

## **REQUEST FOR APPLICATIONS**

# **Clean Water Act, Section 604(b) Water Quality Management Planning**

December 2014





# New York State Department of Environmental Conservation

## Clean Water Act, Section 604(b)

### Water Quality Management Planning Programs

#### December 2014

---

### **Clean Water Act, Section 604(b) Water Quality Management Planning Program Grant Funding Opportunities:**

#### **A. Baseline Planning Program:**

- Apply in the NYS Grants Gateway under Grant Opportunity ID:  
DEC01-WQ604B-2014

#### **B. Statewide Planning Coordination Program:**

- Apply in the NYS Grants Gateway under Grant Opportunity ID:  
DEC01-604BSC-2014

Complete applications must be submitted through the New York State Grants Gateway Grant Opportunity Portal (<https://grantsgateway.ny.gov>) by **4:00 PM on February 9, 2015**.

No hand-delivered, facsimile, mailed, or e-mailed applications will be accepted.

## **Table of Contents**

---

<b>IMPORTANT NOTICE FOR VENDORS/APPLICANTS/GRANTEES:</b> .....	5
Request for Applications.....	7
Section 1. Eligible Applicants.....	7
Section 2. Funding Categories .....	7
Section 3. Eligible Tasks.....	8
A. Baseline Planning Program Objectives .....	8
B. Statewide Planning Coordination Program Objectives.....	11
Section 4. Regional/Statewide Needs .....	11
Section 5. Availability of Funds.....	12
Annual Funding .....	12
Range and Average of Financial Assistance .....	12
Minimum/Maximum Application Funding Amounts .....	12

Annual Expenditure Budget .....	12
4-Year Budget Allocations Estimate.....	13
Section 6. Eligible Programs.....	13
Section 7. Eligible Costs .....	13
Section 8. Grant Funding and Local Match Funds.....	13
Section 9. Program Term.....	14
Section 10. Application Requirements.....	14
Mandatory Application Pre-Submission Uploads.....	14
Section 11. Eligibility Review .....	15
Application Eligibility Checklist .....	15
Section 12. Method of Award.....	16
Technical Scoring Criteria .....	17
Section 13. Quality Assurance Project Plans (QAPPs) .....	19
Section 14. Alignment with Regional Economic Development Strategies .....	19
Section 15. Required Actions for Grant Awardees .....	20
Section 16. Documents Needed for Contract Execution.....	20
1. Program Work Plan .....	20
2. Expenditure Budget .....	21
3. Match Worksheet Detailing Match Funds.....	21
4. Minority and Woman-owned Business Enterprise (M/WBE) and Equal Employment Opportunity (EEO) Goals .....	21
5. Insurance Requirements.....	23
6. Vendor Responsibility .....	23
7. Contract Payment and Reporting.....	23
Section 17. Reserved Rights .....	24
Section 18. Results of Completed Programs.....	24
Section 19. Application Deadline .....	24
Section 20. Questions.....	24
APPENDIX A – Mandatory Application Pre-submission .....	25

## **IMPORTANT NOTICE FOR VENDORS/APPLICANTS/GRANTEES:**

New York State continues the work of fulfilling Governor Cuomo's transformation initiative to reform the State's grant contracting process by simplifying and streamlining the grants management process. On May 15, 2013, a web-based grants management system, Grants Gateway, was launched at: <https://grantsgateway.ny.gov>. The Grants Gateway is an online system that will allow vendors to browse anticipated and available grant opportunities, providing a one-stop location that will improve the way grants are administered by the State of New York.

The Grants Gateway system's ability will include the following:

- **Opportunity Portal (currently available)** – A simple way to search for available and anticipated grant opportunities, register to receive notification when specific types of grant opportunities are posted, and apply for a grant on line.
- **Document Vault (currently available)** – A secure online document repository for vendors/grantees to store and share commonly requested documents with State agencies. A vendor who is a Not-For-Profit must register and prequalify in the Grants Gateway system by the application due date to be considered eligible to apply for the grant opportunity.
- **Online Contracts (currently available)** – Ability for vendors/grantees to develop and execute contracts online.
- **Online Claims (anticipate availability in 2015)** - Ability to submit a request for payment and supporting cost documentation online, and to track the status of a payment.

**It is important for all vendors/applicants/grantees to visit the Grants Gateway website: [www.grantsreform.ny.gov](http://www.grantsreform.ny.gov) to register and become familiar with new statewide requirements. Information, tutorials, and details on how to register and prequalify your organization in the new system are available at <https://grantsgateway.ny.gov>.**

**Government organizations must be registered, but are not currently required to prequalify to be considered eligible to apply for a grant opportunity. Not-For-Profit organizations must be registered and prequalified in the Grants Gateway by the due date of an application to be considered eligible to apply for a grant opportunity.**

### **Prequalification Requirement for Not-For-Profit Applicants**

The State of New York has implemented a new statewide prequalification process designed to facilitate prompt contracting for not-for-profit vendors. Interested vendors are asked to submit commonly requested documents, and answer frequently asked questions once. The application requests organizational information about the vendor's capacity, legal compliance, and integrity. To learn more about prequalification, go to the Grants Reform website at [www.grantsreform.ny.gov/Grantees](http://www.grantsreform.ny.gov/Grantees) where you can preview the questions and required documents.

**All not-for-profit vendors are required to prequalify prior to a grant application due date.**

Following is a summary of the steps that must be undertaken in order for a not-for-profit applicant to prequalify.

