

OVERVIEW SECTION

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)
TITLE: BROWNFIELDS AREA-WIDE PLANNING PILOT PROGRAM
ACTION: Request for Proposals (RFP)
RFA NO: EPA-OSWER-OBLR-10-05

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO.: 66.814

DATES: The closing date and time for receipt of proposals is June 1, 2010, 5:00p.m. Eastern Time (ET). Proposals submitted through email to bfcompetition@epa.gov must be received by June 1, 2010, 5:00 p.m. ET. Proposals submitted in hard copy must be postmarked by the U.S. Postal Service or received in the EPA program office via commercial delivery service by June 1, 2010, 5:00 pm ET to receive consideration. Due to the unique situation involving U.S. mail screening, EPA recommends that applicants submitting in hard copy use a courier service or express mail option to transmit their proposals.

SUMMARY: This notice announces the availability of EPA grant funds and direct assistance (through Agency contract support) for projects from eligible entities to facilitate community involvement in area-wide planning approaches to brownfields assessment, cleanup, and subsequent reuse. Area-wide planning grant funding and technical assistance will be directed to brownfields-impacted areas, such as a neighborhood, district, city block or corridor. The grant funding and direct assistance will result in an area-wide plan which will inform the assessment, cleanup and reuse of brownfields properties and promote area-wide revitalization. EPA anticipates selecting approximately 20 pilot projects through this competitive opportunity.

FUNDING/AWARDS: Throughout this RFP, the term “EPA assistance” is used to describe both grant funding and Agency provided contract support for research, training, and technical assistance activities. The total estimated EPA assistance available under this competitive opportunity is up to approximately \$3,500,000, subject to the availability of funds, quality of proposals received, other applicable considerations, and the type of assistance the Agency provides. EPA will determine how much of this assistance will be made available to each successful applicant through grant funding and direct Agency contract support. This flexibility enables EPA to deliver assistance to selected pilots in a manner that considers the current capacity and specific needs of each community. The maximum total amount of grant funding that applicants may apply for is \$175,000 for the entire project period. Applicants may apply for project periods of up to 24 months. Applicants may apply for both grant funding and direct contract support in the same proposal but the total amount of assistance must not exceed \$175,000. The value of contractual services the Agency will provide to each recipient will vary based on the needs the recipient identifies and the cost to EPA to provide the contractual assistance. At the Agency's discretion, EPA may provide additional contract support to successful applicants after the project has begun to assist with discrete tasks such that the total value of EPA assistance may exceed \$175,000. Applicants may submit more than one proposal so long as each one is for a different project and is submitted separately.

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SECTION 1 – FUNDING OPPORTUNITY DESCRIPTION

EPA’s Office of Brownfields and Land Revitalization (OBLR) is soliciting proposals for the Brownfields Area-Wide Planning Pilot Program under section 104(k)(6) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended under the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law). The Brownfields Law, at CERCLA 101(39), defines a brownfield as “real property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant” and may include sites contaminated by controlled substances, petroleum, or mine-scarred land. It authorizes EPA to provide, or fund eligible entities (including nonprofit organizations) to provide, research, training and technical assistance to facilitate the inventory of brownfields sites, site assessments, remediation of brownfields sites, community involvement, or site preparation under CERCLA 104(k)(6).

1.A. Background

In the early 1990s, stakeholders expressed their concerns to EPA about the problems associated with brownfields across the country. Brownfield areas, in both city centers and rural areas, were contributing to blight and joblessness in surrounding communities. Unknown environmental liabilities were preventing communities, developers, and investors from restoring these properties to productive use and revitalizing brownfields-impacted neighborhoods.

EPA continues to respond to the brownfields issue with an environmental protection approach that is locally based, encourages strong public-private partnerships, and promotes innovative and creative ways to assess, clean up, and redevelop brownfields sites. This approach empowers state, tribal, and local officials to oversee brownfields activities, supports meaningful public participation, and encourages implementing local solutions to local problems.

Federal resources for brownfields are typically delivered site-by-site to assist with assessment, cleanup, and subsequent site reuse determinations. The burden of a single large site, or collective burden of multiple sites concentrated within a brownfields-impacted area (such as a neighborhood, district, city block or corridor), can weigh down an entire community. Multiple sites are often connected through infrastructure and geographic location; approaching the assessment and cleanup needs of a brownfields-impacted area can be more effective than focusing on individual sites in isolation of the adjacent or surrounding area. Under this announcement, EPA is seeking to provide successful applicants with grant funding and Agency contract support to facilitate community involvement in area-wide planning to help address and revitalize a single large or multiple brownfield site(s).

