- **MBE / WBE Utilization:** When required, each grantee must complete and submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report ([EPA Form 5700-52A](#)) on an annual basis.
- **Real Property Status Report:** In accordance with 2 CFR § 200.329, each grantee must submit a "Real Property Status Report" ([SF-429](#)) to report real property status or request agency instructions on real property that was / will be provided as Government Furnished Property (GFP) or acquired (i.e., purchased or constructed) in whole or in part under a federal financial assistance award.

C. Audit Requirements

In accordance with 2 CFR § 200.501(a), each grantee will be required to obtain a single audit from an independent auditor, if the grantee expends \$750,000 or more in total federal funds in the grantee's fiscal year. Audits will be made public in accordance with the process described in 2 CFR § 200.512. The grantee must submit the form SF-SAC and a Single Audit Report Package within 9 months of the end of the grantee's fiscal year or 30 days after receiving the report from an independent auditor. The SF-SAC and a Single Audit Report Package MUST be submitted using the [Federal Audit Clearinghouse's Internet Data Entry System](#). In addition, each grantee may be subject to additional audit requirements, including but not limited to compliance requirements as part of any compliance supplement to the single audit.

D. Remedies for Non-Compliance

¹⁷ Information claimed as CBI in accordance with this Notice will be disclosed only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B.

In accordance with 2 CFR § 200.208, 2 CFR § 200.339, and 2 CFR § 200.340, EPA is provided authority for multiple potential responses if a grantee violates the terms of the grant agreement.

E. Program Administration Activities

Under 2 CFR § 200.403 and other applicable provisions of 2 CFR Part 200, Subpart E, costs are allowable under federal awards so long as they are necessary and reasonable for the performance of the grant award. Under this NOFO, consistent with these regulations, program administration activities are allowable costs, with such activities supporting administration of the grant program. Program administration activities include (but are not limited to) conducting due diligence and underwriting financial transactions; establishing and convening advisory councils; conducting program performance and other reporting activities (e.g., expenditures for personnel and equipment to procure technology infrastructure and expertise for data analysis, performance, and evaluation); and supporting, monitoring, overseeing, and auditing subrecipients, contractors, and program beneficiaries.

F. Fraud, Waste, and Abuse Awareness

Recipients of awards under this NOFO need to be alert and sensitive to indicators of fraud, waste, and abuse regarding the use of federal funds under the award. Fraud generally is a false representation about a material fact and can be any intentional deception designed to unlawfully deprive the United States or the EPA of something of value or to secure for an individual a benefit, privilege, allowance, or consideration to which he or she is not entitled. Waste generally involves the taxpayers not receiving a reasonable value for money in connection with any government-funded activities due to an inappropriate act or omission. Most waste does not involve a violation of law; rather, waste relates primarily to mismanagement, inappropriate actions, and inadequate oversight. Abuse generally involves behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary business practice given the facts and circumstances. Abuse may also include misuse of authority or position for personal financial interests of those of an immediate or close family member or business associate. Abuse does not necessarily involve fraud or violation of laws, regulations or grant provisions. Indicators of fraud, waste, and abuse can be found on the EPA Office of Inspector General [website](#). Recipients should report any suspected fraud, waste, and / or abuse to the EPA Project Officer for the award or the EPA Office of Inspector General. Note that EPA Project Officers will refer matters to the EPA Office of Inspector General as appropriate.

G. Quality Management Plans (QMPs) & Quality Assurance Project Plans (QAPPs)

Quality assurance documentation is required for awards that involve environmental information operations. EPA Project Officers will work with all selected recipients on quality assurance (QA) requirements. Once the award is made, if a QMP and / or QAPP is required for the project, the applicant will develop the document and submit for EPA's approval. Selected applicants cannot begin environmental information operations until EPA approves the QMP and / or QAPP.

Environmental Information Operations: A collective term that encompasses the collection, production, evaluation, or use of environmental information and the design, construction, operation, or application of environmental technology. Environmental information includes data and information that describe environmental processes or conditions. Examples include but are not limited to: direct measurements of environmental parameters or processes, analytical testing results of environmental conditions (e.g., geophysical, or hydrological conditions), information on physical parameters or processes collected using environmental technologies, calculations or analyses of environmental information, information provided by models, information compiled or obtained from databases, software applications, decision support tools,

websites, existing literature, and other sources, and development of environmental software, tools, models, methods, and applications.

Quality Management Plan (QMP): The recipient may need to develop a QMP. The QMP describes an organization's Quality Program. Requirements for QMPs are found in the most recent version of EPA's [Quality Management Standard](#). A QMP documents the technical activities to be performed and how the program will integrate QA, quality control, QAPPs, training, etc., into all its environmental information operations.

Quality Assurance Project Plans (QAPP): The recipient may need to develop a QAPP(s). A QAPP describes how environmental information operations are planned, implemented, documented, and assessed during the life cycle of a project. Requirements for QAPPs are found in the most recent version of [EPA's Quality Assurance Project Plan Requirements / Standard Quality Assurance Project Plans \(QAPP\)](#). Quality assurance is sometimes applicable to assistance projects (see 2 CFR 1500.12). Quality assurance requirements apply to the collection of environmental data. Environmental (data are any measurements or information that describe environmental processes, location, or conditions; ecological or health effects and consequences; or the performance of environmental technology. Environmental data include information collected directly from measurements, produced from models, and compiled from other sources, such as databases or literature. Once the award is made, if a Quality Assurance Project Plan is required for the project, the applicant will have to draft a QAPP prior to beginning work on the project. You must reserve time and financial resources in the beginning of your project to prepare your QAPP and include the cost for developing your QAPP in your Detailed Budget. Selected applicants cannot begin data collection until EPA approves the QAPP.

Section VII. Contact Information

[\(back to the Table of Contents\)](#)

For information or questions about this NOFO, please email: CCGP@epa.gov

Appendix A. Definition of Disadvantaged Communities and Mapping Requirements

[\(back to the Table of Contents\)](#)

Applicants must demonstrate that the projects in their application would benefit a disadvantaged community. EPA is defining disadvantaged community as one that meets at least one of the following criteria:

1. A geographically defined community designated as disadvantaged on the [EPA IRA Disadvantaged Communities Map](#). The map combines multiple datasets (including [CEJST](#) and [EJScreen](#)) that determine whether a community is disadvantaged for the purposes of implementing programs under the IRA. All datasets are assigned values at the Census block group level.¹⁸ Instructions for how to use the map to identify disadvantaged community eligibility are below under the section titled “EPA’s IRA Disadvantaged Community Layer Availability.”
2. A community that falls into one of the following two categories¹⁹:
 - a. A farmworker community comprised of individuals with no fixed work address, who travel from their permanent residence to work in agriculture on a temporary or seasonal basis, and may relocate several times throughout the year. Applicants can demonstrate that a farmworker community is comprised of such individuals by submitting verification documentation from an authorizing governmental entity or through comparable means.
 - b. A Disadvantaged Unincorporated Community (DUC). For purposes of this NOFO, DUCs are generally defined as Census Designated Places²⁰ that lack fixed legally determined geographic boundaries and have certain common characteristics and conditions (e.g., the absence of adequate permanent water, sewer services, or acceptable housing). This includes all areas defined as Colonias by the U.S. Department of Housing and Urban Development (HUD).²¹ Colonias that are not defined by HUD but are identifiable on the “Colonias” layer in EJScreen are also considered DUCs. DUC status can also be demonstrated through submitting localized data that represent similar characteristics. Applicants who seek funding for projects in a DUC Targeted Investment Area should demonstrate eligibility using the DUC criteria listed above. Applicants should direct questions to CCGP@epa.gov regarding verification.

¹⁸ The EPA IRA Disadvantaged Community User Layer Guide includes: 1) All census tracts that are identified as disadvantaged in the [Climate & Economic Justice Screening Tool \(CEJST\)](#); 2) Any census block group that is at or above the 90th percentile for any of EJScreen’s Supplemental Indexes when compared to the nation or state, and / or 3) any geographic area within Tribal lands (including Alaska Native Allotments, Alaska Native Villages, American Indian Reservations, American Indian Off-reservation Trust Lands, & Oklahoma Tribal Statistical Areas), as included in EJScreen. Note: CEJST is a tool used to identify disadvantaged communities in furtherance of the Justice40 Initiative from EO 14008. EPA’s [EJScreen](#) is an environmental justice mapping and screening tool that provides demographic and environmental information at a fine geographic resolution across the United States. The data described above from these tools are used to help ensure that projects benefit disadvantaged communities.

¹⁹ Applicants are encouraged to acknowledge when communities identified in the following two categories overlap with the disadvantaged communities described above.

²⁰ [Census Designated Places](#) (CDPs) are statistical equivalents of incorporated places and represent unincorporated communities that do not have a legally defined boundary or an active, functioning governmental structure.

²¹ [Colonias History – HUD Exchange](#).

Project Area and Project Area Map for Track I Applications

Track I Applications

For Track I applications for geographically defined communities identified as disadvantaged communities on the [EPA IRA Disadvantaged Communities Map](#), applicants must identify the specific census block groups designated as disadvantaged communities that the projects and supporting activities will directly benefit by submitting to EPA one contiguous Project Area Map with an outlined boundary as instructed below. Applicants should note that while they can determine the Project Area for their projects consistent with the instructions in Appendix A and the NOFO, concentrated and compact Project Areas may maximize benefits to the residents of the census block groups designated as disadvantaged communities in the Project Area. Activities spread across a large Project Area may be more dispersed and less impactful to the residents of the census block groups designated as disadvantaged communities in the Project Area.

The Project Area Map should also reflect where each project submitted under the application is located within the Project Area. The Project Area may include multiple census block groups that are designated as a disadvantaged community by EPA as defined above, but the disadvantaged census block groups need not be fully contiguous with each other.

For Track 1 applications addressing farmworker communities or DUCs as defined above, applicants must submit a Project Area Map specifying where the communities and projects designed to benefit them are located. Applications addressing these communities are not required to submit a map showing census block groups designated as disadvantaged.

All projects and activities should be located within the Project Area, except in cases where the project must be located outside of the Project Area to address the localized pollution issue at the source, or where otherwise necessary to ensure that the disadvantaged community will benefit from the project. One such example is if the project addresses water quality issues upstream to benefit a downstream community. While projects and activities may have an incidental benefit to census block groups (or other areas) that are not considered disadvantaged communities, the applicant must demonstrate that the projects' primary benefits will flow to disadvantaged communities in the Project Area.

Applicants may submit a map generated in EPA's EJScreen tool. Applicants also have the option to submit a map in another geospatial format such as a shapefile (.shp), geodatabase (.gbd), or map service.

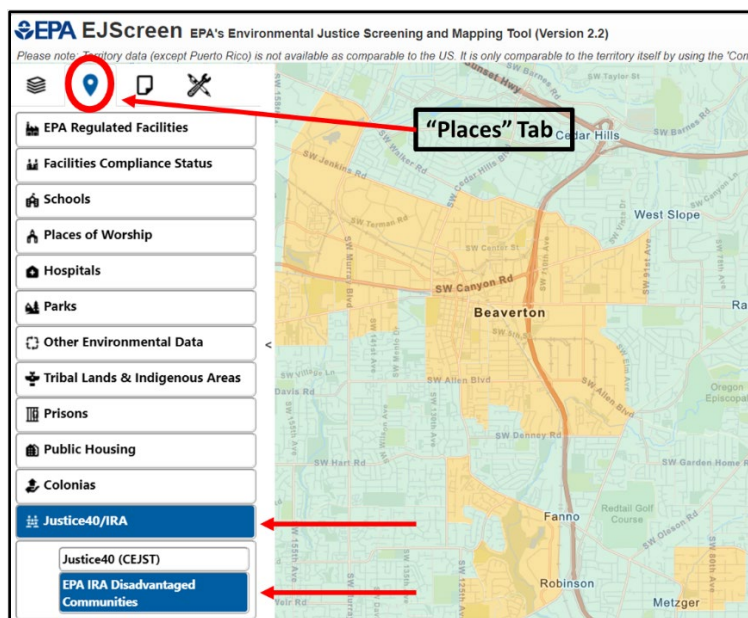
The submitted map should include the following:

- a. The Project Area with an outlined boundary.
- b. Main streets, landmarks, or both.
- c. Community assets (e.g., parks or play areas, schools, community center).
- d. Jurisdictional boundaries, including incorporated and unincorporated areas.
- e. Any other attributes that may provide important context about the Project Area.

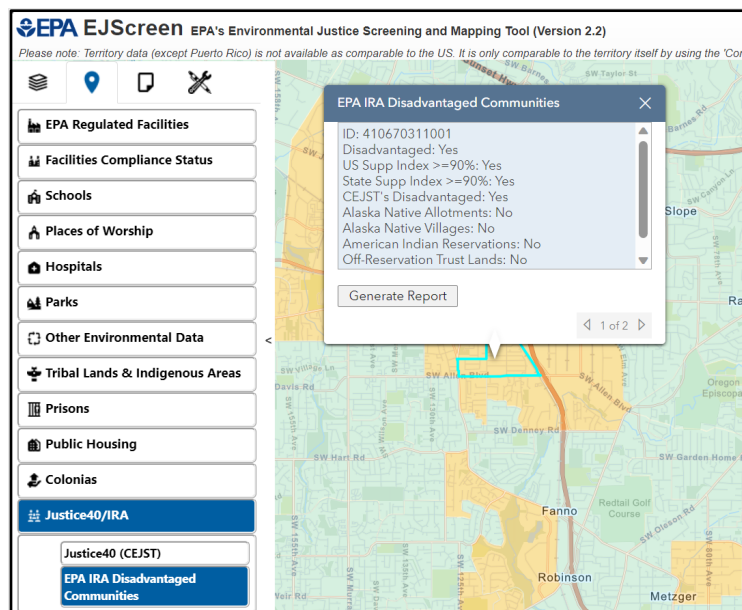
Note: While Track II applications are not required to submit a Project Area Map, as stated in Section III.D and IV.B they must describe and identify the disadvantaged communities that will benefit from the projects.

EPA's IRA Disadvantaged Community Layer Availability

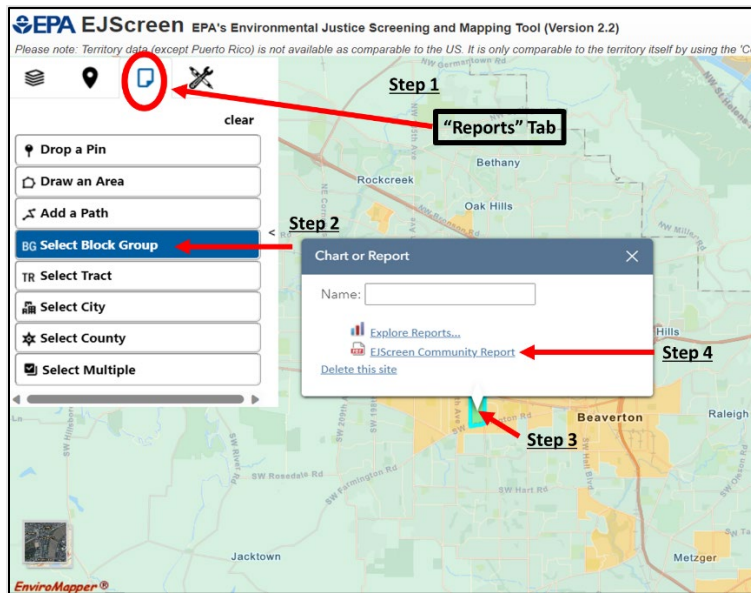
Within EJScreen, EPA's IRA Disadvantaged Community layer can be found in the "Places" tab by clicking the "Justice40 / IRA" category, and then selecting "EPA IRA Disadvantaged Communities." Census tracts designated as disadvantaged by the Climate and Economic Justice Screening Tool (CEJST) are also available in the same category. See screenshots below.



Users can click on the individual block groups to generate a pop-up indicating the criteria that led to the designation. Please see below:



To generate an EJScreen community report, click the “Reports” tab and then “Select Block Group” or “Select Multiple.” Click on the disadvantaged community, and when the pop-up appears, select “EJScreen Community Report.”



For disadvantaged communities that cannot be identified using the “EPA IRA Disadvantaged Communities” layer, applicants must describe the communities and indicate how the project will benefit them. Applicants may use other layers featured in EJScreen to help identify these communities.

If you would like the data products and technical document associated with this map layer, please visit: [Inflation Reduction Act Environmental and Climate Justice Program](#).

Appendix B. Partnership Agreement between the Lead Applicant and Statutory Partner

([back to the Table of Contents](#))

To be eligible for funding, the Lead Applicant must include in the application a copy of a written and signed Partnership Agreement with the Statutory Partner that is legally binding. At a minimum, the Partnership Agreement must specify the following:

- Who will be the Lead Applicant and the Statutory Partner.
- The Lead Applicant is responsible for the overall management, performance, oversight, and reporting responsibilities under the grant, and for making subawards to Collaborating Entities.
- The Lead Applicant will be responsible for the receipt of federal funds from EPA and the proper expenditure of these funds and will bear liability for unallowable costs.
- The roles and responsibilities of the Lead and Statutory Partner for project activities and how disputes between them will be handled and resolved. Please note that EPA is not a party to the Partnership Agreement, and any disputes between the parties must be resolved under the law applicable to the Partnership Agreement.
- The Lead Applicant is responsible for compliance and legal issues, and managing risks associated with the project. It must also describe the procedures for replacing a Statutory Partner with another Statutory Partner, and for ensuring the replacement has the comparable expertise, experience, knowledge, and qualifications of the replaced Statutory Partner to ensure successful grant completion within 3 years. Replacement may be necessary for various reasons including performance issues. Note that replacement requires prior approval by an authorized EPA official pursuant to 2 CFR 200.308(c)(6).
- The Lead Applicant and Statutory Partner's agreement, if the proposed application is selected for award, to enter a subaward that complies with the subaward requirements in the grant regulations at 2 CFR 200.331 and in EPA's Subaward Policy and related guidance and that contains terms and conditions including those above.

Appendix C. Climate Action Strategies and Associated Project Activities

[\(back to the Table of Contents\)](#)

Eligible project activities associated with each Climate Action Strategy identified in Section I.G. of the NOFO could include but are not limited to the following examples. Applicants may propose different activities as long as they are consistent with the applicable Climate Action Strategy as described in Section I.G of the NOFO and are eligible for funding under section 138(b)(2) of the Clean Air Act.

Strategy 1: Green Infrastructure and Nature-based Solutions

Examples:

- **Building climate resilience and carbon sequestration through tree planting**
 - Mitigate urban heat islands through reflective surfaces and shade trees or other vegetation, including preparing planting sites and establishing and caring for trees and other vegetation.
 - Plant trees in public spaces.
 - Plant trees in sites that are strategically selected to shade buildings (i.e., planted within 60 feet of a building).
- **Multi-benefit stormwater projects**
 - Construct permeable surfaces, collection basins, rain gardens, bioswales and other green infrastructure.
 - Restore and / or protect wetlands.
 - Improve urban forest site(s) to create new or more functional planting locations for trees and other vegetation, such as bioswales, which contribute to:
 - Greening to protect and conserve community lands and water;
 - Watershed protection that supports sensitive wildlife habitat and enhances water access.; and / or
 - Replacement of concrete or pavement and restoring spaces to more natural conditions to restore water to the community, reduce flooding, and improve public greenspace.
- **Public parks and open spaces**
 - Create new parks or enhance / expand existing parks to provide climate resilience benefits like heat island reduction and flood mitigation or other demonstrable environmental benefits.
 - Green existing schoolyards to protect vulnerable populations by adding nature-based solutions.

Strategy 2: Mobility and Transportation Options for Preventing Air Pollution and Improving Public Health and Climate Resilience

Examples:

- Construct new, expanded, or enhanced bikeways, walkways, or non-motorized urban trails that reduce vehicle miles traveled and related air pollution by providing safe routes for zero-emission travel between residences, workplaces, commercial and community centers, and schools.
- Implement “[Complete Streets](#)” projects to improve walkability, bike-ability, and transit use, including improved access for people with disabilities. projects to improve walkability, bike-ability, and transit use, including improved access for people with disabilities that reduce vehicle miles traveled and related air pollution.

- Implement climate resilience measures on bikeways or trailways such as raising the elevation or installing permeable pavers to reduce flooding or increasing shade coverage to mitigate extreme heat.
- Conduct the measurement, analysis, design, planning and engineering work necessary to submit a competitive application for state and / or federal funding that will fund large-scale improvements (larger than this competition is able to fund) to significantly reduce a community's Greenhouse Gas (GHG) emissions and / or improve climate resilience.
- Purchase, lease, or contract for the use of zero-emission vehicles for community car sharing, vanpooling, ride-sharing, and related mobility options.
- Purchase, construct, and / or install infrastructure, equipment, or facilities to create and / or support low or zero-emission transportation options.

Guidelines:

- Transportation projects that involve public transit or improvements to public property should include a governmental agency as a Collaborating Entity that will help perform and oversee the project.

Strategy 3: Energy-Efficient, Healthy, Resilient Housing and Buildings

Examples:

- Install energy efficiency measures such as insulation, double or triple glazed windows, “cool roofs” that reflect sunlight, and energy management systems in public buildings.
- Install ventilation systems to help improve indoor air quality during pollution-related events such as wildfires.
- Install or retrofit homes or multi-family housing with higher-efficiency electric heating, cooling, and cooking systems (e.g., heat pumps, heat pump water heaters, electric and induction stoves, electric clothes dryers).
- Reduce heat island effects by installing cool roofs on homes, multi-family housing, or public buildings.
- Implement other similar projects qualified under [HUD's Green and Resilient Retrofit Program \(GRRP\)](#). Note that applicants who have received or will receive HUD funding under this program must have internal controls in place to ensure that the same costs are not charged to more than one Federal grant.²²

Guidelines:

- In their Project Narrative, applicants should describe how low-income residents will directly benefit from the project through lower costs and how residents will be trained on how to operate and maintain new technology and equipment, where applicable.
- For projects that will fund home or multi-family housing improvements, applicants should include details of their target tenants or homeowners, such as with those incomes at or below the greater of:
 - For Metropolitan Areas: (1) 80% Area Median Income (AMI) and (2) 200% of the Federal Poverty Level

²² Refer to 2 CFR 200.403(f).

- For Non-Metropolitan Areas: (1) 80% AMI; (2) 80% Statewide Nonmetropolitan Area AMI; and (3) 200% of the Federal Poverty Level
- Applicants may also target community housing (e.g., land bank, housing conservancy, cooperative, or other community-based nonprofit) or public housing for this strategy.
- Applicants should refer to the description of the Community Strength Plan in the NOFO, particularly the need to minimize the risks associated with displacing current residents due to EPA-funded investments for this strategy.

Strategy 4: Microgrid Installation for Community Energy Resilience

Examples:

- Construct microgrid infrastructure.
- Install microgrids with onsite renewable energy generation and storage.
- Install ancillary energy infrastructure necessary to support microgrids.
- Install other energy infrastructure for microgrid operations.

Guidelines:

- The application should include details that demonstrate the extent to which the microgrid will serve the target community, such as: that the microgrid will be used to ensure that reliable power is provided for any community-serving buildings or critical facilities during extreme weather emergencies or any weather-related outages; that the community lacks an external grid, and the microgrid will be used to meet local energy consumption needs during normal or “blue sky” conditions; or where an external grid is available, that the microgrid will be capable of interconnecting with that grid to meet peak energy consumption demands and increase grid reliability.

Strategy 5: Community Resilience Hubs

Examples:

- Assess the most acute climate risks facing a community (e.g., extreme heat, flooding, wildfire), identify where the community has gaps in its resilience strategy, then design a plan to mitigate specific risks by creating or upgrading community facilities to serve as resilience hubs that remain operable during an emergency.
- Purchase and install backup power equipment such as generators or onsite solar and storage at one or more resilience hubs.
- Implement structural and non-structural retrofits to enhance the resilience of the hub (e.g., raise the building elevation to reduce flood risk, improve cooling systems and / or insulation to reduce extreme heat risk).
- Implement wildfire mitigation measures such as retrofitting the hub to reduce flammability, creating a defensible space between the hub and its surrounding environment, and installing air filtration equipment to reduce the risks of smoke inhalation.
- Purchase and install communications devices that can operate even with loss of local power and telecommunications systems.

Guidelines:

- The resilience hubs should be operable during an emergency. Applicants are encouraged to develop plans that will help ensure the facility is operable, including an emergency communications plan,

plan for backup power during emergencies, and agreements and processes for activating the facility in the event of an emergency.

- The community resilience hub should be a community-convening space that provides climate resilience and related resources and services to community residents.
- Applicants should demonstrate how they will work with relevant emergency response organizations to maximize the efficacy and use of the resilience hub.

Strategy 6: Brownfields Redevelopment

Examples:

- Build and / or upgrade existing structures and sites to improve community use while reducing GHG emissions and / or improving climate resilience.
- Implement greening efforts (tree-planting, park construction or renovations, community garden developments, etc.) that mitigate GHG emissions and / or improve climate resilience.
- Install low or zero emission energy infrastructure such as solar and storage.
- Conduct deconstruction and green demolition activities to support adaptive reuse or new construction. Applicants can refer to EPA's Climate Smart Brownfields Manual for information about green demolition activities.
- Acquire land to enable a brownfield redevelopment that has emissions mitigation and / or climate resilience benefits.

Guidelines:

- Redevelopment sites eligible for funding must be consistent with the federal definition of a Brownfield site in 42 U.S.C. 9601(39) as follows: a brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.
- Projects for adaptive reuse should explore and can leverage national and state historic preservation tax credits to maximize funding streams.²³
- Applicants must demonstrate that no cleanup activities will be performed at the site, and / or that cleanup activities are not necessary at the site. This can be demonstrated by one of the following:
 - A completed Phase I Environmental Site Assessment with no recognized environmental conditions (RECs) at actionable levels;
 - A completed Phase II Environmental Site Assessment with sampling result levels below actionable levels;
 - Lead or asbestos building survey or equivalent environmental or building investigation to determine no likely sources of contamination or hazardous materials will be encountered on site that pose risks to the adjacent community or occupational health and safety risks to workers; or
 - No Further Action letter from the state or Tribal Brownfields response program.

Strategy 7: Waste Reduction and Management to Support a Circular Economy²⁴

²³ See guidelines for [Tax Incentives for Preserving Historic Properties](#).

²⁴ A circular economy is generally described as a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing, and recycling materials and products as long as possible and based on three main principles: eliminate waste and pollution, circulate products and materials, and regenerate nature.

Examples:

- Implement a community-scale composting program to reduce emissions from food waste that includes an educational campaign to inform Project Area residents about climate benefits of reducing food waste.
- Implement a community-scale recycling program.
- Reduce emissions from food waste by implementing programs that distribute unused food to project area residents.

Guidelines:

- Where relevant, applicants should demonstrate that all inedible food scraps derived from projects are composted, and that other materials are diverted from landfills and support a circular economy.
- Where relevant, project activities should demonstrate how they are using EPA best practices related to the circular economy or other sources of guidance.²⁵ Resources include the [Planning for Natural Disaster Debris](#) guidance and [Sustainable and Resilient Communities Through Solid Waste Investments and Best Practices After Disasters](#).
- Applicants should consider EPA's ranking of [wasted food management pathways](#) and [EPA Waste Management hierarchy](#) for sustainable materials management.

Strategy 8: Workforce Development Programs for Occupations that Reduce GHG Emissions and Air Pollutants

This strategy allows applicants to propose workforce development programs that will help reduce GHG emissions and other air pollutants to benefit disadvantaged communities.

This strategy allows applicants to propose workforce development programs for employment in fields that will help reduce GHG emissions and other air pollutants to benefit disadvantaged communities. A wide range of occupations support the reduction of GHG emissions and air pollutants. Because EPA cannot provide an exhaustive list of such occupations, applicants should describe how their workforce development program will support the reduction of GHG emissions or other air pollutants.

Examples of career pathways that may be part of a workforce development program include but are not limited to: electricians, steamfitters, pipefitters, laborers, and other skilled trades occupations that support building electrification, renewable energy projects, and other similar activities; occupations related to the manufacturing of low- and zero-emission technologies; careers in low- and zero-emissions transportation such as vehicle mechanics supporting electric vehicle technologies; community health and outreach workers that assist households in reducing their emissions and addressing sources of pollution; and other careers related to emissions reduction, such as methane mitigation or agricultural carbon mitigation. Applicants should describe how their workforce development program will support the reduction of GHG emissions or other air pollutants.

Guidelines:

As noted in Section I.G of the NOFO, strong workforce development programs should include the following three features at a minimum:

²⁵ Refer to EPA's guidance on the [Circular Economy](#) | US EPA

1. Multi-sectoral partnerships that bring together workforce expertise and enable pathways into high-quality careers.

The foundation of a strong workforce development initiative is a set of partners that represent diverse expertise, community and worker voice, and employer needs. For these programs, applicants may collaborate with organizations with workforce development expertise, such as labor unions, tradeswomen organizations, local workforce development boards (locate yours using this [U.S. Department of Labor search tool](#)), career and technical schools, community colleges, workforce development nonprofits, and other similar organizations.

Examples of the types of expertise and experience that are important for a successful workforce development program include, but are not limited to:

- Technical skills and experience to lead classroom and on-the-job training, including equipping students and individuals with the skills needed to succeed and be safe on the job, including knowledge of new and emerging greenhouse gas and other air emissions-reduction technologies;
- Knowledge of the local, State, and regional labor market and relevant relationships to have a deep understanding of employer hiring, staffing, and skilling needs, emerging trends especially related to the clean energy transition, and considerations for local job quality and worker voice;
- Strong awareness of the barriers individuals in the community face to training and employment, including an understanding of unique barriers specific populations face, and clear strategies for how to address those barriers; and
- Established relationships of trust within the community, including knowledge of relevant history and community dynamics, in addition to meaningful, long-lasting relationships in the community that will support trainee recruitment and participation.

2. High-quality training models that are worker-centered, demand-driven, and lead to good jobs.

Workforce development projects should be focused on training individuals for high-quality, long-term career pathways in family-sustaining jobs, rather than short-term or temporary, low-wage jobs. Applications should demonstrate that the workforce development project fulfills an industry demand in the Project Area and surrounding region, is informed and supported by employers, and has a clear pathway to long-term employment with family-sustaining wages. This will be key to delivering programs that enable true economic mobility for individuals in disadvantaged communities and bolster the capacity of communities to respond to environmental justice concerns in a sustained fashion.

Examples of high-quality, evidence-backed training models are: Apprenticeship readiness programs (or “pre-apprenticeships”) with a connection to one or more Registered Apprenticeship Programs; Registered Apprenticeship Programs (registered via the U.S. Department of Labor (DOL) Office of Apprenticeship or State Apprenticeship Agency); Joint Labor-Management Training Programs; paid internships; partnerships with community colleges or vocational schools that award an industry-recognized credential; and similar models that combine on-the-job learning, classroom learning, and mentorship. DOL has a resource on “high-road training programs” that applicants are invited to review [here](#).

Workforce development programs can serve adult or youth populations. Applicants may consider high-quality youth-serving training models, including: pre-apprenticeship programs that prepare young people to enter Registered Apprenticeship Programs; career and technical education programs (as described by the [U.S. Department of Education](#)); and other similar models. Please note that applicants may propose programs to be included in the [American Climate Corps](#) (ACC), which is a federal government initiative focused on training young people for high-demand skills for jobs in the clean energy economy. To qualify as an ACC

program, the program must provide youth with at least 300 hours of paid skills-based training and / or service. Applicants submitting a workforce development project to be considered for the ACC should note that in their application.

3. Strategies for recruiting and retaining individuals from disadvantaged communities, especially for populations that face disproportionate barriers to employment.

It is a statutory requirement (section 138(b)(1) of the Clean Air Act) for this program to benefit disadvantaged communities. These benefits may include providing opportunities to individuals with barriers to training and / or employment, so they can find long-term employment and economic opportunity in fields associated with air pollutants and GHG reduction. Projects should be designed with comprehensive research and evidence-based strategies for addressing barriers to recruitment, training, employment, and retention. Examples include supportive services to meet the needs of the disadvantaged community, such as childcare and transportation assistance; life skills and basic skills training, such as financial literacy and job readiness, to prepare for a career related to GHG and air pollutant reduction; career services, such as developing individualized employment plans; peer-to-peer mentorship programs to connect experienced workers with new workers to help them learn the job and find a sense of belonging in the workplace; reasonable accommodations consistent with federal equal employment opportunity laws; coaching to support work-based learning; and case workers to support workers with barriers to employment.

Applicants proposing a workforce development project are encouraged to describe the following elements and any additional details identified by the applicant:

- Design of the program, including if the applicant is proposing a high-quality, evidence-backed training model as described above, and a description of the credential(s) the participants will earn.
- Duration of the program and program components, such as time spent in classroom and on-the-job training. Applicants are encouraged to also describe ongoing support participants will receive once they exit the training program and connect to full-time employment to support retention.
- How applicants will engage employers and how the program will connect to high-quality jobs. Applicants can review the federal Good Jobs Principles [here](#).
- Estimated number of participants that will be trained in the program.
- Plan for how the program will recruit participants and how the program will build visibility and trust among residents of the Project Area.
- Curriculum the program will use and how it is informed by industry standards and employer demand.
- Wages or stipends for the duration of the program. Applicants are strongly encouraged to provide reasonable compensation for time spent in training to increase participation and retention.
- Strategies the program will use to meet the needs of populations that experience barriers to training and employment.
- Applicant's approach to administering supportive services to mitigate barriers to training and employment.
- Indicators the program will use to evaluate success as well as the methodology the program will use to track the progress of participants during and after the program. Applicants may review the Six Primary Indicators of Performance used by the public workforce system, as described by the Department of Labor [here](#).

Appendix D. Pollution Reduction Strategies and Associated Project Activities

[*\(back to the Table of Contents\)*](#)

Eligible project activities associated with each Pollution Reduction Strategy could include but are not limited to the following examples. Applicants may propose different activities as long as the activities are consistent with the applicable Pollution Reduction Strategy described in Section I.G of the NOFO and are eligible for funding under section 138(b)(2) of the Clean Air Act.

Strategy 1: Indoor Air Quality and Community Health Improvements

Examples:

- Remediate or mitigate harmful substances in buildings, including lead, mercury, pesticides, radon, mold, PCBs (caulk, flooring, etc.), lead-based paint, asbestos, and other toxic substances.²⁶
- Install, upgrade, or replace HVAC and / or filtration systems that improve indoor quality in schools, community-serving buildings, and single-and-multifamily homes. These upgrades may be done in conjunction with climate strategies that reduce building GHG emissions.
- Equip community centers and community buildings in agricultural worker communities with decontamination stations (e.g., publicly available shower and laundry stations) to eliminate take-home pesticide exposures.
- Purchase equipment that can enable “do-it-yourself” upgrades using research-based methods, to distribute within communities impacted by smoke.
- Replace wood heaters that do not meet EPA’s New Source Performance Standards with more efficient, cleaner heaters certified by EPA, and independently verified to meet (or to have emissions below) the most stringent Step 2 emission reduction standards described in Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters, and Forced-Air Furnaces heaters.

Strategy 2: Outdoor Air Quality and Community Health Improvements

Examples:

- Reduce exposure from mobile and stationary sources by:
 - developing or expanding vegetative barriers.
 - creating alternate truck route programs to decrease impacts to sensitive communities.
 - providing grants, rebates, or subsidies for households, small businesses, public partners, and community organizations to replace portable diesel equipment such as leaf blowers and lawn mowers with zero-emission alternatives.
 - retrofitting spray booths in local small businesses to reduce VOC contamination from auto body painters.
 - providing grants, rebates, or subsidies for backup battery systems to replace diesel backup generators in homes, public facilities, or small businesses.
- Create clean air zones or low-emission zones such as:

²⁶ The prohibition on using Community Change Grant funding to remediate Brownfields sites does not apply to this activity.

- Encouraging “last-mile” delivery through electric delivery vehicles (e.g., trucks, vans, cargo bikes).
- Electrifying local government-owned fleets providing services to communities (e.g., sanitation trucks, public buses).
- Implementing urban designs that promote air flow and reduce the concentration of pollution along street corridors (e.g., remove or reduce costly parking mandates, reduce idling of diesel vehicles).
- Implement sustainable construction practices such as minimizing dust and emissions during building projects (e.g., electrify equipment, cover construction sites, utilize water sprays, properly manage waste).
- Replace toxic play surfaces that emit harmful pollutants (e.g., tire crumb and certain turfs at schools, community playgrounds, and fields) with non-toxic, permeable options to provide safe places for children to play.
- Develop other policies that promote reductions in air pollution from transportation such as land use and zoning policies that enable households to live in affordable, dense, and vibrant communities within urban and rural areas.

Guidelines:

- Communities seeking funding for zero-emission school buses should encourage their local school district apply to EPA’s \$5 billion [Clean School Bus program](#).

Strategy 3: Clean Water Infrastructure to Reduce Pollution Exposure and Increase Overall System Resilience

Examples:

- Perform targeted infrastructure upgrades such as:
 - Replacing private-side lead lines in a home, childcare facility, school, or other community-serving building during full lead service line replacement²⁷
 - Septic to sewer conversions that connect homes to nearby community water systems.
 - Installing working water fountains at schools and parks where there are no fountains or they are inoperable, malfunctioning, or contaminated.
 - Installing water conservation and efficiency technologies that will allow utilities to better monitor and reduce energy consumption onsite.
 - Installing water reuse technologies that allow for system decreases in both energy and water use efficiencies through water capture, loss prevention, and closed loop approaches.
- Prepare and apply for state and / or federal water infrastructure funding to address larger community needs (e.g., a leak detection and pipe replacement plan, a PFAS action plan, or upgrades to water and wastewater treatment facilities that reduce pollution) by:
 - Assessing the problem through water sampling and monitoring.
 - Developing a plan, which could include the necessary design and engineering work.
 - Preparing an application for federal funding to one of several sources such as to EPA’s State Revolving Loan funds.
- Provide emergency interventions such as:

²⁷ [EPA’s Drinking Water Regulations for Lead. Lead Service Lines. Strategies to Achieve Full Lead Service Line Replacement.](#)

- providing recurring point-of-use filters while communities await lead service line replacement.
- providing alternate water supplies for communities and buildings that have contaminated water (PFAS, lead, PCBs, arsenic, nitrates, etc.) in communities with contaminated water systems.
- adopting facility procedures or system upgrades that allow for service flexibilities, mobility, and continuity in the event of an emergency due to climate-related disaster events.

Guidelines:

- The projects should also include a public outreach / education campaign on safe drinking water and / or wastewater, working with the public water system where possible.^{28 29}
- Activities should be coordinated with the EPA funded [Environmental Finance Centers](#) to minimize duplication of effort.

Strategy 4: Safe Management and Disposal of Solid and Hazardous Waste

Examples:

- Purchase equipment for hazardous waste sampling to determine classification.
- Collect, process, recycle, or otherwise dispose of household hazardous waste and electronics programs and infrastructure.
- Conduct compliance oversight for the collection, processing, recycling, storage and disposition of household hazardous waste and electronics.
- Develop or expand hazardous waste collection, recycling, and safe recycling programs and infrastructure.
- Develop or expand safe disposal technologies for hazardous waste.
- Reduce demand for single-use plastic products (by installing public water bottle refill stations and water fountains or implementing community and city-scale water reuse and refill systems), and phasing out single-use products that may be unnecessary.

²⁸ [EPA on Reducing Lead in Drinking Water](#). [EPA Communication Plan 3Ts](#). [Basic Information about Your Drinking Water](#).

²⁹ [Drinking Water Analytical Methods](#).

Appendix E. Job Quality & Equitable Employment Opportunities

[\(back to the Table of Contents\)](#)

It is a priority of the EPA that this grant program supports high-quality, family-sustaining, community-strengthening jobs with the free and fair choice to join a union, consistent with [Executive Order 14082, Implementation of the Energy and Infrastructure Provisions of the Inflation Reduction Act of 2022](#). As such, EPA is interested in funding proposals that have a commitment to creating good jobs and utilizing a diverse, highly skilled workforce, including an emphasis on creating employment opportunities for populations living in communities that are disadvantaged.

This supports the broader goals of environmental justice by making sure federal funds are spent on Climate Action and Pollution Reduction projects that have a commitment to strong labor standards, creating stronger communities where worker, employer, and community needs are collectively met. Characteristics of a good job include strong wages and family-sustaining benefits; worker empowerment and neutrality with respect to union organizing and collective bargaining; work environments that promote worker health and safety; job security; equitable workforce development pathways and opportunities for career advancement; and supportive services, such as childcare and transportation, to support individuals that face barriers to employment; among others. When considering how to support job quality, EPA encourages applicants to review the eight [Good Jobs Principles](#) developed by the U.S. Department of Labor and Department of Commerce. The Department of Labor has produced several resources that help potential applicants understand the Good Jobs Principles and implement them through federal funding programs including: [Good Jobs in Federal Investments: A Toolkit for Employers, Workers, and Government](#); [Good Jobs Initiative Job Quality Check List](#); [Good Jobs in Federal Investments: Data and Reporting Appendix](#).

Grant funding for construction projects under this program is subject to Davis Bacon and Related Acts prevailing wage laws as provided in Section 314 of the Clean Air Act. Beyond this requirement, applicants are encouraged to articulate additional strategies they will use to deliver on the goals outlined above, including ensuring high labor standards and a diverse workforce to benefit the local community where the EPA funded work is taking place. These commitments should be concrete, specific, and measurable rather than vague statements, and may be integrated into EPA's agreement with the recipient through programmatic terms and conditions.

Appendix F. Track I and II Outputs and Outcomes

[\(back to the Table of Contents\)](#)

The term “output” means an environmental activity, effort, and / or associated work product related to an environmental / public health goal and objective that will be produced or provided over a period or by a specified date. Outputs may be quantitative or qualitative but must be measurable during the assistance agreement funding period.

The term “outcome” means the result, effect, or consequence that will occur from carrying out an environmental / public health program or activity that is related to an environmental / public health programmatic goal or objective. Outcomes may be environmental, behavioral, health-related, or programmatic in nature, but must be quantitative. They may not necessarily be achievable within the assistance agreement funding period.

Examples of expected outputs and outcomes for the Track I and II awards under this NOFO include but are not limited to the following as applicable depending on the strategies and projects in the application. Applicants may identify additional outputs and outcomes as relevant to their specific strategies and projects in their application.