- Go to the Grants Reform website at [www.grantsreform.ny.gov/Grantees](http://www.grantsreform.ny.gov/Grantees) and download a copy of the **Registration Form for Administrator**. Please review the instructions for submission of

this form. The form must be signed and notarized by an authorized representative of your organization, and must be sent to the Division of Budget as soon as possible in order to gain access to the Grants Gateway to enable prequalification.

- Once the Division of Budget has received your Registration Form for Administrator, you will be provided with a Username and Password allowing you to access the Grants Gateway. Please log in to the Grants Gateway System at [https://grantsgateway.ny.gov/IntelliGrants\\_NYSSGG/login2.aspx](https://grantsgateway.ny.gov/IntelliGrants_NYSSGG/login2.aspx) and begin your Prequalification Application.
- As you fill out the Prequalification Application, please refer to the Gateway Training Materials and resource links posted on the “grantees” section of the Grants Reform website to help you navigate the questionnaire. If you still have questions, simply contact your State agency program contact, or post your question to [GrantsReform@Budget.ny.gov](mailto:GrantsReform@Budget.ny.gov) and a member of the Grants Reform Team provide you with a quick response.

**Vendors are strongly encouraged to begin the registration and prequalification process as soon as possible in order to participate in this Request For Application (RFA) bid competition. If you have any questions about prequalification, please go to the Grants Reform website or contact your State agency representative.**

# Request for Applications Clean Water Act, Section 604(b) Water Quality Management Planning Programs December 2014

---

## Introduction

The NYS Department of Environmental Conservation (Department) announces the availability of funds for Water Quality Management Planning programs that promote regional comprehensive water quality management planning activities as described in Section 604(b) of the federal Clean Water Act.

Clean Water Act, Section 604(b) funding provides the financial source for states and territories to pursue water quality planning under Sections 205(j) and 303(e) of the Clean Water Act. This program authorizes the awarding of funds through the Environmental Protection Agency to states for water quality assessment and management planning grants. The 1987 amendments to the Clean Water Act mandated that 40% of each state's award be granted, or "passed through", to Regional Public Comprehensive Planning Organizations (RPCPOs) and Interstate Organizations (IOs).

## Section 1. Eligible Applicants

---

Eligible applicants include qualifying governmental entities and prequalified not-for-profit organizations that are:

- Regional public comprehensive planning organizations in New York State; and/or
- Interstate planning organizations working in New York State.

In order to be eligible, the applicant must have staff dedicated to carrying out the program for its duration. All not-for-profit applicants must prequalify online in the NYS Grants Gateway by the application due date to be considered eligible to apply for this grant opportunity. The Department may request additional documentation from an applicant to confirm eligibility of the applicant.

## Section 2. Funding Categories

---

Funding is available under the following two 604(b) funding categories. Each funding category has its own separate application in the NYS Grants Gateway. Applicants must pay particular attention when developing an application in the Grants Gateway to assure the correct application is developed and submitted under the funding category for which grant funding is requested. Please make sure you are working in the correct application.

### A. Baseline Planning Program

Grants Gateway Grant Opportunity ID: DEC01-WQ604B-2014

## **B. Statewide Planning Coordination Program**

Grants Gateway Grant Opportunity ID: DEC01-604BSC-2014

Eligible applicants may submit only one application per funding category. It is anticipated that approximately ten applications will be funded under the Baseline Planning Program. Only one application will be funded under the Statewide Planning Coordination Program category.

Applications for the Baseline Planning Program must include planning tasks to support County Water Quality Coordinating Committees (CWQCCs) and/or regional watershed groups in order to be eligible to receive 604(b) funding for Optional Water Quality Management Planning tasks. At least 30% of the budget must be allocated for, and spent on tasks supporting CWQCCs and/or regional watershed groups. If there are one or more counties in the proposed program region where CWQCCs do not exist, the applicant must either work to establish them, or support planning tasks to maintain or strengthen the efforts of regional watershed groups. Where there are both CWQCCs and regional watershed groups, the applicant must give CWQCCs priority over regional watershed groups.

### **Section 3. Eligible Tasks**

---

604(b) funds are to be used for water quality management planning activities, including tasks to determine the nature, extent and causes of point and nonpoint source water pollution problems, and to develop plans to resolve these problems. Sample tasks for each objective are listed following each objective below.

Application questions will require an applicant to describe long-term/multi-year plans, including a schedule for meeting proposed objectives, tasks and desired outcomes (performance measures) that will take longer than one year to complete, but no longer than four annual funding periods.

The application work plan should include all of the anticipated water quality management planning objectives, tasks, and performance measures to be performed during the entire term of the multi-year contract. Applicants must identify which contract years they expect to work on each of the program tasks listed in their application work plan and an estimated schedule for completing the performance measures. Applicants selected to receive grant funding will work with Department staff to refine their annual work plan and budget for their multi-year contract based on available annual funding levels, and Department and regional priorities.

#### **A. Baseline Planning Program Objectives**

Includes:

##### **Mandatory Objective:**

##### **1. Liaison and assistance to County Water Quality Coordinating Committees (CWQCCs) and/or regional watershed groups (at least 30% of budget)**

*Sample tasks include:*

- a. Meeting Participation: Participate in meetings and provide meeting summaries to the Department regional water engineer or their designated program manager

- b. **Technical Assistance:** Provide technical assistance to regional watershed groups for watershed planning and coordination, including Watershed Based Plans (EPA’s “9 element plans”)
- c. **Regional Liaison:** Serve as a regional liaison to facilitate multi-county communication and coordination; share data and information
- d. **Identification of Priorities:** Assist with identification of county or regional water resource priorities
- e. **Department Program Planning Assistance:** Assist with planning for implementation of priority programs identified by the Department to meet federal, state, regional, and/or local water quality goals and develop strategies for overall statewide program success
- f. **Identification of Funding Opportunities:** Identify funding opportunities that CWQCC member organizations and/or the municipalities they represent may be eligible to apply for to implement their County Water Quality Strategies and/or assist with program development
- g. **Inter-boundary Planning Assistance:** Assist with inter-boundary water quality planning, including waters/watersheds impacting the lands and water of federally recognized Tribal Nations, as well as other international and interstate waters