1.B. Overview: Brownfields Area-Wide Planning Pilot Program

The Brownfields Area-Wide Planning Pilot Program’s goal is to work in partnership with local communities (governments, nonprofits, and other community-based organizations) to help create a shared vision for brownfields-impacted areas, and to ensure that brownfields assessment and cleanup decisions are informed by the planned reuse for the sites and supporting area-wide revitalization strategies. Please note that the EPA assistance available under this announcement

is intended to complement rather than duplicate financial and technical assistance that is available from the Agency's Smart Growth Program

The Brownfields Area-Wide Planning Pilot Program is designed to provide quick support by helping successful applicants facilitate community involvement in 1) fine-tuning an ongoing planning process for area-wide assessment, cleanup and reuse, 2) developing an area-wide plan covering these matters, and 3) determining next steps and identifying resources needed to implement the plan.

Assistance Description

Successful applicants will receive EPA assistance for area-wide planning within a specific brownfields-impacted area, such as a neighborhood, district, city block or corridor. For the purposes of this assistance, a *brownfields-impacted area* is an area which is affected by a single large brownfield, or multiple brownfields, and where revitalization of the area surrounding the brownfield(s) is critical to the successful reuse of the property (or properties).

The resulting area-wide plan will:

- facilitate the assessment and cleanup of individual brownfields properties,
- connect assessment, cleanup, and decisions for subsequent reuse of these parcels to neighborhood and city-wide contexts, and
- promote area-wide revitalization.

The applicable lessons and approaches learned from the pilot projects will be captured by EPA and shared nationally.

Throughout this RFP, the term "EPA assistance" is used to describe both grant funding and EPA-provided contract support. EPA assistance for each pilot project will be awarded to successful applicants through a grant of up to \$175,000 that will allow successful applicants to facilitate community involvement in their area-wide planning activities. Additionally, the Agency may offer successful applicants contract assistance in lieu of direct funding for activities specified in the proposal and as part of negotiating the scope of work. (See section 2.A).

Applicants may submit more than one proposal so long as each one is for a different project and is submitted separately.

Areas Targeted for Assistance

The Brownfields Area-Wide Planning Pilot Program is designed to assist predominantly underserved and economically disadvantaged communities. This may include low-income, minority, and/or economically distressed residents living in areas that face a disproportionate level of environmental degradation, social inequities, historic under representation, economic stagnation, and/or recent economic disruption (e.g., closure of assembly or manufacturing plants, resulting in recent and significant local job loss). As required by the Brownfields Law, EPA will ensure that there is a fair distribution of funding between urban areas such as large metropolitan areas and non-urban areas, such as rural areas, small towns and tribal communities.

Pilot Project Design

Applicants must describe in their proposals how they will use EPA grant funding and/or Agency contract support to 1) develop an area-wide plan for the brownfields-impacted area, which will inform the assessment and cleanup of the brownfield site(s), and 2) identify next steps and resources needed for plan implementation. Please note: funding under this announcement is not available for site assessment or cleanup or plan implementation. The Agency does offer competitive grants for assessment and cleanup of brownfield sites and Smart Growth technical assistance under other announcements.

Applicants may follow the flexible area-wide planning framework provided below to facilitate community involvement in area-wide planning activities, or a different approach that achieves the same purpose. EPA's 4-step suggested framework¹ is designed to help applicants organize their use of EPA assistance to effectively plan for the assessment, cleanup and subsequent reuse of brownfield site(s) and adjacent areas through a locally-driven area-wide planning process which encourages continued meaningful community involvement.

Flexible brownfields area-wide planning framework

Step 1. Planning to identify potential future uses for brownfields properties. Planning should be to the extent necessary to inform assessment and cleanup decisions, in order to stimulate economic development upon completion of the cleanup. Planning examples include:

- a community visioning session, brownfields site preparation and design charrettes, and/or other meaningful community involvement processes;
- economic research or market study to identify potential reuse for site(s); and
- site preparation to integrate green and healthy design and sustainable development approaches, as they relate to mitigation of environmental conditions through design of effective remediation strategies. Examples include site preparation which leads to preventing contaminant exposure (e.g., vapor intrusion, radon, etc.) through green and healthy building design, enabling urban agricultural reuse or on-site stormwater management using green infrastructure, etc.

Step 2. Creating a set of area-wide strategies which will help ensure successful assessment, cleanup and reuse of the brownfield site(s) within the brownfields-impacted area.

Strategies should:

- articulate linkages to other land uses within the area, such as housing, job centers, and transit/alternative transportation;
- connect assessment, cleanup and subsequent reuse of site(s) to area-wide economic revitalization, job creation, infrastructure, and community health goals;
- facilitate the assessment of area environmental conditions affecting the brownfields site(s) and identify means to remediate those conditions, including ways to address solid and hazardous waste, improve air and water quality, and reduce exposure to environmental contaminants; and
- ensure environmental justice and equity considerations are taken into account when assessing and cleaning up brownfield sites, including reducing toxicity, illegal

¹ Steps 1, 2 and 3 inform the area-wide plan. Step 4 supports identifying next steps and resources for area-wide plan implementation.

dumping, and blighted vacant parcels within the area; creating greenspace, recreational property, and non-profit uses (e.g., health clinics, youth centers, non-profit housing, etc.); and avoiding displacement of residents living within the brownfields-impacted area.