Track I Output and Outcome Examples

Strategy	Output Examples	Outcome Examples
Climate Action Strategies		
Strategy 1: Green Infrastructure and Nature-based Solutions	▪ Coastal green infrastructure projects, including blue-green trails (#) ▪ Green / complete streets, sidewalks, bus stops (#) ▪ Green / cool roofs (#) ▪ Area of impermeable surfaces replaced with vegetation (acres) ▪ New parks and / or public green space developed (acres) ▪ New shade tree canopy (square footage, # of shade trees planted) ▪ Area under implementation of low tillage / composting practices (acres) ▪ New community gardens and greenhouses (#)	▪ Increased green space as measured by square footage of added greenspace ▪ Increased resilience to extreme weather and climate conditions as measured by reduction in flash flooding events, improved groundwater recharge, and cooler ambient temperatures during heat waves ▪ Increased community resilience as measured by reduced damage and recovery costs for infrastructure, property, and cultural resources
Strategy 2: Mobility and Transportation Options for Preventing Air Pollution and Improving Public Health and Climate Resilience	▪ New EVs, bikes / electric bikes, and other low-and-zero emissions vehicles that are available via carsharing / bike sharing programs (#)	▪ Reduced air pollution from transportation (e.g., GHG reductions, reduced number of days with unsafe air quality for vulnerable populations) ▪ Increased use of public transportation services and

	▪ Streets improved to encourage walkability, bike-ability, and transit use (#, miles) ▪ EVs that can be used as backup power in lieu of diesel generators (#)	programs that promote electric vehicles, car sharing, and bike sharing
Strategy 3: Energy-efficient, Healthy, Resilient Housing and Buildings	▪ Home energy audits performed (#) ▪ Air sealings completed (#) ▪ Homes insulated (#) ▪ Natural gas appliances replaced with electric equivalents (#) ▪ Mobile homes retrofitted with solar panels and storage (#) ▪ Electrification, weatherization, and HVAC upgrades / replacements of low-income houses, apartments, small businesses, and other community buildings (#) ▪ Energy efficient home-heating appliances installed (#) ▪ Homes or units converted to electric heating (#)	▪ Lower consumption of home heating fuels (propane, heating oil, natural gas, and wood) and reduction in associated climate pollutants (e.g., black carbon, methane, CO₂), as well as ambient and indoor emissions of Hazardous Air Pollutants and PM_{2.5}. ▪ Decreased incidence of asthma
Strategy 4: Microgrid Installation for Community Energy Resilience	▪ Renewable energy capacity installed (MW) ▪ Battery storage installations (MWh) ▪ GHG emissions reductions (ton CO₂)	▪ Enhanced resilience during extreme weather events as measured by fewer power disruptions ▪ Increased number of homes connected to a resilient power source
Strategy 5: Community Resilience Hubs	▪ Space built or converted into a community resilient hub (square ft) ▪ Disaster preparedness trainings delivered (#) ▪ Stormwater management flood preparedness training delivered (#)	▪ Enhanced physical safety during natural disasters as measured by the number of hospitalizations and lives lost among vulnerable populations ▪ Increased community awareness of emergency preparedness
Strategy 6: Brownfield Redevelopment	▪ Impervious surface reduced (square footage) ▪ Community meetings to involve impacted residents (#) ▪ Green demolition activities to support adaptive reuse or new construction (#) ▪ Shade trees planted (#) and new vegetation (square footage)	▪ Square footage of space redeveloped for resilience purposes, such as heat-reducing shade ▪ New economic opportunities created through the redevelopment of previously polluted land (e.g., number of business or low-income housing units)

Strategy 7: Waste Reduction and Management to Support a Circular Economy	- Waste diverted from landfills (pounds / tons) - Waste recycled (pounds / tons) - Food waste composted (pounds / tons)	- Cleaner communities with less trash / waste on land and in waterbodies as measured by litter surveys - Reduced food waste and associated emissions as measured by weight of compost diverted from landfills
Strategy 8: Workforce Development Programs for Occupations that Reduce Greenhouse Gas Emissions and Air Pollutants	- Individuals in disadvantaged communities that participate in workforce training in sectors related to GHG emissions and air pollution reduction who are currently unemployed, under-employed, or face employment barriers (#) - People in disadvantaged communities hired and retained into high-quality jobs to reduce air pollution and GHG emissions based on participation in a workforce training program (#) - Individuals who receive wages / stipends and supportive services delivered to enable community members' participation in workforce training programs (# individuals receiving such wages / stipends)	- Increased literacy among community members about environmental sectors and skills required to pursue these jobs - Increased number of high-quality workforce training programs, such as pre-apprenticeship and Registered Apprenticeship, in disadvantaged communities - Increased wages, benefits, job quality, and job security for participants in workforce training programs
Alaskan-specific Climate Action Strategies	- Renewable generation capacity installed (MW) - Fuel storage facilities repaired (#) - Greenhouses constructed (#) - Portable micro-water treatment systems installed (#)	- Improved water and soil quality so water / land can be used for Alaskan Native traditional uses - Increased access to energy sources with low air pollution and carbon emissions - Protection of cultural resources including environmental habitats
Pollution Reduction Strategies		
Strategy 1: Indoor Air Quality and Community Health Improvements	[Type of] trainings implemented (#) - Classrooms with air cleaners (#) - Houses / schools with upgraded / improved HVAC systems (#) - Homes in which moisture issues have been addressed (#) - Wood appliance upgraded or replaced (#)	- Increased public and environmental health literacy - Decreased incidence of asthma symptoms as measured by doctor visits or school nurse visits for asthma symptoms - Reduced exposure to radon and risk of developing radon-induced lung cancer
Strategy 2: Outdoor Air Quality and Community Health Improvements	Clean air zones or low-emission zones created (#)	Increased public and environmental health literacy

	▪ Abandoned oil / gas wells plugged (#) ▪ Toxic play surfaces replaced (#) ▪ Community monitoring and alert systems installed to alert households to increasing pollution levels (#) ▪ Wildfire smoke preparedness trainings delivered (#)	▪ Reduced exposure to PM, carbon dioxide, VOCs, ozone, nitrogen dioxides, and toxics. ▪ Increased skill development and improvements in community capacity to independently assess air pollution reduction options
Strategy 3: Clean Water Infrastructure to Reduce Pollution Exposure and Increase Overall System Resilience	▪ Clean water fountains installed in schools / parks (#) ▪ Full lead service lines replaced for low-income homes (miles) ▪ Private wells tested for PFAS (#) ▪ Stormwater management / flood preparedness trainings delivered (#) ▪ Water efficiency systems installed (e.g., drought mitigation systems, rain capture installations) (#)	▪ Decreased levels of water contamination and pollution as measured by boil water advisories, lead poisoning, or water quality monitoring results ▪ Increased availability of clean, safe drinking water
Strategy 4: Safe Management and Disposal of Solid and Hazardous Waste	▪ Lead paint remediations completed (#) ▪ Tires diverted from landfills / the environment to disposal facilities (#, weight) ▪ Neighborhoods / cities / residents served through residential waste composting / chipping program (#) ▪ Waste transfer, material reuse, and / or recycling stations installed in underserved communities (#)	▪ Decreased exposure to toxics and hazardous chemicals ▪ Reduced odors and pathogens ▪ Increased residential waste composting
Strategy 5: Eliminate Harmful Chemicals through Product Replacements	▪ Conventional products replaced with Safer Choice-certified or other EPA recommended products (#, volume, customers impacted) ▪ Units of PFAS food contact materials replaced (#)	▪ Reduced exposure to hazardous chemicals for those who live and work in and near places with chemical use and application
ANCSA-Specific Pollution Reduction Strategies	▪ Homes served with micro-water treatment systems (#) ▪ Planning documents and Environmental Information Document created (#) ▪ Site assessments and initial cleanups completed (#)	▪ Improved water and soil quality so water / land can be used for Alaskan Native traditional uses ▪ Protection and preservation of cultural resources including environmental habitats

	▪ Reduced exposure to harmful chemicals and pollutants on Alaskan Native lands through remediation of contaminated lands and buildings (acres of land, # buildings)	
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Track II Output and Outcome Examples

Outputs

- New policies developed and implemented in response to community recommendations (e.g., through a new advisory council, participatory budgeting) (#)
- Community benefits agreements or memoranda of understanding signed (#)
- Number of community residents who complete a training that builds their capacity to participate in government processes (#)
- Amount of new funding allocated to benefit disadvantaged communities (dollars)
- Number of residents who participate in a community-based participatory research initiative that informs a government process and / or priority (#)
- Research products published with data reflecting community opinions and preferences (#)
- Number of educational forums and / or meetings held between governmental officials and community members (#)

Outcomes

- Increased involvement of individuals from disadvantaged communities in local, state, federal and other governmental environmental public processes
- Expanded knowledge of local, state, federal and other governmental environmental public processes among disadvantaged communities
- Stronger relationships and trust between disadvantaged communities and government entities on matters relating to environmental protection
- More transparent processes for governmental decision-making on environmental protection policies and greater governmental focus on inclusivity
- Increased accountability and community input into governmental decision-making on environmental protection policies
- More informed decisions made, and environmental actions taken, by government bodies to benefit disadvantaged communities
- Enhanced capacity in disadvantaged communities to be involved in local, state, federal, and other governmental environmental public processes
- Increased funding to enable disadvantaged communities to address environmental and climate justice issues
- New environmental or climate policies developed to be responsive to community needs

Appendix G. Budget Template

[\(back to the Table of Contents\)](#)

(This template is optional, and applicants may use a different format for the template).

Category	Description	Total
Personnel		
Fringe Benefits		
Travel		
Equipment		
Supplies		
Contractual		
Construction		
Other (separate by participant support costs, subawards, and other costs)		
Total Direct Costs (sum of the above categories)		
Indirect Costs		
Total Project Costs (sum of direct and indirect costs)		

Guidance for Budget Template

The budget template is an attachment to the application and does not count toward the Project Narrative's page limit as described in Section IV of the NOFO. Applicants should include applicable rows of costs for each budget category in their budget template to accurately reflect the proposed application budget for each year of the grant. EPA provides detailed guidance on budget development in the [Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance](#), but applicants may use other forms instead of this template as long as total costs per category (and specific descriptions of costs) are included.

Applicants must itemize costs related to personnel, fringe benefits, travel, equipment, supplies, contractual costs (including acquisitions of intangible property), construction, and other costs (including subawards and participant support costs) as direct costs. Direct costs plus the indirect costs equal the total project costs. Descriptions of these cost categories are below. Applicants should be aware that if their projects include using federal funds to purchase goods, products, and materials on any form of construction, alteration, maintenance, or repair of infrastructure in the United States, they must comply with the Build America, Buy America Term and Condition if they are selected for an award.

To facilitate consideration of an application for partial funding, EPA recommends that applicants separate costs for financial assistance in the program budget by project category, to the extent practicable.

- **Personnel - List all staff positions by title. Give annual salary, percentage of time assigned to the project, and total cost for the budget period.** This category includes only direct costs for the salaries of those individuals who will perform work directly for the program (paid employees of the applicant organization as reflected in payroll tax records). Personnel costs do not include: (1) costs for services of contractors (including individual consultants), which are included in the "Contractual" category; (2) costs for employees of subrecipients under subawards or non-employee program participants (e.g., interns or volunteers), which are included in the "Other" category; or (3) effort that is not directly in support of the proposed program, which may be covered by the organization's negotiated indirect cost rate. The budget table must identify the personnel category type by Full Time Equivalent (FTE), including percentage of FTE for part-time employees, number of personnel proposed for each category, and the estimated funding amounts.
- **Fringe Benefits - Identify the percentage used, the basis for its computation, and the types of benefits included.** Fringe benefits are allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe benefits may include, but are not limited to, the cost of leave, employee insurance, pensions, and unemployment benefit plans. If the applicant's fringe rate does not include the cost of leave, and the applicant intends to charge leave to the agreement, it must provide supplemental information describing its proposed method(s) for determining and equitably distributing these costs.
- **Travel - Specify the mileage, per diem, estimated number of trips in-state and out-of-state, number of travelers, and other costs for each type of travel.** Travel may be integral to the purpose of the proposed program (e.g., site visits); related to proposed program activities (e.g., attendance at community engagement meetings); or for a technical training or workshop that supports effective implementation of the program activities (e.g., consumer awareness activities). Only include travel costs for employees in the travel category. Travel costs do not include: (1) costs for travel of contractors (including consultants), which are included in the "Contractual" category; or (2) travel costs for employees of subrecipients under subawards and non-employee program participants (e.g., trainees), which are included in the "Other" category. Further, travel does not

include bus rentals for group trips, which would be covered under the “Contractual” category. Finally, if the applicant intends to use any funds for travel outside the United States, it must be specifically identified. All proposed foreign travel must be approved by EPA’s Office of International and Tribal Affairs prior to being taken.

- **Equipment - Identify each item to be purchased that has an estimated acquisition cost of \$5,000 or more per unit and a useful life of more than one year.** Equipment also includes accessories necessary to make the equipment operational. Equipment does not include: (1) equipment planned to be leased / rented, including lease / purchase agreement; or (2) equipment service or maintenance contracts that are not included in the purchase price for the equipment. These types of proposed costs must be included in the “Other” category. Items with a unit cost of less than \$5,000 must be categorized as supplies, pursuant to 2 CFR § 200.1. The budget table must include an itemized listing of all equipment proposed under the program. If installation costs are included in the equipment costs, labor expenses shall be itemized with the detailed number of hours charged and the hourly wage. If the applicant has written procurement procedures that define a threshold for equipment costs that is lower than \$5,000, then that threshold takes precedence.
- **Supplies - “Supplies” means all tangible personal property other than “equipment.” The budget detail should identify categories of supplies to be procured (e.g., laboratory supplies or office supplies).** Non-tangible goods and services associated with supplies, such as printing services, photocopy services, and rental costs must be included in the “Other” category.
- **Contractual - Identify proposed contracts, specifying the purpose and estimated cost for typical contractual services and disaggregating any costs for acquisitions of intangible property.** Contractual services (including consultant services) are those services to be carried out by an individual or organization, other than the applicant, in the form of a procurement relationship. The [EPA Subaward Policy](#) and supplemental frequently asked questions have detailed guidance available for differentiating between contractors and subrecipients. Leased or rented goods (equipment or supplies) must be included in the “Other” category. EPA does not require applicants to identify specific contractors, but if an applicant does so they must demonstrate that the contractor was selected in compliance with competitive procurement requirements in 2 CFR Parts 200 and 1500. Subcontracts are not subawards and belong in the “Contractual” category.

In the budget description, the applicant should list the proposed contract activities along with a brief description of the anticipated scope of work or services to be provided, proposed duration, and proposed procurement method (competitive or non-competitive), if known. Any proposed non-competed / sole-source contracts more than the applicant’s 2 CFR § 200.320(a) micro-purchase threshold (generally \$10,000) must include a justification. Note that EPA rarely accepts proposed sole source contracts for goods and services (e.g., consulting) that are widely available in the commercial market absent a copyright, patent, or equipment warranty requirement or similar restriction that establishes that only one source can provide the necessary good or service; unique qualifications or long-standing relationships with a grantee do not provide an adequate basis for a sole source contract. Applicants must provide the aggregate amount they propose to issue as acquisitions of intangible property as a separate line item in the “Contractual” category. Refer to the [EPA Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#) for EPA’s policies on competitive procurements and encouraging the use of small and disadvantaged business enterprises.

- **Other - List each item in sufficient detail for EPA to determine the reasonableness and allowability of the cost.** This category should include only those types of direct costs that do not

fit in any of the other budget categories including subawards, participant support costs, and additional costs (e.g., insurance, costs for acquiring or improving real property, rental / lease of equipment or supplies, equipment service or maintenance contracts, and printing or photocopying).

- **Subawards** - 2 CFR § 200.1 defines a subaward as “an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity.” 2 CFR § 200.1 defines a Pass-through entity as “a non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program” and a Subrecipient as “an entity...that receives a subaward from a pass-through entity to carry out part of a federal award; but does not include an individual that is a beneficiary of such award.” Identify each major subaward including those with the Collaborating Entities. Applicants must show the individual and aggregate amounts they propose to issue as subawards. Additional guidance is available in the EPA Subaward Policy and below.
- **Participant Support Costs** - 2 CFR § 200.1 defines participant support costs as “direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences, or training projects.” EPA regulations at 2 CFR § 1500.1(a)(1) expands the definition of participant support costs to include “[S]ubsidies, rebates, and other payments to program beneficiaries to encourage participation in statutorily authorized environmental stewardship programs.” Additional guidance is available in the [EPA Guidance on Participant Support Costs](#).

Indirect Costs

If indirect costs are budgeted, indicate the approved rate and distribution base. Indirect costs are those incurred by the grantee for a common or joint purpose that benefit more than one cost objective or project and are not readily assignable to specific cost objectives or projects as a direct cost. Indirect costs must be based on a rate approved by the applicant’s cognizant federal agency, or the 10% de-minimis rate authorized by 2 CFR § 200.414(f). Additional indirect cost guidance is available in [Indirect Cost Guidance for Recipients of EPA Assistance Agreements](#) and in Section VI.u, “IDC Competition Clause,” of the [EPA Solicitation Clauses](#).

Notwithstanding this, indirect costs have been capped as described below based on a deviation approved per 2 CFR 200.414:

Limitation on indirect costs for grants and cooperative agreements

- a. In general: Except as otherwise provided by statute, indirect costs charged against any grant and / or cooperative agreement awarded under this NOFO shall not exceed 20 percent of the total amount of the federal award.
- b. Exception: Subsections (a) and (c) shall not apply to Indian Tribes as defined in section 302(r) of the Clean Air Act who serve in the role of direct recipient and / or subrecipient under the program or to Intertribal consortia that meet the requirements of 40 CFR 35.504(a) and (c) even if the Intertribal consortia is eligible for funding as a Community Based Nonprofit Organization.
- c. Treatment of subawards: In the case of a grant and / or cooperative agreement described in subsection (a), the limitation on indirect costs specified in such subsection shall be applied to both the initial direct assistance award amount and any subaward of the federal funds provided under the initial assistance award so that the total of all indirect costs charged to each of the federal awards (i.e., both the initial direct assistance award amount and any subawards) funded under the initial assistance award does not exceed such limitation. As provided in 2 CFR 200.332(a)(2) pass-through

entities are responsible for ensuring compliance with the indirect cost limitation by their subrecipients.

Note: This limit does not extend to indirect costs on procurement contracts.

Appendix H. Alaska Tribal Lands Target Investment Area

[*\(back to the Table of Contents\)*](#)

As noted in Section II.B, this NOFO includes a Target Investment Area for projects benefitting Alaska Tribal lands that are defined as disadvantaged communities in Appendix A. Under this Target Investment Area, EPA is accepting applications that include projects focusing on the clean-up of contaminated lands conveyed through the Alaska Native Claims Settlement Act (ANCSA).

Applications submitted by eligible applicants including Alaska Native Villages (ANVs), Alaska Native Nonprofit Organizations, and Alaska Native Nonprofit Associations for the Alaskan Target Investment Area must include, like all other Track I applications, at least one Climate Action Strategy and at least one Pollution Reduction Strategy and meet the other Track I application requirements in Section I.G of the NOFO, to be eligible for funding. Applicants are not limited to a single project activity under a strategy and may select several project activities associated with a strategy. Note that the for-profit Alaska Native Corporations are not eligible to be Lead Applicants or Statutory Partners for this NOFO. The Climate Action and Pollution Reduction Strategies addressed in applications for the Alaskan Target Investment Area can address either the Climate Action and Pollution Reduction Strategies (and project activities referenced in Appendices C and D) in Section I.G, or any specific Alaskan ones described below under paragraphs 1 and 3. EPA strongly encourages applications that include Pollution Reduction strategy projects to clean up contaminated lands such as those conveyed through ANCSA as addressed in Section 1 below.

1. ANCSA-Specific Pollution Reduction Strategy and Associated Project Activities

This section describes project activities specific to the assessment and cleanup of sites covered by the Contaminated ANCSA Lands Assistance Program. The specific requirements that apply to ANCSA cleanup projects are below.

ANCSA was enacted in 1971 to settle aboriginal claims to public lands through the conveyance of 46 million acres of land to Alaska Native regional and village corporations and the transfer of one billion dollars from the state and federal governments as compensation for lands which could not be returned to Alaska Native ownership. Many of the lands promised and conveyed to corporations pursuant to the settlement in ANCSA were contaminated. The contaminants on some of these lands—which include arsenic, asbestos, lead, mercury, pesticides, polychlorinated biphenyls, and petroleum products—pose health and other concerns to Indigenous Alaskans and communities and are present in quantities above state and federal clean-up levels, negatively impacting subsistence resources and hampering cultural, social, and economic activities.

In 2023, EPA initiated a new [Contaminated ANCSA Lands Assistance Program](#) (ANCSA Program) to assist with addressing contamination on lands conveyed pursuant to ANCSA and provide funding to (1) characterize, assess, and conduct planning and community involvement activities related to these lands and (2) to carry out cleanup activities at ANCSA sites contaminated at the time of conveyance. The statutory authority for the ANCSA Program (Public Law 117-328) states that recipients of grants awarded under the ANCSA Program may use the funding to “. . . supplement other funds provided by the Environmental Protection Agency through individual media or multi-media grants or cooperative agreements.”

Eligible ANSCA project activities:

- Conducting Planning and Developing Site Plans:
 - Planning and site plan development for individual contaminated sites.

- Where multiple sites are connected through location, infrastructure, or economic, social, and environmental conditions, planning and site plan development can take an area-wide approach for multiple sites. Applicants must demonstrate how work conducted at several sites will benefit the primary site selected for investment. Project Area requirements are outlined in I.D of the NOFO but may be waived for purposes of coordinated cleanup.
- Conducting Site Assessments and Related Activities:
 - Conducting site assessment and sampling activities
 - Developing a Health and Safety Plan, Quality Assurance Project Plan and / or Sampling Plan prior to conducting any environmental sampling and analysis (a requirement for any projects conducting sampling).
 - Submitting samples for analysis to an EPA accredited laboratory. Analytical costs from evaluating site samples.
 - Developing a report of the sample results and conclusions based on analysis (i.e., Conceptual Site Model, Assessment report, Site Inspection or Sampling Summary Report).
 - Supporting planning for future cleanup activities such as analysis of cleanup alternatives.
- Conducting Initial Cleanup Activities:
 - Developing a site cleanup approach and documenting the approach in a Site Cleanup Plan to include agreed upon cleanup endpoints, aligned with Alaska Department of Environmental Conservation (ADEC) cleanup process.
 - If necessary, procuring contract services to conduct cleanup activities such as contaminated material removal, sampling, or health and safety monitoring.
 - Conducting environmental confirmation sampling post-cleanup activities to determine if further action is required. If necessary, planning for next phase of site cleanup.
 - Developing a report documenting removal and / or cleanup activities.
- Conducting Community Engagement Activities:
 - As noted in Section I of the NOFO, all applicants are required to develop a Community Engagement Plan. Effective community engagement is vital to working effectively with Alaska Native communities. Therefore, for ANCSA-related cleanup projects, Community Engagement Plans should include community engagement activities and / or development of culturally sensitive protocols for project implementation of cleanup activities.
 - Costs of conducting community engagement activities, including training for workforce development, youth engagement, elder engagement in documentation of Traditional Knowledge, and other costs associated with meaningfully engaging the community in the project can be included in the proposal budget.
- Compiling Information to Use to Comply with NEPA
 - The projects funded under this NOFO do not require Environmental Information Documents (EID) because EPA awards under this NOFO are not subject to the National Environmental Policy Act (NEPA), under Section 7(c) of the Energy Supply and Environmental Coordination Act of 1974 (15 U.S.C. 793(c)(1)). However, applicants may seek funding to prepare EIDs as needed to comply with NEPA in connection with other federal grant-funded projects in Alaska. EPA awards under the ANCSA program, for example, are subject to NEPA, as are programs funded by other federal agencies.

Additional Eligibility Requirements for ANCSA-related projects and activities:

Applicants proposing ANCSA-related cleanup projects must provide the following documentation of eligibility in their application. Failure to do so may render the application ineligible for funding. Specifically, applicants must provide the following site-specific information for where the cleanup activities will be performed, demonstrating that the site:

- was conveyed pursuant to ANCSA;
- was contaminated by hazardous substances, pollutants, contaminants, or petroleum at the time of conveyance; and
- is listed on the interim EPA inventory of Contaminated ANCSA Lands (for more information on EPA's interim inventory and program related to cleaning up contaminated lands conveyed pursuant to ANCSA, visit EPA Region 10's [website](#)).
- If the applicant is not the owner of the contaminated site(s) to be addressed, EPA will require proof that the landowner will provide access to the site and supports taking action to address contamination.

2. **General Alaskan Pollution Reduction Strategies**

In addition to the ANCSA land contamination projects identified above, applicants for the Alaskan Tribal Lands Target Investment Area may include Pollution Reduction Strategies as identified in Section I.G of the NOFO.

3. **Alaska-Specific Climate Action Strategies**

Below are examples of additional Alaska-specific Climate Action Strategies and project activities that may be included in applications for the Alaskan Tribal Lands Target Investment Area, which are in addition to the Climate Action Strategies described in Section I.G of the NOFO.

- Community energy resilience, which may include activities such as:
 - Multi-energy systems including renewable (solar, wind, etc.) and traditional (bulk fuel) sources to increase resilience during extreme events and support a clean energy transition.
 - Power system projects, including renewable energy projects, and the construction, repair, and maintenance of fuel storage facilities in rural areas.
- Improving human health and climate resilience, which may include activities such as:
 - Construction of greenhouses that enable sustainable food growth that can promote healthy foods, food accessibility, and food availability.
 - Food storage facilities to enable sustainable access to traditional foods to support places where permafrost degradation is destroying traditional ice cellars. New food storage facilities may be constructed to support the access and availability of traditional foods. Selection of this project component must include a permafrost mitigation strategy.
 - Projects to support new and improved access points to traditional food resources, such as construction of new fishing docks or river / lake boat ramps to allow for improved fishing opportunities in places that have a high reliance on traditional foods, where climate change has degraded access and availability of food sources.
- Permafrost degradation management strategies that may include strategies such as:
 - Source water protection (impacts from landfills, thawing of permafrost, and potential impacts to traditional drinking water sources as well as established drinking water systems).
 - Portable micro-water treatment systems applicable to those impacted by emergencies which impact drinking water systems, with the ability to treat water until system repairs are complete or new systems built.

- Manage and monitor contamination impacting land, food, and water backhaul / removal of waste materials not suitable for disposition in permitted landfills in Alaska.
- Climate emergency management and response strategies that may include activities such as:
 - Purchase of emergency response cargo containers with materials ready to deploy, including four-wheeler, snowmachine, communications, temporary office location, boat, oil spill response materials, smoke management equipment, etc.
 - Development of emergency alert and warning systems for wildfires, flooding and other emergencies stemming from climate change.
- Nature-based resilience strategies that may include activities such as:
 - Restoration of natural systems to help protect coastal communities from the impacts of storms, floods, and other natural hazards.
 - Storm damage prevention and reduction, coastal erosion, and ice and glacial damage stemming from climate change.



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Alice Ashley

Department: Fire

Agenda Item: 7.VII.

Reviewed by: Gus Knebel, City Attorney

AGENDA ITEM DESCRIPTION:

Designating application for grant application, submission, and signatory for contractual documents pertaining to the Department of Homeland Security (DHS), FEMA, Assistance to Firefighters Grant Program - *Fire*

STAFF BRIEFING:

Apply to purchase

17-Radios: \$136,000

26-Air Packs: \$370,000

40-Bunker Gear: \$200,000

HISTORY:

FISCAL IMPACT:

5% Match-not to exceed \$35,500

RESOLUTION NO. XXXX-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, DESIGNATING APPLICATION FOR GRANT APPLICATION SUBMISSION AND SIGNATORY FOR CONTRACTUAL DOCUMENTS PERTAINING TO THE DEPARTMENT OF HOMELAND SECURITY (DHS), FEMA, ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM.

WHEREAS; the City of La Marque, Texas is in preparation for grant application for the Department of Homeland Security (DHS), Assistance to Firefighters Grant Program; and

WHEREAS; the City of LaMarque, Texas finds it in the best interest of the citizens of the City of La Marque that the city be operated for the FY 2025-2026; and

WHEREAS; it is necessary to appoint persons to execute contractual application documents directly pertaining to the application submittal to the Department of Homeland Security (DHS), FEMA, Assistance to Firefighters Grant Program; and

WHEREAS; the City of La Marque, Texas, acknowledges that if an authorized signatory of the City changes (elections, illness, resignations, etc.) the City shall provide them with a resolution stating the new authorized signatory shall be and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS AS FOLLOWS:

WHEREAS; the City of La Marque designates the City Manager, Cesar Garcia, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED; that City of La Marque, Texas approves submission of the grant application for the Department of Homeland Security (DHS), FEMA, Assistance to Firefighters Grant Program.

PASSES, APPROVED, AND ADOPTED by City Council of the City of La Marque on this the 18th day of November, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell
Mayor

ATTEST:

Kierra Nance
City Clerk

**The U. S. Department of Homeland Security (DHS)
Notice of Funding Opportunity (NOFO)
Fiscal Year 2024 Assistance to Firefighters Grant Program**

All entities wishing to do business with the federal government must have a unique entity identifier (UEI). The UEI number is issued by the system. Requesting a UEI using System for Award Management (SAM.gov) can be found at: <https://sam.gov/content/entity-registration>.

Updates in Grant Application Forms:

The Data Universal Numbering System (DUNS) Number was replaced by a new, non-proprietary identifier requested in, and assigned by, SAM.gov. This new identifier is the Unique Entity Identifier.

Additional Information can be found on Grants.gov: <https://www.grants.gov/forms/forms-development/planned-uei-updates>.

Table of Contents	
Updates in Grant Application Forms:	1
A. Program Description	6
1. Issued By	6
2. Assistance Listings Number	6
3. Assistance Listings Title	6
4. Funding Opportunity Title	6
5. Funding Opportunity Number	6
6. Authorizing Authority for Program	6
7. Appropriation Authority for Program	6
8. Announcement Type	6
9. Program Category	6
10. Program Overview, Objectives, and Priorities	6
11. Performance Measures	8
B. Federal Award Information	8
1. Available Funding for the NOFO: \$291,600,000	8
2. Projected Number of Awards: 2,000	8
3. Period of Performance: 24 months	9
4. Projected Period of Performance Start Date(s): N/A	9
5. Projected Period of Performance End Date(s): N/A	9
6. Projected Budget Period	9
7. Funding Instrument Type: Grant	9
C. Eligibility Information	9
1. Eligible Applicants	9
2. Applicant Eligibility Criteria	10
3. Subawards and Beneficiaries	11
4. Other Eligibility Criteria/Restrictions	11
a. National Fire Incident Reporting System (NFIRS)	11
b. National Incident Management System (NIMS)	11
5. Maintenance of Effort (MOE)	11
6. Cost Share or Match	12
a. Types of Cost Share	12
b. Economic Hardship Waivers	13
D. Application and Submission Information	13
1. Key Dates and Times	13
a. Application Start Date: 11/12/2024 at 9 AM ET	13
b. Application Submission Deadline: 12/20/2024 at 5 PM ET	13
c. Anticipated Funding Selection Date: No later than April 30, 2025	13
d. Anticipated Award Date:	14
e. Other Key Dates	14
2. Agreeing to Terms and Conditions of the Award	14
3. Address to Request Application Package	14
4. Requirements: Obtain a Unique Entity Identifier (UEI) and Register in the System for Award Management (SAM.gov)	14
5. Steps Required to Obtain a Unique Entity Identifier, Register in the System for Award Management (SAM), and Submit an Application	15

6.	Electronic Delivery	16
7.	How to Register to Apply	16
	a. General Instructions:	16
	b. Obtain an UEI Number: 3	16
	c. Obtain Employer Identification Number.....	16
	d. Create a login.gov account:	16
	e. Register with SAM:.....	17
	f. Register in FEMA GO, Add the Organization to the System, and Establish the AOR:	18
8.	Submitting the Application.....	18
9.	Timely Receipt Requirements and Proof of Timely Submission	18
10.	Content and Form of Application Submission.....	19
	a. Standard Required Application Forms and Information	19
	b. Program-Specific Required Forms and Information	19
11.	Other Submission Requirements.....	19
12.	Funding Restrictions and Allowable Costs.....	20
	a. Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services	20
	b. Pre-Award Costs.....	21
	c. Management and Administration (M&A) Costs	22
	d. Indirect Facilities & Administrative (F&A) Costs	22
	e. Evaluation Costs.....	23
	f. Other Direct Costs	23
E.	Application Review Information.....	25
	1. Application Evaluation Criteria	25
	a. Programmatic Criteria	25
	b. Financial Integrity Criteria	25
	c. Supplemental Financial Integrity Criteria and Review	26
	2. Review and Selection Process	26
	a. Pre-Scoring Process.....	26
	b. Peer Review Panel Process.....	27
	c. Technical Evaluation Process (TEP)	28
F.	Federal Award Administration Information.....	29
	1. Notice of Award.....	29
	2. Difference between Application Request and Award.....	29
	3. Turndown Notifications	29
	4. Administrative and National Policy Requirements.....	29
	a. DHS Standard Terms and Conditions	30
	b. Ensuring the Protection of Civil Rights	30
	c. Environmental Planning and Historic Preservation (EHP) Compliance	30
	d. Mandatory Disclosures.....	33
	5. Reporting.....	33
	a. Financial Reporting Requirements.....	33
	b. Programmatic Performance Reporting Requirements.....	33
	c. Closeout Reporting Requirements.....	34
	d. Additional Reporting Requirements.....	35

6.	Monitoring and Oversight.....	36
G.	DHS Awarding Agency Contact Information	38
1.	Contact and Resource Information	38
a.	AFG Program Office Contact.....	38
b.	FEMA Grants News	38
c.	Grant Programs Directorate (GPD) Award Administration Division	38
d.	FEMA Regional Offices.....	38
e.	Civil Rights.....	38
f.	Environmental Planning and Historic Preservation	39
2.	Systems Information	39
a.	FEMA GO	39
H.	Additional Information.....	39
1.	Termination Provisions.....	39
a.	Noncompliance.....	39
b.	With the Consent of the Recipient	39
c.	Notification by the Recipient	39
2.	Program Evaluation	40
3.	Period of Performance Extensions.....	40
4.	Disability Integration	41
5.	Conflicts of Interest in the Administration of Federal Awards or Subawards.....	42
6.	Procurement Integrity	43
a.	Important Changes to Procurement Standards in 2 C.F.R. Part 200	43
b.	Competition and Conflicts of Interest	44
c.	Supply Schedules and Purchasing Programs.....	46
d.	Procurement Documentation.....	47
7.	Financial Assistance Programs for Infrastructure	47
a.	Build America, Buy America Act	47
b.	Waivers.....	48
c.	Definitions	49
8.	Record Retention	49
a.	Record Retention Period	49
b.	Types of Records to Retain	50
9.	Actions to Address Noncompliance.....	50
10.	Audits.....	51
11.	Payment Information	53
12.	Whole Community Preparedness.....	53
13.	Report issues of fraud, waste, abuse	53
14.	Hazard-Resistant Building Codes	53
15.	Appendix A – FY 2024 AFG Program Updates.....	53
16.	Appendix B – Programmatic Information and Priorities	54
a.	Ineligible Applications and/or Organizations.....	55
b.	Supporting Definitions for this NOFO	56
c.	Community Classifications	57
d.	Application Tips	57
e.	Restrictions on Uses of Award Funds.....	58
f.	Funding Priorities	59

g. Regional Applications	77
h. Vehicle Acquisition	79
17. Appendix C – Award Administration Information	85
a. Help FEMA Prevent Fraud, Waste, and Abuse	86
b. Economic Hardship Waivers of Cost Share and Maintenance of Effort.....	86
c. Grant Writer/Preparation Fees.....	86
d. Maintenance and Sustainment for AFG Programs.....	87
e. Taxes, Fees, Levies, and Assessments	88
f. Excess Funds	88
g. Payments and Amendments	89
h. Disposition of Grant Funded Equipment.....	91

A. Program Description

1. Issued By

U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)/Grant Programs Directorate (GPD)

2. Assistance Listings Number

97.044

3. Assistance Listings Title

Assistance to Firefighters Grant (AFG)

4. Funding Opportunity Title

Fiscal Year 2024 Assistance to Firefighters Grant (AFG)

5. Funding Opportunity Number

DHS-24-GPD-044-00-98

6. Authorizing Authority for Program

Section 33 of the *Federal Fire Prevention and Control Act of 1974*, Pub. L. No. 93-498, as amended (15 U.S.C § 2229)

7. Appropriation Authority for Program

Department of Homeland Security Appropriations Act, 2024, Pub. L. No. 118-47, Title III, Protection, Preparedness, Response, and Recovery, Federal Emergency Management Agency, Federal Assistance (2024 DHS Appropriations Act)

8. Announcement Type

Initial

9. Program Category

Preparedness: Fire and Life Safety

10. Program Overview, Objectives, and Priorities

a. Overview

The Fiscal Year (FY) 2024 Assistance to Firefighters Grant (AFG) Program is one of three grant programs that constitute the Department of Homeland Security (DHS), Federal Emergency Management Agency's (FEMA's) focus on enhancing the safety of the firefighters and therefore the public with respect to fire and fire-related hazards. The AFG Program provides financial assistance directly to eligible fire departments, nonaffiliated emergency medical service (EMS) organizations, and State Fire Training Academies (SFTAs) for critical training and equipment. The AFG Program has awarded approximately \$8.7 billion in grant funding to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. Since FY 2018, the AFG Program has awarded more than 800 fire apparatuses,

150,000 personal protective equipment items, and 126,000 other fire equipment to more than 7,000 unique recipients. During the same period, the AFG Program provided funding to 915 recipients to modify department facilities or implement wellness and fitness priorities to protect firefighter health. Information about success stories for this program can be found at [Assistance to Firefighters Grants Program | FEMA.gov](https://www.fema.gov/assistance-to-firefighters-grants-program).

The AFG Program represents part of a comprehensive set of measures authorized by Congress and implemented by DHS. In awarding grants, the FEMA Administrator is required to consider:

- The findings and recommendations of the Technical Evaluation Panel (TEP);
- The degree to which an award will reduce deaths, injuries and property damage by reducing the risks associated with fire related and other hazards;
- The extent of an applicant's need for an AFG Program grant and the need to protect the United States as a whole; and
- The number of calls requesting or requiring a firefighting or emergency medical response received by an applicant.

b. Goals, Objectives, and Priorities

Goal: Enhance the safety of the public and firefighters with respect to fire and fire-related hazards.

Objectives: Provide critically needed resources that equip and train emergency personnel to recognized standards, outfit responders with compliant personal protective equipment to increase responders' physical protection against hazards during incident response, provide funding to retrofit or modify facilities to protect personnel from known health hazards, acquire emergency response vehicles, design and implement health, wellness and resiliency programs that prepare responders for incident response, enhance operational efficiencies, foster interoperability, and support community resilience.

Priorities: Information on program priorities and objectives for the FY 2024 AFG Program can be found in [Appendix B – Programmatic Information and Priorities](#).

c. Alignment to Program Purpose and the DHS and FEMA Strategic Plan

The AFG Program represents part of a comprehensive set of measures authorized by Congress and implemented by DHS. Among the five basic homeland security missions noted in the [DHS Strategic Plan for Fiscal Years 2020-2024](#), the AFG Program supports the goal to Strengthen Preparedness and Resilience.

The [2022-2026 FEMA Strategic Plan](#) creates a shared vision for the field of emergency management and sets an ambitious, yet achievable, path forward to unify and further professionalize emergency management across the country. The AFG Program directly supports Goal 3 to Promote and Sustain a Ready FEMA and

Prepared Nation. We invite all our stakeholders and partners to join us in building a more prepared and resilient nation.

11. Performance Measures

The grant recipient is required to collect data to allow FEMA to measure performance of the awarded grant in supporting AFG Program metrics, which are tied to the programmatic objectives and priorities. To measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient must submit sufficient information to demonstrate it has met the performance goal as stated in its award. FEMA will measure the recipient's performance of the grant by comparing the number of items, supplies, projects, and activities needed and requested in its application with the number acquired and delivered by the end of the period of performance using the following programmatic metrics:

- Percentage of AFG Program personal protective equipment (PPE) recipients who equipped 100% of on-duty active members with PPE in compliance with applicable NFPA and Occupational Safety and Health Administration (OSHA) standards.
- Percentage of AFG Program equipment recipients who reported that the grant award brought them into compliance with either state, local, NFPA or OSHA standards.
- Number of AFG Program grant recipients who reported having successfully replaced their fire vehicles in accordance with industry standards.
- Percentage of AFG Program training recipients who reported that the grant award allows their members to achieve firefighter training level I and firefighter training level II within one year of coming into service.
- Percentage of AFG Program wellness and fitness recipients who reported that the grant award allows their members to achieve minimum physical and/or mental operational readiness requirements through tailored health-related fitness programs.
- Percentage of AFG Program grant recipients for modifications to facilities projects who reported that the grant award brought them into compliance with either state, local, NFPA, or OSHA standards on housing and readiness posture.

Please see [Appendix B](#) for additional information on the criteria used to evaluate the program priorities.

B. Federal Award Information

1. Available Funding for the NOFO:	\$291,600,000 ¹
2. Projected Number of Awards:	2,000

¹ Note that this figure differs from the total amount appropriated under the Department of Homeland Security Appropriations Act, 2024, Pub. L. No. 118-47, Title III, Protection, Preparedness, Response, and Recovery, Federal Emergency Management, Agency, Federal Assistance (2024 DHS Appropriations Act). In this FY 2024 AFG Program NOFO, percentages of "available grant funds" refers to the total amount appropriated—\$324,000,000—by Pub. L. No. 118-47 to meet the statutory requirements of § 33 of the *Federal Fire Prevention and Control Act of 1974*, as amended (codified at 15 U.S.C. § 2229). A portion of these "available grant funds" will be allocated to the Fire Prevention and Safety (FP&S) Program, which will have a separate NOFO and application period. \$32,400,000 will be allocated to FP&S for FY 2024.

3. Period of Performance: 24 months

Extensions to the period of performance are allowed. For additional information on period of performance extensions, please refer to [Section H](#) of this NOFO.

4. Projected Period of Performance Start Date(s): N/A²

5. Projected Period of Performance End Date(s): N/A

6. Projected Budget Period

There will be only a single budget period with the same start and end dates as the period of performance.

7. Funding Instrument Type: Grant

C. Eligibility Information

1. Eligible Applicants

- **Fire Departments:** Fire departments operating in any of the 50 states, as well as fire departments in the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico,³ or any federally recognized Indian tribe or tribal organization. A fire department is an agency or organization having a formally recognized arrangement with a state, local, tribal or territorial authority (city, county, parish, fire district, township, town or other governing body) to provide fire suppression to a population within a geographically fixed primary first due response area.
- **Nonaffiliated EMS organizations:** Nonaffiliated EMS organizations operating in any of the 50 states, as well as the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico,³ or any federally recognized Indian tribe or tribal organization. A nonaffiliated EMS organization is an agency or organization that is a public or private nonprofit emergency medical service entity providing medical transport that is not affiliated with a hospital and does not serve a geographic area in which emergency medical services are adequately provided by a fire department. FEMA considers the following as hospitals under the AFG Program:
 - Clinics;

² FEMA funds AFG Program awards on a rolling basis; as such, the date the FEMA Assistant Administrator for the Grant Programs Directorate signs the obligating document dictates the unique Period of Performance start and end dates for each award.