**Optional Water Quality Management Planning Objectives:**

**2. Water quality assessment support**

- a. **WI/PWL Assessment:** Participate in the solicitation and review of basin-specific water quality data and information for the Department-initiated update of the Waterbody Inventory/Priority Waterbodies List (WI/PWL)
- b. **Outreach and Education:** Provide outreach and education

**3. Green infrastructure (GI) planning**

- a. **Technical Assistance:** Provide technical assistance for green infrastructure planning in MS4 program areas or areas where it is required by a long-term control plan
- b. **Local Law Development:** Assist with development and launch of local laws
- c. **Local Law Barrier Removal:** Provide assistance to communities to remove impediments in local laws to install and maintain green infrastructure
- d. **Data Collection and Recordkeeping:** Assist with data collection and recordkeeping, including GIS mapping
- e. **Planning Assistance:** Assist with regional (or local) GI planning to determine appropriate locations for GI projects
  - i. to address a specific water quality problem

- ii. to “piggyback” on other projects (i.e., road construction or municipal improvements)

- f. Outreach and Education: Provide outreach and education

#### **4. Phase II Stormwater for Municipal Separate Storm Sewer Systems (MS4s) and construction planning**

- a. Technical Assistance: Provide technical assistance for the development of MS4 stormwater management programs and/or assistance with planning the implementation of the management program already in place
- b. Data Collection and Recordkeeping: Assist with data collection and recordkeeping, including GIS mapping
- c. Development of Policies and Procedures: Assist with writing policies and procedures for implementing the six Minimum Control Measures (MCMs) identified in the MS4 General Permit
- d. Recordkeeping Template Rollout Assistance: Assist with the Department’s rollout of the stormwater recordkeeping template, slated to start by 2016
- e. Outreach and Education: Provide outreach and education

#### **5. Stormwater and floodplain management planning**

- a. Sediment Reduction Planning Assistance: Assist with planning efforts to reduce erosion and the entry of sediment and pollutants into receiving waterbodies
- b. Flood Resiliency Planning Assistance: Assist with flood resiliency planning for water quality protection
- c. Outreach and Education: Provide outreach and education

#### **6. Promote water quality funding opportunities**

- a. Identification of Funding Opportunities: Assist with identification of funding opportunities for local entities
- b. Grant Writing Assistance: Provide grant writing assistance to local entities
- c. Funding Application Systems Support: Help local entities use funding application systems (i.e., NYS Grants Gateway) if additional support is necessary
- d. Outreach and Education: Provide outreach and education

#### **7. Provide assistance to Department Regions and Central Office for special needs**

- a. Regional Department-specified Assistance: Provide specified assistance to Department regions for special regional water quality planning needs to meet federal, state, regional, and/or local goals in areas specified by the regional water engineer or their designated program manager

- i. Contact regional Department office for details
- b. Central Office Department-specified Assistance: Provide specified assistance to Department central office for special water quality planning needs to meet federal, state, regional, and/or local goals in areas specified by the Department central office program manager

## **B. Statewide Planning Coordination Program Objectives**

### **Serve as Statewide Coordinator for the 604(b) Water Quality Management Planning Program**

*Should include the following tasks:*

- o Encourage Collaboration: Participate in and encourage collaboration of programs and efforts between the 604(b) grant recipients, other entities involved in water quality protection activities statewide, and the Department
- o Circulate Program Information: Disseminate water quality management planning program information from the Department to 604(b) grant recipients and from 604(b) grant recipients to the Department
- o Coordinate Feedback: Coordinate input and feedback among 604(b) grant recipients on water quality programs
- o Host Program Meetings: Sponsor and organize periodic centrally-located 604(b) program meetings and provide status reports to 604(b) grant recipients, as necessary
- o Support Program Fulfillment: Promote timely fulfillment of 604(b) program responsibilities among the 604(b) grant recipients

## **Section 4. Regional/Statewide Needs**

---

Coordination and cooperation with the Department is essential to successful resolution of the water quality problems being addressed. The Department may already be involved in identifying or resolving local water quality problems and may be doing work in nearby waterbodies. Coordination of activities will result in more efficient use of available funding and a more effective identification of roles for RPCPOs/IOs. Priority will be given to applicants whose water quality management planning programs align closely with the priorities outlined in this RFA and with regional needs. Applicants should identify cost-effective and locally acceptable measures to meet and maintain water quality standards and focus on regional problem areas.

To the extent possible, the program deliverables should be useable elsewhere in the state. All materials created with funding from this grant will become the property of the Department. Where applicable, deliverables should be provided as a component of quarterly reports, in digital form, and may be shared with others.

## Section 5. Availability of Funds

---

### Annual Funding

The Department anticipates receiving approximately \$600,000 annually over the next four years in Clean Water Act 604(b) funding from the U.S. Environmental Protection Agency (EPA) as the 40% pass-through allocation under 604(b). Actual amounts available for annual periods of the multi-year contract resulting from this grant opportunity will depend on Congressional appropriations. Applicant applications must show that their programs are flexible and can be scaled to accommodate variable annual funding levels.