Step 3. Developing strategies for facilitating the reuse of existing infrastructure (e.g. transportation systems, waste water and drinking water systems, sewage systems, etc.) including taking into account potential infrastructure investments needed to accommodate alternative future uses of brownfield(s) properties, as part of the assessment and cleanup process.

Step 4. Determining next steps and identifying resources needed to implement the area-wide plan, such as assistance needed within the brownfields-impacted area to help fund assessment, cleanup and subsequent reuse of brownfield site(s),² potential partnerships with other Federal departments and agencies (such as U.S. Housing and Urban Development (HUD), Department of Transportation (DOT), Department of Agriculture (USDA), the Economic Development Agency (EDA), etc.), state agencies, tribal authorities, and regional planning agencies or councils of government, and local partners needed. As noted above, EPA assistance available under this announcement may not be used for actual implementation of area-wide plans.

Final report

Each pilot project must result in a final report accompanying the area-wide plan and identification of next steps and resources needed for implementation. The final report will be informed by the area-wide planning activities such as those described in the framework.

Demonstrated Local Leadership of an Existing, Effective and Inclusive Partnership

Successful applicants will be able to demonstrate that they lead a cohesive and effective area-wide planning partnership that already exists among appropriate local, state and/or tribal government, community-based organizations, and businesses and residents from the brownfields-impacted area; and where collaboration to develop an area-wide plan is underway.

Link to Other EPA Brownfields Funding Opportunities

The Brownfields Area-Wide Planning Pilot Program will produce measurable outcomes linked to the eventual assessment, cleanup, and subsequent reuse of brownfield sites. In this manner, area-wide planning complements EPA's brownfields assessment, cleanup and revolving loan fund competitive opportunities and targeted brownfields assessment assistance.

1.C. Uses of EPA Assistance

EPA assistance awarded under Section 104(k)(6) of CERCLA must be used for research, training and technical assistance to facilitate the inventory of brownfields properties, site assessments,

² This includes sites that may be eligible for targeted brownfields assessments, which will be determined by EPA in a separate manner from this assistance.

cleanup of brownfields properties, community involvement, or site preparation. Eligible uses of EPA assistance under this competitive opportunity include direct costs necessary to provide research, training, and technical assistance and facilitate community involvement in area-wide planning activities such as or similar to those listed in Section 1.B.

EPA assistance cannot be used for the following activities or tasks:

- Conducting site assessments, actual cleanups, or area-wide plan implementation;
- Conducting response activities often associated with cleanups (i.e., landscaping, demolition, and groundwater extraction). Assessment, cleanup, and associated activity costs must be funded through other means;
- Costs that are unallowable (e.g., lobbying, fund-raising, alcoholic beverages) under Cost Principals 2 CFR Part 220 (universities), 2 CFR Part 225 (state, tribal, and local governments), or 2 CFR Part 230 (nonprofit organizations), as applicable;
- Matching any other Federal funds unless there is specific statutory authority for the match. CERCLA does not provide this authority;
- Proposal preparation costs;
- Projects that duplicate grants awarded under other EPA Brownfields grant programs described in CFDA Nos. 66.818, “Brownfields Assessment, Revolving Loan Funds, and Cleanup Grants” and 66.815, “Brownfields Job Training Grant” or other Federally-funded environmental training, research, or technical assistance programs in their target community or communities. Projects may, however, complement community wide planning activities EPA funds under CERCLA 104(k)(2) assessment grants;
- Projects related to exploring, testing and implementing smart growth policies and applications, and projects EPA funds under CFDA No. 66.611, “Environmental Policy and Innovation Grants” or through Smart Growth technical assistance; and
- Administrative costs, penalties, or fines. (Refer to Appendix).

1.D. EPA Strategic Plan Linkage

The pilot projects selected for award through this competition will support progress towards EPA Strategic Plan Goal 4 (Healthy Communities and Ecosystems), Objective 4.2 (Communities), and Sub-objective 4.2.3 (Assess and Cleanup Brownfields). Specifically, successful applicants will provide technical assistance needed to support brownfields assessment, cleanup and revitalization efforts within the brownfields-impacted area to local stakeholders. View EPA’s strategic plan at <http://www.epa.gov/ocfo/plan/plan.htm>.