³ The District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico are all defined as “States” in the Federal Fire Prevention and Control Act of 1974. See 15 U.S.C. § 2203(10).

- Medical centers;
 - Medical colleges or universities;
 - Infirmaries;
 - Surgery centers; and
 - Any other institution, association, or foundation providing medical, surgical or psychiatric care and/or treatment for the sick or injured.
- ***State Fire Training Academies:*** A SFTA operates in any of the 50 states, as well as the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico.³ Applicants must be designated either by legislation or by a governor's declaration as the sole fire service training agency within a state, territory, or the District of Columbia and recognized by the National Fire Academy. The designated SFTA shall be the only agency, bureau, division or entity within that state, territory, or the District of Columbia, to be an eligible SFTA applicant under the AFG Program.
 - ***Non-federal airport and/or port authority fire or EMS organizations*** are eligible only if they have a formally recognized arrangement with the local jurisdiction to provide fire suppression or emergency medical services on a first-due basis outside the confines of the airport or port facilities. Airport or port authority fire and EMS organizations whose sole responsibility is suppression of fires or EMS response on the airport grounds or port facilities are not eligible for funding under the AFG Program.

An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: ***1) a current employee, personnel, official, staff or leadership of the non-federal entity; and 2) duly authorized to apply for an award on behalf of the non-federal entity at the time of application.***

Further, the Authorized Organization Representative (AOR) must be a duly authorized current employee, personnel, official, staff or leadership of the recipient and ***provide an email address unique to the recipient at the time of application and upon any change in assignment during the period of performance. Consultants or contractors of the recipient are not permitted to be the AOR of the recipient.***

2. Applicant Eligibility Criteria

The FY 2024 AFG Program has three activities:

- Operations and Safety;
- Vehicle Acquisition; and
- Regional Projects.

Each activity has its own eligibility requirements. These requirements are outlined in [Appendix B– Programmatic Information and Priorities](#).

3. Subawards and Beneficiaries

a. *Subaward allowability*

Subawards are not allowed under the AFG Program.

b. *Beneficiaries or Participants*

This NOFO and any subsequent federal awards create no rights or causes of action for any participant or beneficiary.

4. Other Eligibility Criteria/Restrictions

a. *National Fire Incident Reporting System (NFIRS)*

Although NFIRS reporting is not a requirement to apply for AFG Program funding, fire departments that receive funding under this program must agree to provide information to the NFIRS for the period of performance covered by the assistance. If a recipient does not currently participate in the incident reporting system and does not have the capacity to report at the time of the award, that recipient must agree to provide information to the system for a 12-month period commencing as soon as possible after they develop the capacity to report. Capacity to report to NFIRS must be established prior to the end of the 24-month performance period. The recipient may be asked by FEMA to provide proof of compliance in reporting to NFIRS. Any recipient that stops reporting to NFIRS during their grant's period of performance may be subject to the remedies for noncompliance at 2 C.F.R. § 200.339, unless it has yet to develop the capacity to report to NFIRS, as described above. There is no NFIRS reporting requirement for nonaffiliated EMS organizations or SFTAs.

Note: Although data collection is an important tool for understanding and justifying assistance, participation in other data sources (e.g., National Fire Operations Reporting System [NFORS]) does not satisfy the requirement for reporting to NFIRS.

b. *National Incident Management System (NIMS)*

AFG Program applicants are not required to comply with NIMS to apply for AFG Program funding or to receive an AFG Program award. However, any applicant who receives an FY 2024 AFG Program award must achieve the level of [NIMS compliance](#) required by the Authority Having Jurisdiction (AHJ) over the applicant's emergency service operations (e.g., a local government) prior to the end of the grant's period of performance.

5. Maintenance of Effort (MOE)

Pursuant to 15 U.S.C. § 2229(k)(3), an applicant seeking an AFG Program grant shall agree to maintain, during the term of the grant, the applicant's aggregate expenditures relating to activities allowable under this NOFO, at not less than 80% of the average amount of such expenditures in the two fiscal years prior to the fiscal year an AFG Program grant is awarded.

In other words, an applicant agrees that if it receives a grant award, the applicant will keep its overall expenditures during the award's period of performance to at least 80% or more of the

average of what the applicant spent on such costs for those activities in fiscal years 2022 and 2023. This includes those funded with non-federal funding for activities that could be allowable costs under this NOFO.

6. Cost Share or Match

Recipient cost sharing is generally required as described below and pursuant to 15 U.S.C. § 2229(k)(1). In general, eligible applicants shall agree to make available non-federal funds to carry out an AFG Program award in an amount equal to not less than 15% of the federal funds awarded. Exceptions to this general requirement apply to entities serving smaller communities as follows:

- When serving a jurisdiction of 20,000 residents or fewer, the applicant shall agree to make available non-federal funds in an amount equal to not less than 5% of the grant awarded;
- When serving a jurisdiction of more than 20,000 residents but not more than 1 million residents, the applicant shall agree to make available non-federal funds in an amount equal to not less than 10% of the grant awarded; or
- When serving a jurisdiction of more than 1 million residents, the applicant shall agree to make available non-federal funds in an amount equal to not less than 15% of the grant awarded.

The cost share for SFTAs will apply the requirements above based on the total population of the state. The cost share for a Regional application will apply the requirements above based on the aggregate population of the primary first due response areas of the host and participating partner organizations that execute a Memorandum of Understanding as described in [Appendix B.g- Regional Applications](#).

FEMA has developed a cost share calculator tool to assist applicants with determining their cost share. The cost share tool is available on the FEMA website at [Assistance to Firefighters Grants](#).

a. Types of Cost Share

- i. **Cash (Hard Match):** Cost share of non-federal cash is the only allowable recipient contribution for AFG Program activity (Vehicle Acquisition, Operations and Safety, and Regional).
- ii. **Trade-In Allowance/Credit:** On a case-by-case basis, FEMA may allow recipients already owning assets acquired with non-federal cash to use the trade-in allowance/credit value of those assets as cash for the purpose of meeting their cost share obligation. For FEMA to consider a trade-in allowance/credit value as cash, the allowance amount must be reasonable, and the allowance amount must be a separate entry clearly identified in the acquisition documents.
- iii. **In-kind (Soft Match):** In-kind cost share is not allowable for the AFG Program.

The award budget will not account for any voluntary committed cost sharing or overmatch. The use of an overmatch is not given additional consideration when scoring applications.

b. *Economic Hardship Waivers*

The FEMA Administrator may waive or reduce recipient cost share or MOE requirements in cases of demonstrated economic hardship. Please see [Appendix C – Award Administration Information](#) for additional information.

D. Application and Submission Information

1. Key Dates and Times

a. *Application Start Date:* 11/12/2024 at 9 AM ET

b. *Application Submission Deadline:* 12/20/2024 at 5 PM ET

All applications **must** be received by the established deadline.

FEMA’s Grants Outcomes System (FEMA GO) automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the AOR role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission. For additional information on how an applicant will be notified of application receipt, see the subsection titled “Timely Receipt Requirements and Proof of Timely Submission” in [Section D](#) of this NOFO.

FEMA will not review applications that are received after the deadline or consider these late applications for funding. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant’s control that prevent submission of the application by the deadline, other exigent or emergency circumstances, or statutory requirements for FEMA to make an award.

Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline. Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the award. “Timely notification” of FEMA means the following: prior to the application deadline and within 48 hours after the applicant became aware of the issue.

A list of FEMA contacts can be found in [Section G](#) of this NOFO, “DHS Awarding Agency Contact Information.” For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday through Friday, 9 AM – 6 PM Eastern Time (ET). For programmatic or grants management questions, please contact your Program Analyst or Grants Management Specialist. If applicants do not know who to contact or if there are programmatic questions or concerns, please contact the AFG Program Helpdesk at (866) 274-0960 or by e-mail at FireGrants@fema.dhs.gov. The AFG Program Helpdesk is open Monday through Friday, 8 AM – 4:30 PM ET.

c. *Anticipated Funding Selection Date:* No later than April 30, 2025

d. Anticipated Award Date:

Beginning on approximately April 30, 2025 and continuing thereafter until all FY 2024 AFG Program grant awards are issued (but no later than September 30, 2025).

e. Other Key Dates

Event	Suggested Deadline for Completion
Obtaining Unique Entity Identifier (UEI) number	Four weeks before actual submission deadline
Obtaining a valid Employer Identification Number (EIN)	Four weeks before actual submission deadline
Creating an account with login.gov	Four weeks before actual submission deadline
Registering in SAM or updating SAM registration	Four weeks before actual submission deadline
Registering Organization in FEMA GO	Prior to beginning application
Submitting complete application in FEMA GO	One week before actual submission deadline

2. Agreeing to Terms and Conditions of the Award

By submitting an application, applicants agree to comply with the requirements of this NOFO and the terms and conditions of the award, should they receive an award.

3. Address to Request Application Package

Applications are processed through the FEMA GO system. To access the system, go to <https://go.fema.gov/>.

Hard copies of the NOFO can be downloaded at [Grants.gov](https://www.dhs.gov/grants) or obtained via email from the Awarding Office points of contact listed in [Section G](#) of this NOFO, “DHS Awarding Agency Contact Information” or by TTY (800) 462-7585.

4. Requirements: Obtain a Unique Entity Identifier (UEI) and Register in the System for Award Management ([SAM.gov](https://sam.gov))

Each applicant, unless they have a valid exception under 2 CFR §25.110, must:

- Be registered in Sam.Gov before application submission.
- Provide a valid UEI in its application.
- Continue to always maintain an active SAM registration with current information during the federal award process. Note: Per 2 C.F.R. § 25.300, subrecipients are NOT required to go through the full SAM registration process. First-tier subrecipients (meaning entities receiving funds directly from the recipient) are only required to obtain a UEI through SAM, but they are not required to complete the full SAM registration in order to obtain a UEI. Recipients may not make subawards unless the subrecipient has obtained and provided the UEI.

Lower-tier subrecipients (meaning entities receiving funds passed through by a higher-tier subrecipient) are not required to have a UEI and are not required to register in SAM.

Applicants are also not permitted to require subrecipients to complete a full registration in SAM beyond obtaining the UEI.

5. Steps Required to Obtain a Unique Entity Identifier, Register in the System for Award Management (SAM), and Submit an Application

Applying for an award under this program is a multi-step process and requires time to complete. Applicants are encouraged to register early as the registration process can take four weeks or more to complete. Therefore, registration should be done in sufficient time to ensure it does not impact your ability to meet required submission deadlines.

Please review the table above for estimated deadlines to complete each of the steps listed. Failure of an applicant to comply with any of the required steps before the deadline for submitting an application may disqualify that application from funding.

To apply for an award under this program, all applicants must:

- a. Apply for, update, or verify their UEI number and Employer Identification Number (EIN) from the Internal Revenue Service;
- b. In the application, provide an UEI number;
- c. Have an account with [login.gov](https://www.login.gov);
- d. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;
- e. Register in FEMA GO, add the organization to the system, and establish the AOR. The organization's electronic business point of contact (EBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see <https://www.fema.gov/grants/guidance-tools/fema-go/startup>;
- f. Submit the complete application in FEMA GO; and
- g. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. As part of this, applicants must also provide information on an applicant's immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

Applicants are advised that FEMA may not make a federal award until the applicant has complied with all applicable SAM requirements. Therefore, an applicant's SAM registration must be active not only at the time of application, but also during the application review period and when FEMA is ready to make a federal award. Further, as noted above, an applicant's or recipient's SAM registration must remain active for the duration of an active federal award. If an applicant's SAM registration is expired at the time of application, expires during application review, or expires any other time before award, FEMA may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

Per 2 C.F.R. § 25.110(c)(2)(iii), if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to

receiving a federal award, the applicant must notify FEMA as soon as possible by contacting FireGrants@fema.dhs.gov and providing the details of the circumstances that prevent completion of these requirements. If FEMA determines that there are exigent circumstances and FEMA has decided to make an award, the applicant will be required to obtain an UEI number, if applicable, and complete SAM registration within 30 days of the federal award date.

6. Electronic Delivery

DHS is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. DHS encourages or requires applicants to submit their applications online through Grants.gov, depending on the funding opportunity.

For this funding opportunity, FEMA requires applicants to submit applications through FEMA GO.

7. How to Register to Apply

a. General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Read the instructions below about registering to apply for FEMA funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

The registration process can take up to four weeks to complete. To ensure an application meets the deadline, applicants are advised to start the required steps well in advance of their submission.

Organizations must have an UEI number, an EIN, and an active SAM registration to apply for a federal award under this funding opportunity.

b. Obtain an UEI Number: 3

All entities applying for funding, including renewal funding, must have a UEI number. Applicants must enter the UEI number in the applicable data entry field on the SF-424 form.

For more detailed instructions for obtaining a UEI number, refer to: [SAM.gov](https://sam.gov)

c. Obtain Employer Identification Number

All entities applying for funding must provide an Employer Identification Number (EIN). The EIN can be obtained from the IRS by visiting <https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online>.

d. Create a login.gov account:

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account here: https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd3.

Applicants only have to create a login.gov account once. For applicants that are existing SAM users, use the same email address for the login.gov account as with SAM.gov so that the two accounts can be linked.

For more information on the login.gov requirements for SAM registration, refer to <https://www.sam.gov/SAM/pages/public/loginFAQ.jsf>.

e. Register with SAM:

All applicants applying online through FEMA GO must register with SAM. Failure to register with SAM will prevent an applicant from completing the application in FEMA GO. SAM registration must be renewed annually. Organizations will be issued a UEI number with the completed SAM registration.

For more detailed instructions for registering with SAM, refer to <https://apply07.grants.gov/help/html/help/Register/RegisterWithSAM.htm>.

Note: Per 2 C.F.R. § 25.200, applicants must also provide the applicant's immediate and highest-level owner, subsidiaries, and predecessors that have been awarded federal contracts or federal financial assistance within the past three years, if applicable.

I. ADDITIONAL SAM REMINDERS

Existing SAM.gov account holders should check their account to make sure it is "ACTIVE" SAM registration should be completed at the very beginning of the application period and should be renewed annually to avoid being "INACTIVE." **Please allow plenty of time before the grant application submission deadline to obtain an UEI number and then to register in SAM. It may be four weeks or more after an applicant submits the SAM registration before the registration is active in SAM, and then it may be an additional 24 hours before FEMA's system recognizes the information.**

It is imperative that the information applicants provide is correct and current. Please ensure that your organization's name, address, and EIN are up to date in SAM and that the UEI number used in SAM is the same one used to apply for all other FEMA awards. Payment under any FEMA award is contingent on the recipient's having a current SAM registration.

II. HELP WITH SAM

The SAM quick start guide for new recipient registration and SAM video tutorial for new applicants are tools created by the General Services Administration (GSA) to assist those registering with SAM. If applicants have questions or

concerns about a SAM registration, please contact the Federal Support Desk at <https://www.fsd.gov/fsd-gov/home.do> or call toll free (866) 606-8220.

f. Register in FEMA GO, Add the Organization to the System, and Establish the AOR:

Applicants must register in FEMA GO and add their organization to the system. The organization's electronic business point of contact (EBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see <https://www.fema.gov/grants/guidance-tools/fema-go/startup>.

Note: FEMA GO will support only the most recent major release of the following browsers:

- Google Chrome
- Internet Explorer
- Mozilla Firefox
- Apple Safari
- Microsoft Edge

Users who attempt to use tablet type devices or other browsers may encounter issues with using FEMA GO.

8. Submitting the Application

Applicants will be prompted to submit the standard application information and any program-specific information required as described in [Section D.10](#) of this NOFO, "Content and Form of Application Submission." The Standard Forms (SF) may be accessed in the Forms tab under the <https://grants.gov/forms/forms-repository/sf-424-family>. Applicants should review these forms before applying to ensure they have all the information required.

After submitting the final application, FEMA GO will provide either an error message or a successfully received transmission in the form of an email sent to the AOR that submitted the application. Applicants using slow internet connections, such as dial-up connections, should be aware that transmission can take some time before FEMA GO receives your application.

For additional application submission requirements, including program-specific requirements, please refer to the subsection titled "Content and Form of Application Submission" under [Section D](#) of this NOFO.

9. Timely Receipt Requirements and Proof of Timely Submission

All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the AOR role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission on the date and time that FEMA GO received the application.

Applicants who experience system-related issues will be addressed until 3:00 PM ET on the date applications are due. No new system-related issues will be addressed after this deadline. Applications not received by the application submission deadline will not be accepted.

10. Content and Form of Application Submission

a. *Standard Required Application Forms and Information*

The following forms or information are required to be submitted via FEMA GO. The Standard Forms (SF) are also available at <https://grants.gov/forms/forms-repository/sf-424-family>

- **SF-424, Application for Federal Assistance**
- **Grants.gov Lobbying Form, Certification Regarding Lobbying**
- **SF-424A, Budget Information (Non-Construction)**
- **SF-424B, Standard Assurances (Non-Construction)**
- **SF-LLL, Disclosure of Lobbying Activities**

b. *Program-Specific Required Forms and Information*

Program-specific forms or information are required to be submitted in [FEMA GO](#). For program-specific required and optional forms and information, please see the [Appendices](#) to this NOFO.

11. Other Submission Requirements

FEMA evaluates each application on its merit, veracity, and accuracy to ascertain how the narrative statement(s) outlined within the application depicts the applicant's and their community's uniqueness, their particular risks, and how selecting them over a similarly situated applicant advances the objectives of AFG to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. At any time during application review process, including the technical review stage, FEMA may request additional documentation from applicants, including but not limited to:

- Copies of official or certified documents demonstrating the claimed financial need;
- Copies of the applicant's needs assessment report, survey, or any documented other efforts undertaken to identify the applicant's unique project objectives;
- Copies of the risk analysis conducted to ascertain how said project will address the applicant's unique needs in alignment with their mission and AFG grant purpose;
- Additional information or evidence detailing the applicant's particular risks; and
- Any other information deemed necessary to adequately weigh the applicant's assistance request for funding under this discretionary-competitive grant program. No applicant is guaranteed funding.

The narrative statement blocks do not allow for formatting. Do not type the narrative statements using only capital letters. Additionally, do not include tables, special characters, fonts (e.g., quotation marks, bullets), or graphs. Space for the narrative statements is limited. Although each element must have a minimum of 200 characters, the maximum number of characters varies based on the questions being asked.

12. Funding Restrictions and Allowable Costs

All costs charged to federal awards (including both federal funding and any non-federal matching or cost sharing funds) must comply with applicable statutes, rules and regulations, and policies, this NOFO, and the terms and conditions of the federal award. They must also comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. Part 200 unless otherwise indicated in the NOFO or the terms and conditions of the federal award. This includes, among other requirements, that costs must be incurred and products and services must be delivered within the budget period. 2 C.F.R. § 200.403(h). The following identifies a list of activities for which a recipient may not use federal funds and any cost sharing or matching funds under federal awards:

- Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 C.F.R. § 200.306)
- Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450
- Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435) See subsections below for information on any other funding restrictions.

Additionally, federal employees are prohibited from serving in any capacity (paid or unpaid) on the development of any proposal submitted under this program.

a. Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services

Recipients, subrecipients, and their contractors must comply with the prohibitions set forth in Section 889 of the [John S. McCain National Defense Authorization Act](#) for Fiscal Year 2019, Pub. L. No. 115-232 (2018) (FY 2019 NDAA) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The FY 2019 NDAA and these regulations, as they apply to recipients, subrecipients, and their contractors and subcontractors, provide for two distinct prohibitions: (1) prevent the use of federal award funds to procure or obtain covered telecommunications equipment or services; and (2) prevent the use of federal award funds to contract with an entity that uses such covered telecommunications equipment or services. Guidance is available at [FEMA Policy #405-143-1 - Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services](#)

Additional guidance is available at [Contract Provisions Guide: Navigating Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards \(fema.gov\)](#).

FEMA recipients and subrecipients **may not** use any FEMA funds under open or new awards to:

- Procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system;
- Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or

services as a substantial or essential component of any system, or as critical technology of any system; or

- Enter into, extend, or renew contracts with entities that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

I. REPLACEMENT EQUIPMENT AND SERVICES

FEMA grant funding may be permitted to procure replacement equipment and services impacted by this prohibition, provided the costs are otherwise consistent with the requirements of the NOFO.

II. DEFINITIONS

Per section 889(f)(2)-(3) of the FY 2019 NDAA and 2 C.F.R. § 200.216, covered telecommunications equipment or services means:

- Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities);
- For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- Telecommunications or video surveillance services provided by such entities or using such equipment; or
- Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the People's Republic of China.

Examples of the types of products covered by this prohibition include phones, internet, video surveillance, and cloud servers when produced, provided, or used by the entities listed in the definition of “covered telecommunications equipment or services.” See 2 C.F.R. § 200.471.

b. Pre-Award Costs

Generally, grant funds cannot be used to pay for products and services contracted for or obligated prior to the effective date of the award. Fees for grant writers are considered an exception and may be included as a pre-award expenditure, see [Appendix C](#) for details. Further, other costs incurred after the application deadline, but prior to an offer of award, may be eligible for reimbursement only if the following conditions are met:

- The recipient must request approval from FEMA to incur such pre-award costs. Requests must be sent via email to FireGrants@fema.dhs.gov and include the application number and justification narrative. Please note, the recipient must seek approval at the time of acquisition and before the award is announced.
- The recipient must receive written confirmation from FEMA that the expenses have been reviewed and that FEMA has determined the costs to be justified, unavoidable, and consistent with the grant's scope of work.
- The pre-award cost must meet the requirements of 2 C.F.R. § 200.458, which provides that the costs must be necessary for efficient and timely performance of the grant's scope of work.

Note: FEMA reserves the right to re-evaluate and disallow pre-award costs at time of award monitoring if it is later determined that the services were not properly procured or do not satisfy the requirements of 2 C.F.R. § 200.458.

See [Appendix C](#) for further information regarding grant writer fees and [Section H-Additional Information](#) of this NOFO for general procurement under grants requirements.

c. *Management and Administration (M&A) Costs*

M&A costs are allowed by Department of Homeland Security Appropriations Act, 2024, Pub. L. No. 118-47. M&A activities are those directly related to the management and administration of the AFG award funds, such as financial management and monitoring. M&A are not operational costs but are necessary costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, M&A costs can be itemized in financial reports.

M&A expenses should be based only on actual expenses or known contractual costs. Requests that are simple percentages of the award, without supporting justification or adequate documentation, will not be allowed or considered for an award. In addition, reimbursement for fees associated with hiring grants management services is now capped at \$1,500. No more than 3% of the federal share of AFG Program funds awarded may be expended by the recipient for M&A for purposes associated with the AFG Program award.

d. *Indirect Facilities & Administrative (F&A) Costs*

Indirect (F&A) costs (IDC) mean those costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. IDC are allowable by the recipient [and subrecipients] as described in 2 C.F.R. Part 200, including 2 C.F.R. § 200.414. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not

required to have a negotiated IDC rate agreement but are required to develop an IDC rate proposal must provide a copy of their proposal with their applications. Applicants who do not have a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FireGrants@fema.dhs.gov for further instructions. Applicants who wish to use a cost allocation plan in lieu of an IDC rate proposal must reach out to FireGrants@fema.dhs.gov for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of 2 C.F.R. §§ 200.332 and 200.414 in approving the IDC rate for subawards.

e. Evaluation Costs

Evaluation costs are allowable. See [Section H.2 “Program Evaluation”](#) for more details.

f. Other Direct Costs

- **Construction:** Construction costs are not eligible under the AFG Program. Construction includes major alterations to a building that changes the profile or footprint of the structure. Modifications to facilities activities described in [Appendix B- Funding Priorities](#), are not considered construction costs for purposes of general award cost categorization and may be eligible. However, modifications to facilities activities might be considered “construction” for purposes of applicable procurement under grants requirements or environmental protection and historic preservation purposes.
- **Fire Departments and Nonaffiliated EMS organizations funding restrictions:** The total amount of funding a fire department or nonaffiliated EMS organization recipient may receive under an AFG Program award is limited to the maximum amounts set by § 33(c)(2) of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. § 2229(c)(2)). These award limits are based on two factors: (1) population served and (2) a 1% aggregate amount of available grant funds.

The population of the jurisdiction served by the recipient will determine the maximum amount of AFG Program funding a recipient is eligible to receive but no recipient may receive an award that exceeds 1% of available grant funds in FY 2024, or \$2,916,000.00. FEMA may waive this aggregate cap in individual cases where FEMA determines that a recipient has an extraordinary need for a grant that exceeds the aggregate cap. FEMA may not waive the statutory funding caps based on population.

The following table explains the maximum funding that a recipient may receive in FY 2024:

Population of the jurisdiction served by the recipient	Maximum award in FY 2024	Statutory waiver available subject to extraordinary need?
100,000 or fewer people	No more than \$1 million	None available
100,001 – 500,000 people	No more than \$2 million	None available
500,001 – 1,000,000 people	No more than \$2.91 million	None available
1,000,001 – 2,500,000 people	No more than \$2.91 million	Yes, but no more than \$6 million
More than 2,500,000 people	No more than \$2.91million	Yes, but no more than \$9 million

Regional applicants will be subject to the funding limitations based on the total population served by the host of the application and the participating partners. For example, if the host and partners serve a population of 100,000 or fewer and are the recipients of a Regional award for \$1 million, then the host has met their cap and is no longer eligible for additional funds under the AFG Program.

- **Allocations and Restrictions of Available Grant Funds by Organization Type**
 - **Fire Departments:** Not less than 25% of available grant funds shall be awarded to career, combination, or volunteer department types (total of 75%).
 - **Nonaffiliated EMS Organizations:** Not more than 2% of available grant funds shall be collectively awarded to all nonaffiliated EMS organization recipients.
 - **Emergency Medical Services Providers:** Not less than 3.5% of available grant funds shall fund emergency medical services provided by fire departments and nonaffiliated EMS organizations.
 - **State Fire Training Academy:** Not more than 3% of available grant funds shall be collectively awarded to all SFTA recipients. Further, not more than \$500,000 of available federal grant funds may be awarded per SFTA applicant.
 - **Vehicles:** Not more than 25% of available grant funds may be used by recipients for the purchase of vehicles. Of that amount, based on stakeholder recommendations, FEMA intends to allocate 10% of the total vehicle funds for ambulances.
 - **Micro Grants:** The selection of the voluntary Micro Grant option (cumulative federal funding of \$75,000) for eligible High Priority Operations and Safety activities does not impact an applicant's request or participation under the Vehicle Acquisition or Regional projects. Applicants who select Micro Grants under Operations and Safety as a funding opportunity choice may still apply for a Vehicle Acquisition or Regional project. Of the 25% allocated to each of the career, combination, and volunteer departments, FEMA will aim to fund no less than 25% of the allocation for Micro Grants.

E. Application Review Information

1. Application Evaluation Criteria

a. *Programmatic Criteria*

Funding priorities and programmatic criteria for evaluating AFG Program applications are established by FEMA based on the recommendations from the Criteria Development Panel (CDP). Each year, FEMA convenes a panel of fire service professionals to develop funding priorities for the AFG Program. The panel makes recommendations about funding priorities as well as developing criteria for awarding grants.

The nine major fire service organizations represented on the panel are:

- International Association of Fire Chiefs
- International Association of Fire Fighters
- National Volunteer Fire Council
- National Fire Protection Association
- National Association of State Fire Marshals
- International Association of Arson Investigators
- International Society of Fire Service Instructors
- North American Fire Training Directors
- Congressional Fire Service Institute

The CDP is charged with making recommendations to FEMA regarding the creation or modification of previously established funding priorities as well as developing criteria for awarding grants. The FEMA Administrator reviews and approves the CDP's recommendations. The content of this NOFO reflects implementation of the CDP's recommendations with respect to the priorities, direction, and criteria for awards.

FEMA will rank all complete and submitted applications based on how well they match the program priorities for the type of jurisdiction(s) served. Answers to the application's activity specific questions provide information used to determine each application's ranking relative to the stated program priorities.

b. *Financial Integrity Criteria*

Prior to making a federal award, FEMA is required by 31 U.S.C. § 3354, as enacted by the Payment Integrity Information Act of 2019, Pub. L. No. 116-117 (2020); 41 U.S.C. § 2313; and 2 C.F.R. § 200.206 to review information available through any Office of Management and Budget (OMB)-designated repositories of governmentwide eligibility qualification or financial integrity information, including whether SAM.gov identifies the applicant as being excluded from receiving federal awards or is flagged for any integrity record submission. FEMA may also pose additional questions to the applicant to aid in conducting the pre-award risk review. Therefore, application evaluation criteria may include the following risk-based considerations of the applicant:

- i. Financial stability.
- ii. Quality of management systems and ability to meet management standards.
- iii. History of performance in managing federal award.
- iv. Reports and findings from audits.
- v. Ability to effectively implement statutory, regulatory, or other requirements.

c. *Supplemental Financial Integrity Criteria and Review*

Prior to making a federal award where the anticipated total federal share will be greater than the simplified acquisition threshold, currently \$250,000:

- i. FEMA is required by 41 U.S.C. § 2313 and 2 C.F.R. § 200.206(a)(2) to review and consider any information about the applicant, including information on the applicant's immediate and highest-level owner, subsidiaries, and predecessors, if applicable, that is in the designated integrity and performance system accessible through the System for Award Management (SAM), which is currently the [Federal Awardee Performance and Integrity Information System](#) (FAPIIS).
- ii. An applicant, at its option, may review information in FAPIIS and comment on any information about itself that a federal awarding agency previously entered.
- iii. FEMA will consider any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.206.

2. Review and Selection Process

AFG Program applications are reviewed through a multi-phase process. All applications are electronically pre-scored and ranked based on how well they align with the funding priorities outlined in this funding notice.

Applications with the highest pre-score rankings are then scored competitively by no less than three members of a Peer Review Panel. Applications will also be evaluated through a series of internal FEMA review processes for completeness, adherence to programmatic guidelines, technical feasibility, and anticipated effectiveness of the proposed project(s). Below is the process by which applications will be reviewed:

a. *Pre-Scoring Process*

The application undergoes an electronic pre-scoring process based on established program priorities listed in Appendix B and answers to activity-specific questions within the online application. Application Narratives are not reviewed during the pre-score process. "Request Details" and "Budget" information should comply with

program guidance and statutory funding limitations. The pre-score is half of the total application score.

b. Peer Review Panel Process

Applications with the highest rankings from the pre-scoring process will undergo a Peer Review Panel process. A panel of peer reviewers is composed of fire service representatives recommended by the national organizations from the CDP. Peer reviewers will assess each application's merits based on the narrative statement on the requested activity. The evaluation elements listed in the "Narrative Evaluation Criteria" below will be used to calculate the narrative's score for each activity requested. Peer reviewers will independently score each requested activity within the application, discuss the merits and/or shortcomings of the application with his or her peers, and document the findings. A consensus is not required. The panel score is half of the total application score.

I. NARRATIVE EVALUATION CRITERIA

The Narrative Statements must provide specific details about the activity for which the applicants seek funding. Applicants must explain how the proposed activity(ies) relate to the Operations and Safety Activity or the Vehicle Acquisition Activity. FEMA reviews and compares applications for **duplication including narratives and statistical data**. Therefore, all elements of the Narrative Statements must be original, and **all statistical data must be accurate**. Applications with narratives that have substantial copying of sentences or paragraphs **and/or inaccurate data** that may mislead reviewers may be disqualified. Falsification, fabrication, or plagiarism of other grant proposals will disqualify the application(s). Each narrative section allows no more than 4,000 characters each, including spaces and punctuation.

FEMA has developed a Narrative Development Toolkit and Self Evaluation Sheets available on FEMA website: [Assistance to Firefighters Grants Documents | FEMA.gov](#). The documents are designed to assist applicants with narrative preparation and provide specific criteria used by a panel of peer reviewers when evaluating each application. FEMA encourages applicants to use these documents to prepare their applications.

Peer reviewers will evaluate and select a score of Strongly Agree, Agree, Neither Agree nor Disagree, Disagree or Strongly Disagree for each narrative section based on the following narrative elements within each activity.

Financial Need (25%). This section allows 4,000 characters (including spaces and punctuation).

Applicants should describe their financial need and how consistent it is with the intent of the AFG Program. The financial need statement should include details describing the applicant's financial distress, such as summarizing budget constraints, unsuccessful attempts to secure other funding, and proving the financial distress is out of their control.

Project Description and Budget (25%). This section allows 4,000 characters (including spaces and punctuation).

The Project Description and Budget statement should clearly explain the applicant's project objectives and their relationship to the applicant's budget and risk analysis. The applicant should describe various activities, including program priorities or facility modifications, ensuring consistency with project objectives, the applicant's mission, and national, state, local, or tribal requirements. Applicants should link the proposed expenses to operations and safety, as well as to the completion of the project's goals.

Cost Benefit (25%). This section allows 4,000 characters (including spaces and punctuation).

Applicants should describe how they plan to address the operational and personnel safety needs of the organization, including cost effectiveness and sharing assets. The Operations and Safety/Cost Benefit statement should also include details about gaining the maximum benefits from grant funding by citing reasonable or required costs, such as specific overhead and administrative costs. The applicant's request should also be consistent with their mission and identify how funding will benefit their organization and affected personnel.

Statement of Effect on Operations (25%). This section allows 4,000 characters (including spaces and punctuation).

The Statement of Effect on Operations should explain how this funding request will enhance an organization's overall effectiveness. It should address how an award will improve daily operations and reduce an organization's risk(s). Applicants should include how frequently the requested item(s) will be used and in what capacity. Applicants should also indicate how the requested item(s) will help the community and increase an organization's ability to save additional lives and property. Jurisdictions that demonstrate their commitment and proactive posture to reducing fire risk, by explaining their code enforcement (to include Wildfire and Wildland Urban Interface code enforcement) and mitigation strategies (including whether the jurisdiction has a FEMA-approved mitigation strategy) may receive stronger consideration under this criterion.

c. *Technical Evaluation Process (TEP)*

The highest ranked applications will be considered within the fundable range. Applications that are in the fundable range will undergo both a Technical Review by a subject-matter expert as well as a FEMA Program Office review before being recommended for award. The FEMA Program Office will make a final assessment of the application with respect to costs, quantities, feasibility, eligibility, and recipient responsibility prior to recommending any application for award. During TEP, the information in [Appendix B](#) is used to make final corrections to any request not meeting program eligibility requirements. This is not a scored phase of the application process. Requests may be recommended for partial funding based on findings made during this assessment.

F. Federal Award Administration Information

In addition to the language below, please see [Appendix C](#) of this NOFO for additional award administration information.

1. Notice of Award

Before accepting the award, the AOR and recipient should carefully read the award package. The award package includes instructions on administering the grant award and the terms and conditions associated with responsibilities under federal awards. **Recipients must accept all conditions in this NOFO as well as any specific terms and conditions in the Notice of Award to receive an award under this program.**

FEMA will provide the federal award package to the applicant electronically via FEMA GO. Award packages include an Award Letter, Summary Award Memo, Agreement Articles, and Obligating Document. An email notification of the award package will be sent through FEMA's grant application system to the AOR that submitted the application.

Recipients must accept their awards no later 30 days from the award date. The recipient shall notify FEMA of its intent to accept and proceed with work under the award through the FEMA GO system.

Funds will remain on hold until the recipient accepts the award through the FEMA GO system and all other conditions of the award have been satisfied or until the award is otherwise rescinded. Failure to accept a grant award within the specified timeframe may result in a loss of funds.

2. Difference between Application Request and Award

During the review process for an AFG Program award, FEMA may modify the application request(s). These modifications will be identified in the award package provided upon the offer of an award. If the awarded activities, scope of work, or requested dollar amount(s) do not match the application as submitted, the recipient shall only be responsible for completing the activities actually funded by FEMA. The recipient is under no obligation to start, modify, or complete any activities requested but not funded by the award. The award package will identify any such differences under the Approved Scope of Work section.

3. Turndown Notifications

FEMA GO will provide all applicants who do not receive an FY 2024 AFG Program award with a turndown notification.

4. Administrative and National Policy Requirements

In addition to the requirements of in this section and in this NOFO, FEMA may place specific terms and conditions on individual awards in accordance with 2 C.F.R. Part 200.

a. *DHS Standard Terms and Conditions*

All successful applicants for DHS grant and cooperative agreements are required to comply with DHS Standard Terms and Conditions, which are available online at: [DHS Standard Terms and Conditions](#).

The applicable DHS Standard Terms and Conditions will be those in effect at the time the award was made. What terms and conditions will apply for the award will be clearly stated in the award package at the time of award.

b. *Ensuring the Protection of Civil Rights*

As the Nation works towards achieving the [National Preparedness Goal](#), it is important to continue to protect the civil rights of individuals. Recipients and subrecipients must carry out their programs and activities, including those related to the building, sustainment, and delivery of core capabilities, in a manner that respects and ensures the protection of civil rights for protected populations.

Federal civil rights statutes, such as Section 504 of the Rehabilitation Act of 1973 and Title VI of the Civil Rights Act of 1964, along with DHS and FEMA regulations, prohibit discrimination on the basis of race, color, national origin, sex, religion, age, disability, limited English proficiency, or economic status in connection with programs and activities receiving [federal financial assistance](#) from FEMA, as applicable.

The DHS Standard Terms and Conditions include a fuller list of the civil rights provisions that apply to recipients. These terms and conditions can be found in the [DHS Standard Terms and Conditions](#). Additional information on civil rights provisions is available at <https://www.fema.gov/about/offices/equal-rights/civil-rights>.

Monitoring and oversight requirements in connection with recipient compliance with federal civil rights laws are also authorized pursuant to 44 C.F.R. Part 7 or other applicable regulations.

In accordance with civil rights laws and regulations, recipients and subrecipients must ensure the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.

c. *Environmental Planning and Historic Preservation (EHP) Compliance*

As a federal agency, FEMA is required to consider the effects of its actions on the environment and historic properties to ensure that all activities and programs funded by FEMA, including grant-funded projects, comply with federal EHP laws, Executive Orders, regulations, and policies, as applicable.

Recipients and subrecipients proposing projects that have the potential to impact the environment, including, but not limited to, the construction of

communication towers, modification or renovation of existing buildings, structures, and facilities, or new construction including replacement of facilities, must participate in the FEMA EHP review process. The EHP review process involves the submission of a detailed project description along with any supporting documentation requested by FEMA in order to determine whether the proposed project has the potential to impact environmental resources including, but not limited to, threatened or endangered species and historic properties; and identify mitigation measures and/or alternative courses of action that may lessen any impact to those resources.

In some cases, FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. Federal law requires EHP review to be completed before federal funds are released to carry out proposed projects. FEMA may not be able to fund projects that are not in compliance with applicable EHP laws, Executive Orders, regulations, and policies. FEMA may recommend mitigation measures and/or alternative courses of action to lessen any impact to environmental resources and bring the project into compliance with EHP requirements.

Guidance on the EHP process is found at [Environmental Planning and Historic Preservation](#). The site contains links to various documents including those identifying agency EHP responsibilities and program requirements, such as implementation of the National Environmental Policy Act and other EHP laws, regulations, and Executive Orders. DHS and FEMA EHP policy is also found in the [EHP Directive & Instruction](#).

All FEMA actions, including grant-funded actions, must comply with National Flood Insurance Program criteria or any more restrictive federal, state, or local floodplain management standards or building code (44 CFR § 9.11(d)(6)).

All FEMA-funded non-critical actions in 1% annual chance floodplains (also known as 100-year floodplains) that involve new construction or substantial improvement of structures must be elevated, at a minimum, to the lower of:

- Two feet above the 1% annual chance flood elevation (also known as the base flood elevation), in accordance with the Federal Flood Risk Management Standard (FFRMS) “Freeboard Value Approach” (FVA); or
- The 0.2% annual chance flood elevation. Where 0.2% annual chance flood elevations are not available, such actions must be elevated to at least two feet above the 1% annual chance flood elevation.

All FEMA-funded critical actions in 1% annual chance floodplains or 0.2% annual chance floodplains (also known as 500-year floodplains) that involve new construction or substantial improvement of structures must be elevated, at a minimum, to the higher of:

- Three feet above the 1% annual chance flood elevation; or

- The 0.2% annual chance flood elevation. Where 0.2% annual chance flood elevations are not available, such actions must be elevated to at least three feet above the 1% annual chance flood elevation.

See Executive Order 11988, Floodplain Management, as amended by Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input.

The GPD EHP screening form is located at

https://www.fema.gov/sites/default/files/documents/fema_ehp-screening_form_ff-207-fy-21-100_5-26-2021.pdf. Additionally, all recipients under this funding opportunity are required to comply with the FEMA GPD EHP Policy Guidance, FEMA Policy #108-023-1, available at https://www.fema.gov/sites/default/files/documents/fema_gpd-ehp-policy-guidance.pdf.

All modifications to facility activities, and any renovation to facilities that would qualify as a modification to a facility supporting activities under Training, Equipment, PPE, or Wellness and Fitness, will require an EHP review. Some Equipment activities will require an EHP review as well. Such activities include but are not limited to the installation of:

- Air compressor/fill station/cascade system (fixed) for filling Self-Contained Breathing Apparatus (SCBA);
- Air quality systems;
- Fire/smoke/carbon monoxide alarm systems for the facility (life safety);
- Generators (fixed);
- Sprinklers;
- Vehicle exhaust systems (fixed);
- Washer/dryer/extractor;
- Fixed communications antennas onto a building;
- Building renovations such as removal of walls or installation of electrical or water lines;
- Training/exercises in natural settings such as rope or swift water;
- LED signs; and
- Any scope of work that involves ground disturbances.

The following activities would not require the submission of the FEMA EHP Screening Form:

- Planning and development of policies or processes;
- Management, administrative, or personnel actions;
- Classroom-based training;
- Acquisition of mobile and portable equipment (not involving installation) on or in a building, and does not require a storage area to be constructed; and
- Purchase of PPE and/or SCBA.

d. *Mandatory Disclosures*

The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. (2 CFR 200.113)

Please note applicants and recipients may report issues of fraud, waste, abuse, and mismanagement, or other criminal or noncriminal misconduct to the [Office of Inspector General \(OIG\) Hotline](#). The toll-free numbers to call are 1 (800) 323-8603, and TTY 1 (844) 889-4357.

5. Reporting

Recipients are required to submit various financial and programmatic reports as a condition of award acceptance. Future awards and funds drawdown may be withheld if these reports are delinquent. Recipients should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of purchasing documentation along with copies of cancelled checks or other proof of payment documentation for verification.

a. *Financial Reporting Requirements*

I. FEDERAL FINANCIAL REPORT (FFR)

Recipients must report obligations and expenditures through the FFR form (SF-425) to FEMA.