### Range and Average of Financial Assistance

Grant funding provided pursuant to this RFA will be based upon the availability of EPA 604(b) funding, as provided each year to the Department. Over the last ten years, the total financial assistance available for 604(b) grants has ranged from approximately \$300,000 to \$900,000 per year. The average amount during the same ten year period was \$533,946 per year. These amounts do not include 604(b) funds from the American Recovery and Reinvestment Act of 2009 (ARRA).

### Minimum/Maximum Application Funding Amounts

**Baseline Planning Program Application:** Applicants may request a minimum amount of \$15,000, up to a maximum amount of \$100,000 per year.

**Statewide Planning Coordination Program Application:** Applicants may request a minimum amount of \$15,000, up to a maximum amount of \$25,000 per year.

The Department reserves the right to award a portion of a grant request to assure the best total selection of programs meeting Clean Water Act Section 604(b) priorities. All eligible program applications will be evaluated for cost-effectiveness.

Additional state and federal funds, as well as funds from other funding sources, may become available in the future and may be used to fund programs, or portions of programs, received in this solicitation. Such additional funds will be awarded pursuant to the method of award described in this RFA.

### Annual Expenditure Budget

Successful applicants will be required to enter into a multi-year State of New York Master Contract for Grants (Master Contract) with the Department that will carry up to a four year term. The Master Contract must be approved by all applicable state agencies (the Department, the Attorney General and the State Comptroller), prior to a grantee receiving reimbursement of approved and eligible program-related costs. A multi-year contract allows for the flexibility needed in establishing annual budgets based on similar amounts of annual funding while enhancing program continuity and stability, and allowing for program objectives, tasks and performance measures that require more than twelve months to be accomplished. While 604(b) Master Contracts may carry a term of up to four years, the application expenditure budget should encompass only the anticipated expenditures from work to be performed during the initial one-year period. Additional annual funding will be provided subject to the availability of funds and the successful negotiation of ongoing work plans and budgets for each year.

## 4-Year Budget Allocations Estimate

Applicants for the Baseline Planning Program must use the 4-Year Budget Allocations Estimate form to list the estimated amount of the total annual budget that will be allocated to each of the Baseline Planning Program objectives for each year of the multi-year contract. Liaison and assistance to County Water Quality Coordinating Committees (CWQCCs) and/or regional watershed groups must be at least 30% of the total amount for each year. Objectives without any associated tasks identified on the work plan must be \$0. The total amount for Year 1 must equal the total in the application Expenditure Budget.

---

## Section 6. Eligible Programs

**Baseline Planning Program** applications must address at least the mandatory objective identified in [Section 3.A](#) and at least 30% of the program budget must be allocated to it.

**Statewide Planning Coordination Program** applications should include the tasks listed in [Section 3.B](#).

---

## Section 7. Eligible Costs

Grant funding is for the purpose of promoting regional comprehensive water quality management planning activities. Costs must be incurred within the term of the contract to be considered eligible costs for reimbursement. Eligible program-related costs can include:

Personal Services:

- salaries
- fringe (may not exceed Federal rates)

Non-personal Services:

- contractual services
- travel
- equipment
- space/property & utilities
- other (including necessary supplies and materials)

---

## Section 8. Grant Funding and Local Match Funds

**Baseline Planning Program:** Grants will fund up to 90% of the total approved program cost. The minimum local share, or match funds, required for the Baseline Planning Program is 10% of the total approved program cost. Local match funds can include cash contribution and in-kind services to pay for personal and non-personal services. The local match must be met annually based on annual funding amounts. Applicants are required to identify the source of their local share when completing the Match Worksheet portion of the application. The Match Worksheet is located in the Expenditure Budget section of the application. Local match cannot be met using federal or state funding sources.

**Statewide Planning Coordination Program:** Grant will fund 100% of approved program costs and does not require the applicant to provide a local share or match funds.

**Both the Baseline and Statewide Programs** described in this RFA are reimbursement grant programs. Grantees will be required to submit supporting cost documentation of all approved and eligible program-related expenditures (signed cost summaries, copies of invoices, receipts, cancelled checks, etc.) in order to receive reimbursement of grant funding.

Once a Master Contract is fully approved by all required state agencies, grantees may be eligible to request an initial payment, not to exceed 25% of the grant award amount.

---

## **Section 9. Program Term**

Contract terms may not exceed four years. The Department anticipates making awards in time for work to begin on April 1, 2015. Work must be completed and funding fully expended no later than March 31, 2019. The term of the 604(b) Master Contract will consist of annual periods, from April 1<sup>st</sup> through March 31<sup>st</sup> for each year of the program. Eligible program costs must be incurred within the contract term start and end dates.

---

## **Section 10. Application Requirements**

All applications must be completed and submitted through the New York State Grants Gateway Grant Opportunity Portal (<https://grantsgateway.ny.gov>).

### **A complete application includes:**

1. Responses to all application questions
2. Completed Expenditure Budget for work to be performed during the initial one-year period, including cost details and the Match Worksheet (Match Worksheet is only required under the Baseline application) specifying the source of match funds
3. Completed Work Plan that includes all program objectives, tasks, and performance measures to be performed during the entire term of the multi-year contract, along with an estimate of which contract years each task is expected to be worked on, and estimated completion dates for each of the performance measures
4. Pre-Submission Uploads including the Appendix A – Encouraging Use of NYS Businesses in Contract Performance, and 4-Year Budget Allocations Estimate for 604(b) Baseline Planning Program Objectives (4-Year Budget Allocations Estimate is only required under the Baseline application)

Applications must be submitted by the individual authorized by the applicant organization in the Grants Gateway as having the assigned role of 'Grantee Contract Signatory' or 'Grantee System Administrator'. For additional detailed information and tutorials on how to submit an application, see the New York State Grants Reform Website at [www.grantsreform.ny.gov](http://www.grantsreform.ny.gov).