1.E. Measuring Environmental Results: Anticipated Outcomes/Outputs

Pursuant to EPA Order 5700.7 “*Environmental Results under EPA Assistance Agreements*,” EPA requires that all grant applicants and recipients adequately address environmental outputs and outcomes. Outputs and outcomes differ in nature and in how they are measured. Applicants must discuss in their proposals how funding will help achieve environmental outputs and outcomes.

1. **Outputs:** The term “output” refers to an environmental activity, effort, and/or associated work products related to an environmental goal or objective, that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during the project period.

EPA anticipates outputs from the pilot projects awarded under this competitive opportunity to include, but not be limited to:

- Advancement of an ongoing planning process for assessment, cleanup and subsequent reuse of brownfield site(s),
- Development of an area-wide plan,
- Determination of next steps and identification of resources needed to implement the area-wide plan, and
- Increased community involvement opportunities leading to decisions about the cleanup and future use of the site(s), such as a community visioning session and brownfields cleanup, site preparation and design charrette.

2. **Outcomes:** The term “outcome” refers to the result, effect, or consequence that will occur from carrying out the activities under the grant. Outcomes may be environmental, behavioral, health-related or programmatic, and may not necessarily be achievable during the project period or be eligible for funding under this announcement.

EPA anticipates that outcomes from pilot projects awarded under this competitive opportunity will increase the capacity of eligible entities (including local governments and nonprofit organizations) to:

- Plan appropriately for the assessment, cleanup, and reuse of individual brownfields;
- Connect assessment, cleanup, and decisions for subsequent reuse of these parcels to their neighborhood and city-wide contexts;
- Enable residents from the brownfields-impacted area to be involved in area-wide planning activities and benefit from the results;
- Bring economic and/or other beneficial reuses to brownfields properties while improving local environmental conditions and human health; and
- Form constructive, long term partnerships to facilitate environmentally sustainable and equitable brownfields redevelopment, such as green and healthy homes, buildings, and neighborhoods; access to greenspace, affordable housing, transit, schools, other public uses (e.g., libraries, health clinics, youth centers, etc.), recreation, and healthy and affordable food; employment for local residents; to the extent permitted by law, programs for first-source hiring and resident shareholding; reducing toxicity, illegal dumping, and blighted vacant parcels; and retaining/not displacing residents living within the brownfields-impacted area.

SECTION 2 – AWARD INFORMATION

2.A. What is the amount of available assistance?

The total estimated assistance available under this competitive opportunity is up to approximately \$3,500,000, subject to the availability of funds, quality of proposals received, other applicable considerations, and the type of assistance the Agency provides. The total maximum amount of EPA grant funding available per pilot project is \$175,000. Applicants may apply for both grant funding and direct contract support in the same proposal but the total amount of assistance must not exceed \$175,000. Alternatively, an applicant may request direct research, training or technical assistance from EPA through Agency contract support at a value of up to \$175,000 if it does not choose to seek grant funding. This flexibility enables EPA to deliver assistance to selected pilots in a manner that considers the current capacity and specific needs of each community. The value of contractual services the Agency will provide to each recipient will vary based on the needs the recipient identifies and the cost to EPA to provide the contractual assistance.

At the Agency's discretion, EPA may provide additional contract support to successful applicants after the project has begun to assist with discrete tasks such that the total value of EPA assistance may exceed \$175,000. Additional contractual support may be provided for, among other things, assistance in overcoming unanticipated barriers to developing an area-wide plan or to expand or further develop a unique approach which EPA believes could be replicated nationally. Additional contract support will not materially affect the project scope of work.

EPA reserves the right to make additional awards under this competition, consistent with Agency policy, if additional funding becomes available. Any additional selections for awards will be made no later than six months from the date of the original selection decision. EPA reserves the right to reject all proposals and make no awards under this announcement or make fewer awards than anticipated.

In appropriate circumstances, EPA reserves the right to partially fund proposals by funding discrete portions or phases of proposed pilot projects. For example, during its review of proposals, the Agency will determine how much EPA assistance will be made available to each successful applicant through grant funding and direct Agency contract support based on the Agency's assessment of the most effective use of EPA's limited funds. To maintain the integrity of the competition and selection process, EPA, if it decides to partially fund a proposal, will do so in a manner that does not prejudice any applicants or affect the basis upon which the proposal, or portion thereof, was evaluated and selected for award. For example, the Agency will not fund proposals containing substantial amounts (e.g., over 50%) of ineligible costs if doing so would materially change the applicant's proposal (See Section 1.C. for information of ineligible costs).

2. B. How many pilot projects will EPA select through this competition?

EPA anticipates selecting approximately 20 pilot projects through this competitive opportunity.

2.C. What is the project period for award(s) resulting from this solicitation?