Recipients may review the Federal Financial Reporting Form (FFR) (SF-425) at <https://apply07.grants.gov/apply/forms/sample/SF425-V1.0.pdf>.

Recipients must file the FFR electronically using FEMA GO.

II. FFR REPORTING PERIODS AND DUE DATES

Recipients are required to submit a Federal Financial Report (FFR or SF-425) on a semi-annual basis. The FFR must be submitted through FEMA GO based on the calendar year beginning with the period after the award is made. Grant recipients are required to submit an FFR throughout the entire period of performance of the grant and for closeout. Reports are due:

- **No later than July 30** (for the period January 1 – June 30)
- **No later than January 30** (for the period July 1 – December 31)
- Within 120 days after the end of the Period of Performance

Future awards and fund drawdowns may be withheld if these reports are delinquent, demonstrate lack of progress, or are insufficient in detail.

b. *Programmatic Performance Reporting Requirements*

I. PERFORMANCE PROGRESS REPORT (PPR)

The recipient is responsible for completing and submitting a PPR using FEMA GO.

The PPR should include:

- A brief narrative of overall project(s) status;
- A summary of project expenditures; and
- A description of any potential issues that may affect project completion.

II. PPR PERIODS AND DUE DATES

The following reporting periods and due dates apply for the PPR:

- **No later than July 30 (for the period January 1 – June 30)**
- **No later than January 30 (for the period July 1 – December 31)**

c. *Closeout Reporting Requirements*

I. CLOSEOUT REPORTING

Within 120 calendar days after the end of the period of performance for the prime award or after an amendment has been issued to close out an award before the original POP ends, recipients must liquidate all financial obligations and must submit the following:

- The final request for payment, if applicable.
- The final FFR (SF-425).
- The final progress report detailing all accomplishments, including a narrative summary of the impact of those accomplishments throughout the period of performance. If applicable, the recipient must include with the final progress report an inventory of all construction projects.
- Other documents required by this NOFO, terms and conditions of the award, or other FEMA guidance. If the final FFR and performance report periods coincide with the end of the period of performance, FEMA has discretion under 2 C.F.R. Part 200 to waive the last quarterly/semiannual/annual reports and only require the final FFR and performance report for closeout purposes. The recipient is responsible for returning any balances of unobligated or unliquidated funds that have been drawn down that are not authorized to be retained per 2 C.F.R. § 200.344(d).

In addition, pass-through entities are responsible for closing out their subawards as described in 2 C.F.R. § 200.344; subrecipients are still required to submit closeout materials within 90 calendar days of the period of performance end date. When a subrecipient completes all closeout requirements, pass-through entities must promptly complete all closeout actions for subawards in time for the recipient to submit all necessary documentation and information to FEMA during the closeout of the prime award.

After the prime award closeout reports have been reviewed and approved by FEMA, a closeout notice will be completed to close out the grant. The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for at least three years from the date of the final FFR. The record retention period may be longer, such as due to an audit or litigation, for equipment or real property used

beyond the period of performance, or due to other circumstances outlined in 2 C.F.R. § 200.334.

The recipient is responsible for refunding to FEMA any balances of unobligated cash that FEMA paid that are not authorized to be retained per 2 C.F.R. § 200.344(d).

II. ADMINISTRATIVE CLOSEOUT

Administrative closeout is a mechanism for FEMA to unilaterally move forward with closeout of an award using available award information in lieu of final reports from the recipient per 2 C.F.R. § 200.344(h)-(i). It is a last resort available to FEMA, and if FEMA needs to administratively close an award, this may negatively impact a recipient's ability to obtain future funding. This mechanism can also require FEMA to make cash or cost adjustments and ineligible cost determinations based on the information it has, which may result in identifying a debt owed to FEMA by the recipient.

When a recipient is not responsive to FEMA's reasonable efforts to collect required reports needed to complete the standard closeout process, FEMA is required under 2 C.F.R. § 200.344(h) to start the administrative closeout process within the regulatory timeframe. FEMA will make at least three written attempts to collect required reports before initiating administrative closeout. If the recipient does not submit all required reports in accordance with 2 C.F.R. § 200.344, this NOFO, and the terms and conditions of the award, FEMA must proceed to administratively close the award with the information available within one year of the period of performance end date. Additionally, if the recipient does not submit all required reports within one year of the period of performance end date, per 2 C.F.R. § 200.344(i), FEMA must report in Contracting Performance Assessment Reporting System (CPARS) the recipient's material failure to comply with the terms and conditions of the award.

If FEMA administratively closes an award where no final FFR has been submitted, FEMA uses that administrative closeout date in lieu of the final FFR submission date as the start of the record retention period under 2 C.F.R. § 200.334.

In addition, if an award is administratively closed, FEMA may decide to impose remedies for noncompliance per 2 C.F.R. § 200.339, consider this information in reviewing future award applications, or apply special conditions to existing or future awards.

d. Additional Reporting Requirements

I. DISCLOSING INFORMATION PER 2 C.F.R. § 180.335

This reporting requirement pertains to disclosing information related to government-wide suspension and debarment requirements. Before a recipient enters into a grant award with FEMA, the recipient must notify FEMA if it

knows if it or any of the recipient's principals under the award fall under one or more of the four criteria listed at 2 C.F.R. § 180.335:

- i. Are presently excluded or disqualified;
- ii. Have been convicted within the preceding three years of any of the offenses listed in 2 C.F.R. § 180.800(a) or had a civil judgment rendered against it or any of the recipient's principals for one of those offenses within that time period;
- iii. Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses listed in 2 C.F.R. § 180.800(a); or
- iv. Have had one or more public transactions (federal, state, or local) terminated within the preceding three years for cause or default.

At any time after accepting the award, if the recipient learns that it or any of its principals falls under one or more of the criteria listed at 2 C.F.R. § 180.335, the recipient must provide immediate written notice to FEMA in accordance with 2 C.F.R. § 180.350.

II. REPORTING OF MATTERS RELATED TO RECIPIENT INTEGRITY AND PERFORMANCE

Appendix XII to 2 C.F.R. Part 200 sets forth a term and condition related to recipient integrity and performance matters that will apply to all federal awards under this funding opportunity. If the total value of currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of a federal award under this funding opportunity, then a recipient must maintain the currency of information reported in the Contracting Performance Assessment Reporting System (CPARS) about civil, criminal, or administrative proceedings described in paragraph 2 of Appendix XII at the reporting frequency described in paragraph 4 of Appendix XII.

III. SINGLE AUDIT REPORT

A recipient that expends \$750,000 or more during the recipient's fiscal year in federal awards (as defined by 2 C.F.R. § 200.1) must have a single audit conducted in accordance with 2 C.F.R. § 200.514 except when it elects to have a program-specific audit conducted in accordance with 2 C.F.R. § 200.501. The audit must be conducted in accordance with 2 C.F.R. Part 200, Subpart F and, as required by 2 C.F.R. § 200.514, in accordance with the U.S. Government Accountability Office (GAO) Generally Accepted Government Auditing Standards, which can be found on the Yellow Book page of the GAO website.

6. Monitoring and Oversight

The regulation at 2 C.F.R. § 200.337 provides DHS and any of its authorized representatives with the right of access to any documents, papers, or other records of the recipient [and any subrecipients] that are pertinent to a federal award in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the

recipient's or subrecipient's personnel for the purpose of interview and discussion related to such documents. Pursuant to this right and per 2 C.F.R. § 200.329, DHS may conduct desk reviews and make site visits to review project accomplishments and management control systems to evaluate project accomplishments and to provide any required technical assistance. During site visits, DHS may review a recipient's or subrecipient's files pertinent to the federal award and interview and/or discuss these files with the recipient's or subrecipient's personnel. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award.

Effective monitoring and oversight help FEMA ensure that recipients use grant funds for their intended purpose(s); verify that projects undertaken are consistent with approved plans; and ensure that recipients make adequate progress toward stated goals and objectives. Additionally, monitoring serves as the primary mechanism to ensure that recipients comply with applicable laws, rules, regulations, program guidance, and requirements. FEMA regularly monitors all grant programs both financially and programmatically in accordance with federal laws, regulations (including 2 C.F.R. Part 200), program guidance, and the terms and conditions of the award. All monitoring efforts ultimately serve to evaluate progress towards grant goals and proactively target and address issues that may threaten grant success during the period of performance.

FEMA staff will periodically monitor recipients to ensure that administrative processes, policies and procedures, budgets, and other related award criteria are meeting Federal Government-wide and FEMA regulations. Aside from reviewing semi-annual financial and programmatic reports, FEMA may also conduct enhanced monitoring through either desk-based reviews, onsite monitoring visits, or both. Enhanced monitoring will involve the review and analysis of the financial compliance and administrative processes, policies, activities, and other attributes of each federal assistance award, and it will identify areas where the recipient may need technical assistance, corrective actions, or other support.

Financial and programmatic monitoring are complementary processes within FEMA's overarching monitoring strategy that function together to ensure effective grants management, accountability, and transparency; validate progress against grant and program goals; and safeguard federal funds against fraud, waste, and abuse. Financial monitoring primarily focuses on statutory and regulatory compliance with administrative grant requirements, while programmatic monitoring seeks to validate and assist in grant progress, targeting issues that may be hindering achievement of project goals and ensuring compliance with the purpose of the grant and grant program. Both monitoring processes are similar in that they feature initial reviews of all open awards, and additional, in-depth monitoring of grants requiring additional attention.

Recipients and subrecipients who are pass-through entities are responsible for monitoring their subrecipients in a manner consistent with the terms of the federal award at 2 C.F.R. Part 200, including 2 C.F.R. § 200.332. This includes the pass-through entity's responsibility to monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved.

In terms of overall award management, recipient and subrecipient responsibilities include, but are not limited to: accounting of receipts and expenditures, cash management, maintaining adequate financial records, reporting and refunding expenditures disallowed by audits, monitoring if acting as a pass-through entity, or other assessments and reviews, and ensuring overall compliance with the terms and conditions of the award or subaward, as applicable, including the terms of 2 C.F.R. Part 200.

G. DHS Awarding Agency Contact Information

1. Contact and Resource Information

a. *AFG Program Office Contact*

The AFG Program Help Desk provides technical assistance to applicants for the online completion and submission of applications into FEMA GO, answers questions concerning applicant eligibility and recipient responsibilities, and helps in the programmatic administration of awards. The AFG Program Help Desk can be contacted at (866) 274-0960 or by email at FireGrants@fema.dhs.gov. Normal hours of operation are from 8 a.m. to 4:30 p.m. ET, Monday through Friday.

b. *FEMA Grants News*

FEMA Grants News is a non-emergency comprehensive management and information resource developed by FEMA for grants stakeholders. This channel provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. When necessary, recipients will be directed to a federal point of contact who can answer specific programmatic questions or concerns. FEMA Grants News can be reached by e-mail at fema-grants-news@fema.dhs.gov OR by phone at (800) 368-6498, Monday through Friday, 9 AM – 5 PM ET.

c. *Grant Programs Directorate (GPD) Award Administration Division*

GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. Additional guidance and information can be obtained by contacting the AAD's Help Desk via e-mail at ASK-GMD@fema.dhs.gov.

d. *FEMA Regional Offices*

Each FEMA region has Fire Program Specialists who can assist applicants with application information, award administration, and technical assistance. FEMA Regional Office contact information is available on the FEMA website at [Assistance to Firefighter Grants Regional Contacts](#).

e. *Civil Rights*

The FEMA Office of Civil Rights (OCR) is responsible for compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA and recipients of FEMA financial assistance. All inquiries and communications about federal civil rights compliance for FEMA grants under this NOFO should be sent to FEMA-CivilRightsOffice@fema.dhs.gov.

f. *Environmental Planning and Historic Preservation*

GPD's EHP Team provides guidance and information about the EHP review process to recipients and subrecipients. All inquiries and communications about GPD projects under this NOFO or the EHP review process, including the submittal of EHP review materials, should be sent to gpdehpinfo@fema.dhs.gov.

2. Systems Information

a. *FEMA GO*

For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday through Friday, 9 AM – 6 PM ET.

H. Additional Information

1. Termination Provisions

FEMA may terminate a federal award in whole or in part for one of the following reasons. FEMA and the recipient must still comply with closeout requirements at 2 C.F.R. §§ 200.344-200.345 even if an award is terminated in whole or in part. To the extent that subawards are permitted under this NOFO, pass-through entities should refer to 2 C.F.R. § 200.340 for additional information on termination regarding subawards.

a. *Noncompliance*

If a recipient fails to comply with the terms and conditions of a federal award, FEMA may terminate the award in whole or in part. If the noncompliance can be corrected, FEMA may first attempt to direct the recipient to correct the noncompliance. This may take the form of a Compliance Notification. If the noncompliance cannot be corrected or the recipient is non-responsive, FEMA may proceed with a Remedy Notification, which could impose a remedy for noncompliance per 2 C.F.R. § 200.339, including termination. Any action to terminate based on noncompliance will follow the requirements of 2 C.F.R. §§ 200.341-200.342 as well as the requirement of 2 C.F.R. § 200.340(c) to report in FAPIIS the recipient's material failure to comply with the award terms and conditions. See also the section on [Actions to Address Noncompliance](#) in this NOFO.

b. *With the Consent of the Recipient*

FEMA may also terminate an award in whole or in part with the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated.

c. *Notification by the Recipient*

The recipient may terminate the award, in whole or in part, by sending written notification to FEMA setting forth the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. In the case of partial termination, FEMA may determine that a partially terminated award will not accomplish the purpose of the federal award, so FEMA may terminate the award in

its entirety. If that occurs, FEMA will follow the requirements of 2 C.F.R. §§ 200.341-200.342 in deciding to fully terminate the award.

2. Program Evaluation

Federal agencies are required to structure NOFOs that incorporate program evaluation activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting agency priority goal(s) and program outcomes.

[OMB Memorandum M-21-27](#), Evidence-Based Policymaking: Learning Agendas and Annual Evaluation Plans, implementing Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), urges federal awarding agencies to use program evaluation as a critical tool to learn, improve equitable delivery, and elevate program service and delivery across the program lifecycle. Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.” Evidence Act, § 101 (codified at 5 U.S.C. § 311).

As such, recipients and subrecipients are required to participate in a DHS-, Component, or Program Office-led evaluation if selected, which may be carried out by a third-party on behalf of the DHS, its component agencies, or the Program Office. Such an evaluation may involve information collections including but not limited to surveys, interviews, or discussions with individuals who benefit from the federal award program operating personnel, and award recipients, as specified in a DHS-, component agency-, or Program Office-approved evaluation plan. More details about evaluation requirements may be provided in the federal award, if available at that time, or following the award as evaluation requirements are finalized. Evaluation costs incurred during the period of performance are allowable costs (either as direct or indirect). Recipients and subrecipients are also encouraged, but not required, to participate in any additional evaluations after the period of performance ends, although any costs incurred to participate in such evaluations are not allowable and may not be charged to the federal award.

3. Period of Performance Extensions

Extensions to the period of performance (POP) for this program are allowed. Extensions to the POP identified in the award will only be considered through formal, written requests via FEMA GO and must contain specific and compelling justifications as to why an extension is required. Recipients are advised to coordinate with the FEMA Fire Program Specialist or Program Analyst as needed when preparing an extension request.

All extension requests must address the following:

- a. The grant program, fiscal year, and award number;
- b. Reason for the delay –including details of the legal, policy, or operational challenges that prevent the final outlay of awarded funds by the deadline;
- c. Current status of the activity(ies);
- d. Approved POP termination date and new project completion date;
- e. Amount of funds drawn down to date;

- f. Remaining available funds, both federal and, if applicable, non-federal;
- g. Budget outlining how remaining federal and, if applicable, non-federal funds will be expended;
- h. Plan for completion, including milestones and timeframes for achieving each milestone and the position or person responsible for implementing the plan for completion; and
- i. Certification that the activity(ies) will be completed within the extended POP without any modification to the original statement of work, as described in the original statement of work and as approved by FEMA.

Extension requests will be granted only due to compelling legal, policy, or operational challenges. Extension requests will only be considered for the following reasons:

- Contractual commitments by the recipient or subrecipient with vendors prevent completion of the project, including delivery of equipment or services, within the existing POP;
- The project must undergo a complex environmental review that cannot be completed within the existing POP;
- Projects are long-term by design, and therefore acceleration would compromise core programmatic goals; or
- Where other special or extenuating circumstances exist.

Recipients should submit all proposed extension requests to FEMA for review and approval at least 60 days prior to the end of the POP to allow sufficient processing time. Extensions are typically granted for no more than a six-month period.

Example: Recipients may request an extension when an equipment order was placed during the POP but factors beyond the recipient's control have resulted in a delay in the expected delivery and receipt of the equipment outside of the existing POP; or where a specific statute or regulation mandates an environmental review that cannot be completed within this timeframe or where other extenuating circumstances warrant a brief extension.

4. Disability Integration

Pursuant to Section 504 of the Rehabilitation Act of 1973, recipients of FEMA financial assistance must ensure that their programs and activities do not discriminate against qualified individuals with disabilities.

Grant and cooperative agreement recipients should engage with the whole community to advance individual and community preparedness and to work as a nation to build and sustain resilience. In doing so, recipients are encouraged to consider the needs of individuals with disabilities into the activities and projects funded by the grant or cooperative agreement.

FEMA expects that the integration of the needs of people with disabilities will occur at all levels, including planning; alerting, notification, and public outreach; training; purchasing of equipment and supplies; protective action implementation; and exercises/drills.

The following are examples that demonstrate the integration of the needs of people with disabilities in carrying out FEMA awards:

- Include representatives of organizations that work with/for people with disabilities on planning committees, work groups and other bodies engaged in development and implementation of the grant programs and activities.
- Hold all activities related to the grant in locations that are accessible to persons with physical disabilities and intellectual disabilities to the extent practicable.
- Provide auxiliary aids and services, including American Sign Language interpreters, that provide public information across the community and in shelters.
- Ensure shelter-specific grant funds are in alignment with FEMA's [Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters](#).
- If making alterations to an existing building to a primary function area utilizing federal funds, complying with the most recent codes and standards and making path of travel to the primary function area accessible to the greatest extent possible.
- Implement specific procedures used by public transportation agencies that include evacuation and passenger communication plans and measures for individuals with disabilities.
- Identify, create, and deliver training to address any training gaps specifically aimed toward whole-community preparedness. Include and interact with individuals with disabilities, aligning with the designated program capability.
- Establish best practices in inclusive planning and preparedness that consider physical access, needs of individuals with intellectual disabilities, and information access.

FEMA grant recipients can fund projects towards the resiliency of the whole community, including people with disabilities, such as training, outreach and safety campaigns, provided that the project aligns with this NOFO and the terms and conditions of the award.

5. Conflicts of Interest in the Administration of Federal Awards or Subawards

For conflicts of interest under grant-funded procurements and contracts, refer to the section on [Procurement Integrity](#) in this NOFO and 2 C.F.R. §§ 200.317 – 200.327.

To eliminate and reduce the impact of conflicts of interest in the subaward process, recipients and pass-through entities must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making subawards. Recipients and pass-through entities are also required to follow any applicable federal and state, local, tribal, or territorial (SLTT) statutes or regulations governing conflicts of interest in the making of subawards.

The recipient or pass-through entity must disclose to the respective Program Analyst or Program Manager, in writing, any real or potential conflict of interest that may arise during the administration of the federal award, as defined by the federal or SLTT statutes or regulations or their own existing policies, within five days of learning of the conflict of interest. Similarly, subrecipients, whether acting as subrecipients or as pass-through entities, must disclose any real or potential conflict of interest to the recipient or next-level pass-

through entity as required by the recipient or pass-through entity's conflict of interest policies, or any applicable federal or SLTT statutes or regulations.

Conflicts of interest may arise during the process of FEMA making a federal award in situations where an employee, officer, or agent, any members of his or her immediate family, his or her partner has a close personal relationship, a business relationship, or a professional relationship, with an applicant, subapplicant, recipient, subrecipient, or FEMA employees.

6. Procurement Integrity

Through audits conducted by the DHS Office of Inspector General (OIG) and FEMA grant monitoring, findings have shown that some FEMA recipients have not fully adhered to the proper procurement requirements at 2 C.F.R. §§ 200.317 – 200.327 when spending grant funds. Anything less than full compliance with federal procurement requirements jeopardizes the integrity of the grant as well as the grant program. To assist with determining whether an action is a procurement or instead a subaward, please consult 2 C.F.R. § 200.331. For detailed guidance on the federal procurement standards, recipients and subrecipients should refer to various materials issued by FEMA's Procurement Disaster Assistance Team (PDAT), such as the [PDAT Field Manual](#) and [Contract Provisions Guide](#). Additional resources, including an upcoming trainings schedule can be found on the PDAT Website: <https://www.fema.gov/grants/procurement>.

The below highlights the federal procurement requirements for FEMA recipients when procuring goods and services with federal grant funds. FEMA will include a review of recipients' procurement practices as part of the normal monitoring activities. **All procurement activity must be conducted in accordance with federal procurement standards at 2 C.F.R. §§ 200.317 – 200.327.** Select requirements under these standards are listed below. The recipient and any of its subrecipients must comply with all requirements, even if they are not listed below.

Under 2 C.F.R. § 200.317, when procuring property and services under a federal award, states (including territories) must follow the same policies and procedures they use for procurements from their non-federal funds; additionally, states must now follow 2 C.F.R. § 200.321 regarding socioeconomic steps, 200.322 regarding domestic preferences for procurements, 200.323 regarding procurement of recovered materials, and 2 C.F.R. § 200.327 regarding required contract provisions.

All other non-federal entities, such as tribes (collectively, non-state entities), must have and use their own documented procurement procedures that reflect applicable SLTT laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in 2 C.F.R. Part 200. These standards include, but are not limited to, providing for full and open competition consistent with the standards of 2 C.F.R. § 200.319 and the required procurement methods at § 200.320.

a. *Important Changes to Procurement Standards in 2 C.F.R. Part 200*

States are now required to follow the socioeconomic steps in soliciting small and minority businesses, women's business enterprises, and labor surplus area firms per 2

C.F.R. § 200.321. All non-federal entities should also, to the greatest extent practicable under a federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States per 2 C.F.R. § 200.322. More information on OMB's revisions to the federal procurement standards can be found in [Purchasing Under a FEMA Award: OMB Revisions Fact Sheet](#).

The recognized procurement methods in 2 C.F.R. § 200.320 have been reorganized into informal procurement methods, which include micro-purchases and small purchases; formal procurement methods, which include sealed bidding and competitive proposals; and noncompetitive procurements. The federal micro-purchase threshold is currently \$10,000, and non-state entities may use a lower threshold when using micro-purchase procedures under a FEMA award. If a non-state entity wants to use a micro-purchase threshold higher than the federal threshold, it must follow the requirements of 2 C.F.R. § 200.320(a)(1)(iii)-(v). The federal simplified acquisition threshold is currently \$250,000, and a non-state entity may use a lower threshold but may not exceed the federal threshold when using small purchase procedures under a FEMA award. See 2 C.F.R. § 200.1 (citing the definition of simplified acquisition threshold from [48 C.F.R. Part 2, Subpart 2.1](#)).

See 2 C.F.R. §§ 200.216, 200.471, and Appendix II as well as [Section D.12.a](#) of the NOFO regarding prohibitions on covered telecommunications equipment or services.

b. *Competition and Conflicts of Interest*

Among the requirements of 2 C.F.R. § 200.319(b) applicable to all non-federal entities other than states, in order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors 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. FEMA considers these actions to be an organizational conflict of interest and interprets this restriction as applying to contractors that help a non-federal entity develop its grant application, project plans, or project budget. This prohibition also applies to the use of former employees to manage the grant or carry out a contract when those former employees worked on such activities while they were employees of the non-federal entity.

Under this prohibition, unless the non-federal entity solicits for and awards a contract covering both development and execution of specifications (or similar elements as described above), and this contract was procured in compliance with 2 C.F.R. §§ 200.317 – 200.327, federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of those specifications. This rule applies to all contracts funded with federal grant funds, including pre-award costs, such as grant writer fees, as well as post-award costs, such as grant management fees.

Additionally, some of the situations considered to be restrictive of competition include, but are not limited to:

- Placing unreasonable requirements on firms for them to qualify to do business;

- Requiring unnecessary experience and excessive bonding;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive contracts to consultants that are on retainer contracts;
- Organizational conflicts of interest;
- Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- Any arbitrary action in the procurement process.

Per 2 C.F.R. § 200.319(c), non-federal entities other than states must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed SLTT geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Under 2 C.F.R. § 200.318(c)(1), non-federal entities other than states are required to maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts. **No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.** Such conflicts of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-federal entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity.

Under 2 C.F.R. 200.318(c)(2), if the recipient or subrecipient (other than states) has a parent, affiliate, or subsidiary organization that is not a state, local, tribal, or territorial government, the non-federal entity must also maintain written standards of conduct covering organizational conflicts of interest. In this context, organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the non-federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The non-federal entity must disclose in writing any potential conflicts of interest to FEMA or the pass-through entity in accordance with applicable FEMA policy.

c. *Supply Schedules and Purchasing Programs*

Generally, a non-federal entity may seek to procure goods or services from a federal supply schedule, state supply schedule, or group purchasing agreement.

I. GENERAL SERVICES ADMINISTRATION SCHEDULES

States, tribes, and local governments, and any instrumentality thereof (such as local education agencies or institutions of higher education) may procure goods and services from a General Services Administration (GSA) schedule. GSA offers multiple efficient and effective procurement programs for state, tribal, and local governments, and instrumentalities thereof, to purchase products and services directly from pre-vetted contractors. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term government-wide contracts with commercial firms that provide access to millions of commercial products and services at volume discount pricing.

Information about GSA programs for states, tribes, and local governments, and instrumentalities thereof, can be found at <https://www.gsa.gov/resources-for/programs-for-State-and-local-governments> and <https://www.gsa.gov/buying-selling/purchasing-programs/gsa-schedules/schedule-buyers/state-and-local-governments>.

For tribes, local governments, and their instrumentalities that purchase off of a GSA schedule, this will satisfy the federal requirements for full and open competition provided that the recipient follows the GSA ordering procedures; however, tribes, local governments, and their instrumentalities will still need to follow the other rules under 2 C.F.R. §§ 200.317 – 200.327, such as solicitation of minority businesses, women’s business enterprises, small businesses, or labor surplus area firms (§ 200.321), domestic preferences (§ 200.322), contract cost and price (§ 200.324), and required contract provisions (§ 200.327 and Appendix II).

II. OTHER SUPPLY SCHEDULES AND PROGRAMS

For non-federal entities other than states, such as tribes, local governments, and nonprofits, that want to procure goods or services from a state supply schedule, cooperative purchasing program, or other similar program, in order for such procurements to be permissible under federal requirements, the following must be true:

- The procurement of the original contract or purchasing schedule and its use by the non-federal entity complies with state and local law, regulations, and written procurement procedures;
- The state or other entity that originally procured the original contract or purchasing schedule entered into the contract or schedule with the express purpose of making it available to the non-federal entity and other similar types of entities;

- The contract or purchasing schedule specifically allows for such use, and the work to be performed for the non-federal entity falls within the scope of work under the contract as to type, amount, and geography;
- The procurement of the original contract or purchasing schedule complied with all the procurement standards applicable to a non-federal entity other than states under at 2 C.F.R. §§ 200.317 – 200.327; and
- With respect to the use of a purchasing schedule, the non-federal entity must follow ordering procedures that adhere to applicable state, tribal, and local laws and regulations and the minimum requirements of full and open competition under 2 C.F.R. Part 200.

If a non-federal entity other than a state seeks to use a state supply schedule, cooperative purchasing program, or other similar type of arrangement, FEMA recommends the recipient discuss the procurement plans with its FEMA Fire Program Specialist or Program Analyst.

d. *Procurement Documentation*

Per 2 C.F.R. § 200.318(i), non-federal entities other than states and territories are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, selection of contract type, contractor selection or rejection, and the basis for the contract price. States and territories are encouraged to maintain and retain this information as well and are reminded that in order for any cost to be allowable, it must be adequately documented per 2 C.F.R. § 200.403(g).

Examples of the types of documents that would cover this information include but are not limited to:

- Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals;
- Responses to solicitations, such as quotes, bids, or proposals;
- Pre-solicitation independent cost estimates and post-solicitation cost/price analyses on file for review by federal personnel, if applicable;
- Contract documents and amendments, including required contract provisions; and
- Other documents required by federal regulations applicable at the time a grant is awarded to a recipient.

Additional information on required procurement records can be found on pages 24-26 of the [PDAT Field Manual](#).

7. Financial Assistance Programs for Infrastructure

a. *Build America, Buy America Act*

Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also 2 C.F.R. Part 184 and Office of Management and Budget (OMB) Memorandum M-24-02,

Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

None of the funds provided under this program may be used for a project for infrastructure unless the iron and steel, manufactured products, and construction materials used in that infrastructure are produced in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

For FEMA's official policy on BABAA, please see FEMA Policy 207-22-0001: Buy American Preference in FEMA Financial Assistance Programs for Infrastructure available at https://www.fema.gov/sites/default/files/documents/fema_build-america-buy-america-act-policy.pdf. To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please see [Programs and Definitions: Build America, Buy America Act | FEMA.gov](#), and https://www.fema.gov/sites/default/files/documents/fema_build-america-buy-america-act-policy.pdf.

b. Waivers

When necessary, recipients (and subrecipients through their pass-through entity) may apply for, and FEMA may grant, a waiver from these requirements.

A waiver of the domestic content procurement preference may be granted by the agency awarding official if FEMA determines that:

- Applying the domestic content procurement preference would be inconsistent with the public interest.
- The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality.
- The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25%.

For FEMA awards, the process for requesting a waiver from the Buy America preference requirements can be found on FEMA's website at: ["Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov](#).

c. Definitions

For BABAA specific definitions, please refer to the FEMA Buy America website at: [“Programs and Definitions: Build America, Buy America Act | FEMA.gov.”](#)

Please refer to the applicable DHS Standard Terms & Conditions for the BABAA specific term applicable to all FEMA financial assistance awards for infrastructure.

8. Record Retention

a. Record Retention Period

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award generally must be maintained for at least three years from the date the final FFR is submitted. *See* 2 C.F.R. § 200.334. Further, if the recipient does not submit a final FFR and the award is administratively closed, FEMA uses the date of administrative closeout as the start of the general record retention period.

The record retention period **may be longer than three years or have a different start date** in certain cases. These include:

- Records for real property and equipment acquired with Federal funds must be retained for **three years after final disposition of the property**. *See* 2 C.F.R. § 200.334(c).
- If any litigation, claim, or audit is started before the expiration of the three-year period, the records **must be retained until** all litigation, claims, or audit findings involving the records **have been resolved and final action taken**. *See* 2 C.F.R. § 200.334(a).
- The **record retention period will be extended if the non-federal entity is notified in writing** of the extension by FEMA, the cognizant or oversight agency for audit, or the cognizant agency for indirect costs, or pass-through entity. *See* 2 C.F.R. § 200.334(b).
- Where FEMA requires recipients to report program income after the period of performance ends, the **program income record retention period begins at the end of the recipient’s fiscal year in which program income is earned**. *See* 2 C.F.R. § 200.334(e).
- For indirect cost rate computations and proposals, cost allocation plans, or any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates), the start of the record retention period depends on whether the indirect cost rate documents were submitted for negotiation. If the **indirect cost rate documents were submitted for negotiation, the record retention period begins from the date those documents were submitted** for negotiation. If indirect cost rate documents were **not submitted for negotiation, the record retention period begins at the end of the recipient’s fiscal year or other accounting period covered by that indirect cost rate**. *See* 2 C.F.R. § 200.334(f).

b. *Types of Records to Retain*

FEMA requires that non-federal entities maintain the following documentation for federally funded purchases:

- Specifications
- Solicitations
- Competitive quotes or proposals
- Basis for selection decisions
- Purchase orders
- Contracts
- Invoices
- Cancelled checks

Non-federal entities should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of any relevant documentation and records, including purchasing documentation along with copies of cancelled checks for verification. *See, e.g.,* 2 C.F.R. §§ 200.318(i), 200.334, 200.337.

In order for any cost to be allowable, it must be adequately documented per 2 C.F.R. § 200.403(g). Non-federal entities who fail to fully document all purchases may find their expenditures questioned and subsequently disallowed.

9. *Actions to Address Noncompliance*

Non-federal entities receiving financial assistance funding from FEMA are required to comply with requirements in the terms and conditions of their awards or subawards, including the terms set forth in applicable federal statutes, regulations, NOFOs, and policies. Throughout the award lifecycle or even after an award has been closed, FEMA or the pass-through entity may discover potential or actual noncompliance on the part of a recipient or subrecipient. This potential or actual noncompliance may be discovered through routine monitoring, audits, civil rights complaint investigations and compliance reviews, closeout, or reporting from various sources.

In the case of any potential or actual noncompliance, FEMA may place special conditions on an award per 2 C.F.R. §§ 200.208 and 200.339, FEMA may place a hold on funds until the matter is corrected, or additional information is provided per 2 C.F.R. § 200.339, or it may do both. Similar remedies for noncompliance with certain federal civil rights laws are authorized pursuant to 44 C.F.R. Parts 7 and 19 or other applicable regulations.

In the event the noncompliance is not able to be corrected by imposing additional conditions or the recipient or subrecipient refuses to correct the matter, FEMA may take other remedies allowed under 2 C.F.R. § 200.339. These remedies include actions to disallow costs, recover funds, wholly or partly suspend or terminate the award, initiate suspension and debarment proceedings, withhold further federal awards, or take other remedies that may be legally available. For further information on termination due to noncompliance, see the section on [Termination Provisions](#) in the NOFO.

FEMA may discover and take action on noncompliance even after an award has been closed. The closeout of an award does not affect FEMA's right to disallow costs and recover funds as long as the action to disallow costs takes place during the record retention period. *See* 2 C.F.R. §§ 200.334, 200.345(a). Closeout also does not affect the obligation of the non-federal entity to return any funds due as a result of later refunds, corrections, or other transactions. 2 C.F.R. § 200.345(a)(2).

The types of funds FEMA may attempt to recover include, but are not limited to, improper payments, cost share reimbursements, program income, interest earned on advance payments, or equipment disposition amounts.

FEMA may seek to recover disallowed costs through a Notice of Potential Debt Letter, a Remedy Notification, or other letter. The document will describe the potential amount owed, the reason why FEMA is recovering the funds, the recipient's appeal rights, how the amount can be paid, and the consequences for not appealing or paying the amount by the deadline.

If the recipient neither appeals nor pays the amount by the deadline, the amount owed will become final. Potential consequences if the debt is not paid in full or otherwise resolved by the deadline include the assessment of interest, administrative fees, and penalty charges; administratively offsetting the debt against other payable federal funds; and transferring the debt to the U.S. Department of the Treasury for collection.

FEMA notes the following common areas of noncompliance for FEMA's grant programs:

- Insufficient documentation and lack of record retention.
- Failure to follow the procurement under grants requirements.
- Failure to submit closeout documents in a timely manner.
- Failure to follow EHP requirements.
- Failure to comply with the POP deadline.

10. Audits

FEMA grant recipients are subject to audit oversight from multiple entities including the DHS OIG, the GAO, the pass-through entity, or independent auditing firms for single audits, and may cover activities and costs incurred under the award. Auditing agencies such as the DHS OIG, the GAO, and the pass-through entity (if applicable), and FEMA in its oversight capacity, must have access to records pertaining to the FEMA award. Recipients and subrecipients must retain award documents for at least three years from the date the final FFR is submitted, and even longer in many cases subject to the requirements of 2 C.F.R. § 200.334. In the case of administrative closeout, documents must be retained for at least three years from the date of closeout, or longer subject to the requirements of 2 C.F.R. § 200.334. If documents are retained longer than the required retention period, the DHS OIG, the GAO, and the pass-through entity, as well as FEMA in its oversight capacity, have the right to access these records as well. *See* 2 C.F.R. §§ 200.334, 200.337.

Additionally, non-federal entities must comply with the single audit requirements at 2 C.F.R. Part 200, Subpart F. Specifically, non-federal entities, other than for-profit subrecipients, that expend \$750,000 or more in federal awards during their fiscal year must have a single or

program-specific audit conducted for that year in accordance with Subpart F. 2 C.F.R. § 200.501. A single audit covers all federal funds expended during a fiscal year, not just FEMA funds. The cost of audit services may be allowable per 2 C.F.R. § 200.425, but non-federal entities must select auditors in accordance with 2 C.F.R. § 200.509, including following the proper procurement procedures. For additional information on single audit reporting requirements, see [Section F.5.d.iii](#) of this NOFO under the header “Single Audit Report” within the subsection “Additional Reporting Requirements.”

The objectives of single audits are to:

- Determine if financial statements conform to generally accepted accounting principles (GAAP);
- Determine whether the schedule of expenditures of federal awards is presented fairly;
- Understand, assess, and test the adequacy of internal controls for compliance with major programs; and
- Determine if the entity complied with applicable laws, regulations, and contracts or grants.

For single audits, the auditee is required to prepare financial statements reflecting its financial position, a schedule of federal award expenditures, and a summary of the status of prior audit findings and questioned costs. The auditee also is required to follow up and take appropriate corrective actions on new and previously issued but not yet addressed audit findings. The auditee must prepare a corrective action plan to address the new audit findings. 2 C.F.R. §§ 200.508, 200.510, 200.511.

Non-federal entities must have an audit conducted, either single or program-specific, of their financial statements and federal expenditures annually or biennially pursuant to 2 C.F.R. § 200.504. Non-federal entities must also follow the information submission requirements of 2 C.F.R. § 200.512, including submitting the audit information to the [Federal Audit Clearinghouse](#) within the earlier of 30 calendar days after receipt of the auditor’s report(s) or nine months after the end of the audit period. The audit information to be submitted include the data collection form described at 2 C.F.R. § 200.512(c) and Appendix X to 2 C.F.R. Part 200 as well as the reporting package described at 2 C.F.R. § 200.512(b).

The non-federal entity must retain one copy of the data collection form and one copy of the reporting package for three years from the date of submission to the Federal Audit Clearinghouse. 2 C.F.R. § 200.512; *see also* 2 C.F.R. § 200.517 (setting requirements for retention of documents by the auditor and access to audit records in the auditor’s possession).

FEMA, the DHS OIG, the GAO, and the pass-through entity (if applicable), as part of monitoring or as part of an audit, may review a non-federal entity’s compliance with the single audit requirements. In cases of continued inability or unwillingness to have an audit conducted in compliance with 2 C.F.R. Part 200, Subpart F, FEMA and the pass-through entity, if applicable, are required to take appropriate remedial action under 2 C.F.R. § 200.339 for noncompliance, pursuant to 2 C.F.R. § 200.505.

11. Payment Information

FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients.

Payment requests are submitted through FEMA GO.

12. Whole Community Preparedness

Preparedness is a shared responsibility that calls for the involvement of everyone—not just the government—in preparedness efforts. By working together, everyone can help keep the nation safe from harm and help keep it resilient when struck by hazards, such as natural disasters, acts of terrorism, and pandemics.

[Whole Community](#) includes:

- Individuals and families, including those with access and functional needs
- Businesses
- Faith-based and community organizations
- Nonprofit groups
- Schools and academia
- Media outlets
- All levels of government, including state, local, tribal, territorial, and federal partners

The phrase “Whole Community” often appears in preparedness materials, as it is one of the guiding principles. It means two things:

1. Involving people in the development of national preparedness documents.
2. Ensuring their roles and responsibilities are reflected in the content of the materials.

13. Report issues of fraud, waste, abuse

Please note, when applying to this notice of funding opportunity and when administering the grant, applicants may report issues of fraud, waste, abuse, and mismanagement, or other criminal or noncriminal misconduct to the Office of Inspector General (OIG) Hotline. The toll-free numbers to call are 1 (800) 323-8603, and TTY 1 (844) 889-4357.

14. Hazard-Resistant Building Codes

Hazard-resistant building codes are a foundational element of a more resilient nation, safeguarding communities and lives against natural disasters, with an estimated \$11:1 return on investment. The adoption, enforcement and application of modern building codes mitigates community vulnerabilities, reduces disaster recovery costs, and strengthens nationwide capability. FEMA is working to promote and support building codes in all areas of its work in support of the multi-agency National Initiative to Advance Building Codes. In the interest of building a stronger, more resilient nation, FEMA encourages all grant recipients and subrecipients to meet current published editions of relevant consensus-based building codes, specifications and standards, and to exceed them where feasible.”

15. Appendix A – FY 2024 AFG Program Updates

Appendix A contains a brief list of changes between FY 2023 and FY 2024 to the AFG Program. The FY 2024 AFG Program funding notice contains some changes to definitions,

descriptions, and priority categories. Changes include:

- Under Narrative Evaluation Criteria:
A character count for each narrative section and a link to the Narrative Development Toolkit and Self-Evaluation sheets was added.
- Under Application Tips:
Clarification that scores for applications with a mix of “High,” “Medium,” and “Low” priorities may be negatively impacted was added to this section. Applicants must consider priorities under each Activity listed in this NOFO when applying.
- Under Equipment Activity:
 - Clarification that FEMA will consider only “High” priority items for funding was added.
 - The following EMS equipment was added as High Priority:
 - Suction Unit (non-disposable)
 - CPAP Device
 - Power Stair Chair
 - Patient Carbon Monoxide Monitor
 - Capnography/capnometer Device
 - The following EMS equipment was added as Medium Priority:
 - O2 Kit
 - Non-disposable Splints
 - The following EMS equipment was added as Low Priority:
 - Stretcher
 - Backboard
 - Trauma Bag
 - Mass Casualty Kit
- Under Wellness and Fitness Activity:
A clarification that Priority 1 programs must be already in place or requested in the application before Priority 2 programs will be considered for funding. In addition, the following items were added as ineligible:
 - Saunas (including infrared)
 - Hyperbaric chambers
 - Ice baths
 - Purchase of medical equipment
- Under Grant Writer/Preparation Fees:
Clarification that the grant writer fee is subject to the cost share requirement was added.

16. Appendix B – Programmatic Information and Priorities

Appendix B contains details on AFG Program information and priorities. Reviewing this information may help applicants make their application(s) more competitive.

a. *Ineligible Applications and/or Organizations*

FEMA considers two or more separate fire departments or nonaffiliated EMS organizations with different funding streams, personnel rosters, and EINs but sharing the same facilities as being separate organizations for the purposes of AFG Program eligibility. If two or more organizations share facilities and each submits an application in the same program area (i.e., Equipment, Modifications to Facilities, PPE, Training, or Wellness and Fitness Programs), FEMA reserves the right to review all of those program area applications for eligibility. This determination is designed to avoid the duplication of benefits.