### **Mandatory Application Pre-Submission Uploads**

Applicants must download the following forms from the Grants Gateway, complete the forms, and then upload them back into the Grants Gateway. They can be found in the Pre-Submission Uploads section of the Forms Menu.

## Appendix A – Encouraging Use of NYS Businesses in Contract Performance

NYS encourages the use of New York subcontractors and suppliers. Applicants must identify New York State businesses that will be used for their program. If a potential subcontractor or supplier is not known at the time of application, the applicant must indicate on the form: “To be determined upon completion of any required procurement”. A yes or no answer to this question is not linked to the application evaluation criteria or score, but is a mandatory pre-submission form as part of this grant opportunity.

### 4-Year Budget Allocations Estimate for 604(b) Baseline Planning Program Objectives

Applicants for the Baseline Planning Program must use the 4-Year Budget Allocations Estimate form to list the estimated amount of the total annual budget that will be allocated to each of the Baseline Planning Program objectives for each year of the multi-year contract. Liaison and assistance to County Water Quality Coordinating Committees (CWQCCs) and/or regional watershed groups must be at least 30% of the total amount for each year. Objectives without any associated tasks identified on the work plan must be \$0. The total amount for Year 1 must equal the total in the application Expenditure Budget.

---

## Section 11. Eligibility Review

Applications will be initially reviewed for applicant and program eligibility on a pass/fail basis. Applications that pass all eligibility criteria will be further evaluated and scored. Applications that fail one or more eligibility criteria will not be considered eligible for further review or funding.

### Application Eligibility Checklist

The following pass/fail checklist can be used to assist applicants in ensuring: 1) their application meets program eligibility requirements; 2) all applicable application information is completed; and 3) all required uploads are provided in the Grants Gateway. An application that receives a ‘fail’ in any of the following criteria will be disqualified from further technical evaluation.

#### Criteria for both the Baseline Planning Program and the Statewide Planning Coordination Program:

1. The applicant was prequalified in the Grants Gateway by the due date of this application if they are a Not-For-Profit (NFP) 501(C) 3 corporation. *(pass/fail)*
2. The applicant is a qualifying governmental or NFP regional public comprehensive planning organization in NYS or an interstate planning organization working in NYS. *(pass/fail)*
3. The application is complete (e.g., all questions have answers and applicable uploads) and was submitted electronically through the Grants Gateway by the application due date. *(pass/fail)*
4. The application supports that the applicant has key project personnel and dedicated staff responsible for carrying out the proposed program for the duration. *(pass/fail)*
5. The application addresses the appropriate Baseline Planning Program or Statewide Planning Coordination Program application objectives that support a water quality

management planning program. *(pass/fail)* NOTE: Please make sure you complete the correct funding category application in the NYS Grants Gateway.

6. The applicant uploaded a completed Appendix A – Encouraging Use of New York State Businesses in Contract Performance. *(pass/fail)*

**Additional criteria applicable to only the Baseline Planning Program:**

7. The application clearly identifies acceptable (non-state/non-federal) forms of the required 10% local share. *(pass/fail)*
8. The application clearly supports work to establish CWQCCs or supports planning tasks to maintain and/or strengthen the efforts of regional watershed groups in the counties in the proposed program region where CWQCCs do not exist. *(pass/fail)*
9. The application clearly supports that 30% of the budget will be spent towards CWQCC and/or regional watershed groups. *(pass/fail)*
10. The application clearly supports that the program will provide water quality benefits. *(pass/fail)*
11. The application clearly supports that the program can be scaled to accommodate variable annual funding levels. *(pass/fail)*

**Additional criteria applicable to only the Statewide Planning Coordination Program:**

7. The application supports how the program will build and/or sustain partnerships between 604(b) grantees and the Department. *(pass/fail)*
8. The application supports the promotion and sharing of information related to water quality with stakeholders, and facilitates sharing of water quality management planning program information between 604(b) awardees and the Department. *(pass/fail)*
9. The application supports how the applicant will organize and host periodic centrally-located 604(b) program meetings. *(pass/fail)*

---

## **Section 12. Method of Award**

Applications that pass the eligibility review will receive a technical and cost evaluation review by a Department review panel. Scores will be averaged and a final composite score will be determined for each application. Applications will be ranked from highest to lowest scores within each funding category.

**Baseline Planning Program:** Grant awards will be made to the highest ranked programs.

**Statewide Planning Coordination Program:** One grant award will be made to the highest ranked program.

If applications are received that include tasks that overlap with another proposed program, the Department may, at its discretion, decide to fund only the tasks from the higher ranked grant program. If applications are received that include tasks that overlap with an existing program, are not cost-effective, or do not align with the Department's regional or statewide goals, the Department may, at its discretion, decide to reduce or eliminate funding for such proposed tasks and objectives.

Tiebreaker: If two or more applications receive the same final composite score, the application that scores the highest for evaluation criterion number 6 (Cost-Effectiveness) will determine placement on the ranked list. If a tie remains, the highest score for evaluation criterion number 4 (Applicant Qualifications and Past Performance) will determine placement.

Award amounts will be determined based on the amount of available funding, the cost-effectiveness of the program, and how well it meets the water quality goals identified within each major drainage basin or region of the state. The Department reserves the right to award programs under the RFA in whole or in part if it is in the best interest of the State.