The maximum project period is 24 months. The short project timeline reflects EPA's requirement for assistance to be provided in conjunction with an existing and effective area-wide planning process for the brownfields-impacted area. Timely completion of the area-wide plan

and identification of next steps and resources needed to implement the plan is required. EPA anticipates announcing the selected pilots in the summer of 2010. The estimated start date for projects resulting from this solicitation is October 2010.

2.D. How will EPA provide assistance to selected applicants?

EPA will provide this assistance through a combination of grant funding and Agency contract support (See 2.A.). The ratio of grant funds and Agency contract support will be determined by EPA on a per-pilot basis, after consideration of the successful applicant's proposed budget. EPA may offer successful applicants contract assistance in lieu of direct grant funding for activities specified in the proposal as part of the process of negotiating the scope of work.

Grant funding will be provided directly to successful applicants for research, training and technical assistance activities, and recipients will be accountable to EPA for properly expending those funds. Recipients are responsible for facilitating community involvement in developing the brownfields area-wide plan. Funds must be used to provide local leadership for and/or necessary support to area-wide planning efforts. For example, the funds may be used to support dedicated staff time for a local area-wide planning pilot project manager employed by the grant recipient, and/or provide resources in the form of subgrants to community organizations to further existing area-wide planning efforts. Close out of the grant will only occur after EPA receives a final report accompanying the area-wide plan and identification of next steps and resources needed for plan implementation. EPA funding under this announcement is not available for actual implementation of the area-wide plan.

Agency contract support will be provided via a contractor team directed by and accountable to EPA, but will provide research, training or technical assistance through consultation with the grant recipient. Through working with the grantee and EPA, the contractor team is likely to engage with other community-based organizations and local government staff to study the neighborhood context for the brownfield site(s) and provide technical assistance to help support development of the area-wide plan. In doing so, the contractor team may meet with elected officials, locally-owned businesses, citizen organizations, and representatives of other community-based stakeholder groups within the brownfields-impacted area. Team members will be selected by EPA's contractor and will include nationally known experts in disciplines to be determined by each community's unique needs.

Substantial Involvement

Where grant funding is awarded to successful applicants, EPA will award that funding through a cooperative agreement. Cooperative agreements require the EPA Project Officer to be substantially involved in the work performed by the recipient. EPA will negotiate terms and conditions relating to substantial involvement during the award process. The anticipated substantial Federal involvement may include:

- Close monitoring of the recipient's performance to verify the results;
- Collaborating during performance of the scope of work;
- Collaboration and coordination through Agency contract support;
- Review and approval of significant changes to the work plan and/or budget;

- Review of proposed procurements in accordance with 40 CFR 30.44(e) and 40 CFR 31.36(g) and approval of the substantive terms of contracts and subgrants to ensure consistency with the scope of work (EPA will not select contractors or subgrantees);
- Approving qualifications of key personnel (EPA will not select employees or contractors employed by the award recipient);
- Review and comment on quarterly reports prepared under the cooperative agreement (the final decision on the content of reports rests with the recipient); and
- Review and approval of project phases, including the area-wide plan for consistency with the EPA-approved scope of work and cooperative agreement terms and conditions.

Additional EPA Involvement

EPA may facilitate initial coordination with appropriate other Federal agencies (such as HUD, DOT, USDA, EDA, etc.) in an effort to provide additional information in support of developing the area-wide plan for the brownfields-impacted area, such as planned neighborhood investments or services needed. EPA may seek assistance from other Federal agencies, states, tribes and local governments to help identify potential government resources that may be used by communities to implement the plan.

2.E. Use of Funds to Make Subawards, Contract Services, or Fund Partnerships

EPA awards funds to one eligible applicant as the “recipient” even if other eligible applicants are named as “partners” or “co-applicants” or members of a “coalition” or “consortium.” The recipient is accountable to EPA for the proper expenditure of funds. The recipient is also responsible for working closely with EPA as EPA develops the work assignment and directs the Agency contract support component of the technical assistance.

Funding may be used to provide subgrants or subawards of financial assistance, which includes using subawards or subgrants to fund partnerships, provided the recipient complies with applicable requirements for subawards or subgrants including those contained in 40 CFR Parts 30 or 31, as appropriate. Applicants must compete contracts for services and products, including consultant contracts, and conduct cost and price analyses to the extent required by the procurement provisions in 40 CFR Parts 30 or 31, as appropriate. The regulations also contain limitations on consultant compensation. Please note that the direct Agency contract services, where provided in conjunction with the grant, should limit the need for a grantee to procure additional contract support with EPA grant funds.

Applicants are not required to identify subawardees/subgrantees and/or contractors (including consultants) in their proposal. However, if they do, the fact that an applicant selected for award has named a specific subawardee/subgrantee, contractor, or consultant in the proposal EPA selects for funding does not relieve the applicant of its obligations to comply with subaward/subgrant and/or competitive procurement requirements as appropriate. Please note that applicants may not award sole source contracts to consulting, engineering or other firms assisting applicants solely based on the firm's role in preparing the proposal.