Examples of ineligible applications and/or organizations include:

- Nonaffiliated EMS organization requests for any activity that is specific or unique to structural/proximity/wildfire firefighting gear.
- Fire departments that are a federal government entity, or contracted by the federal government, and are solely responsible under a formally recognized agreement for suppression of fires on federal installations or land.
- Fire departments or nonaffiliated EMS organizations that are not independent entities but are part of, controlled by, or under the day-to-day operational command and control of a larger department, agency or AHJ.
 - However, if a fire department is considered to be the same legal entity as a municipality or other governmental organization, and otherwise meets the eligibility criteria, that municipality or other governmental organization may apply on behalf of that fire department as long as the application clearly states that the fire department is considered part of the same legal entity.
- Fire-based EMS organization applying as a nonaffiliated EMS organization.
- Auxiliaries, hospitals, or fire service associations or interest organizations that are not the AHJ over the applicant.
- Dive teams, search and rescue squads, or similar organizations that do not provide medical transport.
- Fire departments, regional, or nonaffiliated EMS organizations that are for profit.
- State or local agencies, or subsets of any governmental entity, or any authority that do not meet the requirements as defined by 15 U.S.C. §2229(a), (c).
- If an applicant submits two or more applications for the same equipment or other eligible activity (for example, if an applicant submits two or more applications, one under the Regional activity, and one under the Operations and Safety activity for SCBA), both applications may be disqualified. If an applicant submits two separate applications for the same activity (i.e., two separate vehicle applications for the same vehicle) during the same application period, both applications may be disqualified.
 - This is different from when an entity is applying on behalf of other organizations that are agencies or instrumentalities of the applicant (e.g., multiple fire departments under the same county, city, borough, parish or other municipality). In that situation, the applicant may request similar or the same equipment as long as the application clearly states which equipment (including quantities) is for which agency/instrumentality. This is permissible

even if that entity submits multiple applications across regional versus direct applications.

- Eligible Fire Department and nonaffiliated EMS applicants may submit only one application for each of the following application types: Individual Operations and Safety, Individual Vehicle, Regional Operations and Safety, and Regional Vehicle. Under the Operations and Safety applications, applicants may submit for multiple activities and for multiple items within each activity. Under the Vehicle application, applicants may submit one application for a vehicle activity (or activities) for their department and one separate application for a Regional vehicle (the same vehicle(s) may not be requested for both purposes). All duplicate application submissions may be disqualified.

b. *Supporting Definitions for this NOFO*

Authority Having Jurisdiction (AHJ) is an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, and installation, or a procedure (Per NFPA 101, 2021 Edition: Life Safety Code).

Automatic Aid is a plan developed between two or more fire departments for immediate joint response on first alarms (Per NFPA 1710, 2020 Edition and NFPA 1720, 2020 Edition).

Career Fire Department, as defined in 15 U.S.C. § 2229, means a fire department that has an all-paid force of firefighting personnel other than paid-on-call firefighters.

Combination Fire Department, as defined in 15 U.S.C. § 2229, means a fire department that has paid firefighting personnel and volunteer firefighting personnel. FEMA considers a fire department with firefighting personnel paid a stipend, regardless of the amount, on a per event basis, or paid on-call, to be a combination fire department. This includes non-fire emergency medical service personnel of the department.

Firefighting Personnel, as defined in 15 U.S.C. § 2229, means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

Mutual Aid is a written intergovernmental agreement between agencies and/or jurisdictions stating that they will assist one another on request by furnishing personnel, equipment, and/or expertise in a specified manner (NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, 2016 and 2020 edition; and NFPA 1720 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments, 2020 Edition).

Metro Department is a metropolitan fire department that has a minimum staffing of

350 career firefighters as defined by the International Association of Fire Chiefs (IAFC). DHS/FEMA collects information on metro departments for statistical purposes only. Status as a metro department is not a factor in scoring or funding.

Primary First Due is a geographic area surrounding a fire station in which a company from that station is projected to be first to arrive on the scene of an incident.

Volunteer Fire Department, as defined in 15 U.S.C. § 2229, means a fire department that has an all-volunteer force of firefighting personnel that do not receive any compensation (does not include length of service award programs).

c. Community Classifications

The information the applicant organization supplies in Applicant Characteristics and Community Description of the AFG Program application determines whether the jurisdiction is identified by FEMA as urban, suburban or rural. The community classification will determine the funding priority.

The US Census Bureau’s urban/suburban/rural classifications are fundamentally a delineation of geographical areas. For more information, please visit the Census website at [Urban and Rural](#).

FY 2024 demographics for determining urban, suburban, or rural include:

Community	Urban	Suburban	Rural
Population of primary first due response area	>3,000 sq. mi. or 50,000+ population	1,000-2,999/sq. mi. or 25,000-50,000 Population	0-999/sq. mi. or <25,000 population
Water Supply (percentage of primary first due response area covered by hydrant service)	75-100% hydrants (municipal water)	50-74% hydrants	<50% hydrants
Land Use within primary first due response area	<25% for agriculture (based on zoning) >50% industrial and commercial combined	25%-49% used for agriculture (based on zoning) 25%-49% industrial and commercial combined	>50% used for agriculture (based on zoning) <25% industrial and commercial combined
Square miles within primary first due response area per station	<3 sq. mi. per station	3-9 sq. mi. per station	>10 sq. mi. per station

d. Application Tips

The following information may be useful when preparing a competitive application:

- NFPA “FREE ACCESS”: As part of its commitment to enhancing public safety and supporting the emergency responder, the NFPA makes its codes and

standards available online for free. Please visit [NFPA's Free Access page](#).

- Regional applicants are only eligible to apply for Training, Equipment, PPE, and/or Wellness and Fitness within Operations and Safety, and Vehicle Acquisition.
- SFTA applicants are only eligible to apply for Equipment and/or PPE within Operations and Safety, and Vehicle Acquisition.
- Successful Regional applicants will be subject to the funding limitations based on the total population served by the host and participating partners. Any Regional award made will impact or be included in the host organization's funding limitations.
- Applications differ based on the applicant type. For example, the SFTA application for a vehicle will be different from the fire department application for a vehicle. Be sure to select the appropriate applicant type when applying.
- Fire Departments or nonaffiliated EMS organizations that are part of a larger organization with a broader scope should apply through the larger organization to avoid limiting eligible activities. For example, a rescue squad that periodically participates in structural firefighting and that belongs to a county fire and rescue agency should apply through the county for structural PPE. In other words, the county should apply on behalf of the rescue squad.
- FEMA recognizes the number of seated riding positions in front line apparatus as a reasonable measurement of the quantity of PPE or relevant equipment (radios, etc.) to be funded. Exceptions to the front-line seated riding position count may be considered by FEMA if compelling need to include seated riding positions in reserve apparatus can be demonstrated and justified. Applicants that seek to include reserve apparatus seated riding positions in the total seated riding position count must submit a justification narrative.
- **Applicants are encouraged to review the funding priorities listed under each activity in [Appendix B "Funding Priorities"](#) section in this NOFO. These priorities are marked as "High," "Medium," or "Low" and should be considered when applying for a grant. FEMA will fund items and activities with the highest priority first. Applying for "Medium" or "Low" priority items in addition to "High" priority items/projects may negatively impact the overall score of the activity. In addition, FEMA will only consider "High" priority items for funding under Operations and Safety – Equipment activity.**

e. *Restrictions on Uses of Award Funds*

- No AFG Program funds may be used to support hiring (part-time or full-time), salaries, benefits, or fringe benefits (including but not limited to contributions for social security, insurance, workers' compensation, pension or retirement plans) for any personnel.
- Documented back fill and/or overtime/lost wages costs to support awarded training activities are allowable personnel expenses.
- Instructor's rates/base rates should be provided as part of the application narrative, as well as the market-researched competitive rate for delivering the requested training.
- If the instruction provided for an awarded training activity is delivered by an

existing member(s) of the recipient organization, only the established base rate of compensation, without benefits or overtime, may be eligible for reimbursement.

- Recipients are encouraged to allow other organizations to benefit from an awarded activity; e.g., filling another organization's SCBA cylinders using a grant funded compressor, cleaning another organization's turnout gear, or offering excess capacity training opportunities. If recipients choose to include costs associated with shared benefit (e.g., backfill, overtime, tuition) for members outside of their department, they must apply as a Regional applicant.
- Items requested under Additional Funding may only be from that same Activity area. Furthermore, improper Additional Funding requests may be disqualified, if there is misalignment between the item requested and the Activity area. However, the following requests are allowable:
 - Rapid Intervention Team (RIT) packs supporting a SCBA request under the PPE activity. RIT packs must be requested under the Equipment activity if not supporting an SCBA request.
 - PPE gear bags under the PPE activity (gear bags are only eligible as additional funds in association with a PPE gear request).
 - Air Compressor/Fill Station/Cascade Systems (Fixed or Mobile) in support of a Regional SCBA request under the PPE activity. Regional requests for Air Compressor/Fill Station/Cascade Systems (Fixed or Mobile) must be requested under the Equipment activity if not supporting a SCBA request.
 - PPE gear washer/extractor/dryer in support of a PPE gear request under the PPE activity. Washer/extractor/dryer must be requested under the Equipment activity if not supporting a PPE gear request.
- Items must be requested using individual item dropdowns in the application (e.g. nozzles and appliances should not be requested under 'Hose (Attack/Supply)' dropdown, but under 'Appliance(s)/Nozzle(s)' option). In addition, items requested as a bundle without details on the number of units and cost per individual component will not be considered for funding.

f. Funding Priorities

I. OPERATIONS AND SAFETY – TRAINING OVERVIEW

FEMA has determined that hands-on, instructor-led training that meets a national, state, or DHS adopted standard and results in a national or state certification provides the greatest training benefit.

All of the following are considerations in pre-scoring and peer review determinations: High (H), Medium (M), Low (L)

Fire Department, Regional, and SFTA Training Priorities by Purpose	
H	Training evaluated using national or state standards
H	Training that brings a department into compliance with recommended NFPA or other national standards
H	Instructor-led training that requires student testing to demonstrate academic competence or practical proficiency

Fire Department, Regional, and SFTA Training Priorities by Purpose	
H	Training that benefits the highest percentage of applicable personnel, such as the hazardous materials training within a fire department or training that will be open to other eligible organizations
M	Training that does not result in certification
M	Training that is self-directed/validated
L	Training that will address an identified risk but not associated with compliance to any standards

Fire Department and Regional Training Priorities by Course Type				
Training	NFPA #	Urban	Suburban	Rural
Firefighter I, II	1001	H	H	H
Fire/Emergency Services Instructor	1041	H	H	H
Hazardous Materials Response-Awareness, Operations, Technician	470	H	H	H
Infection Control	1581	H	H	H
Confined Space Response- Awareness, Operations, Technician	2500	H	H	H
Wildland firefighting (basic)	1140	H	H	H
Wildland firefighting certification (red card)	1140	H	H	H
Wildland Fire Officer	1051	H	H	H
Rapid Intervention Training	1407	H	H	H
Fire Officer	1021	H	H	H
Emergency Medical Responder		H	H	H
Emergency Medical Technician		H	H	H
Advanced Emergency Medical Technician to Paramedic		H	H	H
Paramedic		H	H	H
Paramedic to Community Paramedic		H	H	H
Firefighter Safety and Survival	1407	H	H	H
Safety Officer	1026,1521	H	H	H
Fire Apparatus Driver/Operator	1002	H	H	H
Fire Prevention	1037,1730	H	H	H
Fire Inspector	1031	H	H	H
Fire Investigator	921,1033	H	H	H
Fire Educator	1035	H	H	H
NIMS/Incident Management System (IMS)	1026,1561	H	H	H
Emergency Scene Rehab	1584	H	H	H
Critical Incident Debriefing/Crisis Intervention	1500	H	H	H
Any training to a National/State or NFPA standards		H	H	H

Fire Department and Regional Training Priorities by Course Type				
Training	NFPA #	Urban	Suburban	Rural
Compliance with federal/state-mandated program		H	H	H
Technical Rescue- Operations, Technician	1006, 2500	H	H	H
Vehicle Rescue	2500	H	H	H
Another officer	1021	H	H	M
Aircraft Rescue Firefighting (ARFF)	440, 460, 1003	H	H	M
Weapons of Mass Destruction (WMD)	470	H	H	H
Mass Casualty		H	H	H

Fire Department and Regional Training Priorities by Course Type				
Training	NFPA #	Urban	Suburban	Rural
Training to address a local risk not elevated to a national or state		M	M	M
Specialized Training		M	M	M
Maritime Firefighting	1005, 1405, 1910	L	L	L
Instructor-led training that does not lead to certification		L	L	L
Self-taught courses		L	L	L
Training not elevated to a national or state standard		L	L	L

Funding Priorities for Fire Departments and Nonaffiliated EMS Organizations Training

The AFG Program provides training grants to meet the educational and performance requirements of fire departments and nonaffiliated EMS personnel. Training should align with the U.S. National Highway Traffic Safety Administration, which designs and specifies a National Standard Curriculum for Emergency Medical Technician (EMT) training and the National Registry of Emergency Medical Technicians (NREMT), a private, central certifying entity whose primary purpose is to maintain a national standard (NREMT also provides certification information for paramedics who relocate to another state).

A higher priority is assigned to the following due to the time and cost of upgrading an organization's response level:

- Organizations seeking to elevate the response level from Emergency Medical Responder (EMR) to EMT.
- Organizations seeking to elevate the response level from Advanced EMT (AEMT) to Paramedic.
- Organizations seeking to train Community Paramedics: Organizations seeking

to train a high percentage of the active EMRs will receive additional consideration when applying under the Training activity.

Eligible Training Activities for Fire Departments and Regional Applications include but are not limited to:

- | | |
|---|---|
| <ul style="list-style-type: none"> • Train-the-trainer courses • Alternative fuel firefighting • Response to natural disasters • Minor interior alterations, requested under Additional Funding and limited to \$10,000 total expenditure to support the awarded Training activities (e.g., removal/construction of a non-weight bearing wall) • Overtime expenses paid to career firefighters to attend training or to backfill positions for colleagues who are in training • Rental of facilities to conduct training • Rental of Audio/Visual equipment • Travel expenses associated with attendance at a formal training course or conference (air/rail transportation, mileage, lodging expenses, etc.) • Compensation to volunteers (Fire and nonaffiliated EMS) for wages lost to attend training; there is no overtime or backfill for volunteers • Tuition, exam/course fees, and certifications/certification expenses | <ul style="list-style-type: none"> • Purchase of training curricula and training services (instructors) • Chemical Biological Radiological Nuclear and Explosive (CBRNE) awareness, performance, planning, and management • Travel expenses associated with Type 3 Incident Management Teams (IMT) attending position development/mentoring assignment with national Type 2 or Type 1 IMTs • Supplies or expendables or one-time use items essential for an award's scope of work, such as foam, breaching materials (e.g., wood or sheetrock) for ventilation or rescue props, or the amount of fuel required to sustain an awarded live fire training activity, or per NFPA 1403 Standard on Live Fire Training Evolutions, reasonable safety mitigations to a structure acquired for training • Props (single-use or permanent) essential for training programs requested in the application cannot exceed \$50,000 for Operation and Safety requests; this does not apply to SFTA requests |
|---|---|

Ineligible Training Activities for Fire Departments and Regional Applications include but are not limited to:

• Construction of facilities (buildings, towers, sheds, etc.) • Firefighting equipment or PPE, such as SCBA, used exclusively for training • Remodeling not directly related to grant activities • Any costs associated with planning and/or participating in formal or planned special event exercises to identify user needs, evaluate an organization's performance capabilities, validate existing capabilities, or to facilitate coordination and asset sharing • Firefighting equipment and PPE rental, as well as training facility personnel costs (such as facility maintenance, cleaning, safety officer services, etc.)	• Site preparation to accommodate or modify any training activity, facility, or prop that is a permanent or semi-permanent improvement, including but not limited to: landscaping, cutting or grading an access road, trenching, paving a training area, exterior stairs or sidewalks, or the installation of utilities • Purchase or lease of real estate (this does not preclude departments from securing necessary training facilities such as classrooms, use of towers, training props, etc.) • Purchase of Unmanned Aerial Vehicles (UAVs) and Drones • Food and beverages
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Eligible Training Activities for Nonaffiliated EMS include but are not limited to:

• EMR • EMT • AEMT • AEMT to Paramedic • Paramedic (applicant must clearly demonstrate plan to accomplish paramedic training within the period of performance) • Community Paramedics (paramedics with Primary Care certification) • Travel expenses associated with attendance at a formal training course or conference: air/rail transportation, mileage, hotel/lodging expenses, etc. (Note: Food and beverages are ineligible travel expenses)	• Attendance at formal training forums or conferences providing continuing education credits • Overtime expenses paid to career nonaffiliated EMS responders to attend training or to backfill positions for colleagues who are in training • Compensation to volunteers for wages lost to attend training (there is no overtime or backfill for volunteers) • Supplies or expendables or one-time use items essential to complete the training activity of a nonaffiliated EMS award's scope of work; examples include bandages, splints, expendable respiratory supplies, etc.
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II. OPERATIONS AND SAFETY – EQUIPMENT OVERVIEW

AFG grants fund equipment for effective response, firefighting, rescue and emergency medical operations to enhance the public safety.

Reminder: When requesting training for any items in this section, enter the request under “Additional Funding” in the “Request Details” section of the application. Make sure to identify the type and scope of training, timeframe, etc. in the item description section. Training must be specific to the use of the

equipment (i.e., vendor training) and not duplicative of courses listed under the Training activity.

Also note:

- Accountability systems are located under the Equipment activity.
- All simulators, tow vehicles, and all mobile or fixed fire/evolution props (e.g., burn trailers, forcible entry, or rescue/smoke mazes) are located under the Equipment activity.
- Request for monitors/defibrillators should be based on the number of transport and non-transport ALS response vehicles in the fleet (medic engine, medic chase vehicle, ALS ambulance, etc.).
- P-25 compliant Portable Radios should be requested based on the number of seated riding positions or active members of the department and supported in the request narratives.
- Requests for P-25 mobile radios should be based on the number of vehicles in the fleet.
- Requests to replace obsolete or damaged equipment should enable the applicant to meet applicable industry, local, state, and national standards.
- Equipment product lifecycles are assigned an age category of Short (5-7 years), Intermediate (8-14 years), or Long (15-20 years). These age categories are used to compare like types of equipment of a similar age category. Under this system, an item that should have a useful life of 10 years is only compared to other items that have a similar useful lifespan. An application does not score higher or lower based on the product lifespan of an item. It only serves to ensure a more even scoring of equipment based on type.

All of the following are considerations in pre-scoring and peer review determinations:

Only High (H) priority equipment items listed below will be considered for funding.

Priority	Age Category	Fire and Fire Regional	SFTA
BASIC EQUIPMENT			
M H	Intermediate	Air Compressor/Fill Station/Cascade System (Fixed or Mobile) for filling SCBA. Fire Department applicants - M Regional Applicants - H	Air Compressor/Fill Station/Cascade System (Fixed or Mobile) for filling SCBA – H
H	Long	Appliance(s)/Nozzle(s)	Appliance(s)/Nozzle(s)
H	Long	Basic Hand Tools (Structural/Wildfire)	Basic Hand Tools (Structural/Wildfire)
M H	Intermediate	Electric/Gas Powered Saws/Tools - M	Electric/Gas Powered Saws/Tools - H
M H	Short	Fit Tester - M	Fit Tester – H

Priority	Age Category	Fire and Fire Regional	SFTA
M H	Long	Foam Eductors - M	Foam Eductors - H
H	Intermediate	Hose (Attack/Supply)	Hose (Attack/Supply)
H	Short	Immediately Dangerous to Life or Health (IDLH) Monitoring Equipment	IDLH Monitoring Equipment
H	Immediate	IDLH Protection for Investigators (this is single-use respiratory protection)	
M H	Long	Ladders - M	Ladders - H
M H	Short	Personal Accountability Systems - M	Personal Accountability Systems - H
H	Intermediate	PPE Washer/Extractor/Dryer (Turnout)	PPE Washer/Extractor/Dryer (Turnout)
M	Intermediate	Respirator Decontamination System (SCBA)	Respirator Decontamination System (SCBA)
M H	Intermediate	Props - M	Props - H
H	Intermediate	RIT Pack/Cylinder	RIT Pack/Cylinder
M	Intermediate	Generator – Portable	Generator – Portable
M H	Intermediate	Tech Rescue (Ropes, Harnesses, Carabiners, Pulleys, etc.) - M	Tech Rescue (Ropes, Harnesses, Carabiners, Pulleys, etc.) - H
M H	Short	Simulators (including virtual) - M	Simulators (including virtual) - H Repairs and upgrades (non-construction) to existing Simulators - H
H	Short	Thermal Imaging Camera (Must be NFPA 1801 compliant)	Thermal Imaging Camera (Must be NFPA 1801 compliant)
L M H	Short	Software and Learning Management System (LMS) to support training for Fire Departments - L Software and LMS to support training for Regional - M	Software and LMS to support training - H
M	Short	Computers used in support of training	Computers used in support of training
H	Short	Vehicle Mounted Exhaust Systems	Vehicle Mounted Exhaust Systems
M	Short	Mobile computing devices intended to be used on scene (Tablets)	Mobile computing devices intended to be used on scene (Tablets)
COMMUNICATIONS			
M H	Intermediate	Base Station (must be P-25 Compliant) - M	Base Station (must be P-25 Compliant) - H
M H	Intermediate	Headsets - M	Headsets - H
M H	Intermediate	Mobile Radios (must be P-25 Compliant) - M	Mobile Radios (must be P-25 Compliant) - H
M H	Intermediate	Mobile Repeaters (must be P-25 Compliant) - M	Mobile Repeaters (must be P-25 Compliant) - H
M H	Intermediate	Pagers (limited to number of active members) - M	Pagers (limited to number of active members) - H
H	Intermediate	Portable Radios (must be P-25 compliant)	Portable Radios (must be P-25 compliant)
M	Intermediate	Mobile Data Terminal (MDT)	MDT

Priority	Age Category	Fire and Fire Regional	SFTA
M	Short	Software specifically to enable Radio over IP (RoIP)	Software specifically to enable RoIP
EMS EQUIPMENT			
H	Short	Airway Equipment (Non-Disposable)	Airway Equipment (Non-Disposable)
H	Short	CPAP Device (Non-Disposable)	CPAP Device (Non-Disposable)
H	Short	Suction Unit (Non-Disposable)	Suction Unit (Non-Disposable)
H	Short	Automated External Defibrillators (AEDs) BLS Level	AEDs BLS Level
H	Short	Automatic Chest Compression Device (CPR)	Automatic CPR
H	Short	EMS Training Aids	EMS Training Aids
H	Short	Monitor/Defibrillator	Monitor/Defibrillator
H	Intermediate	Power Lift Cot	Power Lift Cot
H	Intermediate	Power Lift System	Power Lift System
H	Short	Pulse Oximeters	Pulse Oximeters
H	Short	Responder Rehab Equipment	Responder Rehab Equipment
H	Short	Power Stair Chair	Power Stair Chair
H	Short	Patient Carbon Monoxide Monitor	Patient Carbon Monoxide Monitor
H	Short	Capnography/Capnometer Device	Capnography/Capnometer Device
M	Short	O2 Kit	O2 Kit
M	Short	Non-Disposable Splints	Non-Disposable Splints
L	Intermediate	Stretcher	Stretcher
L	Intermediate	Backboard	Backboard
L	Short	Trauma Bag	Trauma Bag
	Short	Mass Casualty Kit	Mass Casualty Kit
L	Short	Portable Lift System (i.e., devices, hydraulic or electrical, used to assist with the lifting of patients that are not associated with cots or stair chairs)	Portable Lift System (i.e., devices, hydraulic or electrical, used to assist with the lifting of patients that are not associated with cots or stair chairs)
EXTRICATION			
M H	Intermediate	Cutter/Spreader - M	Cutter/Spreader - H
M H	Intermediate	Vehicle Extrication Equipment - M	Vehicle Extrication Equipment - H
HAZARDOUS MATERIALS			
M	Intermediate	Basic HazMat Response Equipment	Basic HazMat Response Equipment
M	Intermediate	Decon, Clean-Up, Containment and Packaging Equipment	Decon, Clean-Up, Containment and Packaging Equipment
M	Short	Sampling Devices (HazMat)	Sampling Devices (HazMat)
SPECIALIZED			
H	Intermediate	Skid Unit	Skid Unit
M	Intermediate	Air Quality Device	Air Quality Device
M	Intermediate	Boats	Boats
M	Short	Marine equipment (NFPA 1910: Standard on Marine Fire-Fighting Vessels)	Marine equipment (NFPA 1910: Standard on Marine Fire-Fighting Vessels)
M	Intermediate	Mobile Generator	Mobile Generator

Priority	Age Category	Fire and Fire Regional	SFTA
M	Intermediate	Portable Pump	Portable Pump
L	Short	Specialized Equipment (Other)	Specialized Equipment (Other)
CHEMICAL BIOLOGICAL RADIOLOGICAL NUCLEAR EQUIPMENT (CBRNE)			
L	Short	CBRNE-related Equipment	CBRNE-related Equipment
L	Short	Non-Disposable Biological Detection	Non-Disposable Biological Detection

Priority	Age Category	Tow Vehicles	Applicant Type
Note: Tow vehicles may be applied for under different application types with differing priority levels. Please reference the chart below when applying for tow vehicles.			
H	Long	Tow Vehicle	SFTA
M	Long	Tow Vehicle	Regional
L	Long	Tow Vehicle	Fire Department

Priority	Age Category	Nonaffiliated EMS	Nonaffiliated EMS Regional
COMMUNICATIONS			
H	Intermediate	Base Station (must be P-25 Compliant)	Base Station (must be P-25 Compliant)
H	Intermediate	Mobile Radios (must be P-25 Compliant)	Mobile Radios (must be P-25 Compliant)
H	Intermediate	Mobile Repeaters (must be P-25 Compliant)	Mobile Repeaters (must be P-25 Compliant)
H	Intermediate	Pagers (limited to number of active members)	Pagers (limited to number of active members)
H	Intermediate	Portable Radios (must be P-25 Compliant, limited to number of AFG Program-approved seated positions)	Portable Radios (must be P-25 Compliant, limited to number of AFG Program-approved seated positions)
M	Intermediate	Mobile Data Terminal	Mobile Data Terminal
M	Intermediate	Headsets	Headsets
M	Short	Software specifically to enable RoIP	Software specifically to enable RoIP
EMS EQUIPMENT			
H	Short	ALS/BLS Equipment	ALS/BLS Equipment
H	Short	Airway Equipment (Non- Disposable)	Airway Equipment (Non- Disposable)
H	Short	AEDs BLS Level	AEDs BLS Level
H	Short	Automatic CPR	Automatic CPR
H	Short	EMS Training Aids	EMS Training Aids
H	Short	CPAP Device (Non-Disposable)	CPAP Device (Non-Disposable)
H	Short	Monitor/Defibrillator - 15 leads	Monitor/Defibrillator - 15 leads
H	Intermediate	Power Lift Cot	Power Lift Cot
H	Intermediate	Power Lift System	Power Lift System
H	Short	Responder Rehab Equipment	Responder Rehab Equipment
H	Short	Suction unit	Suction unit
H	Intermediate	Power Stair Chair	Power Stair Chair

Priority	Age Category	Nonaffiliated EMS	Nonaffiliated EMS Regional
H	Short	Patient Carbon Monoxide Monitor	Patient Carbon Monoxide Monitor
H	Short	Capnography/Capnometer Device	Capnography/Capnometer Device
M	Short	O2 Kit	O2 Kit
M	Short	Non-Disposable Splints	Non-Disposable Splints
L	Intermediate	Stretchers	Stretchers
L	Intermediate	Backboards	Backboards
L	Short	Trauma Bag	Trauma Bag
L	Short	Mass Casualty Kit	Mass Casualty Kit
M	Short	Computers used in support of training	Computers used in support of training
M	Short	Mobile computing devices intended to be used on scene (tablets)	Mobile computing devices intended to be used on scene (tablets)
H	Short	Vehicle Mounted Exhaust Systems	Vehicle Mounted Exhaust Systems
L	Short	Portable Lift System (i.e., devices, hydraulic or electrical, used to assist with the lifting of patients that are not associated with cots)	Portable Lift System (i.e., devices, hydraulic or electrical, used to assist with the lifting of patients that are not associated with cots)
HazMat			
M	Intermediate	Basic HazMat Response Equipment	Basic HazMat Response Equipment
M	Intermediate	Decon, Clean-Up, Containment and Packaging Equipment	Decon, Clean-Up, Containment and Packaging Equipment
M	Short	Sampling Devices (HazMat)	Sampling Devices (HazMat)

Fire Department, Nonaffiliated EMS, Regional, and SFTA Equipment Priorities		
Priority	Purpose of Request	Definition
H	Obtain equipment needed but not currently owned or replace equipment that is broken and/or damaged beyond repair to achieve minimum operational and deployment standards for existing missions	Applies to requests for equipment needed, and not currently owned, to achieve minimum operational and deployment standards for a department's existing mission requirements. This includes equipment that is no longer usable because it is broken and/or damaged beyond repair.
H	Replace noncompliant equipment to current standard	Applies to equipment that is deemed obsolete and/or is out of compliance with current standards for that type of equipment. Equipment requested under this reason for purchase has not been deemed inoperable, and while it may not be compliant with current standards it is not broken, damaged, or otherwise unusable.
M	Obtain equipment for new mission	Applies to requests for equipment, supplies, or inventories that are intended to fulfill minimum service requirements associated with new missions that a department is taking on and building the capability for but has not been previously fulfilled. For example, this may include, but is not limited to, establishing a new HazMat capability or Swift Water Rescue capability.

Fire Department, Nonaffiliated EMS, Regional, and SFTA Equipment Priorities		
Priority	Purpose of Request	Definition
L	Upgrade technology to current standard	Applies to requests for equipment that may or may not be owned, but newer technology is available.

Eligible Equipment Activities for Fire Department, Nonaffiliated EMS, Regional, and SFTA include but are not limited to:	
- Shipping, taxes, assembly, and installation of the requested equipment - Extended warranties and service agreements if acquired concurrent with initial acquisition - Minor interior alterations (requested under Additional Funding and limited to \$10,000 total expenditure) to support the awarded Equipment activities (e.g., removal/construction of a non-weight bearing wall) - Equipment for response to incidents involving CBRNE/WMD - Training specific to the requested equipment	- Requested support activities for equipment requiring supplies or expendables or “onetime” use items essential for an award’s scope of work, such as foam, breaching materials (e.g., wood or sheetrock) for ventilation or rescue props, or the amount of fuel required to sustain an awarded live fire training activity, or per NFPA 1403 Standard on Live Fire Training Evolutions, reasonable safety mitigations to a structure acquired for training - Subscriptions necessary for the operation of the awarded equipment and purchased concurrently within the POP - Computing device may be considered for reimbursement if essential to the operation of the funded equipment.

Ineligible Equipment Activities Fire Department, Nonaffiliated EMS, Regional, and SFTA include but are not limited to:	
- Construction of facilities, such as buildings, towers, or sheds to house communications - All fixed non-mobile repeaters or fixed site amplifiers - Sirens or other outdoor warning devices - Signage of any kind - Phones (telephone/satellite/cell) and carrier plans - Investments in emergency communications systems and equipment must meet applicable SAFECOM Guidance - Personal Safety/Rescue Bailout System (PPE) - Computer assisted dispatch (CAD) systems and software, geographic information systems (GIS), dispatch consoles, workstations and office furniture - Nonaffiliated EMS expendable supplies (including but not limited to medications) - Vehicle mounted fans	- Utility Vehicles and All-Terrain Vehicles (UTV/ATV) - UAVs and Drones - Bomb disposal equipment and robots - Mobile radios for personally owned vehicles (except Chief Fire Officer’s personal vehicle if justified) - Supplies or expendables or common one-time use items such as foam, soaps, disinfectant wipes, medical gowns/gloves, bandages, any drug, intravenous bags/fluids, defibrillator pads/electrodes, syringes, cervical collars, batteries, exhaust system filters and splints - Flashover or other simulators/props that do not meet NFPA 1402 or 1403 standard (homemade or aftermarket simulators) - Subscriptions, memberships, equipment rental or lease to purchase - Refurbished equipment

Additional Considerations for Fire Department, Nonaffiliated EMS, Regional, and SFTA Equipment Priorities

- Equipment that has a direct effect on firefighters' health and safety
- Age of equipment considered for replacement
- Equipment that operationally benefits other jurisdictions
- Equipment that brings the department into compliance with a national recommended standard, (e.g., NFPA or statutory compliance like OSHA)

IMPORTANT: The only eligible AFG Program activity for interoperable communications equipment is the acquisition of P-25 compliant equipment.

- P-25 compliant interoperable communications equipment has a digital platform that is programmable, scalable, and can communicate in analog mode with legacy radios, and in both analog and digital mode with other P-25 equipment. P-25 compliance enhances interoperability, allowing first responders to communicate with each other to coordinate their response to and mitigate all hazards.
- The procurement of interoperable communications equipment that does not meet P-25 compliance is unallowable; there are no waivers for P-25 compliance.
- All recipients awarded activities with emergency communication equipment and related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. Technical specifications are located at: FY 2023 [SAFECOM Guidance on Emergency Communications Grants](#).
- It is the recipient's responsibility to obtain documented evidence that the equipment to be acquired has been tested and has passed all the applicable P-25 compliance requirements and the recipient shall be able to produce such documentation to FEMA upon request.
- AFG Program applicants are not required to identify a specific P-25-compliant product in their application narrative, but they must affirm that the interoperable communications equipment requested or acquired will be P-25 compliant.

Note: Recipients using FY 2024 AFG Program funds to support emergency communications activities should review and comply with [SAFECOM requirements](#), including provisions on technical standards that ensure and enhance interoperable communications. Communication equipment (e.g., portable radios) would be included in this standard. Recipients investing in emergency communications must ensure their projects support the Statewide Communications Interoperability Plan (SCIP) for their state.

III. OPERATIONS AND SAFETY – PPE OVERVIEW

AFG Program funds used to acquire PPE may only be used to acquire compliant PPE for firefighting and nonaffiliated EMS personnel. Only the acquisition of PPE compliant with the most current edition of NFPA 1971, 1977, 1981 and/or 1999 are eligible activities. The acquisition of used, refurbished, or updated PPE are ineligible for reimbursement. PPE requested should have the goal of increasing firefighter safety. When requesting to replace or purchase new PPE (e.g., Turnout Gear and/or SCBA) applicants will be asked to provide the age of the items being replaced. All PPE items in the current inventory must be accurately described and accounted for in the application narrative.

Exposure to Per-and polyfluoroalkyl substances (PFAS chemicals) has been linked to cancer and other health effects. Recipients of PPE awards are strongly encouraged to ask potential vendors about their current level of compliance with using PFAS-free materials and to purchase PFAS-free gloves, hoods, boots, etc. as these items have matured in development to include readily available PFAS-free items.

Based in part on NFPA 1851, Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, in order for PPE (to include SCBA) to be considered noncompliant, the items must be a minimum of 2 NFPA cycles and 10 years of age or older from the date they were manufactured. PPE gear (to include SCBA) that is less than 10 years old and 2 NFPA cycles behind that was deemed damaged/unsafe/unrepairable is eligible for replacement if sufficient justification is provided in the application.

- Acquiring or replacing an individual SCBA face piece for each operational member of an organization is High (**H**) Priority. To the extent a request for additional face pieces exceeds any face pieces requested as part of an SCBA unit, that request should be entered as a separate request line item and will not be considered a request “to increase supplies” (e.g., if the applicant has the need for 35 Face Pieces, and requests 25 SCBA Units, the applicant should also separately request 10 additional Face Pieces).
- FEMA considers a complete set of Structural/Proximity PPE Turnout Gear to be comprised of these NFPA 1971 compliant components: one pair of pants, one coat, one helmet, two hoods, one pair of boots, two pairs of gloves, one pair of suspenders, and one pair of goggles. In the AHJ where additional PPE such as a Personal Safety/Rescue Bailout System is statutorily required, FEMA will consider all statutorily required items to be part of a complete PPE set.
- FEMA considers a complete set of EMS PPE Turnout Gear to be comprised of these NFPA 1999 compliant components: one pair of pants, one coat, one helmet, one pair of boots, one pair of gloves, one pair of suspenders, and one pair of goggles.
- FEMA considers a complete set of Wildfire PPE Turnout Gear to be comprised of these NFPA 1977 compliant components: one pair of pants, one

coat, one jumpsuit, one helmet, one pair of boots, one pair of gloves, one pair of suspenders, one pair of goggles, one fire shelter, web gear, backpack, and canteen/hydration system.

- FEMA considers PPE gear bags and RIT packs as eligible items that can be requested under Additional Funding and available as part of excess fund for the PPE activity in support of requests for PPE or SCBA items.
- FEMA considers a complete SCBA unit to be comprised of a harness/backpack, one face piece, and two cylinders.
- Recipients should consider the importance of proper fitting gear when making purchasing decisions. This includes the nuances with proper fitting for female firefighters.

Training for requested PPE:

- Applicants must certify that all grant-funded PPE will only be used by sufficiently trained personnel (failure to meet this requirement will result in the request for funding deemed ineligible).
- If applicants are requesting training to support a PPE activity, it must be entered in the “Additional Funding” section within the “Request Details” section of the application.

The following are considerations in pre-scoring and peer review determinations:

Fire Department, Nonaffiliated EMS, Joint/Regional, and SFTA PPE Priorities		
Priority	Purpose of Request	Definitions
H	Increase supply for new hires and/or existing firefighters that do not have one set of turnout gear (PPE) or allocated seated positions (SCBA). This includes replacing out of service PPE-Turnout Gear and SCBA.	Applies to PPE-Turnout Gear for new firefighters (i.e., new hires or volunteer recruits) and/or existing firefighters that do not currently have one set of PPE-Turnout Gear, and to add SCBA to fill seated riding positions that do not currently have SCBA.
H	Replace in-service or in-use damaged/unsafe/unrepairable PPE/SCBA to meet current standard	Applies to PPE-Turnout Gear and SCBA that is deemed damaged unsafe and unrepairable yet still in use at the time of application.
H	Replace in-service/in-use/expired/noncompliant PPE/SCBA to current standard	Applies to PPE-Turnout Gear or SCBA that is deemed obsolete and/or is out of compliance with current standards. PPE-Turnout Gear or SCBA to be replaced is not compliant with current standards; it is not broken, damaged or otherwise unusable.
L	Replace PPE/SCBA to upgrade technology to current standard	Applies to PPE-Turnout Gear or SCBA that is less than 10 years old for PPE-Turnout Gear or compliant within two NFPA cycles for SCBA.

Additional Considerations for Fire Department, Nonaffiliated EMS, Joint/Regional, and SFTA for PPE or SCBA Priorities

- Higher priority is given to the age of requested PPE, reason for purchase/replacement, priority. Applicant's call volume is a lesser factor. Applicants will be required to provide the age of the PPE being replaced.
- Applicants with the oldest PPE and/or trying to bring the department into 100% NFPA compliance or the number of active members who will have compliant gear.

PPE List	
Structural/Proximity H	
• American National Standards Institute (ANSI) Traffic Vests • Boots • Coats • Complete Set of Turnout Gear • Gloves • Goggles	• Helmets • Hoods • Pants • Pass Devices • Personal Safety/Rescue Bailout System • Suspenders
Respiratory H	
• Air-Line Unit • Face Pieces • Respirators	• SCBA Spare Cylinders • SCBA (SCBA Unit includes: Harness/Backpack, Face Piece, and two cylinders)
Wildfire H	
• Jumpsuits/Coveralls • Boots • Coats • Pants • Suspenders	• Goggles • Shelters • Web Gear/Backpacks • Canteens/Hydration Systems • Helmets
Specialized PPE M	
• Ballistic Protective Equipment (BPE), which includes one vest, one helmet, one triage bag, one pair of goggles • Chemical/Biological Suites (must conform to NFPA 1990 2022 edition)	• Extrication Clothing/Rescue Clothing • Proximity Suits • Splash Suits • Wet and Dry Suits • Encapsulated Suits

Eligible PPE Activities for Fire Department, Nonaffiliated EMS, Joint/Regional and SFTA include but are not limited to:

• ANSI approved retroreflective highway apparel • Training for requested PPE • Turnout gear bags	• Customized helmet shields • Level C suits • Personal Safety/Rescue Bailout System • Face Pieces Regulators
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Ineligible PPE Activities for Fire Department, Nonaffiliated EMS, Joint/Regional and SFTA include but are not limited to:

• Three-quarter length rubberboots • Uniforms (formal/parade or station/duty) and uniform items (hats, badges, etc.) • PPE gear bags (ineligible unless requested as additional funds in association with a PPE request) • RIT packs (ineligible unless requested as additional funds in association with SCBA request) • Air Compressor/Fill Station/Cascade Systems (ineligible unless requested as additional funds in association with a Regional SCBA request) • PPE gear washer/extractor/dryer (ineligible unless requested additional funds in association with PPE gear request) • Personal Safety/Rescue Bailout System for nonaffiliated EMS organizations	• Food and beverages • Integrated thermal imaging cameras (TIC) with heads-up display • Bomb disposal suits • Any communications equipment (e.g., radios and pagers) in the PPE section • Structural, proximity, wildfire firefighting gear, or rescue and extrication gear for nonaffiliated EMS organizations • Any decals, embroidery, engraving, flags, graphics, logos, vehicles, and PPE Turnout lettering that customizes awarded items beyond the normal expectation (except customized helmet shields) • Funding is limited to one set of PPE- Turnout Gear per person • Equipment rental or lease to purchase • Note: Where bailout system is statutorily required, FEMA will consider all statutorily required items to be part of a complete PPE set
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IV. OPERATIONS AND SAFETY – WELLNESS AND FITNESS OVERVIEW

Wellness and Fitness activities are intended to strengthen emergency responders so that their mental, physical and emotional capabilities are resilient enough to withstand the demands of all hazardous operations. In order to be eligible for funding, applicants must offer, or plan to offer, all five of the following Priority 1 activities as discussed in the table below.

Fire Department and Nonaffiliated EMS Wellness and Fitness Priorities

Priority 1

Departments that have some of the Priority 1 programs in place must apply for funds to implement the missing Priority 1 programs before applying for funds for any additional program or equipment within Priority 2. In addition, all grant-funded physicals (except those for explorers) must meet current NFPA 1582 standards (Chapter 9, Occupational Medical Evaluation). The cost of physicals should be based on local physician or health center prices. Detailed information on implementing NFPA 1582 physicals is available here: <https://firstrespondercenter.org>.