## Technical Scoring Criteria

### A. Baseline Planning Program:

*(100 Total Possible Points)*

1. CWQCCs and/or Regional Watershed Groups: *0 – 15 points*

- The program effectively supports the needs and priorities of County Water Quality Coordinating Committees (CWQCC) or works to establish them; the program supports planning tasks to maintain or strengthen the efforts of regional watershed groups where CWQCCs do not exist and efforts to reestablish them have been unsuccessful

2. Regional/Statewide Needs: *0 – 15 points*

- The application exhibits an informed understanding of the nature, extent, and severity of the regional water quality problems and needs; the program tasks meet the needs identified in the region of the program, as well as statewide needs

3. Environmental Benefit: *0 – 10 points*

- The program would provide water quality and other environmental benefits, including water quality benefits from Smart Growth or resiliency planning

4. Applicant Qualifications and Past Performance: *0 – 10 points*

- Ability to implement program and maintain benefits; credentials and experience; compliant with directions on application; positive past and current performance with the Department, regardless of funding source, including timeliness, completeness of reporting, cooperation with Department staff and partners, and goal achievement

5. Program Readiness: *0 – 7 points*

- Program is clearly defined in the work plan; program is flexible and can be scaled to accommodate the variable annual funding levels; ability to complete by end date; readiness of partnerships, preparatory activities, assessments and/or permits; environmental issues addressed

6. Cost-Effectiveness: *0 – 20 points*

- The budget is reasonable and itemized, accurately reflects allowable percentages for program costs, and identifies matching funds; good “Return on Investment” (ROI); reasonable cost/benefit ratio; appropriate complexity and project size for problem; appropriate use of technology; useable approach for future projects
7. Partnerships: *0 – 5 points*
- The program will build and/or sustain partnerships; includes contribution or participation by appropriate stakeholders and municipal government
8. Outreach & Education: *0 – 5 points*
- The program includes outreach and education
9. Long-term Support: *0 – 5 points*
- The applicant will promote long-term support of the program objectives, tasks, and expected benefits described in the application
10. Program & Plan Integration: *0 – 5 points*
- The program complements, or helps to implement, other federal, state, regional plans or programs, or municipal plans or programs
11. Alignment with REDC Priorities: *0 – 3 points*
- The program aligns with Regional Economic Development Council strategic priorities (see Section 14)

**B. Statewide Planning Coordination Program:**

*(100 Total Possible Points)*

1. Statewide Needs: *0 – 25 points*
- The program effectively supports the needs and objectives of the 604(b) Water Quality Management Planning Program; the application exhibits an awareness of ongoing Department programs related to water quality and includes program tasks that encourage collaboration between the Department and other entities involved in water quality management planning activities statewide
2. Partnerships: *0 – 10 points*
- The program will build and/or sustain partnerships between 604(b) grant recipients and the Department; includes promoting contribution or involvement by suitable participants
3. Outreach and Information Sharing: *0 – 10 points*
- The program includes outreach and promotes sharing of information related to water quality with appropriate stakeholders; facilitates sharing of water quality management planning program information between 604(b) grant recipients and the Department

4. Applicant Qualifications and Past Performance: *0 – 10 points*
  - Ability to implement program, including hosting centrally located meetings, and maintain benefits; credentials and experience; compliant with directions on application; positive past and current performance with the Department, regardless of funding source, including timeliness, completeness of reporting, cooperation with Department staff and partners, and goal achievement
5. Program Readiness: *0 – 10 points*
  - The program is clearly defined in the work plan; ability to complete by end date; readiness of partnerships; preparatory activities to address potential issues
6. Cost-Effectiveness: *0 – 20 points*
  - The budget is reasonable and itemized, accurately reflects allowable percentages for program costs; good “Return on Investment” (ROI); reasonable cost/benefit ratio; appropriate complexity and project size for problem; appropriate use of technology; useable approach for future projects
7. Environmental Benefit: *0 – 7 points*
  - The application explains how the program would provide water quality and other environmental benefits
8. Program & Plan Integration: *0 – 5 points*
  - The program complements, or helps to implement, other federal, state, regional plans or programs, or municipal plans or programs
9. Alignment with REDC Priorities: *0 – 3 points*
  - The program aligns with Regional Economic Development Council strategic priorities (see Section 14)

---

### **Section 13. Quality Assurance Project Plans (QAPPs)**

---

Projects involving the generation of environmental data or the use of existing environmental data, must have an appropriate Quality Assurance Project Plan (QAPP) approved before work begins. If a program will use an existing, approved QAPP, the quality assurance process under that plan shall be followed.

More information regarding QAPPs can be found in the EPA documents, *Guidance for Quality Assurance Project Plans (QA/G-5)* (<http://www.epa.gov/quality/qs-docs/g5-final.pdf>) and *EPA Requirements for QA Project Plans (QA/R-5)* (<http://www.epa.gov/quality/qs-docs/r5-final.pdf>). It is recommended that applicants use these documents when preparing their QAPP.

---

### **Section 14. Alignment with Regional Economic Development Strategies**

---

Governor Andrew Cuomo directed the establishment of regional economic development councils to analyze the most significant business clusters in their respective areas. Any grants awarded by the State of New York shall take into consideration the recommendation of the relevant regional economic development council or the Commissioner’s determination that the

proposed program aligns within the regional strategic priorities of the region where the proposed program is located.

To receive three (3) points in the application scoring process, the applicant may either:

1. Upload a recommendation from the regional economic council to the application stating that the proposed program aligns with priorities of the economic development plan developed by the Council; or,
2. Include a supplemental narrative describing the economic benefits of the proposed program and how the program aligns with the strategies of the regional economic plan.

Visit <http://regionalcouncils.ny.gov> for information on your region's economic development council.