Successful applicants cannot use subgrants or subawards to avoid requirements in EPA grant regulations for competitive procurement by using these instruments to acquire commercial

services or products from for-profit organizations to carry out its cooperative agreement. The nature of the transaction between the recipient and the subawardee or subgrantee must be consistent with the standards for distinguishing between vendor transactions and subrecipient assistance under Subpart B Section 210 of OMB Circular A-133, and the definitions of “subaward” at 40 CFR 30.2(ff) or “subgrant” at 40 CFR 31.3, as applicable. EPA will not be a party to these transactions.

2.F. Evaluation of Subawardees or Contractors

Section 5 of these guidelines describes the ranking criteria and evaluation process that will be used by EPA to make selections under this announcement. During this evaluation, except for those criteria that relate to the applicant’s own qualifications, past performance, and reporting history, the review panel will consider, if appropriate and relevant, the qualifications, expertise, and experience of the following:

- (i) An applicant’s named subawardees/subgrantees identified in the proposal if the applicant demonstrates in the proposal that if it receives an award that the subaward/subgrant will be properly awarded consistent with the applicable regulations in 40 CFR Parts 30 or 31. For example, applicants must not use subawards/subgrants to obtain commercial services or products from for-profit firms or individual consultants.
- (ii) An applicant’s named contractor(s), including consultants, identified in the proposal if the applicant demonstrates in its proposal that the contractor(s) was selected in compliance with the competitive procurement standards in 40 CFR Part 30 or 40 CFR 31.36 as appropriate. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper non-competitive sole-source award consistent with the regulations will be made to the contractor(s), that efforts were made to provide small and disadvantaged businesses with opportunities to compete, and that some form of cost or price analysis was conducted. EPA may not accept sole source justifications for contracts for services or products that are otherwise readily available in the commercial marketplace.

EPA will not consider the qualifications, experience, or expertise of named subawardees/subgrantees and/or named contractor(s) during the proposal evaluation process unless the applicant complies with these requirements.

SECTION 3 – APPLICANT ELIGIBILITY INFORMATION AND THRESHOLD CRITERIA

3.A. Who can apply?

Per CFDA 66.814, entities eligible to receive an assistance agreement through this RFP include

- General purpose unit of local government.³

³ For purposes of the Brownfields Area-Wide Planning Pilot Program, EPA defines general purpose unit of local government as a “local government” as defined under 40 CFR Part 31.3.

- Land clearance authority or other quasi-governmental entity that operates under the supervision and control of, or as an agent of, a general purpose unit of local government.
- Regional council or group of general purpose units of local government.
- Redevelopment agency that is chartered or otherwise sanctioned by a state.
- An Indian tribe (other than in Alaska), or an Alaskan Native Regional Corporation and an Alaska Native Village Corporation as those terms are defined in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 and following).
- The Metlakatla Indian Community.
- Nonprofit organizations. Nonprofit organizations must meet the definition of that term in Section 4(6) of the Federal Financial Assistance Management Improvement Act of 1999, Public Law 106-107, 31 U.S.C 6101. For the purposes of the brownfields grant program, the term “nonprofit organization” means any corporation, trust, association, cooperative, or other organization that is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest; is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization. Nonprofit organizations exempt from taxation under Section 501(c)(4) of the Internal Revenue Code that lobby are not eligible for EPA grant funding.

Individuals and profit making firms are not eligible to apply.

3.B. No matching funds are required under this competition.

Although cost-sharing/matching is not required as a condition of eligibility under this competition, under Section 5 of this announcement EPA will evaluate proposals based on a leveraging criterion.

Leveraging is generally when an applicant proposes to provide its own additional funds/resources or those from third party sources to support or complement the project they are awarded under the competition which are above and beyond the EPA assistance awarded. Any leveraged funds/resources, and their source, must be identified in the proposal (see Section 4). Leveraged funds and resources may take various forms as noted below.

Voluntary cost share is a form of leveraging. Voluntary cost sharing is when an applicant voluntarily proposes to legally commit to provide costs or contributions to support the project when a cost share is not required. Successful applicants who propose to use a voluntary cost share **must** include the costs or contributions for the voluntary cost share in the project budget when submitting the Standard Form 424 (see Section 6.B). If an applicant proposes a voluntary cost share, the following apply:

- A voluntary cost share is subject to the match provisions in the grant regulations (40 CFR 30.23 or 40 CFR 31.24, as applicable).
- A voluntary cost share may only be met with eligible and allowable costs.
- The recipient may not use other sources of Federal funds to meet a voluntary cost share unless the statute authorizing the other Federal funding provides that the Federal funds may be used to meet a cost share requirement on a Federal grant.