Below are the five activities required for a complete Wellness and Fitness program:

- Initial medical exams;
- Job-related immunization;
- Annual medical and fitness evaluation;
- Behavioral health; and

Fire Department and Nonaffiliated EMS Wellness and Fitness Priorities

- Cancer Screening Program to meet NFPA 1582.

Priority 2

Applicants may only apply for Priority 2 Items (listed below) if the applicant offers or is requesting a combination of the five activities required under Priority 1 (listed above):

- Candidate physical ability evaluation;
- Injury/illness rehab;
- Formal fitness, injury prevention; or
- International Association of Fire Fighters (IAFF) or IAFC peer fitness trainer program, including transportation, travel, overtime/backfill, and reasonable expenses associated with member participation in Train-the-Trainer for IAFF/IAFC and implementation of a peer fitness trainer programs. Core components included in a firefighter fitness assessment include:
 - Aerobic Capacity,
 - Body Composition,
 - Muscular Strength,
 - Muscular Endurance and
 - Flexibility.

Applicants are encouraged to review NFPA 1583 for guidance on the minimum requirements for the development, implementation, and management of a health-related fitness program.

NOTE: Simultaneous requests for Priority 1 and Priority 2 activities will receive a lower funding consideration than requests that complete the bundle of the five Priority 1 activities. Applicants should review Health Related Fitness Programs as outlined in NFPA 1583, which is summarized below.

NFPA 1583 Standards on Health-Related Fitness Programs for Fire Department Members

Scope

This standard establishes the minimum requirements for the development, implementation, and management of a health-related fitness program for members of the fire department involved in emergency operations.

Purpose

The purpose of this standard is to provide the minimum requirements for a health-related fitness program for fire department members that enhances the members' ability to perform occupational activities efficiently and safely and reduces the risk of injury, disease, and premature death.

This document is intended to help fire departments develop a health-related fitness program for fire department members that requires mandatory participation but is not punitive.

This document is not intended to establish physical performance criteria.

Eligible Wellness and Fitness Activities for Fire Department and Nonaffiliated EMS include but are not limited to:

• The five Priority 1 items: initial medical exams, job-related immunization, annual medical and fitness evaluation, behavioral health, and cancer screening • Behavioral health programs to include, but not limited to: Critical Incident Stress Management Programs, Employee Assistance Programs • Transportation expenses related to a member's participation in offered Wellness and Fitness activities	• Contractual costs (non-hiring) for personnel (such as nutritional counseling), physical fitness equipment (including shipping charges and sales tax, as applicable), and supplies directly related to physical fitness activities • Minor interior alterations (requested under Additional Funding and limited to \$10,000 total expenditure) to support the awarded Wellness and Fitness activities (e.g., removal/construction of a non-weight bearing wall); note that these will require EHP review
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Ineligible Wellness and Fitness Activities for Fire Department and Nonaffiliated EMS include but are not limited to:

• Fitness club memberships for participants or their families • Non-cash incentives (e.g., t-shirts or hats of nominal value, vouchers to local businesses, or time-off) • Purchase of real estate • Cash incentives • Food and beverages • Subscriptions and memberships • Saunas (including infrared) • Hyperbaric chambers	• Ice baths • Purchase of medical equipment • Whole-body MRI scans • Contractual services with anyone other than medical professionals (e.g., health care consultants, trainers, and nutritionists) for programs such as smoking cessation • Purchase of equipment or personal protective equipment that is otherwise eligible under the Equipment activity or the PPE activity
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V. OPERATIONS AND SAFETY – MODIFICATIONS TO FACILITIES OVERVIEW

AFG Program funds may be used to modify fire stations and other facilities. New fire station construction is not eligible. Eligible activities include source capturing exhaust, sprinkler, carbon monoxide alarms or smoke/fire detection systems, only for these types of systems and not multi-purpose systems that encompass ineligible features as described below.

All changes to facilities including major or minor modifications and equipment installations require EHP review.

The benchmark for eligibility does not apply to minor interior alterations (requested under Additional Funding and limited to \$10,000 total expenditure) to support Training, or Wellness and Fitness activities (e.g., removal/construction of a non-weight bearing wall). In recognition of the risks posed by exposure to diesel fumes, Source Capture Exhaust Extraction Systems (SCES) are a High Priority item for vehicle exhaust mitigation under Modifications to Facilities.

An SCES is a system where exhaust gases from a vehicle are captured directly via

a conduit that attaches to/over the end of the vehicle's exhaust system at the tailpipe. The captured exhaust gases are expelled through the attached conduit via mechanical/pneumatic means to the exterior of the building.

No modification may change the structure's footprint or profile. If requesting multiple items, such as a sprinkler system and exhaust system, the funding for any projects or activities cannot cumulatively exceed \$100,000 (total project cost[s]) for any individual station.

Eligible projects under this activity must have a direct effect on the health and safety of firefighters.

Note: Vehicle Mounted Exhaust Systems are now listed as a "High" priority in the equipment activity.

Facility Considerations:

Priority is given to facilities staffed full-time and facilities with sleeping quarters. Facilities without sleeping quarters or with part-time occupancy will receive subsequent consideration. Training facilities, marine fire facilities, and intermittently occupied facilities will be considered next.

All of the following are considerations in pre-scoring and peer review determinations:

Eligible Modifications to Facilities Priorities for Fire Department and Nonaffiliated EMS include but are not limited to:	
H	- New source capture exhaust systems, sprinkler systems, carbon monoxide, or smoke/fire detection systems – only for these types of systems and not multi-purpose systems that encompass ineligible features as described below. - Replacement or updates to existing source capture exhaust systems, sprinkler systems, carbon monoxide, or smoke/fire detection systems are considered lower priority over requests submitted for new systems.
M	Emergency generators, Air Quality Systems (AQSS) Note: AQSS are fixed equipment that are air purifying, scrubbing, and/or air exchange systems.

Ineligible Modifications to Facilities Priorities for Fire Department and Nonaffiliated EMS include but are not limited to:	
- Station maintenance - Resurfacing of bay floors - Interior remodeling not pertaining to the requested project(s) - Food and beverages	Security systems, or other alerting systems of similar purpose designed to notify fire stations of unauthorized access or provide deployment notifications or multi-purpose systems that include any of these features even if they also include otherwise eligible features

g. Regional Applications

A Regional application is an opportunity for a fire department or a nonaffiliated EMS

organization to act as a host and apply for funding on behalf of itself and any number of other participating AFG Program eligible organizations. The host organization and its partners must be the intended beneficiaries of the proposed project. A nonaffiliated EMS organization that serves as a host regional applicant can only host other nonaffiliated EMS organizations. A fire department that serves as a host regional applicant can apply on behalf of other eligible fire departments and nonaffiliated EMS organizations within the same application. SFTAs are not eligible to apply under the Regional activity. Eligible Regional activities are Vehicle Acquisition, and Operations and Safety but only for Training, Equipment, Wellness and Fitness, and PPE activities. Regional activities should achieve cost effectiveness, support regional efficiency and resilience, and benefit more than one local jurisdiction (county, parish, town, township, city, or village) directly from the activities implemented with the grant funds. To align with the stated program objective of fostering interoperability, departments and agencies party to regional applications must use the same vendor. Any exceptions to this requirement must be pre-approved by FEMA in writing and be based on compelling operational need.

Regional applicants will be subject to the funding limitations based on the total population served by the host of the application and the participating partners. For example, if the host and partners serve a population of 100,000 or fewer and are the recipients of a Regional award for \$1 million, the host has met their cap and is no longer eligible for additional funds under the AFG Program.

The community identification characteristic (e.g., Rural, Urban, or Suburban) and the organizational status of the host applicant (e.g., Career, Combination, or Volunteer) will be entered and used for the Regional application, regardless of the composition of the participating partners.

Regional populations served are the aggregate of the geographically fixed primary first due response areas of the host and participating partner organizations. Exceptions can be made to this requirement in situations where the host is also the parent organization and is responsible for their smaller and independent stations.

Neither the Regional host nor any participating partner is prevented from also applying on behalf of their own organization for any AFG Program activity (Vehicle Acquisition, or Operations and Safety). However, it cannot be for the same item. For example, a department cannot apply for PPE under its own organization and participate in a regional PPE application.

In the application narrative, a Regional host must include a list of all the AFG Program eligible participating organizations benefitting from a proposed Regional project, including validated points of contact, each organization's EIN, and clear and detailed information on the regional activities requested.

Host organizations should provide specific details, fully explaining the distribution of any grant-funded acquisitions or grant-funded contracted services, as well as the responsibilities between the host and the partner organizations.

In order to apply for a Regional project, the host organization must agree, if awarded, to be responsible for all aspects of the grant. This includes, but is not limited to cost share, accountability for the assets, and all reporting requirements in the Regional application. The host of the Regional application is not considered a pass-through entity and may not issue sub-awards.

The host will be required to enter information that captures the macro demographics (e.g., total square miles) and master listings of information (e.g., combined SCBA inventories) of the partners that serve the region.

All participants of a Regional applicant must be compliant with AFG Program requirements, including being current with past grants, closeouts, and other reporting requirements. Upon notification by the AFG Program Office, the host agency shall not distribute grant-funded assets or provide grant-funded contractual services to non-compliant partner organizations. The host and the delinquent partners will be notified by the AFG Program Office of their specific deficiency.

Regional host applicants and participating partner agencies must execute a Memorandum of Understanding (MOU) or equivalent document signed by the host and all participating organizations. The agreement should specify the individual and mutual responsibilities of the participating partners, the participant's level of involvement in the project(s), and the proposed distribution of all grant-funded assets and/or contracted services. Copies of the MOU will be requested during the technical evaluation of the application.

The MOU must specify the individual and mutual responsibilities of the host and participating partners, the host's and participants' level of involvement in the project(s), the participating partners' EINs, and the proposed distribution of all grant-funded assets or contracted services. Any entity named in the application as benefiting from the award must be an eligible AFG Program organization and must be a party to the MOU or equivalent document.

h. Vehicle Acquisition

Vehicles purchased with AFG Program funds must be compliant with NFPA 1900 (Standard for Aircraft Rescue and Firefighting Vehicles, Wildland Fire Apparatus, and Automotive Fire) or equivalent (Standard for Automotive Ambulances). Leases, loan payments, or installment plans to obtain a vehicle are not eligible acquisition activities under the AFG Program and will not be reimbursed.

Community Paramedic/Health vehicles are non-transport vehicles and are not intended to have a dual role (e.g., as utility or support vehicles). There is nothing inherent in the delivery of community paramedic services that requires any emergency response packages (e.g., lights, sirens) or operational equipment (e.g., rescue tools, structural/wildfire firefighting equipment). Consequently, such activities are ineligible.

Applicants may apply for more than one vehicle. Requests cannot exceed the

financial cap based on population listed in the application. If a department submits multiple types of applications, and more than one of those requests are approved, the department will be held to the same financial cap based on the population listed in the application.

When requesting more than one vehicle, applicants will be asked to fill out a separate line item and answer all the questions including a separate narrative for each vehicle. For example, if an applicant is requesting to replace three ambulances, the applicant must fill out the age and vehicle identification number (VIN) of each vehicle being replaced. Applicants cannot use the same VIN in each line item.

In the case(s) when an applicant is not replacing a vehicle but only changing the service status of a vehicle(s), such as from first due to reserve, a VIN is still required for the narrative and for the vehicle being reassigned.

Applicants requesting fire vehicles that do not have drivers or operators trained to NFPA 1002 or equivalent and are not planning to have a training program in place by the time the awarded vehicle(s) is delivered will not receive a vehicle award.

Applicants requesting nonaffiliated EMS vehicles that do not have drivers or operators trained to the National Standard Emergency Vehicle Operator Curriculum (EVOC) developed by the United States Department of Transportation (DOT), or equivalent, and are not planning to have a training program in place by the time the awarded vehicle(s) is delivered, will not receive a vehicle award.

All applicants may request funding for a driver training program within the “Vehicle Acquisition” section but must add the request in the “Additional Funding” area in the “Request Details” section of the Vehicle Application.

All driver training program(s) must be in place prior to the delivery of the awarded vehicle(s) or the recipient will be considered in violation of the grant agreement. The pre-score evaluation criteria consider the department’s need for the vehicle based on the age/condition of current vehicles and/or the demands on the organization.

Eligible Vehicle Activities for Fire Department, and SFTA include but are not limited to:			
Priority	Urban Communities	Suburban Communities	Rural Communities
H	• Aerial • Ambulance • Pumper • Rescue Vehicle Light, Medium, or Heavy • Non-Transport EMS (Community Paramedic/Healthcare) • Quint • Brush Type III or larger	• Aerial • Ambulance • Pumper • Tanker/Tender • Rescue Vehicle Light, Medium or Heavy • Non-Transport EMS (Community Paramedic/Healthcare) • Quint • Brush	• Aerial • Ambulance • Brush/Attack • Pumper • Tanker/Tender • Non-Transport EMS (Community Paramedic/Healthcare) • Quint
M	• Command/Mobile Communications Vehicle • HazMat Unit • Air/Light Unit • Rehab Unit	• Command/Mobile Communications Vehicle • HazMat Unit • Air/Light Unit • Rehab Unit	• Command/Mobile Communications Vehicle • Hazardous Materials Unit • Air/Light Unit • Rescue Vehicle Light, Medium or Heavy
L	• ARFF • Foam Truck • Fire Rescue/Boat • Highway Safety Unit • Hybrid (i.e., Transport Engine) • Tanker/Tender	• ARFF • Foam Truck • Highway Safety Unit • Hybrid (i.e., Transport Engine) • Fire Rescue/Boat	• ARFF • Foam Truck • Highway Safety Unit • Hybrid (i.e., Transport Engine) • Fire Rescue/Boat • Rehab Unit

Eligible Regional Vehicle Activities for Fire Departments (ALL Community Types)	
H	• Aerial • Air/Light Unit • Bariatric Ambulance • Command/Mobile Communications Vehicle • Non-Transport EMS (Community Paramedic/Healthcare) • Rehab Unit • Rescue Vehicle Light, Medium or Heavy • Tow Vehicle (Applied for under equipment)
M	• Highway Safety Unit
L	• Hazardous Materials Unit • Foam Truck

Eligible Nonaffiliated EMS and Nonaffiliated Regional Vehicle Activities

H

- Ambulances
- Bariatric Ambulance
- Non-Transport EMS (Community Paramedic/Healthcare)

Compliance with Standards

- Ambulances must comply with NFPA 1900, or GSA Federal Standard KKK-A-1822F
- Applicants must certify that unsafe vehicles will be permanently removed from service if awarded a grant; acceptable uses of unsafe vehicles include farm, nursery, scrap metal, salvage, construction, or donation to a foreign entity
- Applicants should consider adopting the principles of Traffic Incident Management Systems (TIMS); the USFA report on TIMS can be found on FEMA's website at: [Traffic Incident Management Systems](#)
- New fire apparatus must be compliant with NFPA 1900 for the year ordered/manufactured

Additional Considerations (to include, but not limited to)

- Age and mileage of the vehicle being replaced; older equipment receives higher consideration
- Age of the newest vehicle in the department's fleet that is like the vehicle to be replaced
- Average age of the fleet; older equipment within the same class
- Call volume of primary first due response area or region
- Converted vehicles (with an emphasis on tanker/brush trucks) not designed or intended for use in the fire service departments that have automatic aid agreements, mutual aid agreements, or both; a converted vehicle is any vehicle that is not engineered to an NFPA standard, or not being used for its original design, or over its gross vehicle weight
- Vehicles on loan to the organization in the application narrative but not in the organization's inventory
- Damaged vehicles and out of service vehicles in the organization's inventory
- Replacement of open cab/jump seat configurations

IMPORTANT

Applicants requesting a vehicle(s) may be required to provide additional fleet information after the submission of the application. Vehicle inventory in the application must reflect currently owned vehicles as well as vehicles that are leased or on long-term loan and vehicles that have been ordered or otherwise currently under contract for purchase or lease by the organization but not yet in possession.

The following definitions should be followed when providing vehicle inventory in the application:

Front Line Vehicle: a vehicle that is fully equipped and ready to respond to emergency calls (first due, second due, ready-reserve vehicle).

Ready-Reserve Vehicle: a vehicle that is equipped and may be easily made ready to respond (i.e., emergency mobilization).

Reserve Vehicle: a vehicle that is not fully equipped and not ready to respond. Reserve apparatus is used when the front-line vehicle is out-of-service (repairs/maintenance). Equipment is removed from the front-line vehicle and moved to the reserve vehicle for emergency response.

Temporarily Out of Service Vehicle: A vehicle which has been temporarily removed from emergency response duties due to mechanical or safety conditions requiring repair. Although currently out of service this vehicle is required to meet the response needs of the agency and will be returned to front line or reserve status once repaired. Temporarily out of service vehicles are included in the vehicle inventory, included in the seated position count and are eligible for replacement in the AFG Program.

Decommissioned Vehicle: A vehicle which has been permanently removed from any or all emergency response duties or functions but is still in the possession of the organization. Examples include retired vehicles waiting disposal, vehicles used solely for parade/public relations use, antique vehicles, display, or similar uses. Decommissioned vehicles are not listed in the vehicle inventory or included in the seated position count and are not eligible for replacement in the AFG Program.

Vehicle Contract: Vehicle award recipients must submit a copy of their vehicle purchase contract to the designated Regional Fire Program Specialist or Program Analyst. To locate Regional Fire Specialist, please visit FEMA's website at [Assistance to Firefighters Grant Program](#). Recipients will be asked to scan the document(s) into a PDF format and email it to the Regional Fire Program Specialist or Program Analyst for inclusion in the grant file. Submitting a vehicle purchase contract will assist in the programmatic monitoring of an award and help ensure programmatic compliance with the Improper Payments Eliminations and Recovery Act of 2012 (Pub. L. No. 112-248). If recipients do not submit a vehicle purchase contract, they will be unable to:

- Submit for an advance of federal funds for partial vehicle payment or chassis payment; and
- Submit an amendment requesting a Period of Performance extension for the project.

Performance Bond Strongly Recommended: Performance bonds are strongly recommended but not required by the AFG Program. This is for any organization that is going to advance its own funds to their vendor prior to receipt of the vehicle. The bond may be obtained through the vendor or bank. The concept behind this is to ensure the applicant's funds are not lost in the event of a vendor's failure to perform, e.g., not finishing or delivering the vehicle, or going out of business.

Prepayment Bond Required: AFG Program vehicle recipients are required to obtain a prepayment bond if the recipient plans to advance federal funds to their vendor for a down payment. This is to safeguard the federal funds against loss if the vendor goes out of business or fails to deliver the vehicle. Prepayment bonds may be obtained

through the vendor or bank. The cost of a Prepayment Bond is a reimbursable activity under a vehicle acquisition award.

Penalty Clause Required: All contracts for any AFG Program-funded vehicle must contain a penalty clause. Non-delivery by the contract's specified date, or other vendor nonperformance, will require a penalty that is no less than \$100 per day until such time that the vehicle, compliant with the terms of the contract, has been accepted by the recipient.

Exceptions may be considered by FEMA only if an urgent and compelling need is demonstrated by the recipient. The request for exception from this requirement must be submitted in writing to the AFG Program Analyst or Regional Fire Program Specialist.

Down Payment: A down payment for the purchase of a vehicle is allowable if required in the vehicle purchase contract, but FEMA will only allow up to 25% of the federal share to be drawn for this purpose. Any costs over-and-above the 25% limit, such as the cost of a chassis or any other fees or services, must be borne by the recipient or deferred until final payment is drawn.

Federal funds may not be requested for any other payments to include but not limited to periodic or progress vehicle payments, loan payments, or the acquisition of equipment for the awarded if already supplied under the vehicle contract. Purchases outside of the vehicle contract can be requested for payment, i.e., driver/operator training, physical exams for driver/operator, and equipment specific to the type of apparatus awarded and as listed in the NFPA 1990.

Final Payment: To expedite the acquisition process, and prior to the vehicle being received, inspected, and accepted, the recipient may request the final vehicle payment as an advance payment request. However, the recipient shall not disburse or satisfy the vehicle obligation until after the vehicle is received, inspected, and accepted by the recipient.

Eligible Vehicle Activities for Fire Department, Nonaffiliated EMS Organizations, Joint/Regional, and SFTA include but are not limited to:	
• Cost of vehicle • Physicals to meet current NFPA 1582/US DOT 649 F • Cost of associated equipment that is eligible under current NFPA 1900 • Driver/operator training programs that meet applicable standards, current NFPA 1002 or EVOC, or equivalent	• Travel expenses (air/rail transportation, mileage, hotel/lodging) to inspect a requested vehicle during production Note: Food and beverages are ineligible travel expenses

Ineligible Vehicle Activities for Fire Department, Nonaffiliated EMS Organizations, Joint/Regional, and SFTA include but are not limited to:

• Leasing, rental, or installment purchase of any grant funded vehicle • Aircraft, bulldozers, or construction-related equipment • Using the vehicle being awarded as collateral for any financial loan	• UTVs and ATVs • UAVs and drones • Used or refurbished apparatus • Converted vehicles not originally designed for firefighting • Food and beverages
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Examples of vehicle types

- Pumper (an apparatus that carries a minimum of 300 gallons of water and has a pump with the capacity to pump a minimum of 750 gallons per minute [GPM])
- Urban interface vehicles (Type I) pumper (300 gallons of water and 750 GPM)
- Ambulance (vehicle used for transporting patients)
- Tanker/Tender (an apparatus that has water capacity in excess of 1,000 gallons of water)
- Quint Aerial (an aerial ladder, elevating platform, or water tower that is designed to position personnel, handle materials, provide continuous egress, or discharge water)
- Quint (fire apparatus with a permanently mounted fire pump, a water tank, a hose storage area, an aerial ladder or elevating platform with a permanently mounted waterway, and a complement of ground ladders)
- Aerial Ladder (elevating platform, or water tower that is designed to position personnel, handle materials, provide continuous egress, or discharge water)

Unsafe Vehicles

If applicants specify the vehicle(s) to be replaced are unsafe, they must certify that if awarded, the unsafe vehicle to be replaced will be permanently removed from emergency service response. Permanently removed from emergency service response means the recipient cannot use the vehicle being replaced for any emergency service response, nor can the recipient sell or otherwise transfer title to any individual or emergency service response organization that will use the unsafe vehicle for emergency service response.

A recipient who certifies it will remove an unsafe vehicle from service but then sells/transfers the unsafe vehicle to another emergency service response organization, or otherwise does not remove the unsafe vehicle from emergency service response, is considered to be in violation of the grant agreement.

Acceptable dispositions (donation or sale) of unsafe vehicles include but are not limited to a training facility (NO emergency response off the training grounds), farm use, construction or nursery use, sale to a non-emergency service response entity for refurbishment, scrap metal, salvage, or foreign donation.

17. Appendix C – Award Administration Information

Appendix C contains detailed information on AFG Program Award Administration. Reviewing this information may help recipients in the programmatic and financial administration of their award(s).

a. *Help FEMA Prevent Fraud, Waste, and Abuse*

If applicants or recipients have information about instances of fraud, waste, abuse, or mismanagement involving FEMA programs or operations, they should contact the DHS Office of Inspector General (OIG) Hotline at (800) 323-8603, by fax at (202) 254-4297, or email HOTLINE@oig.dhs.gov.

b. *Economic Hardship Waivers of Cost Share and Maintenance of Effort*

In cases of demonstrated economic hardship, and upon the request of the recipient, the FEMA Administrator may waive or reduce an AFG Program cost share or MOE requirement for certain recipients (15 U.S.C. § 2229(k)(4)(A)). As required by statute, the FEMA Administrator established guidelines for determining what constitutes economic hardship and published these guidelines in [Information Bulletin No. 427](#).

The applicant is required to submit documentation supporting their request for an Economic Hardship Waiver at the time of the application by attaching the supporting document to the grant application.

To receive an Economic Hardship Waiver the applicant must address the specific conditions as well as format the waiver request submission as specified in Section III – Guidance, Part D: Eligibility – Demonstrating Economic Hardship of Information Bulletin No. 427.

Failure to provide documentation at the time of application or address the conditions or following the prescribed format in Information Bulletin No. 427 may result in a denial of the waiver.

c. *Grant Writer/Preparation Fees*

Fees for grant writers may be included as a pre-award expenditure. This expenditure is a subject to the cost-share requirement. For grant writer fees to be eligible as a pre-award expenditure, the services must be competitively sourced, specifically identified, and listed within the “Request Details” section of the application and must satisfy the requirements under 2 C.F.R. § 200.458. FEMA will only consider reimbursements for application preparation, not administration, up to \$1,500 per annum. The allowability of grant writer fees as a pre-award expenditure must be paid between the 90 days prior to the publication date of the NOFO and up to 30 days after the application period closes. In order for Grant writer fees held either on retainer or subscription basis to be an eligible pre-award cost, the claimed retainer or subscription must have been competitively secured, and the costs are limited to the start of the appropriation period for the underlying award and meet the requirements under 2 C.F.R. § 200.458. Fees payable on a contingency basis are not an eligible expense.

Pursuant to 2 C.F.R. Part 180, recipients may not use federal grant funds to reimburse any entity, including a grant writer or preparer, if that entity is presently suspended or debarred by the federal government from receiving funding under federally funded grants or contracts. Recipients must verify that the contractor is not suspended or

debarred from participating in specified federal procurement or non-procurement transactions pursuant to 2 C.F.R. § 180.300.

Prior to submission of the application, please review all work produced by grant writers or other third parties for accuracy. By submitting the application, applicants are certifying all of the information contained therein is true and an accurate reflection of the organization, and that regardless of the applicant's intent, the submission of information that is false or misleading may result in actions by FEMA. These actions include but are not limited to the submitted application not being considered for award, temporary withholding of funding under the existing award pending investigation, or referral to the DHS OIG.

The following documentation shall be provided to FEMA upon request:

- i. A copy of the grant writer's contract for services;
- ii. A copy of the invoice or purchase order;
- iii. A copy of the canceled check (front and back); and
- iv. Evidence that the services were competitively procured. If an applicant's local procurement practices/policies do not require competitive bidding under \$1,500, then the applicant may be asked to provide a copy of that policy.

Failure to provide the requested documentation may result in the grant writer fee being deemed ineligible and the grant reduced accordingly.

NOTE: FEMA requires that all applicants identify the following as "Application Participants" in the "Contact Information" section of the application.

Any individual or organization that assisted with the development, preparation, or review of the application to include drafting or writing the narrative and budget, whether that person, entity, or agent is compensated or not and whether the assistance took place before submitting the application.

d. Maintenance and Sustainment for AFG Programs

The use of FEMA preparedness grant funds for the costs of repairs or replacement, as well as maintenance contracts, warranties, and user fees may be allowable.

The intent of eligible Maintenance and Sustainment activities is to provide direct support to the critical capabilities developed using FEMA and other DHS grants and support activities. Routine upkeep and the supplies, expendables, or one-time use items that support routine upkeep (e.g., gasoline, tire replacement, routine oil changes, monthly inspections or grounds and facility maintenance) are the responsibility of the recipient and may not be funded with AFG Program funding.

Generally, when purchasing a maintenance agreement, service contract, or extended warranty for systems or equipment, the period of coverage provided under such a plan may not extend beyond the period of performance of the grant with which the agreement, warranty, or contract is purchased. The duration of an extended warranty purchased incidental to the original purchase of the equipment may exceed the period

of performance as long as the coverage purchased is consistent with that which is typically provided for, or available through, these types of agreements, warranties, or contracts. When purchasing a stand-alone warranty or extending an existing maintenance contract on an already-owned piece of equipment or system, coverage purchased may not exceed the period of performance of the award used to purchase the maintenance agreement or warranty. As with warranties and maintenance agreements, this policy extends to licenses and user fees as well.

Even if purchased incidental to the original purchase of the equipment, the duration of an extended maintenance agreement or warranty must also be reasonable for the type of equipment or system being purchased. For example, if a vendor offers a 10-year extended warranty incidental to the purchase of a piece of equipment, but the useful life of that equipment being purchased is five years, the purchase of a 10-year extended warranty would not be a reasonable cost and may not be charged to the grant.

e. Taxes, Fees, Levies, and Assessments

Taxes, fees, levies, or assessments that the recipient is legally required to pay and are directly related to any eligible AFG Program acquisition activity may be charged to an AFG Program award pursuant to 2 C.F.R. § 200.470. These charges shall be identified and enumerated in the AFG Program application narrative, as well as the “Request Details” section of the acquisition activity.

Any avoidable and unreasonable costs that result from the action or inaction of a recipient (or recipient’s agent) or that prevent that recipient from enjoying any lawful exemption, waiver, or reduction of any tax, fee, levy, or assessment directly related to any eligible AFG Program acquisition activity, are not chargeable to any AFG award.

Example: Governmental entities and Public Safety Agencies are exempt from some Federal Communications Commission (FCC) fees*, but only if the eligible organization submits an exemption or waiver request to the FCC.

**Government entities are not required to pay FCC regulatory fees. Nonprofit entities (exempt under Section 501 of the Internal Revenue Code) may also be exempt. The FCC requires that any entity claiming exempt status submit, or have on file with the FCC, a valid Internal Revenue Service Determination Letter documenting its nonprofit status or certification from a governmental authority attesting to its exempt status. For more information, please visit [the Federal Communications Commission website](#).*

f. Excess Funds

After completing the initial project’s purpose in the recipient’s application, some recipients may have unexpended funds remaining in their budget. These excess funds may result from any combination of under-budget acquisition activities or competitive procurement processes.

These cost-shared excess funds may be utilized to address an organization’s local

needs or to mitigate identified capability gaps. FEMA expects excess funds to be obligated concurrent with an award's period of performance to address a known or critical need.

Excess Funds Restrictions

In general, excess funds are limited to no more than \$10,000 for any award. If you have any questions, contact the AFG Help Desk at 866-274-0960 or email FireGrants@fema.dhs.gov. The AFG Helpdesk is open Monday through Friday, 8 a.m. – 4:30 p.m. ET.

The \$10,000 maximum is cumulative for any grant, regardless of the number of activities within the award, and will require no amendment except when the use of excess funds is for any eligible activity that would normally require an EHP review.

- Excess funds cannot be used to support Fire Prevention and Safety activities.
- Consistent with the funding priorities set by the panel of fire service professionals and stakeholders, excess funds are limited to the purchase of High Priority items only.
- Excess funds cannot be used for grant writer/preparer fees.
- Excess funds may only be used for allowable activities identified in the program guidance for that fiscal year's grant cycle.
- The opportunity for excess funds is limited when the original uncompleted Scope of Work is changed via an amendment.

Example: An award for the acquisition of 10 SCBA units is reduced via Amendment to eight SCBA units. The federal participation and the recipient cost obligation are both reduced and any remaining unliquidated federal funds resulting from the reduction in quantity of awarded items are not allowable as excess funds. FEMA may allow reduction in the quantity of awarded items but not total project cost if compelling justification of need is provided.

Exceptions to the \$10,000 use may be considered by FEMA if urgent and compelling need that can be directly related to a demonstrated event impacting the health and safety of the firefighters within the department can be identified. This request must be submitted in writing via an amendment.

g. *Payments and Amendments*

FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients. AFG Program payment/drawdown requests are generated using FEMA GO. AFG Program payment/drawdown requests from state or local government entities will be governed by applicable federal regulations in effect at the time a grant is awarded to the recipient and may be either advances or reimbursements. Recipients should not expend funds until all special conditions listed on the grant award document have been met, including completion of EHP review, active SAM.gov registration, and the request for payment in FEMA GO has been approved.

Recipients should draw down funds based upon immediate disbursement requirements; however, FEMA strongly encourages recipients to draw down funds as close to disbursement or expenditure as possible to avoid accruing interest.

Non-federal entities should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of any relevant documentation and records, including purchasing documentation along with copies of canceled checks for verification. See, e.g., 2 C.F.R. §§ 200.318(i), 200.334, 200.337.

Advances

Recipients shall be paid in advance, provided they maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of funds and its disbursement by the recipient (not to exceed 30 days), and the financial management systems that meet the standards for fund control and accountability as established in 2 C.F.R. Part 200. The recipient shall include invoice(s) and/or purchase orders for advance AFG Program payment/drawdown requests. EHP review requirement must be met prior to advanced payments.

Although advance drawdown requests are permissible, recipients remain subject to applicable federal laws in effect at the time a grant is awarded to the recipient. Governing interest requirements include the Uniform Administrative Requirements Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200 and the Cash Management Improvement Act (CMIA) and its implementing regulations at 31 C.F.R. Part 205. Interest under CMIA will accrue from the time federal funds are credited to a recipient's account until the time the recipient pays out the funds for program purposes. For the rate to use in calculating interest, please visit [Treasury Current Value of Funds Rate](#).

Reimbursement

Payment by reimbursement is the preferred method when the requirements to be paid in advance, pursuant to 2 C.F.R. § 200.305, cannot be met. In accordance with U.S. Department of Treasury regulations at 31 C.F.R. Part 205, if applicable, the recipient shall maintain procedures to minimize the time elapsing between the transfer of funds and the disbursement of said funds. As a prerequisite of the AFG Program approval for reimbursement requests, recipients shall include proof of purchase, in the form of a canceled check or credit card transaction, active SAM.gov registration, and a final invoice(s) in each reimbursement AFG Program payment/drawdown request.

Rebates

Recipients shall disburse program income, rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments, in accordance with 2 C.F.R. § 200.305. The reduction of federal financial participation via rebates/refunds may generate excess funds for the recipient if the recipient previously obligated their Cost Share match based upon the original award figures. If the recipient previously obligated their original Cost Share prior to the rebate, then the recipient may have minimum excess funds equal to the difference between the original Cost Share less the rebate adjusted Cost Share.

Payment Requests During Closeout

A recipient may only submit reimbursement payment requests up to 120 days after the expiration of the period of performance, during an award's closeout reconciliation.

Reimbursement payments are the only eligible type of requests to be submitted after a grant's period of performance has expired. The expenditure must have been obligated and received during the period of performance of the award. The recipient's request should contain clear and specific information certifying that the liquidation of federal funds is reimbursement for an obligation properly incurred during the active period of performance. FEMA may request documentation supporting the reimbursement for review at any time.

Amendments

FEMA may approve AFG Program award amendments on a case-by-case basis, for the following reasons:

- Extension of the period of performance in order to complete the scope of work;
- Changes to the activity, mission, retroactive approval (pre-award), closeout issues, and some excess funds requests; or
- Budget changes (adding funds to award/non-closeout deobligation of funds).

FEMA will only consider amendments submitted via FEMA GO. These requests must contain specific and compelling justifications for the requested change. Amendments or changes to the scope of work may require additional EHP review. FEMA strongly encourages recipients to expend grant funds in a timely manner, to be consistent with AFG Program goals and objectives. All amendments require recipients to maintain an active SAM.gov registration.

NOTE: A recipient may deobligate (i.e., return) unused funds (i.e., those remaining funds previously drawn down via payment request and/or remaining award funding that was never requested) to DHS/FEMA prior to the end of an award's period of performance. To exercise this option, a recipient must submit an amendment via FEMA GO and state in the amendment that the unliquidated funds (i.e., the funds to be returned) are not necessary for the fulfillment or success of the grant's obligations or mission. The recipient must also indicate in the amendment that it understands that the returned funds will be deobligated and unavailable for any future award expenses. Deobligation of funds will decrease the federal portion of the grant and the amount of the recipient's Cost Share obligation. FEMA will confirm deobligation amendments with all points of contact; after confirmation of the recipient's intent to deobligate, FEMA will hold the approved deobligation request for 14 days as a period for recipient reconsideration before FEMA processes the deobligation request. The deobligation of funds cannot be reversed.

h. Disposition of Grant Funded Equipment

A recipient must use, manage, and dispose of AFG Program-funded equipment in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. § 200.313. With the exception of

state governments, when original or replacement equipment acquired under an AFG award is no longer needed for the original project, program, or other activities currently or previously supported by a federal awarding agency, the recipient must request disposition instructions from FEMA. FEMA strongly recommends contacting a Regional FPS or the AFG Program Help Desk prior to the disposition of AFG Program funded equipment, to include vehicles.



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Cesar Garcia

Department: Public Works

Agenda Item: 7.VIII.

Reviewed by: Gus Knebel, City Attorney

AGENDA ITEM DESCRIPTION:

Accepting a no-match grant award from Coca-Cola and Keep Texas Beautiful in the amount of \$10,000 - *Public Works*

STAFF BRIEFING:

Award in the amount of \$10,000 through the Coca-Cola and Keep Texas Beautiful Recycling Grant. The grant funds will be used to place recycling bins throughout city parks.

HISTORY:

FISCAL IMPACT:

None-this is a no-match grant award

Texas Recycles Day Grant Notification

From Sara Walters <swalters@ktb.org>
Date Mon 2024-11-11 4:19 PM
To Alice Ashley <a.ashley@cityoflamarque.org>
Cc Lou Serna <lou@ktb.org>

 1 attachment (105 KB)
2024 Coke TRD Grant Info Sheet.pdf;

[External Email] This message originated from outside your organization.

Hello Alice Ashley,

We are excited to inform you that your organization, Keep La Marque Beautiful, has been awarded a Texas Recycles Day Grant. Congratulations! Your project will receive \$10,000.00 to support its completion. I have attached the information sheet as a reminder of the grant guidelines.

Keep Texas Beautiful will be publicly announcing all winners on Texas Recycles Day, Friday, November 22 and will send you a marketing toolkit to help with your announcement.

Important Dates:

1. **November 22:** Winners announced publicly
2. **November 24:** Funds Distributed via check
3. **March 28, 2025:** Progress Report Due
4. **June 27, 2025:** Projects must be completed
5. **July 31, 2025:** Final report form due to KTB

Please Note: By accepting these funds, you agree to submit the final report on time. Failure to do so may result in the loss of KTB affiliate benefits and future grant eligibility.

Thank you, and we look forward to your response!

SARA WALTERS (she/her)

Program Director | Keep Texas Beautiful

8850 Business Park Drive, Ste. 200, Austin, TX 78759



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 7.IX.

Reviewed by: Gus Knebel, City
Attorney

AGENDA ITEM DESCRIPTION:

Authorizing the submission of an application to the Texas General Land Office (GLO) for Disaster Recovery Reallocation Program (DRRP) - *Public Works*

STAFF BRIEFING:

- The Texas General Land Office (GLO) has issued a Call for Projects for the expenditure of remaining federal funds for disaster recovery.
- The funding includes the Harvey Disaster Grant funding, which the City participated
- The Call for Projects is a simple entry process without a firm commitment from the City.
- the due date for Call for Projects is 11/21
- Staff recommends submitting specific project tasks which were submitted with the current Harvey Mitigation Grant but were not completed due to inflationary costs.
- The Project would include Sanitary Sewer Improvements to reduce Inflow & Infiltration (I&I) and Lift Station Rehabilitation - estimated at \$5M - \$8M
- City participation (share) is 10% - estimated at \$500K - \$800K.

HISTORY:

The City applied and received Grant Funding from the Harvey Mitigation Grant Program

FISCAL IMPACT:

\$500,000 to \$800,000 depending on the final project submittal cost.



TEXAS GENERAL LAND OFFICE

Disaster Recovery Reallocation Program (DRRP)

COMMISSIONER DAWN BUCKINGHAM, M.D.

The Disaster Recovery Reallocation Program (DRRP) will utilize remaining program funds from *six action plans*:

Disaster	Budget	Minimum Allocation	Maximum Allocation
Hurricanes Ike and Dolly 2008	\$20,500,000	\$500,000	\$20,000,000
2015 Floods and Storms	\$4,000,000	\$500,000	\$2,000,000
2016 Floods and Storms	\$5,500,000	\$500,000	\$2,000,000
Hurricane Harvey \$5.6B 2017	\$84,500,000	\$500,000	\$20,000,000
2018 South Texas Floods	\$6,000,000	\$500,000	\$2,000,000
2019 Disasters	\$14,500,000	\$500,000	\$2,000,000

The GLO will hold a call for projects from **October 21 to November 21, 2024, by 5:00 p.m., with each entity permitted to submit a maximum of three eligible projects across all grants. Only projects submitted by the deadline will be eligible for scoring and funding consideration.**

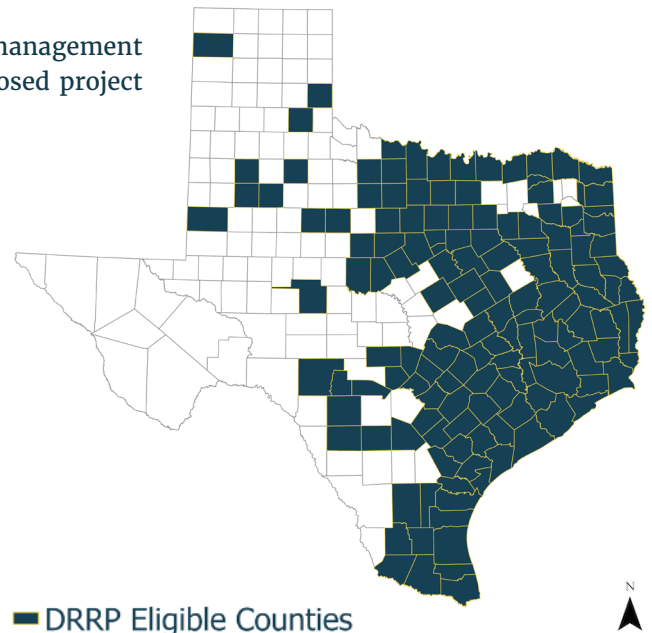
Eligible entities are:

- Units of local government (cities and counties);
- Indian Tribes; and
- Public Housing Authorities.

Project eligibility evaluation criteria will include the financial management of the applying entity and the feasibility of completing the proposed project within the two-year time frame.

Eligible Activities will be limited to:

- Flood and drainage improvements;
- Water and wastewater improvements;
- Street improvements;
- Rehabilitation, reconstruction, and new construction of affordable multifamily projects; and
- Permanently affixed emergency communication equipment.



For additional information, please visit the **CDR GIS HUB** <https://gis-glo-cdr.hub.arcgis.com> or use the QR code.



Disaster Recovery Reallocation Program

Call For Projects Submission Guide

Version 1

Published: October 21, 2024





Table of Contents

I. Introduction.....	1
II. Eligible Entities.....	1
III. Eligible Activities	1
IV. Selection Criteria	1
V. Project Minimum and Maximum Amounts	3
VI. Create An Account	4
VII. Call for Projects Submission Form	6
A. Instructions	6
B. Entity Information.....	6
C. Contacts	8
D. Selection Criteria	10
E. Project Details.....	11
F. Acknowledgements	15
VIII. Questions	16

I. Introduction

On September 3, 2023, the Texas General Land Office (GLO) Division of Community Development and Revitalization (CDR) posted amendments to six state action plans. Each of the amendments include the new Disaster Recovery Reallocation Program (DRRP), which will allow the GLO to utilize de-obligated and unutilized funds within each action plan. Additional action plan amendment specific details, if applicable, for each action plan amendment are as follows:

- Hurricanes Ike and Dolly Amendment 7
- 2015 Floods and Storms Amendment 6
- 2016 Floods and Storms Amendment 8
- Hurricane Harvey \$5.6 Billion Amendment 16
- 2018 South Texas Floods Amendment 2
- 2019 Disasters Amendment 3

II. Eligible Entities

Units of local governments (cities and counties), Indian tribes, and public housing authorities that were eligible for Hurricanes Ike and Dolly, 2015 Floods and Storms, 2016 Floods and Storms, Hurricane Harvey, 2018 South Texas Floods, or 2019 Disasters, are eligible for Disaster Recovery Reallocation Program funding.