## **Section 15. Required Actions for Grant Awardees**

---

Applicants selected to receive a grant award will be required to execute a Master Contract within 60 days from the time of their award notification. Failure to submit timely required Master Contract documents could cause a grantee to lose their grant award. Applicants should review and be prepared to comply with all Master Contract terms and conditions should grant funding be awarded. The Master Contract is incorporated into this RFA and includes the following:

- Master Contract for Grants Face Page
- Standard Terms and Conditions (NYS standard terms and conditions)
- Attachment A-1 Program Specific Terms and Conditions (Agency and Program specific terms and conditions)
- Attachment A-2 Federally Funded Grants (federal terms and conditions)
- Attachment B-1 Expenditure Based Budget (project expense categories and detail)
- Attachment C Work Plan (project objectives, tasks and performance measures)
- Attachment D Payment and Reporting Schedule (claims for reimbursement and grant reporting provisions)

**IMPORTANT NOTE:** Project-related costs must be incurred within the term of the Master Contract to be eligible for reimbursement or match. Contract payments will not be approved or processed by the Department until a Master Contract is fully approved by all applicable State agencies (i.e. the Department, Office of the Attorney General, and the Office of the State Comptroller).

## **Section 16. Documents Needed for Contract Execution**

---

### **1. Program Work Plan**

The work plan completed in the NYS Grants Gateway during the application process will populate into the Grants Gateway contract module. The first step in the contract development process is Department approval of the program work plan for the initial period or year of the

Master Contract. The work plan submitted with the application may need to be revised based on the amount of funding awarded or based on comments from the Department. Work plans will be revised or modified in the NYS Grants Gateway contract module. Grantees will be expected to address Department comments within 15 calendar days and return the revised program work plan to the Department for final review and approval.

All Master Contracts for CWA, Section 604(b) programs will have an initial contract period from April 1, 2015 to March 31, 2016. For each annual period of the multi-year Master Contract, grant recipients are expected to work with the Department to revise the application work plan based on available funding and for work that is consistent with Program water quality planning objectives. The Department will review and approve all annual work plans.

To improve 604(b) program implementation, grantees will be expected to work with their regional water engineer or their designated program manager to develop annual work plans and budgets. The program work plan must provide performance measures for tracking and evaluating progress of program implementation.

Tasks identified in each annual work plan of the contract are expected to be completed within the contract period identified on the Face Page of the contract.

## **2. Expenditure Budget**

The expenditure budget completed in the NYS Grants Gateway (<https://grantsgateway.ny.gov>) during the application process will populate into the Grants Gateway contract module. If applicable, grantees will be required to update any program costs and budget detail for each eligible cost category. The Department will review each annual expenditure budget, and either approve or provide comments. Grantees will be expected to address Department comments within 15 calendar days and return the revised budget to the Department for final review and approval.

## **3. Match Worksheet Detailing Match Funds**

The Baseline Planning Program requires a local investment, called match funds, from the Grantee. The minimum amount of match funds required for this program is 10% of the total approved program cost. Applicants for the Baseline Planning Program are required to complete the match work sheet in the development of an application in the Grants Gateway.

Expenses identified for reimbursement and for use as match funds must be incurred between the start and end dates of each annual period, or year, of the multi-year Master Contract.

## **4. Minority and Woman-owned Business Enterprise (M/WBE) and Equal Employment Opportunity (EEO) Goals**

The Department is required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (“M/WBE Regulations”) for all State contracts with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

Applicants subject to executing a future NYS Master Contract for Grants agree, in addition to any other nondiscrimination provision of the Master Contract and at no additional cost to the Department, to fully comply and cooperate with the Department in the implementation of New York State Executive Law Article 15-A. These requirements include equal employment

opportunities for minority group members and women (“EEO”) and contracting opportunities for certified minority and women-owned business enterprises (“MWBES”). Contractor’s demonstration of “good faith efforts” pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 (the “Human Rights Law”) or other applicable federal, state or local laws.

Failure to comply with M/WBE and EEO requirements may result in a Department finding of non-responsiveness, non-responsibility and/or a breach of contract, leading to the withholding of funds or such other actions, liquidated damages or enforcement proceedings.

Please refer to the NYS Master Contract - Article IV (J) and Attachment A-1 Program Specific Terms and Conditions - Article X, to review M/WBE and EEO requirements. Required M/WBE and EEO related forms can be found at: <http://www.dec.ny.gov/about/48854.html>

The local government is responsible for designating someone to serve as their Affirmative Action representative. The governing body should make this designation through official means.

A list of certified M/WBE enterprises can be obtained via the internet from the NYS Department of Economic Development at:

<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=9885>

Contracts which meet the established M/WBE-EEO thresholds require the Contractor to submit Quarterly Reports, [http://www.dec.ny.gov/docs/administration\\_pdf/quarterly.pdf](http://www.dec.ny.gov/docs/administration_pdf/quarterly.pdf), detailing payments made by the Prime Contractor to NYS Certified M/WBES.