- The recipient is legally obligated to meet any proposed voluntary cost share that is included in the approved project budget. If the proposed voluntary cost share does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and /or take other appropriate action as authorized by 40 CFR Parts 30 or 31 as applicable.

Other leveraged funding/resources that are not identified as a voluntary cost share. This form of leveraging may be met by funding from another Federal grant, from an applicant's own resources, or resources from other third party sources. This form of leveraging should not be included in the budget and the costs need not be eligible and allowable project costs under the EPA assistance agreement. While this form of leveraging should not be included in the budget, the EPA assistance workplan should include a statement indicating that the applicant is expected to produce the proposed leveraging consistent with the terms of the announcement and the applicant's proposal. EPA expects them to make the effort to secure the leveraged resources described in their proposals. If the proposed leveraging does not materialize during grant performance, then EPA may reconsider the legitimacy of the award and/or take other appropriate action as authorized by 40 CFR Parts 30 or 31 as applicable.

3.C. Threshold Criteria

This section contains the threshold criteria that ensure applicants are eligible to receive Brownfields Area-Wide Planning Pilot Program assistance. Threshold criteria are evaluated on a pass or fail basis. **Only those proposals that specifically address and pass each of the four threshold criteria listed below, as well as the other standards noted below, will be evaluated against the ranking criteria in Section 5 of this announcement.** Applicants deemed ineligible for funding consideration as a result of the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

For purposes of the threshold eligibility review, EPA, if necessary, may seek clarification of applicant information and/or consider information from other sources, including EPA files.

In addition to the specific threshold criteria below, applicants must substantially comply with the proposal submission instructions and requirements in Section 4 of this announcement or they will be rejected. Where a page limit is expressed in Section 4 with respect to parts of the proposal package, pages in excess of the page limitation will not be reviewed.

Proposals must be received by the EPA or postmarked on or before the proposal submission deadline, as published in Section 4 of this announcement.

Proposals received or postmarked after the submission deadline will be considered late and returned to the sender without further consideration unless the applicant can clearly demonstrate that it was late due to EPA mishandling or because of technical issues associated with EPA. Where Section 4 requires proposal receipt by a specific person/office by the submission deadline, receipt by Agency mailroom is not sufficient. Applicants should confirm receipt of their proposal with the EPA Contact listed in Section 7 as soon as possible after the submission deadline; failure to do so may result in your proposal not being reviewed

Threshold Criteria: Applicants must address these items in their proposal submittal.

1. Applicant eligibility – Describe how you are an eligible applicant as specified in Section 3.A., *Who can apply?* For entities other than cities, counties, or tribes, attach documentation of your eligibility (non-profit status, resolutions, statutes, etc.). Evidence of current nonprofit status under Federal, state, or tribal law must be provided at the time the proposal is submitted. (Documentation of applicant eligibility does not count towards proposal page limitations).
2. Location of proposed pilot project – Define the geographic boundaries of the proposed area-wide planning pilot project and identify and describe the specific brownfield site(s) that meet the definition of that term per CERCLA 101(39). Area-wide planning efforts must focus on a defined brownfields-impacted area within a city or community, such as a neighborhood, district, city block or corridor – proposals that do not will be rejected. Note this assistance is not for city-wide comprehensive or regional planning.
3. Applicant involvement in an existing, inclusive area-wide planning process for the brownfields-impacted area – The applicant must demonstrate that it is part of an existing area-wide planning partnership with other local community organization(s) and government leaders from the brownfields-impacted area. In order to demonstrate this, the applicant must provide:
 - a description of the history of the brownfields area-wide planning partnership including the date and means (e.g., formal or informal agreements, local ordinances, state laws, etc.) by which the partnership was established.
 - a list of individuals, local community organizations, and government entities involved in the existing area-wide planning partnership (submit under “Brownfields Area-Wide Planning Partnership List” per Section 4.B.3). Include a brief statement describing the role and funding source of each partner under this partnership.
 - letters of support from at least three separate local organizations or government entities per Section 4.B.3. If applicant is a local non-governmental or community-based organization, at least one letter of support must be from a local or tribal government entity that is an active partner in the pilot project. If applicant is a local or tribal government entity, at least one letter of support must be from a local non-governmental or community-based organization that is an active partner in the pilot project. For the purposes of this requirement, the term “active partner” means an entity that will work closely with the applicant on an ongoing basis to carry out the specific activities described in the proposal and can identify how it will fund its involvement in the pilot project. Please refer to Section 2.E. for rules regarding the use of EPA grant funds to fund “partners.”
4. A proposal which requests EPA assistance entirely for site assessment, site cleanup, and/or area-wide plan implementation activities will not be evaluated nor considered for EPA

assistance under this RFP. EPA assistance available under this announcement may not be used for actual implementation of area-wide plans.