III. Eligible Activities

Eligible Activities are the following:

- Flood and drainage improvements,
- water and wastewater improvements,
- street improvements,
- permanently affixed emergency communications equipment, and
- rehabilitation, reconstruction, and new construction of affordable multifamily projects.

IV. Selection Criteria

Each eligible entity is permitted to submit a maximum of three eligible projects.

Projects must include one activity, one service area, address one national objective, and must address unmet needs from applicable disaster and tie back to the disaster event.

The GLO will rank the projects based on the below selection criteria. Approved projects submission will be prioritized during the contracting process based on the expiration date of the grant being utilized.



Criteria	Maximum Points
HUD MID**	10 Points Possible
<i>Project is in a HUD MID area</i>	<i>10 Points</i>
<i>Project is in a State MID area</i>	<i>0 Points</i>
LMI National Objective	20 Points Possible
<i>Project meets the LMI national objective</i>	<i>20 Points</i>
<i>Project does not meet the LMI national objective</i>	<i>0 Points</i>
Number of CDBG-DR Eligible Presidential Declarations from 2008 to 2019	20 Points Possible
<i>10-12</i>	<i>20 Points</i>
<i>7-9</i>	<i>15 Points</i>
<i>4-6</i>	<i>10 Points</i>
<i>1-3</i>	<i>5 Points</i>
Leverage	5 Points Possible
<i>Entity has pledged to provide Non-CDBG Leverage (a minimum value of 10% of CDBG-DR funds requested)</i>	<i>5 Points</i>
<i>Entity has not pledged to provide Non-CDBG Leverage (a minimum value of 10% of CDBG-DR funds requested)</i>	<i>0 Points</i>
SoVI	15 Points Possible
<i>High</i>	<i>15 Points</i>
<i>Medium High</i>	<i>12 Points</i>
<i>Medium</i>	<i>9 Points</i>
<i>Medium Low</i>	<i>6 Points</i>
<i>Low</i>	<i>3 Points</i>
Composite Disaster Index	20 Points Possible
<i>Top 10%</i>	<i>20 Points</i>
<i>Top 25%</i>	<i>15 Points</i>
<i>Top 75%</i>	<i>10 Points</i>
<i>Bottom 25%</i>	<i>5 Points</i>
<i>Bottom 10%</i>	<i>0 Points</i>
Is the Applicant a Public Housing Authority?	10 Points Possible
<i>Entity is a Public Housing Authority</i>	<i>10 Points</i>
<i>Entity is not a Public Housing Authority</i>	<i>0 Points</i>
Tie-Breaker: Higher Poverty Rate	
**Ike/Dolly projects will automatically receive points for this category	



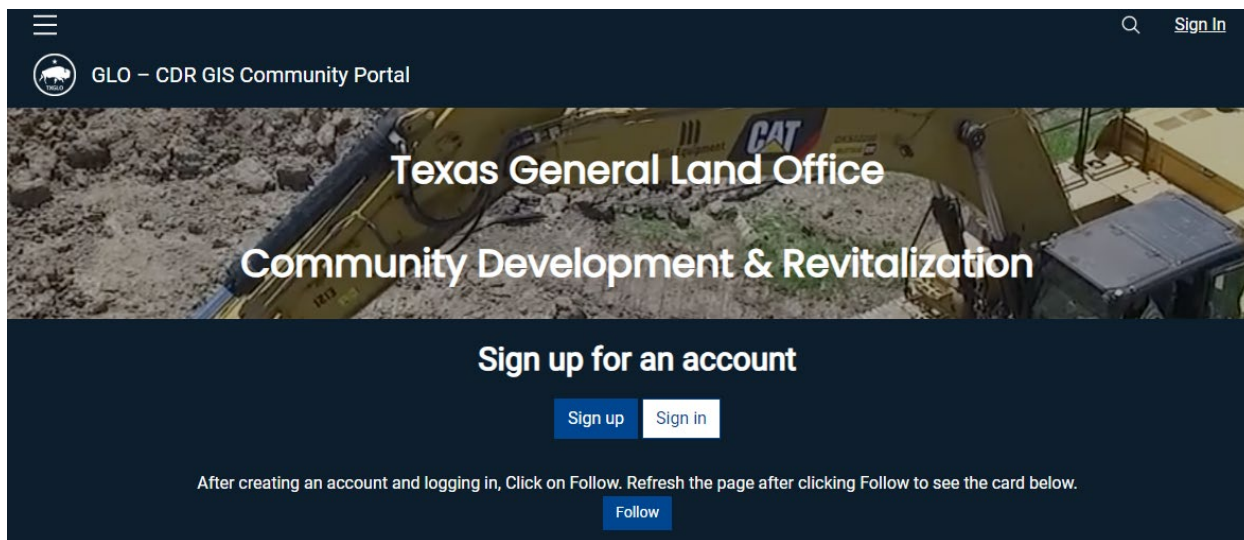
V. Project Minimum and Maximum Amounts

The minimum and maximum awards are listed by program:

Disaster	Minimum Award	Maximum Award
Hurricanes Ike and Dolly	\$500,000	\$20,000,000
2015 Floods and Storms	\$500,000	\$2,000,000
2016 Floods and Storms	\$500,000	\$2,000,000
Hurricane Harvey	\$500,000	\$20,000,000
2018 South Texas Floods	\$500,000	\$2,000,000
2019 Disasters	\$500,000	\$2,000,000

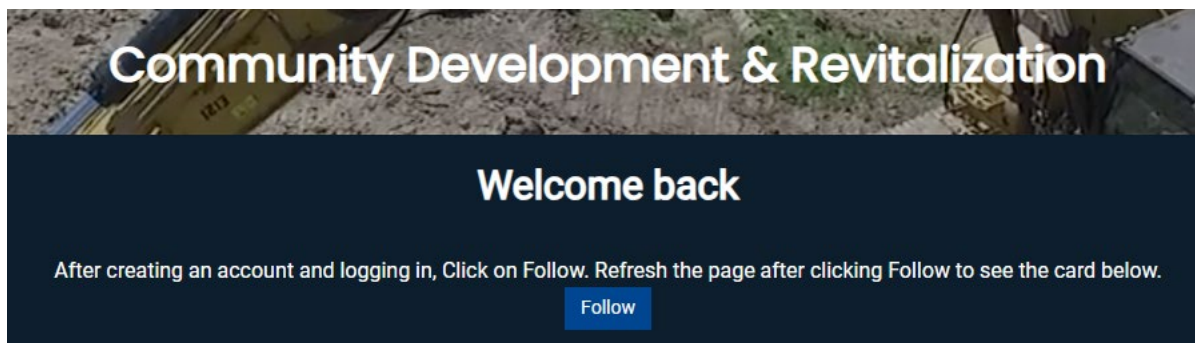
VI. Create An Account

Go to <https://tx-glo-cdr.hub.arcgis.com/> create an account to respond to the call for projects submission.



Click on the **Sign Up** button and follow the prompts to create an account that will be used to respond to call for projects submission for program funding.

Once logged in, click on the **Follow** button and refresh the page.



The user should now be able to see the Disaster Recovery Reallocation Program's **Call for Projects Submission** button.



Disaster Recovery Reallocation Program

Learn more about the Disaster Recovery and Reallocation Program (DRRP), respond to the call for projects submission, and access data and other resources related to the DRRP.

[Call for Projects Submission](#)

On the Disaster Recovery Reallocation Program page, click on the **Projects Submission** button to begin.

[Disaster Recovery Reallocation Program](#)

[Call for Projects Submission](#)



VII. Call for Projects Submission Form

A. Instructions

The first page of the submission contains basic instructions on filling out the call for projects submission and describes the different sections of the call for projects submission. Read these instructions carefully.

Disaster Recovery Reallocation Program

Instructions

NOTE: The application automatically saves as you progress, however, you **MUST** complete the application using the **SAME COMPUTER** and the **SAME BROWSER** (e.g. Internet Explorer, Chrome, Edge, Firefox) in order for the work to be saved!

The call for projects submission form automatically saves the information entered as the user progresses. Users can close the call for projects submission tab and come back to it later, but users must be using the same computer AND the same browser (e.g. Google Chrome, Microsoft Edge, Firefox), as the cookies in that browser store the entered information until the proposed project is submitted.

B. Entity Information

The second page of the call for projects submission is the Entity Information Section. The first question asks the name of the entity proposing a project. This field allows the user to select from an existing list. Users can click the dropdown or begin typing the name of the entity they represent. Make sure to click on the selection.

Disaster Recovery Reallocation Program

Entity Information Section

Entity Name

Begin typing name and select from choice below

If the entity name cannot be found in the dropdown list, write the name of the entity in the following space.



If Entity Name is not in list, type here

The next section asks the user to enter the mailing address. If the entity has a physical mailing address, select that choice and enter the address in the space below. Begin typing the address and select the matching address that automatically appears.

Is the mailing address a Physical Address or P.O. Box?

☒ Physical Address

☐ P.O. Box

Mailing Address

Begin typing address and select from responses below



If the entity has a P.O. Box, select that choice and enter the P.O. Box number in the space below.

Is the mailing address a Physical Address or P.O. Box?

☐ Physical Address

☒ P.O. Box

Enter P.O. Box

Next, select the entity type.

Entity Type

☐ County

☐ City

☐ Public Housing Authority

☐ Indian Tribe



Next, enter the date of the most recently completed Fiscal Year at the time of the project(s) submission.

What is the date of the most recently completed Fiscal Year at the time of project submission?

Submitted projects will not be considered if the submitting entity has not completed an Annual Comprehensive Financial Report for the most recently ended fiscal year. However, if the entity has a fiscal year that ended within nine (9) months of the date of the submission, then a completed Annual Comprehensive Financial Report for the prior fiscal year will suffice.

Has an Annual Comprehensive Financial Report been completed for the most recently completed Fiscal Year?

If the entity has a fiscal year that ended within nine (9) months of the date of the submission, then a completed Annual Comprehensive Financial Report for the prior fiscal year will suffice.

☐ Yes

☐ No

C. Contacts

The third page of the call for projects submission is the Contacts section. This section asks about the primary point of contact, their role, the primary contact's authorized representative, or the secondary contact, the chief elected official associated with the entity, and the grant administrator for the project as applicable. For the affiliation field, explain the Primary Contact's relationship to the submitting eligible entity.

Contacts

Primary Point of Contact

Name



If the Primary Point of Contact is also in the role of one of the other identified roles, click the check box. This will copy the contact information in the Primary Point of Contact to the other roles.

Is the Primary Point of Contact one (or more of) the roles below? If so select that role or roles.

☐	Authorized Representative
☐	Staff Member
☐	Chief Elected Official
☐	Grant Administrator

For the Chief Elected Official, make sure to enter the date on which their term expires.

Contact - Chief Elected Official ▼

Name

Title

Phone Number

Email

Term Expiration



D. Selection Criteria

The fourth page of call for projects submission is the Selection Criteria section. This section asks the user to enumerate the number of projects being submitted and to select the location of the entity on the embedded GIS map. The user **MUST** enter the number of projects submitted or the project will not be scored. The user must then select the Entity Type for the Project (County, City, or Tribe). Public Housing Authorities should choose County or City depending on their affiliation.

Instructions on Selection Criteria

Entity Location

1. First type in the number of proposed projects. There is a maximum of three projects.
2. Next, select the Entity Type for the proposed Project(s). The Entity Type can cover a County, a City/Town/Village, or a Tribe.
3. For Public Housing Authorities, select either City or County depending on the area affiliation (e.g. Goodwill County Housing Authority choose County, City of London Housing Authority choose City).
4. Once the Entity Type (County, City, Tribe) is selected, use the map below to select the entity location. The basemap can be changed to show Counties, Cities, or Tribes by clicking the box in the upper right-hand corner of the map with the four small squares.
5. The name of a city or county can be typed into the search bar, or the user can zoom to their desired location and click on the map to select their entity location.

How many projects are you submitting?

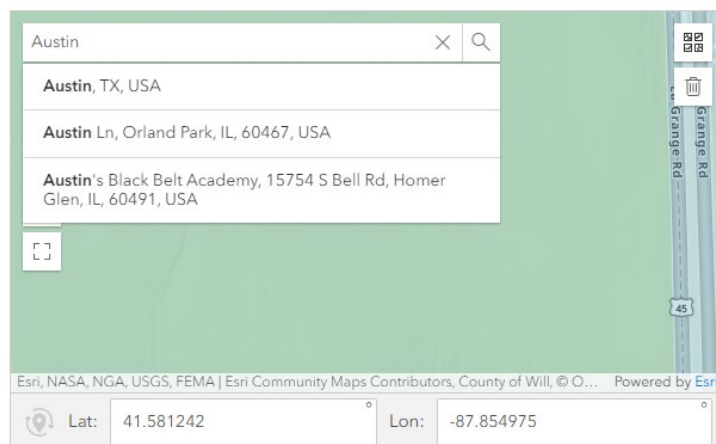
You may submit a maximum of three (3) projects

Select the Entity Type for the Project(s)

☐	County
☐	City
☐	Tribal Land

The user can then enter the location of the entity. Once the user starts typing their entity name, the search bar will begin to return options; the user should click on the relevant result (i.e. Austin, TX for City of Austin) to select the proper entity location. Users can also zoom into their location and click on the map to select the location.

Project(s) Location



The screenshot shows a web-based map application. At the top, there is a search bar with the text 'Austin' and a magnifying glass icon. Below the search bar is a dropdown menu with three suggestions: 'Austin, TX, USA', 'Austin Ln, Orland Park, IL, 60467, USA', and 'Austin's Black Belt Academy, 15754 S Bell Rd, Homer Glen, IL, 60491, USA'. To the right of the search bar is a small map preview. Below the dropdown menu is a larger map area showing a green landscape with a road labeled 'Grange Rd' and a blue line representing a river. At the bottom of the map area, there is a status bar with the text 'Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, County of Will, © O... Powered by Esri'. Below the status bar are two input fields: 'Lat: 41.581242' and 'Lon: -87.854975'.

E. Project Details

The fifth page is the Project Information Section. This page asks the project type, the CDBR-DR requested amount, the leverage amount, and the [national objective](#) being met.

If submitting more than one project, enter the information about each separately. After entering information about the first, scroll back up to the top of the page, and then click the next numbered circle. This will open a new copy of this page. Enter the information about the second and third project in this way. Only when information about all the projects is entered should the user click the **Next** button at the bottom of the page.

Select the Project Type from the five choices below and then indicate the estimated number of months it will take to complete the project and the contract.



Disaster Recovery Reallocation Program

Project Details (3) ▾

1 2 3

If submitting more than one (1) project, fill out the information below for each project. After completing the first project click on the number (e.g. 2,3) at the top of the page under the Project Details header and fill out information for each project. Then proceed to the next page.

Project Information Section

Project Type*



Flood and Drainage Improvements



Water and Wastewater Improvements



Street Improvements



Permanently affixed emergency communications equipment



Rehabilitation, reconstruction, and new construction of affordable multifamily projects

Enter the estimated number of months for contract completion*

24

The projects submission will be scored based on information related to project location, including [Low- and Moderate-Income \(LMI\)](#), the number of disasters the community has suffered, its [Social Vulnerability Index \(SoVI\)](#), the [Composite Disaster Index \(CDI\)](#), whether the applicant is a [Public Housing Authority \(PHAs\)](#), and with the [Poverty Rate](#) as a tie-breaker. Additionally, projects that are providing a non-CDBG leverage of at least 10% of the amount requested (e.g. a \$500,000 request with a \$50,000 leverage amount) will receive five points.



CDBG-DR Request Amount

For Hurricanes Ike & Dolly and Hurricane Harvey the maximum CDBG-DR Request Amount is \$20,000,000. For the remaining grants the maximum is \$2,000,000. The minimum for all grants is \$500,000.

CDBG-DR Request Amount(friendly format)

\$2,000,000

Project Leverage (Match) Amount

Projects that will entail non-CDBG Leverage that is at least 10% of the CDBG-DR funds requested receive 5 points in the scoring

Project Leverage Amount (friendly format)

\$200,000

Project Leverage %

10%

Total Project Amount

\$2,200,000

Under which National Objective will the project qualify?

☐ Low and Moderate Income

☐ Urgent Need

How will you be demonstrating that the project meets the national objective?

☐ Census (LMISD)

☐ Survey

☐ LMI Housing Benefit

Project Scores

Project Score

Project Scores are auto-calculated based upon the Entity Type and the Entity Location. Scores are shown below only for Grants for which the entity is eligible.

Score: Hurricanes Ike & Dolly

☒ 44

Score: 2015 Floods

☐ 34

Score: Hurricane Harvey

☒ 44

Only select grants for which the eligible entity project submission has a score listed, can demonstrate a tie-back, and to which it is applying. In the example above, the eligible entity proposing a project can demonstrate tie-back to Hurricanes Ike & Dolly and Hurricane Harvey. The submitter would then check the boxes for those two grants as detailed in the example below.

Select the disaster(s) to which you can demonstrate a tie-back and to which you are applying.

You may select as many as you are eligible for

☒ Hurricanes Ike & Dolly

☐ 2015 Floods

☐ 2016 Floods

☒ Hurricane Harvey

☐ 2018 South Texas Floods

☐ 2019 Disasters

F. Acknowledgements

The sixth and final page of the call for projects submission is the Acknowledgements section. This section asks the submitter to affirm the following: that the proposed project addresses a tie-back to the disaster or disasters listed in the Disaster Recovery Reallocation Program, will undergo an Environmental Review Process, will have a Construction End Date, will be subject to Affirmatively Furthering Fair Housing regulations, and will comply with all deadlines enumerated by the Texas General Land Office.

Disaster Recovery Reallocation Program

Acknowledgements

If selected, the entity acknowledges they must demonstrate how the proposed project has a tie-back to each of the disasters selected in the Disaster Recovery Reallocation Program.

☐ Yes

☐ No

When the user has finished filling out the form, click **Submit**. If there are no errors with the input, the user will see a green checkmark that says, “Your data was sent successfully.” The user will also receive an Email verifying a projects submission receipt.

Disaster Recovery Reallocation Program



Great! Your data was sent successfully. Thanks.

VIII. Questions

For questions while filling out the call for projects submission, click the link on the bottom of the Disaster Recovery Reallocation Program page that says **Contact Information**. This will open an email window using the email you signed up for an account with and the subject line prepopulated.

Contact Information

 cdr@recovery.texas.gov



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Rick Sailer

Department: Public Works

Agenda Item: 7.X.

Reviewed by: Gus Knebel, City
Attorney

AGENDA ITEM DESCRIPTION:

Approving a Purchase Order in the amount of \$50,000 for General Consulting Services by Adico Engineers, LLC for FY25 - *Public Works*

STAFF BRIEFING:

- Adico Engineers, LLC provides general consulting services to the City under an Engineering Agreement, which was renewed by City Council in 2023
- A Purchase Order for FY25 services for all Divisions or Public Works provides staff and the the Finance Department with the ability to pay invoices in a timely manner.

HISTORY:

2023 - A similar process was used for FY24 in the same amount; a Change Order (increase) was added in the amount of \$25,000

FISCAL IMPACT:

\$50,000 paid from the O&M funds from the following Divisions

DIV09 - Parks = \$7,500 (General Fund)

DIV12 - Streets = \$7,500 (General Fund)

DIV22- Pipeline Maintenance = \$12,000 (Utility Fund)

DIV24 - Utilities Operations - \$15,000 (Utility Fund)

DIV27 - Stormwater = \$8,000 (Utility Fund)



May 10, 2018

Ms. Carol Buttler
City Manager
City of La Marque, Texas
1111 Bayou Road
La Marque, Texas 77568
Email: c.buttler@cityoflamarque.org

Re: CONSULTING CITY ENGINEER AGREEMENT

Dear Ms. Buttler:

We appreciate the opportunity to submit this proposal to provide Professional City Engineering Services to the City of La Marque, Texas. Attached you will find the Short Form Agreement between the Owner and Engineer for Professional Services. This agreement and corresponding fee schedule is based on similar agreement with our other consulting City Engineering services.

Based on our meeting with you and staff, we offer the following services:

The scope of work will include the following:

1. General Consulting Services:
2. Plat Reviews
3. Plan Reviews (Civil Site, Infrastructure and Subdivision Development)
4. Construction Phase Services and Observation

Adico, LLC is pleased to submit this proposal and we appreciate the opportunity to provide these services for you. We will consider your acceptance as our authorization to proceed. Please return one signed copy for our files.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dinh V. Ho, P.E.".

Adico, LLC
TBPE Firm No. 16423

By: Dinh V. Ho, P.E.,
Principal

This document has important legal consequences; consultation with an attorney is encouraged with respect to its use or modification. This document should be adapted to the particular circumstances of the contemplated Project and the Controlling Law.

SHORT FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES

Prepared by

ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE

and

Issued and Published Jointly by



PROFESSIONAL ENGINEERS IN PRIVATE PRACTICE
a practice division of the
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

AMERICAN COUNCIL OF ENGINEERING COMPANIES

AMERICAN SOCIETY OF CIVIL ENGINEERS

This Agreement has been prepared for use with the Standard General Conditions of the Construction Contract (No. C-700, 2002 Edition) of the Engineers Joint Contract Documents Committee. Their provisions are interrelated, and a change in one may necessitate a change in the other.

SPECIAL NOTE ON USE OF THIS FORM:

This abbreviated Agreement form is intended for use only for professional services of limited scope and complexity. It does not address the full range of issues of importance on most projects. In most cases, Owner and Engineer will be better served by the Standard Form of Agreement Between Owner and Engineer for Professional Services (No. E-500, 2002 Edition), or one of the several special purpose EJCDC professional services agreement forms.

Copyright © 2002 National Society of Professional Engineers
1420 King Street, Alexandria, VA 22314

American Council of Engineering Companies
1015 15th Street N.W., Washington, DC 20005

American Society of Civil Engineers
1801 Alexander Bell Drive, Reston, VA 20191-4400

**SHORT FORM OF AGREEMENT
BETWEEN OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES**

THIS IS AN AGREEMENT effective as of May 10, 2018 ("Effective Date") between
City of La Marque, Texas ("Owner")
and Adico, LLC – Consulting Engineers ("Engineer")
Engineer agrees to provide the services described below to Owner for As Directed ("Project").
Description of Engineer's Services: General Consultation, Plat and Plan Review, Construction Phase and Observation
Services

Owner and Engineer further agree as follows:

1.01 Basic Agreement

A. Engineer shall provide, or cause to be provided, the services set forth in this Agreement, and Owner shall pay Engineer for such Services as set forth in Paragraph 9.01.

2.01 Payment Procedures

A. *Preparation of Invoices.* Engineer will prepare a monthly invoice in accordance with Engineer's standard invoicing practices and submit the invoice to Owner.

B. *Payment of Invoices.* Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for services and expenses within 30 days after receipt of Engineer's invoice, the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. In addition, Engineer may, without liability, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal.

3.01 Additional Services

A. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above.

B. Owner shall pay Engineer for such additional services as follows: For additional services of Engineer's employees engaged directly on the Project an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class; plus reimbursable expenses and Engineer's consultants' charges, if any.

4.01 Termination

A. The obligation to provide further services under this Agreement may be terminated:

1. For cause,

a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party.

b. By Engineer:

1) upon seven days written notice if Engineer believes that Engineer is being requested by Owner to furnish or perform services contrary to Engineer's

responsibilities as a licensed professional;
or

2) upon seven days written notice if the Engineer's services for the Project are delayed or suspended for more than 90 days for reasons beyond Engineer's control.

3) Engineer shall have no liability to Owner on account of such termination.

c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under paragraph 4.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its failure and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon the receipt of notice by Engineer.

B. The terminating party under paragraphs 4.01.A.1 or 4.01.A.2 may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Engineer to demobilize personnel and equipment from the Project site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.

5.01 Controlling Law

A. This Agreement is to be governed by the law of the state in which the Project is located.

6.01 Successors, Assigns, and Beneficiaries

A. Owner and Engineer each is hereby bound and the partners, successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by paragraph 6.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but

without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

7.01 General Considerations

A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Engineer and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.

B. Engineer shall not at any time supervise, direct, or have control over any contractor's work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work.

C. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor.

D. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractor's agents or employees or any other persons (except Engineer's own employees) at the Project site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by Owner without consultation and advice of Engineer.

E. The general conditions for any construction contract documents prepared hereunder are to be the "Standard General Conditions of the Construction Contract" as prepared by the Engineers Joint Contract Documents Committee (No. C-700, 2002 Edition).

F. All design documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.

G. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Engineer, whichever is greater.

H. The parties acknowledge that Engineer's scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). If Engineer or any other party encounters a Hazardous Environmental Condition, Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (i) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the Site is in full compliance with applicable Laws and Regulations.

8.01 Total Agreement

A. This Agreement (consisting of pages 1 to 4 inclusive together with any expressly incorporated appendix), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

9.01 Payment (Hourly Rates Plus Reimbursable Expenses for General Consulting, Lump Sum Basis for Plat and Plan Review and Construction Phase & Observation Services)

Using the procedures set forth in paragraph 2.01, Owner shall pay Engineer as follows:

1. General Consulting Engineering Services: An amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class for all services performed on the Project, plus reimbursable expenses and Engineer's consultants' charges, if any according to the Engineer's Standard Hourly Rates and Reimbursable Expenses, attached as Appendix "A".

2. Engineering Services for Plat Reviews:

PLAT REVIEW FEES:

PRELIMINARY PLAT	\$600 BASE + \$16 PER LOT + \$80/ACRE FOR RESERVES
FINAL PLAT	\$600 BASE + \$16 PER LOT + \$80/ACRE FOR RESERVES
ABBREVIATED PLAT (when allowed)	SUM OF PRELIMINARY AND FINAL

3. Engineering Services for Plan Reviews for Infrastructure Improvements and Civil Site Work Projects.

CIVIL PLAN REVIEW FEES

Construction Estimate:	Fee Amount
\$0 to \$100,000	\$800.00
\$100,000.01 to \$1,000,000.00	\$800.00 + (\$2.00/\$1,000 over \$100k in value)
\$1,000,000.01 and up	\$2,600.00 + (\$1.20/\$1,000 over \$1,000,000 in value)

4. Construction Phase and Observation Services for Infrastructure Improvements and Civil Site Work Projects

CONSTRUCTION PHASE AND OBSERVATION SERVICES:

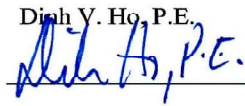
\$800.00 Flat fee for project up to \$100k + \$6.40/\$1,000 over \$100k in value of Construction

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

OWNER: City of La Marque, Texas

ENGINEER: Adico, LLC

By: Carol Butler


By: Dinh V. Ho, P.E.


Title: City Manager

Title: President

Date Signed: 05/15/2018

Date Signed: May 5, 2018

License or Certificate No. and State License No. 93895

Adico, LLC – TBPE Firm No. 16423

Address for giving notices:

Carol Buttlar
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Address for giving notices:

Dinh V. Ho, P.E.
Adico, LLC – Consulting Engineers
211 E. Parkwood Ave., Suite 209
Friendswood, TX 77546

EXHIBIT 'A'

**ADICO, LLC
SCHEDULE OF HOURLY RATES**

EFFECTIVE JANUARY 2023

<u>DESCRIPTION / TITLE</u>	<u>HOURLY RATES</u>
Principals/PMs	
Principals, Directors	\$235.00
Sr. Project Managers	\$215.00
Project Managers	\$195.00
Project Coordinator	\$125.00
Engineers/Designers	
Engineer I	\$130.00
Engineer II	\$150.00
Sr. Engineer	\$195.00
Designer	\$110.00
Designer II	\$125.00
Cadd Technicians	\$100.00
Construction Management	
Construction Administrator	\$145.00
Construction Project Representative	\$110.00
Administrative Support	
Clerical/Administrative Staff	\$80.00

IN HOUSE REPRODUCTION COSTS (NO MARK-UP INCLUDED):

Xerox	\$ 0.25 per Copy (8 ½" x 11")
Xerox Prints	\$4.00 per Square Foot

Subconsultants and other miscellaneous expenses at cost plus 10%



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 7.XI.

Reviewed by: Gus Knebel, City
Attorney

AGENDA ITEM DESCRIPTION:

Approving the Design & Construction of a Sanitary Sewer Pipeline on Newman Road from Main Street to Strawn Road - *Public Works*

STAFF BRIEFING:

- The section of Newman Road from Main Street to Strawn is not served by a Public Sewer System. There is a sanitary sewer (SS) force-main (pressure) on Newman Road, but it is not feasible for serving gravity sewer flow from homes.
- There are existing homes east of Newman Road and developable lots within the area which could benefit from a Public Sewer System, increasing taxable property values.
- A recent home builder / developer has built a home under the belief that Public Sewer was available; however, the ability to connect to the SS force-main is not a viable option.
- The staff is recommending that a gravity SS pipeline be constructed to provide Public Sewer for this area, which will encourage development of the remaining residential lots in this area and provide the needed sewer system for the recently constructed home.
- The estimated total Project cost is \$685,000, including all engineering costs. However, the construction could be built in phases to reduce initial capital costs.
- The area is included within the Impact Fee Development Zone, therefore the cost of the Project could be funded with Impact Fee Revenues subject to revision of Impact CIP Ordinance.

HISTORY:

FISCAL IMPACT:

The Total Project Cost (TPC) is estimated at \$685,000

**CITY OF LA MARQUE, TEXAS
WORK ORDER – No. 2024-10**

**Engineering Service
Newman Road Sanitary Sewer Extension**

Adico, LLC will provide professional engineering services to the City of La Marque for the Newman Road Sanitary Sewer Extension in La Marque, TX 77568.

PROJECT DESCRIPTION:

Adico, LLC ("ADICO") understands there is currently no sanitary sewer service along Newman Road north of Main Street on the west side of IH 45. The neighborhoods in this area is currently utilized septic system for wastewater. Based on a preliminary assessment by Adico, LLC, below is our understanding of the project.

1. Extend sanitary sewer from Main Street approximately 3500' north on Newman Road.
2. Extend sanitary sewer to Moss Street and Rosewood.

SCOPE OF SERVICES:

1. **Construction Document Phase (10 Weeks):** Upon receiving a notice to proceed and any further adjustments in the scope authorized by Owner, ADICO shall prepare Construction Documents consisting of Drawings and Specifications in accordance with Owner written requirements for construction of the Project.
 - a. Perform a preliminary site visit to determine existing drainage patterns, verify surface features and potential conflicts as needed before beginning design documents, and coordinate with the Surveyor for any specific topographic survey needs we will require for the preparation of construction drawings.
 - b. Construction Drawings shall consist of Civil *Engineering Drawings* to construct this Project.
 - c. Coordinate with governmental authorities having jurisdiction over the project.
 - d. Design review submittal shall be at the 100% Construction Documents.
 - e. Prepare Project Manual including Technical Specifications.
 - f. Submittal to the City shall be in electronic (pdf) format.
2. **Coordination and Approvals:** Submit the construction plans to the City of La Marque. We will coordinate with all review agencies to address comments and/or review plans as needed to obtain final approval.
3. **Bidding Phase Services:** Prepare contract bid documents and obtain public competitive bids for the project. Review bids, prepare tabulations, and recommend award to the City. Assist the City will contract documents for execution.
4. **Construction Phase Services:** Provide construction phase services to include construction meetings, coordinate construction observers, review of contractor's materials and shop drawings submittals, review contractor pay estimates, coordination of required laboratory testing, preparation of change orders and

communications between Owner and contractor.

5. **Construction Observation Services:** Provide the services of a field construction observer for part-time on-site observation of the drainage improvements. Our estimated fee is based on 3 trips per week, 3 hours per trip for a 4 week construction duration.
6. **Reimbursable:** Reimbursable expenses including reproduction, delivery, advertising for bids and construction observer vehicle trip charges (@ \$25/trip) will be provide for the project on actual cost.

Specifically excluded from these services is any reviews if the contractor's means or methods of construction or safety procedures. The means, methods and safety procedures will remain the sole responsibility of the contractor.

COMPENSATION:

Compensation for this assignment shall be in accordance with this letter agreement for Professional Engineering services executed between the City of La Marque and ADICO. Billing for this assignment will be a monthly invoice based on a total percentage of effort provided with payment due 10 days upon receipt from Owner. Based on this agreement and the scope of work described above, we recommend a lump sum **Total Professional Services Fee Not to Exceed \$79,000.00** be established.

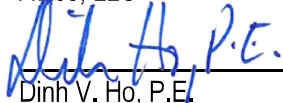
<u>Item</u>	<u>Description:</u>	<u>Fee Basis</u>	<u>Fee</u>
1.	Topographic Survey	Lump Sum	\$16,000
2.	Construction Documents and Specifications	Lump Sum	\$32,000
3.	Bidding Phase	Lump Sum	\$6,500
4.	Construction Phase Services	Lump Sum	\$14,000
5.	Construction Observation Services (as required)	Hourly	\$10,500
6.	Reimbursables	As required	
TOTAL PROPOSED PROFESSIONAL FEES			\$79,000

Lump Sum Fee not to Exceed \$79,000.00 plus reimbursable expenses.

If you agree with the professional engineering services that Adico, LLC will provide to the City of La Marque for engineering fee and basis of compensation for our services, please sign both copies of this work order and return one copy to me. Thank you for considering our firm for your professional engineering services.

Very truly yours,

Adico, LLC


Dinh V. Ho, P.E.

10/26/2024

Date

Accepted: City of La Marque, Texas

Mr. Cesar Garcia, City Manager

Date

EXHIBIT 'A'

**ADICO, LLC
SCHEDULE OF HOURLY RATES**

EFFECTIVE JANUARY 2024

<u>DESCRIPTION / TITLE</u>	<u>HOURLY RATES</u>
Principals/PMs	
Principals, Directors	\$245.00
Sr. Project Managers	\$215.00
Project Managers	\$195.00
Project Coordinator	\$135.00
Engineers/Designers	
Engineer I	\$130.00
Engineer II	\$150.00
Sr. Engineer	\$195.00
Designer	\$115.00
Designer II	\$130.00
Cadd Technicians	\$100.00
Construction Management	
Senior Construction Inspector	\$135.00
Construction Inspector	\$110.00
Administrative Support	
Clerical/Administrative Staff	\$85.00

IN HOUSE REPRODUCTION COSTS (NO MARK-UP INCLUDED):

Xerox	\$ 0.40 per Copy (8 ½" x 11")
Xerox Prints	\$6.00 per Square Foot

Subconsultants and other miscellaneous expenses at cost plus 10%

Newman Waterline Extension

Impact Fee Project

Legend



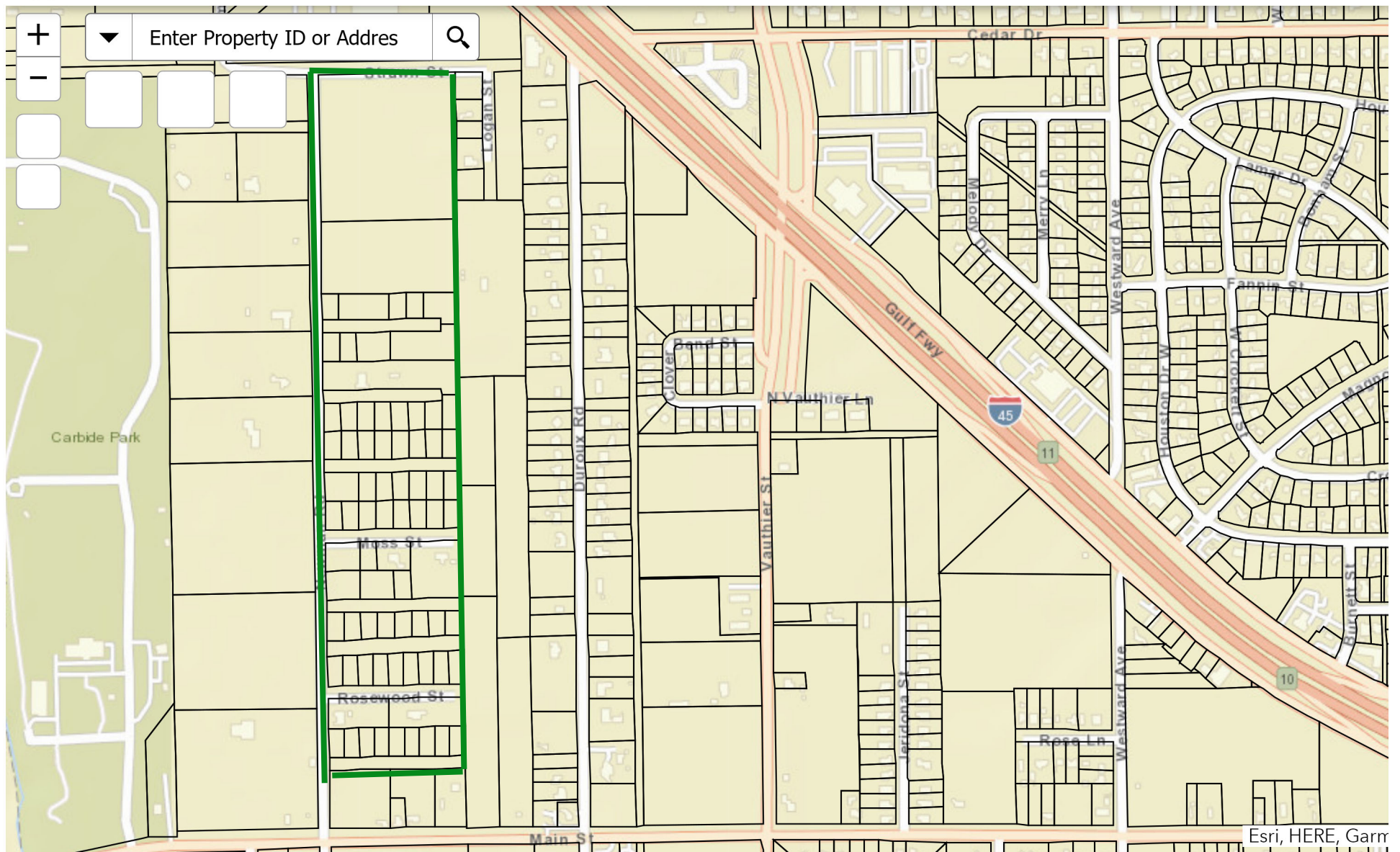
Google Earth

City of La Marque
Newman Road Sanitary Sewer Extension
Preliminary Construction Estimate
10/26/2024

		Quantity	Unit	Unit Price	Amount
	MOBILIZATION AND BONDS				
1	Mobilization/Bonds/Permits	1.00	LS	\$ 20,000.00	\$ 20,000
	SANITARY SEWER COLLECTION SYSTEM				
2	8" Sanitary Sewer SDR 26	4200.00	LF	\$ 90.00	\$ 378,000
3	16" Bore and Case sanitary sewer	200.00	LF	\$ 200.00	\$ 40,000
4	Sanitary Sewer Manhole	8.00	LF	\$ 5,000.00	\$ 40,000
				Sub-Total	\$ 458,000
	MISCELLANEOUS ITEMS				
5	Clearing ROWs	3.00	AC	\$ 10,000.00	\$ 30,000
6	SWPPP (Filter Fabric Fence, Inlet Protection and Maintenance)	1.00	LS	\$ 7,500.00	\$ 7,500
7	Traffic Control Plan	4.00	Month	\$ 5,000.00	\$ 20,000
				Sub-Total	\$ 57,500
				Construction Subtotal Total	\$ 535,500
				Contingency (10%)	\$ 53,550
				Engineering and Surveying (15%)	\$ 80,325
				CMT (3%)	\$ 16,065
	Grand Total				\$ 685,440



Galveston CAD



600ft
-94.977 29.368 Degrees

App State

Click to restore the map extent and layers
visibility where you left off.



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: _____

Department: City Clerk

Agenda Item: 7.XII.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Considering a request for a traffic study to be conducted on Delaney Road - *District A*

STAFF BRIEFING:

Councilmember Yancy requested that a traffic study be conducted on Delaney Road as has been requested by the area's residents over an extended period of time dating back to the construction of the warehouse facility in the area. Councilmembers Ross and Lowry both supported the agenda item request.

HISTORY:

FISCAL IMPACT:



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: _____

Department: City Clerk

Agenda Item: 7.XIII.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Considering a policy regarding cell phone usage during city council meetings - *District D*

STAFF BRIEFING:

This item was requested by Councilmember Ross and supported by Councilmember Lowry.

HISTORY:

FISCAL IMPACT:



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Kierra Nance

Department: City Clerk

Agenda Item: 7.XIV.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Establishing a naming policy for city-owned facilities and properties - *City Clerk*

STAFF BRIEFING:

Councilmember Yancy requested that this item be brought to council for consideration.
Councilmember Ross seconded.

HISTORY:

A similar policy was presented to council in April 2023 - no action was taken.

FISCAL IMPACT:



CITY FACILITY AND HONORARY STREET NAMING POLICY

Section 1: General

The City of La Marque establishes the following City Facility and Honorary Street Naming Policy to provide a uniform set of guidelines regarding requests for naming or renaming of City facilities and the designation of honorary street names. All facility and honorary street names shall be compatible with community interest and reflect the values of the City of La Marque.

- A. This policy shall establish the guidelines, criteria, and process for naming or renaming of City facilities and honorary streets.
- B. The City Council shall have final authority to name and rename City facilities and designate honorary street names.
- C. The City Council may pursue honorary naming for commemorative, cultural, and historic goals or branded naming for marketability, revenue generation, and cost recovery goals at City facilities at their discretion.
- D. Any naming of City facilities in honor of an individual, family, or entity may be revoked at the discretion of the City Council.
- E. The donation of land, facilities, or funds for the acquisition, renovation, or maintenance of City facilities shall not constitute an obligation by the City to name the facility or any portion thereof after an individual, family, or entity.

Section 2: Criteria for Naming City Facilities

City facility names should be unique to the City of La Marque, have a lasting significance, be familiar to a majority of the citizens, and be easy to recall. Before proceeding with any naming, the City of La Marque will carefully consider all circumstances surrounding the naming, including the overall benefit to the City and whether displaying the name is and will continue to be a positive reflection on the City. The term facility shall describe any City building, park, linear trail, or other feature as determined by the City Council.