The following M/WBE-EEO “Fair Share” goals are established as follows:

### **Minority Business Enterprise (MBE) Participation Goals**

Location/Commodity Group MBE Goals Statewide:

- Construction/Engineering - 10%
- Commodities - 10%
- Services/Technologies - 10%

### **Women’s Business Enterprise (WBE) Participation Goals**

Location/Commodity Group WBE Goals Statewide:

- Construction/Engineering - 10%
- Commodities - 10%
- Services/Technologies - 10%

### **Equal Employment Opportunity (EEO) Participation Goals**

- EEO Minority Workforce Participation Goals (DEC Regions 1- 9) 10%
- EEO Female Workforce Participation Goals (DEC Regions 1-9) 10%

DEC M/WBE Contact Person:

Michele June  
Compliance Specialist  
NYS Department of Environmental Conservation  
Bureau of Contract and Grant Development/MWBE Program  
625 Broadway, 10th Floor  
Albany, New York 12233-5028  
Phone: (518) 402-9240  
Fax: (518) 402-9023

## 5. Insurance Requirements

Contractors will be required to carry appropriate insurance as specified in the Master Contract, Attachment A-1 Program Specific Terms and Conditions, and agree that each consultant, contractor and subcontractor secures and delivers to the contractor appropriate policies of insurance issued by an insurance company licensed to do business in the State of New York. Policies must name the Contractor as an additional insured, with appropriate limits, covering contractor's public liability and property damage insurance, contractor's contingency liability insurance, "all-risk" insurance and workers compensation/disability coverage for the program.

## 6. Vendor Responsibility

Not-For-Profit contractors and/or subcontractors are subject to a vendor responsibility review by the state to ensure public dollars are being spent appropriately with responsible contractors. A vendor responsibility review may include a contractor and/or subcontractor to present evidence of its continuing legal authority to do business in NYS, integrity, experience, ability, prior performance, and organizational and financial capacity. To enroll in and use the NYS VendRep System, see the VendRep System instructions available at [http://www.osc.state.ny.us/vendrep/vendor\\_index.htm](http://www.osc.state.ny.us/vendrep/vendor_index.htm).

## 7. Contract Payment and Reporting

- Initial payments may be available for Baseline Planning Program grants.
- Program costs eligible for reimbursement and project match (match for Baseline Program only) must be incurred within each annual period, or year, of the multi-year contract. Copies of supporting cost documentation (paid invoices, receipts, cancelled checks, etc.) must be audited and approved by the Department for costs to be eligible for grant reimbursement.
- Quarterly Narrative Reports must be submitted to the Department, summarizing how the program progressed towards meeting contract objectives and deliverables.
- Quarterly Expenditure Reports, detailed by object of expense, must accompany the quarterly Narrative Report. These reports must correlate to the voucher submitted for payment.
- Final Report must be submitted and approved by the Department prior to the release of a final reimbursement payment to the Grantee. The Final Report should report on all aspects of the program and detail how the use of grant funds were utilized in achieving goals set

forth in the approved program work plan. The Department may request copies of resulting program-specific documents. An on-site inspection by the Department may be required to confirm all work was completed in accordance to the approved program work plan.

## **Section 17. Reserved Rights**

---

The Department reserves the right to:

1. Reject any or all applications received in response to this RFA.
2. Seek clarifications of applications.
3. Prior to application due date, amend the RFA specifications to correct errors or oversights, or to supply additional information, as it becomes available.
4. Prior to application due date, direct applicants to submit application modifications addressing subsequent RFA amendments.
5. Negotiate with the successful applicant within the scope of the RFA in the best interests of the State.
6. Make an award to the next highest scoring application if a successful applicant fails to negotiate a proper contract within 60 days of award.
7. Make an award under the RFA in whole or in part.
8. Round an award to the nearest dollar.

## **Section 18. Results of Completed Programs**

---

The Department encourages the reuse and sharing of all information and data collected or generated from programs funded by this RFA. As part of the program's deliverables, the applicant must provide the Department with an electronic version of all products, data, etc. The electronic version must be suitable for reuse. Applicants must use open source models. Data and other materials created must be delivered to the Department for regional or statewide use, and the Department may post such material on its website.

## **Section 19. Application Deadline**

---

Complete applications must be submitted through the New York State Grants Gateway Grant Opportunity Portal (<https://grantsgateway.ny.gov>) **by 4:00 PM on February 9, 2015.**

No hand-delivered, facsimile, mailed, or e-mailed applications will be accepted.

## **Section 20. Questions**

---

Send questions via email to [User.Water@dec.ny.gov](mailto:User.Water@dec.ny.gov). Questions will be accepted until **4:00 PM on January 30, 2015.** Questions and answers will be regularly posted to the Questions and Answers section of the Department's CWA, Section 604(b) Information for Applicants web page (<http://www.dec.ny.gov/lands/69540.html>).

## APPENDIX A – Mandatory Application Pre-submission

NYS encourages the use of New York subcontractors and suppliers. Applicants must complete and upload Appendix A at the time of application. If a potential subcontractor or supplier is not known at the time of application, please indicate: “To be determined upon completion of required procurements”. Failure to complete and upload this required pre-submission form into the Grants Gateway will disqualify your application. The selected answer to this question is not linked to the application evaluation criteria or the scoring of an application.

### ENCOURAGING USE OF NYS BUSINESSES IN CONTRACT PERFORMANCE

New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this contact for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

Bidders/proposers need to be aware that all authorized users of a resulting contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsible and responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing serves and technology. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women owned businesses, consistent with current State law.

Utilizing New York State businesses in State contractors will help create more private sector jobs, rebuild New York’s infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor’s optimal performance under the contract, thereby fully benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State’s economic engine through promotion of the use of New York businesses by its contractors. The State therefore expects bidders/proposers to provide maximum assistance to New York businesses in their use of the contract. The potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

Bidders/proposers can demonstrate their commitment to the use of New York State businesses by responding to the question below:

#### **Will New York State Businesses be used in the performance of this contract?**

\_\_\_\_\_ (yes) \_\_\_\_\_ (no) \_\_\_\_\_ (To be determined upon completion of required procurements)

**If yes, identify New York State businesses that will be used and attach identifying information.**