- For commemorative naming, a facility may be named for an individual, living or dead, if the individual has provided creditable service to the community and has attained prominence locally based on contributions to the public.
- A facility may be named for an individual, family, or entity that has provided a culturally significant contribution to the surrounding area or community.
- A facility may be named for significant natural geologic features, native flora or fauna, or significant historical events.
- A facility may be given any name which City Council determines advances a particular branding objective in order to enhance the City's ability to enhance service provision through revenue generation at the site.
- Names that reflect the City's ethnic and cultural diversity are encouraged.
- A feature within a facility may be dedicated to an individual, family, or entity using the above criteria without naming or renaming the facility in which the feature is located.
- The City Council may also consider the use of naming rights in return for a financial or in-kind contribution for City facilities

Section 3: Criteria for Naming Honorary Streets

Honorary street names should reflect La Marque values and community interests.

- Honorary streets may be named for an individual, living or dead if the individual has provided creditable service to the community and has attained prominence locally based on contributions to the public.
- Honorary streets may be named to recognize a significant historical event or individual.
- Honorary street names do not have any impact on addressing and do not change the official street name.

Section 4: Process and Procedures for Naming City Facilities

A. Process:

The naming and renaming of all City facilities, parks, trails, and features shall be considered by a committee consisting of a representative of each active board, commission, or committee, namely the chairperson or their designee. The designated Committee may request or review name options from a variety of input methods as part of the naming consideration. Concurrent with the facility design process, City

staff will brief the City Council or designated Council Committee on the project and seek direction regarding the naming goals, honorary or branding, the desired input process, and the timeline for a final naming decision. Names options pursuant to this direction will then be brought to the Committee for consideration. Once the Committee has considered the name options, the Committee will then make a recommendation for consideration to the City Council. The full City Council shall have final authority to name and rename City facilities, parks, trails, and features. The naming process should begin early in the facility construction process to ensure adequate time for decision making, adoption, and implementation.

B. City Council adoption:

The City Council will act on a resolution to officially name or rename the facility, park, trail, or feature.

1. Renaming Existing Facilities, Parks, Trails, and Features: The City Council shall adopt a resolution officially renaming the facility, park, trail, feature.
2. New Facilities, Parks, Trails, and Features: The City Council shall adopt a resolution officially naming the facility, park, trail, or feature.

C. Implementation:

Once a name is approved by City Council, the City Manager or their designee shall work to implement the approved name to include appropriate signage, plaques, and/or dedication. For the naming or renaming of any facility not managed by a specific City department, the City Manager shall designate the responsible City department.

Section 5: Process and Procedures for Naming Honorary Streets

A. Process

The naming of honorary streets shall be considered by a committee consisting of a representative of each active board, commission, or committee, namely the chairperson or their designee. The designated Committee may consider name options from a variety of input methods, as described below, as part of the naming consideration. Once the Committee has considered the name options, the Committee will then make a recommendation for consideration to the City Council. The full City Council shall have final authority to name honorary streets.

Methods for Naming Consideration:

1. A Councilmember may suggest one or more names for consideration
2. City staff may suggest one or more names for consideration

3. Community members may suggest one or more names for consideration

If a community member or group suggests names, they will be requested to undertake an outreach effort within the community to gather and document support for the name and for the specific corridor or location for the honorary street marker blades. With all name requests, City staff will research the names and evaluate existing City plans for conformity. All honorary street naming requests must include the limits of the corridor and number and location of affected intersections, as well as information on the individual or group to be honored.

Staff will present the results of the name analysis to the designated Council Committee. If so directed by the Committee, staff will prepare a draft design of the street marker blade with input from the requesting community group, if any, while adhering to Uniform Traffic Control Device and Texas Department of Transportation standards where applicable.

The Committee will make a recommendation on the honorary street name to the full City Council. Once the full City Council has selected a finalist for the name, it will be announced publicly at a City Council work session meeting.

B. City Council adoption:

After a period of 30 days from public announcement during a City Council work session meeting, the City Council shall act on a resolution to officially adopt the honorary street name.

C. Implementation:

Once an honorary street name is adopted by City Council, the responsible City department(s) shall work to fabricate and install signage and schedule an unveiling ceremony. Once the honorary marker blade is installed per relevant standards, the City Manager shall designate the responsible City department.



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: _____

Department: City Clerk

Agenda Item: 7.XV.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Considering the renaming of certain areas of District A, including Bayou and Brown Street -
District A

STAFF BRIEFING:

Councilmember Yancy requested the consideration of renaming "Historic District A". This request was supported by both Councilmembers Lowry and Ross.

HISTORY:

FISCAL IMPACT:



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Agenda Item: 7.XVI.

Prepared by: _____

Reviewed by: _____

Department: City Clerk

AGENDA ITEM DESCRIPTION:

Considering a request to solicit an affidavit regarding Lowry News Network - *District A*

STAFF BRIEFING:

This item was requested by Councilmember Yancy and supported by Councilmember Ross.

HISTORY:

FISCAL IMPACT:



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: Kierra Nance

Department: City Clerk

Agenda Item: 7.XVII.

Reviewed by: Gus Knebel, City Attorney

AGENDA ITEM DESCRIPTION:

Reviewing council qualifications regarding the discharge of a felony conviction - *District A*

STAFF BRIEFING:

This item was requested by Councilmember Yancy and supported by Councilmember Ross.

HISTORY:

FISCAL IMPACT:



CITY COUNCIL AGENDA FORM

Meeting Date: November 18, 2024

Prepared by: _____

Department: City Clerk

Agenda Item: 7.XVIII.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Canceling of Regular City Council Meeting December 23, 2024 - *City Clerk*

STAFF BRIEFING:

Request to cancel meeting due to Christmas Holidays as has historically been done.

HISTORY:

Each year the City Council cancels the second meeting in December in honor of the holidays.

FISCAL IMPACT:

None

Mayor
Keith Bell



DOORSTEP DEMOCRACY

WHAT IS DOORSTEP DEMOCRACY?

Councilmembers, staff and volunteers will be going door-to-door asking residents what could be improved about the City or their District.

DETAILS:

November 23



10am



Your District



District A

Kimberley Yancy



District B

Joe Compian



District C

Joseph Lowry



District D

James Ross





Date/Time:

Saturday, Nov 23

1 pm

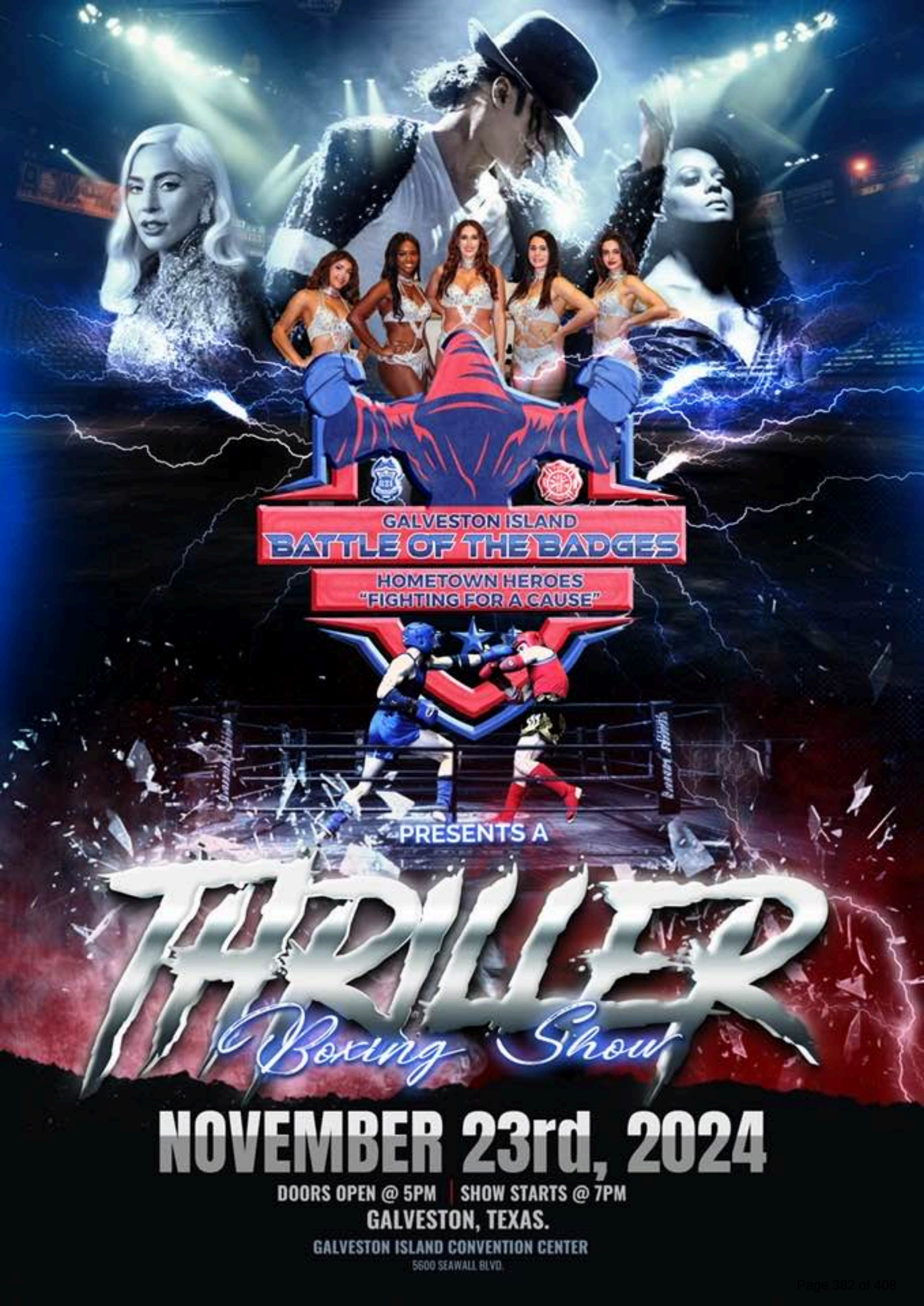
Location:

1109-B Bayou Rd

Mayor Bell invites all La Marque residents to join him for an important community discussion. This is a great opportunity to voice your concerns, ask questions, and stay informed.

Town Hall Meeting

with Mayor Bell



GALVESTON ISLAND
BATTLE OF THE BADGES

HOMETOWN HEROES
"FIGHTING FOR A CAUSE"

PRESENTS A

THRILLER
Boxing Show

NOVEMBER 23rd, 2024

DOORS OPEN @ 5PM | SHOW STARTS @ 7PM

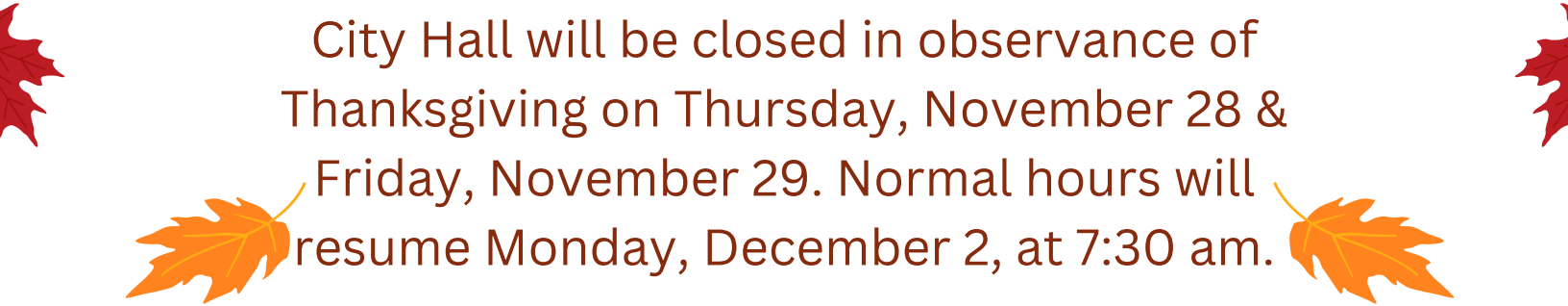
GALVESTON, TEXAS.

GALVESTON ISLAND CONVENTION CENTER

5600 SEAWALL BLVD.

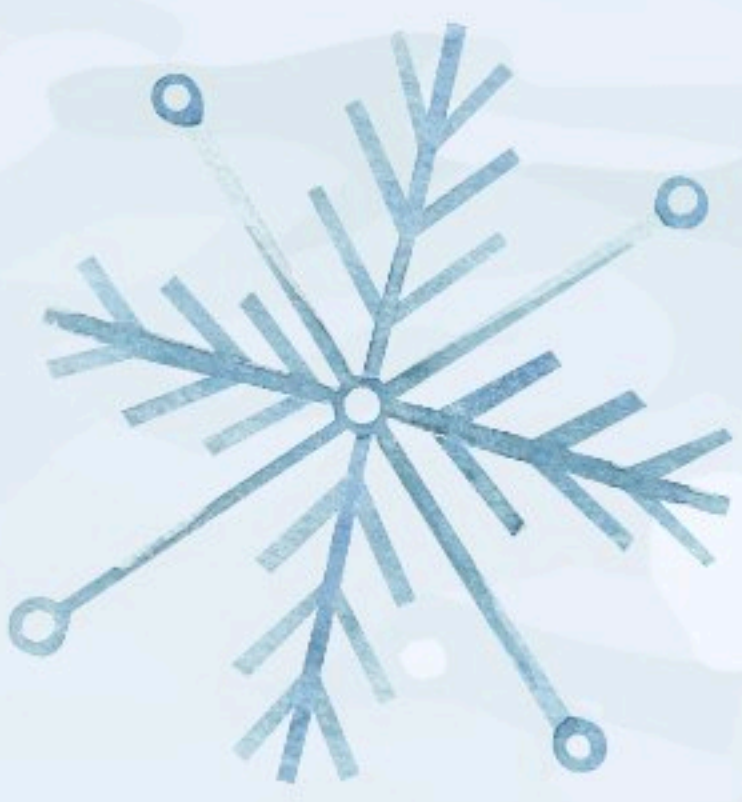


HAPPY Thanks Giving



City Hall will be closed in observance of
Thanksgiving on Thursday, November 28 &
Friday, November 29. Normal hours will
resume Monday, December 2, at 7:30 am.

LA+MARQUE
GATEWAY TO THE GULF



LA  MARQUE
GATEWAY TO THE GULF

Winter
Wonderland
Christmas Parade



TUESDAY, DEC. 3

Parade Starts at 6pm



Following the parade join us for:

Tree Lighting - Popcorn - Hot Chocolate - Winter Fun!

Walter Feigle Park

1011 Bayou Rd. La Marque

Parade.CityofLaMarque.org



WREATHS ACROSS AMERICA



Join us in placing Christmas Wreaths on Veteran's grave sites to remember the fallen and honor those who serve.

Dec 14

8am

La Marque Cemetery

1709 South Oak

LA  **MARQUE**
GATEWAY TO THE GULF



Mayor Bell's Bridge to Potential
Big Brothers Big Sisters Gulf Coast



Pictures With Santa

Saturday, December 14

11:00 to 2:00

La Marque Public Library

Decorate Christmas
cookies and other
activities!



Monday, November 11, 2024 at 14:04:10 Central Standard Time

Subject: Ethnic council member Joseph Lowry : for this kind of behavior from a sitting member is unacceptable and needs to be reported to the FBI ; and the police police alumni, who voted to put this racist person in the association, should be ashamed of themse...

Date: Monday, November 11, 2024 at 7:54:42 AM Central Standard Time

From: jackie perrin

To: j.compian@cityoflamarque.or, j.pritchett@cityoflamarque.or, cityclerk@cityoflamarque.org, jross@cityoflamarque.org, c.garcia@cityoflamarque.org, k.yancy@cityoflamarque.org, k.bell@cityoflamarque.org, Gus Knebel

Attachments: IMG_1111.PNG



Recall Joseph Lowry

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Recall Joseph Lowry

Posted by Carolyn Small

15h · 🌐

An immature response from an immature man.



Lowry News Network is in La Marque, TX.

16m · 🌐

I am a resident of District C in La Marque.

I humbly request my mayor strongly consider stepping down from his position as a city mayor.

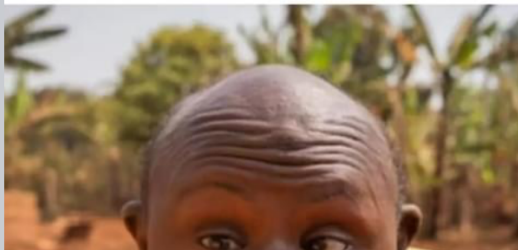
Because of multiple issues there is an increasing focus on he rather than we in the city.

His departure would also be to the betterment for the future of our city.

It is my concern that political strife will continue so long as he remains on the city council.

After prayerful consideration should he elect to do so, his appointed replacement should be one with his concurrence.

This individual must be willing to represent his values for the city with the highest degree of diplomacy and integrity.

[See insights](#)

Lowry News Network

[Message Us](#)

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Mayor Keith Bell

[Boost a post](#)

Home



Video



Notifications



Menu

Subject: Ethics on council member Joseph Lowry

Date: Tuesday, November 5, 2024 at 9:54:23 AM Central Standard Time

From: jackie perrin

To: j.compian@cityoflamarque.org, k.yancy@cityoflamarque.org, cityclerk@cityoflamarque.org, jross@cittyoflamarque.org, c.garcia@cityoflamarque.org, j.pritchett@cityoflamarque.org, k.bell@cityoflamarque.org, Gus Knebel

After watching the last meeting on YouTube Joseph became uncontrollable and out of order all the while the Mayor was trying to remove him to secure the members and the visiting citizens, they're is a Penal code 42 in Texas for this procedure" why wasn't this procedure done?

Also I have a concern about the police alumni" that kicked off a member after 5 years of Association " being kicked off for supporting Black live matter protest that is clearly her civil rights to do now a ethic complaint against her and her District A supporters that were disappointed in this decision.

Now Robert Michetich speaking out on this and giving a different reason for being kicked off , but he's not a member " or president how is he allowed to speak on behalf of the association on their policy, giving the reason council member Kimberly Yancy hasn't paid dues in five years which raises questions why wait five years and after a new president Katherine Herrin Kieth was elected if this is their policy ?

I looked at their ethics and their policies and nowhere is this reason on any policy, Katherine Herrin has been outspoken about Kimberly Yancy not supporting our police department because of this she calls disrespect, it I this seems to be more of a opinion than policy and if she is concerned about this issue why was Joseph lowry aloud to become a member with his years of threats to the city , the police department and police Cheif , calling them Thugs and corrupt? Also he is a known felon in three different charges, also family violence charges and convictions on all the charges with a felony gun charge , and his wife with a misdemeanor A charge; these charges are on the police report that anyone can pull up including law enforcement, and goes against The police alumni policy , so I feel this is a bias Alligation towards councilmember Kimberley Yancy .

Also as a concerned Citizen. A felon sitting on city Council that clearly is against our charter. I want to ask city Council to take a vote for a subpoena to Washington state to prove he is a felon. that has been proven, and each of you have the records. Thank you

Jacqueline perrin
1304 Rhodora st
409 3447583

Subject: Ethic Complaints

Date: Tuesday, November 5, 2024 at 1:49:08 PM Central Standard Time

From: Larinda Essary

To: Kierra Nance, j.lowry@cityoflamarque.org, Gus Knebel, c.garcia@cityoflamarque.org, k.bell@cityoflamarque.org, k.yancy@cityoflamarque.org

This is my 3rd Ethics Complaint against Council member for District C - Kimberley Yancy.

My first two ethics complaints were ignored. Since the city did nothing Mrs. Yancy felt she can get away with anything. The very next day after the Monday 9/24/24 council meeting she decided to retaliate against me by looking up my home address and coming to my house.

On 9/25/24, Kimberley Yancy showed up to my home uninvited and while I have a posted no trespassing or soliciting sign. I have never given her my address or even spoken to her before. I knew nothing good would come from me opening my door so I chose not to. She continued to knock and then left something on my car windshield.

I then noticed she left my house and went straight to my neighbors house. She was speaking to my neighbor while looking and pointing at my house. It was obvious she was speaking about me to a neighbor, whom I have never met.

After she finally left him alone I went and asked what she wanted and what she was saying. He said she was asking questions about me and asking what kind of neighbor am I. She told him who she was and that I asked her to come over because I needed her help. Which that is a complete lie.

I called a few friends which they could tell how upset I was and they suggested for me to call the police. That this behavior of hers is very disturbing. Which I did call the police. The officer agreed that I should not have opened the door and do not if she comes back. He suggested I have her trespass from my property. Instead of sending the police to her house, I decided to notify her myself. Which that is what I did. I sent every one of you the trespass notice she received.

I assumed this was all over with but it is not. She has been back on my street speaking to my neighbors. I am sure she will use the excuse that she is just doing her civic duties but she is speaking to them about me.

She has driven down my street at least 5 times that I have seen in the past month.

This is HARASSMENT!

A friend referred me to an attorney. I don't want to sue my city but if something isn't done about her I will have no choice.

I have ring camera footage of all this, plus video and audio proof from my neighbors of what she has asked them and has said to them.

I WILL be at the 11/18/24 city council meeting. I will be putting these ethics complaints on record and will speak at the meeting.

I also would like to add that she is still not responding to constituents emails regarding issues in her district.

"All elective city council members are expected to respond to emails from constituents. Not responding to emails can be seen as a lack of diligence and a lack of confidence in how the council member is doing their job. "

So I would say by all the ethics complaints against her and everything I have outlined in my 3 complaints She isn't doing her job at all.

Hope to hear back from someone soon

Thank you,
Larinda Essary
11/5/24

My original two **complaints are** included.

I would like to add more screenshots of District Leader Mrs. Kimberly Yancy using her campaign donation page for her personal financial needs.

A close fiend of hers posted on social Media asking for help and donations for Mrs. Yancy to fight against personal attacks on her and you will see Mrs.Yancy commented posting her campaign support page link.

The day after I filed my first Ordinance **Ethics Complaint** she suspended her www.supoortkimyancy.com page. If there was nothing illegal with her actions then why suspend the page?

I have names of several people that have admitted to donating to her from her last financial support request. A full audit of her political finances needs to be done.

Mrs. Yancy uses her position as council member to promote her personal businesses. Her Life coaching and resume building flyer was posted all over social media and in local groups.

I am.completely disturbed after watching the body camera video of Mrs. Yancy's son being arrested for a DWI and she shows up to the seen trying to use her position to threaten and intimidate the officers. How was she removed from her position immediately?

My first **complaint** has not been addressed yet. County Clerk says legal is looking into it but Mr. Knebel says this is not something he handles.

I don't want to go file with Texas **Ethics** Commission, but I have filed out the paperwork and it has been notorized waiting to be sent.

Kimberley Yancy has violated code of **ethics** 2.26.030 multiple times. I have outlined 3 points where she has violated.

My **complaint** needs to be addressed and handled here at the city level and be added to the next city council meeting.

I hope to hear something soon.

Thank you,
Larinda Essary

First complaint

Hello,

I would of just sent this to the mayor but since I have emailed him in the past without a response I decided to include the council members. Hopefully this makes sure my **complaint** is addressed. I will be at the next meeting.

So, I am new to all this and not sure the proper procedure for filing this **complaint**. I actually googled it and saw how it can be filed with the State of Texas. I am trying to avoid that.

I am new to the city. I just moved here exactly two years ago this month. I found out which district I lived in which is District A and found out my district leader is Kim Yancy. I reached out to her 4 or 5 times through the past two years, specifically during the recent hurricane, but I never heard back from her. Being new to the County and City I was needing guidance and information, which she failed miserably. One of the district leaders duties is to meet with constituents to discuss their issues and concerns. As stated I tried at least 4 times without a response from her.

I started wondering why? Why won't she respond to me? I looked into it and looked at things she says and post about and figured out I must have the wrong color of skin. She seems to only reach out to black or Democrat people in her district. Since my social media platform clearly shows I am white and who I support, she must have decided not to respond to me.

The issue that caused me to file this **complaint** is a post she had made recently on her social media Facebook page. She is asking for money by posting her cash app and Zelle account information but making it seem it is donations for political purposes.

First, she made it look like she was running for election this November. I checked and district leaders are not being voted on this year.

Secondly, she mentions and made it seem the money being asked for will be donated or given to the cause for the democratic party.

Thirdly, she then complains about the tens of thousands of dollars she has had to spend on attorneys for lawsuits against her. She speaks of mental health issues. I assume to get pity and more donations.

Fourthly, she then tells people they can donate to her church that her and her husband own. Good

way to hide finances and money.

Lastly, she talks about voting, and her district and how her district needs to fight. She ends with a link to her campaign running page for the city of La marque district A. Which takes people to that page where they can send money.

I do know that political contributions and donations must be filed and held in a separate account and have nothing to do with any personal accounts and not used for personal reasons. She is obviously not following this.

I am still learning about all this and plan on learning more with some FOIL request. A full audit and investigation into her finances needs to be completed.

I hope and expect this to be fully investigated and proper charges filed. I did learn this was a class A misdemeanor at the minimum. I am hoping the city follows through with this and I don't have to reach out to the State.

Attached is the social media post Mrs. Yancy created.

Here is a link to it:

<https://www.facebook.com/share/p/YEzq6yQ7JThkhgi1/?mibextid=oFDknk>

Sincerely,
Larinda Essary

From: [Joseph Lowry](#)
To: [Curt Hesse](#); [Gus Knebel](#); [Robert Booth](#)
Subject: Fw: Ethics Complaint
Date: Monday, November 11, 2024 9:23:49 PM
Attachments: [Screenshot_20241111-201403.png](#)

Attached is another VALID ethics complaint. I'm just sending it for documentation. We know that because the complaint doesn't say "Joseph Lowry" there will be no action. The ethics Ordinance was created as a weapon against me as soon as I ran for political office. However, maybe someday somebody will do the right thing on that dias other than me. Did you send it to Cesar?

NEVER SURRENDER

Joseph

Get [Outlook for iOS](#)

From: sarah dougherty <sarah.dough.hh143@gmail.com>
Sent: Monday, November 11, 2024 8:39:38 PM
To: gknebel@millsshirley.com <gknebel@millsshirley.com>; Joseph Lowry <j.lowry@cityoflamarque.org>; James Ross <j.ross@cityoflamarque.org>; Cesar Garcia <c.garcia@cityoflamarque.org>; Joe Compian <j.compian@cityoflamarque.org>; Kierra Nance <k.nance@cityoflamarque.org>; Keith Bell <k.bell@cityoflamarque.org>; Kimberley Yancy <k.yancy@cityoflamarque.org>
Subject: Ethics Complaint

[External Email] This message originated from outside your organization.

To Whom It May Concern,

I am writing to demand immediate action regarding a disturbing incident involving Ms. Kimberly Yancy, as she was a substitute at La Marque High School for Mrs. Himes. My daughter received a text from a current student stating, "Mrs. Yancy a sub in my class and she given this long ass speech about her life and talkin bout yo dad terrorizes her and killed her dog" . During a class session, she made defamatory statements about my family, claiming that her life has been "terrorized" by my husband and alleging that he "killed her dog."

This behavior is completely unprofessional, constitutes harassment, and is defamatory. Such actions have already led us to remove our children from public schooling due to the hostile environment fostered by Ms. Yancy's repeated manipulation of her position to spread damaging statements about my family.

I am requesting that the school board and administration investigate this matter thoroughly and implement disciplinary measures to prevent further harassment and defamation. Ms. Yancy's actions are unethical, abusive of her power, and must be stopped immediately.

Please inform me of the steps that will be taken to ensure that this does not continue. My family's well-being and our reputation cannot be jeopardized further by this inappropriate conduct.

Sincerely,
Sarah

Subject: Re: Ethics Complaint on Councilwoman Kim Yancy

Date: Monday, November 4, 2024 at 5:43:00 PM Central Standard Time

From: kvampbella@aol.com

To: R. Mich, Kierra Nance, Gus Knebel, Joseph Lowry, Joe Compian, James Ross, Kimberley Yancy, Keith Bell, Cesar Garcia

I am writing this personally and not as a representative for any organization.

On March 19,2024 The LMCPAAA held an Open meeting/Social where we had guest speakers.

Kim Yancy arrived late, she said I saw your post on Facebook and came. I welcomed her and appreciated her attending.

During the entirety of the presentation Kim was looking at her phone. She appeared to take no interest in the Officers presentations.

Attendees were told they were more than welcome to take pictures with the guest speakers and the K9.

I then asked that we get a membership photo since many members were there, that don't usually come to the monthly meetings. It was at this time Kim showed interest .Kim started to come up and I politely said this is a membership photo. She then said I can pay my dues now. When I told her that she could not. She then had Chief ask if Laura Divine would take her check.

The entire time the group was having the photo taken Kim kept yelling across the room, I want to talk to you and repeatedly calling my name. After the photo I walked over and told her again she was welcome to take pictures with the guest speakers and anyone she wanted she just could not be in the membership photo as she was not a member. I told her that the bylaws state that anyone who's membership has lapsed must be voted on by the board for reinstatement.

She then yelled I am a sitting city council woman I will call the NAACP, BLM the newspapers and news stations on your asses.

She kept saying I'm a member see I'm wearing the shirt. I told her she had not paid dues since 2018. I then asked Barbara Cook who is the Vice President and who is also the state president to come and explain it to her. Barbara attempted to explain the procedure to her but Kim refused to listen.

Barbara told her the procedure of requesting in writing to meet with the board and to have her membership reinstated. Barbara told her you are trying to make this political and we are not political.

Kim started screaming at me again saying she had been to the FBI academy and the Police Academy and Texas University. She was so angry she couldn't even say University of Texas.

She then told Chief he better tell me to do what she wanted. I told her Chief is not a board member. I then asked her why all of the sudden is her membership so important since it hasn't been in 5 years. I did say its been widely publicized on several occasions the disrespect you have shown the officers, so why would you want to be in a group that supports our officers whole heartedly.

She really went insane at that point screaming Repeatedly!!! that, Santos murdered a young black man.

Almost everyone had left quickly due to her continued disruption and screaming. Later that night she slandered me all over Facebook and in a multitude of community groups. She contacted two former presidents of the LMCPAAA instead of following the directions in our by-laws and code of ethics.

The board itself sent her a registered letter outlining what she should have done. Out of courtesy the board scheduled and invited her to a special board meeting to discuss her membership. The letter went unclaimed and was returned.

The meeting was held to which she did not attend. The board voted to not reinstate her membership . A registered letter was again sent with the Boards decision. Tracking on that letter claims it was never picked up. It was also not returned to our Vice President by USPS.

Several months went by and I received a call from Chief that there was a check to pick up at the station. Andrea asked that I let Chief know what it was for as he was curious. I opened it right there and saw it was a dues check for Kim Yancy on a city check. I informed the board of this and made arrangements to have a member accompany me and return it to city hall. With in 2 days someone began making a fake Facebook profile and linked in account in my name. I was slandered in many posts by associates of Ms. Yancy.

Ms. Yancy and her associates also posted derogatory posts on the LMCPAAA Facebook page.

A week or so later a woman called from the city stating she was an assistant City Manager and wanted to know why the Dues check was returned. I told her Kim Yancy is not a member and she is well aware she is not a member, nor would she be reinstated as a member. I told her at this point this is harassment.

I received a call from Cesar Garcia. He wanted to broker a peace deal between Yancy and myself. I said only with my attorney present and the city paying my attorney fee's. He declined that. I told him the best course of action was for her and her cohorts to stop defaming myself and the organization and in turn I would not say a word about her. The

very next day more slander appeared on Facebook. I sent a screenshot to Cesar stating " As you can see the division is only coming from one side". I received no response to that.

Once again Kim Yancy did not get her way . So during the October City Council Meetings (2) Yancy once again abused the power of her office and disparaged myself and the LMCPAAA. Our board watched the Council meetings and we listened to Mr. Michetich as he read his ethics complaint during the public speaking portion. His complaint is an accurate account of the events.

I have not been contacted by the City Attorney regarding this matter. Perhaps he understands that this childishness is just one more temper tantrum by the city council woman. She absolutely deserves a censure, but it is blatantly clear from an entity which governs itself , that what is good for one will not be done to all.

Sincerely,

Katherine Herrin - Keith

Show trimmed content

On Fri, Nov 1, 2024 at 3:05 PM, R. Mich
<ram8@swbell.net> wrote:

All,

At Monday's council meeting the Ethics complaint I submitted on Kim Yancy was tabled with comments stating by the Mayor of the need to get other LMCPAAA members before council for questioning.

The Ethics ordinance does not provide for anyone the authority to require in person testimony before council in a public or private session to process. Additionally, no one wants to be subjected to any condescending looks, smirks, chuckles, or remarks to merely state their case that has occurred far to often with the Mayor and another couple of council persons. Furthermore in the manner that Mayor Bell has been conducting the meetings and allowing only one statement with no follow-up or secondary responses to another's remarks are not conducive of true discussion and discovery. Trying to control the narrative and silencing folks is unethical in itself.

Hence, I am forwarding this ethics complaint to our LMCPAAA president, Katherine Herrin Keith as she will be able to elaborate further about Ms Yancy's abhorrent behavior. She may in turn seek additional input from others as she sees fit. This should be more than sufficient for you to make your decisions on the Censure and Public apology demanded in the

complaint.

Let me make one more thing very clear in that some statements have been made that Ms Yancy was denied membership to the LMCPAAA due to some political march she either organized or participated in whereby she was going to challenge the charter of the LMCPAAA for revocation. That is the furthest from the truth. It is all about her repeated outbursts against law enforcement and her ever-present racism and her attack on the membership.

Ms Keith,

Please include all on your response with the same instruction to anyone that you may solicit. This way no one will miss any input. The original complaint is attached at the bottom of this email string.

Hopefully this complaint can be addressed at the next council meeting.

Robert Michetich
24 N. Curlew St
La Marque, TX. 77568
409-692-4545

----- Forwarded Message -----

From: R. Mich <ram8@swbell.net>

To: Kierra Nance <k.nance@cityoflamarque.org>; Gus Knebel <gknebel@millsshirley.com>; Joseph Lowry <j.lowry@cityoflamarque.org>; Joe Compian <j.compian@cityoflamarque.org>; James Ross <j.ross@cityoflamarque.org>; Kimberley Yancy <k.yancy@cityoflamarque.org>; Keith Bell <k.bell@cityoflamarque.org>; Cesar Garcia <c.garcia@cityoflamarque.org>

Sent: Monday, October 14, 2024 at 03:36:52 PM CDT

Subject: Ethics Complaint on Councilwoman Kim Yancy

All,

Please log and process the following Ethics complaint on Councilwoman Kim Yancy

Ethics Complaint on Councilwoman Kim Yancy

10/14/2024

On March 19, 2024 the La Marque Citizens Police Academy Alumni Association held an open meeting at Highlands Baptist Church @ 2908 Cedar

Dr, La Marque, TX.

This was an open meeting to include non-members to which I, as a member in good standing also brought my wife. I am not a member of the LMCPAAA board.

Councilwoman Kim Yancy also attended the meeting albeit late to the speaker's presentation.

With the meeting concluding, the LMCPAAA President called for all members to gather for a group picture. This was a members only picture, and did not include my wife or any other individuals not part of the LMCPAAA.

It is at this point that Kim Yancy wanted to be in the picture but was denied. This is when she went on "Full Frontal Assault" against the President and board yelling and claiming "Racial Discrimination" She was absolutely horrible in her actions and claims and out of control. Claiming the whole organization was "Racist"

Kim Yancy even began blabbering and calling by name La Marque police officer Santos and shouting over and over that he "Murdered" a young black man and how police were "Racist". The shouting and verbal assaults continued and then escalated when Kim Yancy started shouting and claiming how Lieutenant Adkins of the Texas Department of Public Safety was a "Racist" and the prior week's Crime Stoppers meeting presentation March 13, 2024 was "Racist".

Lieutenant Adkins' presentation was focused on events and problems officers are facing trying to process illegal immigration at the border and how so many from known terrorist countries dress in the same style clothing as Spanish and refuse to speak as an example of how they try to "blend in". The presentation encompassed these and other examples of what our law enforcement must endure border assignments.

This is where Kim Yancy began shouting how 'Racist' Lieutenant Adkins was in his presentation. Kim Yancy was berserk with her ranting and raving against the officers and the LMCPAAA. No one could stop her. People simply began to leave because she would not stop.

In an attempt to quell things down I asked just how Adkins' description were "Racist" when the man was merely trying to explain the difficulties officers face at the border.

She then went on the verbal attack towards me claiming that "We can tell" over and over to somehow construe that her or persons of color would be able to tell who was who, at the border. She then verbally assaulted by **shouting that I was**

NOT a Christian if I did not believe Adkins and his presentation was racist.

Over and over Kim Yancy shouted this at me and would step right up to me, in my face as if trying to provoke a fight and argument. She would not stop.

It at this juncture my wife could not stand it anymore and left the room and sat in our vehicle. My wife later told me that she wanted to leave before Kim Yancy would provoke her into doing something she might regret. My wife was visibly shaken and distraught over the actions and blatant display of hatred and aggression that Councilwoman Kim Yancy displayed towards myself and others.

Then Kim Yancy stated stating to me to “Prove” I was a Christian with my only guess as to give a hug and that was out of the question. She clearly demonstrated signs of “Bi-Polar”

All who were still there were simply in shock and dismayed at Kim Yancy’s actions. I did not give nor attempt to give a hug to this Councilwoman for fear she would make some other false accusation on me. I will pray for her.

Kim Yancy’s display of Hatred, Racism, Assaults, and Provocations are unacceptable. She not only made the attacks and assaults against our officers but she made these attacks against an entire organization whose purpose is to support them and build them up. She made these attacks and assaults in an Open meeting of the LMCPAAA that included Non-members of which my wife was one.

Note: the LMCPAAA is a 501 charity organization and follows the State of Texas Charter for Citizens Police Academies and is independent of any municipality they support.

To the La Marque City Council, I demand action against Councilwoman Kim Yancy. In my opinion she does not deserve to ever be part of nor step foot into a LMCPAAA meeting or event. She is clearly not a supporter of Law Enforcement.

I demand, Censure of Councilwoman Kim Yancy by the La Marque City Council. I further demand a Public Written Apology by Councilwoman Kim Yancy to ALL of the LMCPAAA board and members, to Officer Santos, DPS Lieutenant Adkins, to all officers, and to myself and to my wife.

Outside of official city business, I want nothing to do with Kim Yancy. Her actions were the most Vile, Offensive, and Demeaning as I have ever witnessed of anyone.

Disclaimer Note:

This Ethics complaint does not preclude, diminish, or limit in any manner my rights to file a lawsuit against Councilwoman Kim Yancy, the City of La Marque, or any member of the La Marque City Council.

Robert Michetich

24 N Curlew St. La Marque TX. 77569

Thank you

Robert Michetich
24 N. Curlew St
La Marque, TX. 77568

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Robert Michetich

24 N Curlew St. La Marque TX. 77569

Monday, November 11, 2024 at 14:04:10 Central Standard Time

Subject: Ethnic council member Joseph Lowry : for this kind of behavior from a sitting member is unacceptable and needs to be reported to the FBI ; and the police police alumni, who voted to put this racist person in the association, should be ashamed of themse...

Date: Monday, November 11, 2024 at 7:54:42 AM Central Standard Time

From: jackie perrin

To: j.compian@cityoflamarque.or, j.pritchett@cityoflamarque.or, cityclerk@cityoflamarque.org, jross@cityoflamarque.org, c.garcia@cityoflamarque.org, k.yancy@cityoflamarque.org, k.bell@cityoflamarque.org, Gus Knebel

Attachments: IMG_1111.PNG



Recall Joseph Lowry

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Recall Joseph Lowry

Posted by Carolyn Small

15h · 🌐

An immature response from an immature man.



Lowry News Network is in La Marque, TX.

16m · 🌐

I am a resident of District C in La Marque.

I humbly request my mayor strongly consider stepping down from his position as a city mayor.

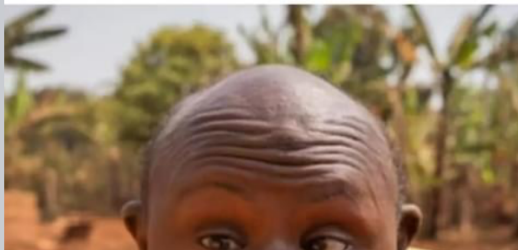
Because of multiple issues there is an increasing focus on he rather than we in the city.

His departure would also be to the betterment for the future of our city.

It is my concern that political strife will continue so long as he remains on the city council.

After prayerful consideration should he elect to do so, his appointed replacement should be one with his concurrence.

This individual must be willing to represent his values for the city with the highest degree of diplomacy and integrity.

[See insights](#)

Lowry News Network

[Message Us](#)

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Mayor Keith Bell



Boost a post



Home



Video



Notifications



Menu

Subject: Ethics on council member Joseph Lowry

Date: Tuesday, November 5, 2024 at 9:54:23 AM Central Standard Time

From: jackie perrin

To: j.compian@cityoflamarque.org, k.yancy@cityoflamarque.org, cityclerk@cityoflamarque.org, jross@cittyoflamarque.org, c.garcia@cityoflamarque.org, j.pritchett@cityoflamarque.org, k.bell@cityoflamarque.org, Gus Knebel

After watching the last meeting on YouTube Joseph became uncontrollable and out of order all the while the Mayor was trying to remove him to secure the members and the visiting citizens, they're is a Penal code 42 in Texas for this procedure" why wasn't this procedure done?

Also I have a concern about the police alumni" that kicked off a member after 5 years of Association " being kicked off for supporting Black live matter protest that is clearly her civil rights to do now a ethic complaint against her and her District A supporters that were disappointed in this decision.

Now Robert Michetich speaking out on this and giving a different reason for being kicked off , but he's not a member " or president how is he allowed to speak on behalf of the association on their policy, giving the reason council member Kimberly Yancy hasn't paid dues in five years which raises questions why wait five years and after a new president Katherine Herrin Kieth was elected if this is their policy ?

I looked at their ethics and their policies and nowhere is this reason on any policy, Katherine Herrin has been outspoken about Kimberly Yancy not supporting our police department because of this she calls disrespect, it I this seems to be more of a opinion than policy and if she is concerned about this issue why was Joseph lowry aloud to become a member with his years of threats to the city , the police department and police Cheif , calling them Thugs and corrupt? Also he is a known felon in three different charges, also family violence charges and convictions on all the charges with a felony gun charge , and his wife with a misdemeanor A charge; these charges are on the police report that anyone can pull up including law enforcement, and goes against The police alumni policy , so I feel this is a bias Alligation towards councilmember Kimberley Yancy .

Also as a concerned Citizen. A felon sitting on city Council that clearly is against our charter. I want to ask city Council to take a vote for a subpoena to Washington state to prove he is a felon. that has been proven, and each of you have the records. Thank you

Jacqueline perrin
1304 Rhodora st
409 3447583