SECTION 4 - PROPOSAL SUBMISSION INFORMATION

4.A. Due Date and Mailing Instructions

Proposals are due June 1, 2010 at 5:00 p.m. Eastern Time (ET). Applicants may submit their proposals through the U.S. Postal Service, commercial delivery service, or via e-mail through bfcompetition@epa.gov. Only one method should be used for the submission of the original, complete proposal as described in 4.B. below. Applicants may submit more than one proposal so long as each one is for a different project and is submitted separately.

1. Hard Copy Submissions

Proposals submitted in hard copy must be postmarked by the U.S. Postal Service or received in the EPA program office via commercial delivery service by June 1, 2010, 5:00 p.m. ET. Proposals must be sent to the EPA contact address as listed in Section 7. **Two printed copies and a CD containing an electronic, scanned Adobe PDF file copy of the completed proposal are required. Proposals postmarked by the USPS or received by EPA via commercial delivery service after 5:00p.m. ET on June 1, 2010 will not be considered.**

2. Electronic Submissions

Proposals submitted via e-mail must be submitted to bfcompetition@epa.gov and be received by 5:00 p.m. ET on June 1, 2010. **Proposals received after 5:00 p.m. ET on June 1, 2010 will not be considered.** All required documents listed in Section 4.B of this announcement must be attached to the e-mail as a scanned Adobe PDF file. Please note that if you choose to submit your materials via e-mail, you are accepting all risks attendant to e-mail submission including server delays and transmission difficulties. E-mail submissions exceeding 15MB will experience transmission delays when they are received by the Agency. For these size submissions, applicants should submit their proposal materials via hardcopy because if they are sent via e-mail they may be received late and not considered for funding.

4.B. Content and Form of Proposal

The following documents are required for all proposal packages, irrespective of the mode of submission. All packages must contain a transmittal letter, a narrative proposal, and all required attachments. The narrative proposal, a maximum of 12 single-spaced pages, must explicitly describe the applicant's proposed pilot project and specifically address each of the evaluation criteria disclosed in *Section 5.B, Evaluation Criteria*, and the threshold eligibility criteria in Section 3.C.

- Transmittal Letter (3 single-spaced pg limit) – See 4.B.1 below
- The Narrative Proposal, which **includes the responses to applicable threshold and all ranking criteria** (12 single-spaced pg limit) – See 4.B.2 below
- Required Attachments including: (7 single-spaced pg limit) – See 4.B.3 below
 - Brownfields Area-Wide Planning Partnership List

- Milestones Schedule
- Letters of support
- Application for Federal Assistance (SF-424), available at http://www.epa.gov/ogd/forms/adobe/SF424_sec.pdf
- Documentation of applicant eligibility

Note: SF-424 and documentation of applicant eligibility do NOT count towards page limit.

Pages exceeding the stated page limits above will not be reviewed. Do not include binders, spiral binding, or color printing. All proposal materials, including support letters, must be submitted in English. Photos, graphics, and extraneous materials will not be considered. All proposal materials must be typed, single-spaced on letter-sized paper; please use a font size no smaller than 12 point. Attachments are limited to those identified in 4.B.3. Applicants are responsible for submitting a complete proposal, as described above, by the due date and time.

4.B.1. Transmittal Letter

The transmittal letter must identify the applicant and a contact for communication with EPA. The transmittal letter, including the applicant identification information, must not exceed three single-spaced pages. The transmittal letter must be written on your organization's official letterhead, and signed by an official with the authority to commit the organization to the proposed project. The transmittal letter must include:

1. Applicant Identification: Provide the name and full address of the entity applying for EPA assistance. This is the agency or organization that will be receiving the assistance and will be accountable to EPA for proper expenditure of grant funding provided under a cooperative agreement.
2. EPA Assistance Requested: (See 2.A.)
 - a. Grant funding: Indicate "Brownfields Area-Wide Planning Technical Assistance" and specify the amount of Federal funds requested, if any, through a grant up to \$175,000.
 - b. Agency contract support: Briefly summarize the role and task(s), if any, for contracted assistance provided by EPA to assist with the pilot project and development of the area-wide plan.
3. Location: Provide city, county, and state or reservation, tribally owned lands, tribal fee lands, etc., of the brownfields-impacted area where the proposed pilot is located.
4. Contacts:
 - a. Project Director: Provide the name, phone/fax numbers, email address, and mailing address of the project director assigned to the proposed pilot project. This person may be contacted if further information is needed.
 - b. Chief Executive/Highest Ranking Official: Provide the name, phone/fax numbers, email address, and mailing address of the applicant's Chief Executive (e.g., mayor of a city,

executive director of a nonprofit, etc.). This person may be contacted if further information is needed.

- c. Pilot Project Key Partners: Provide names and phone numbers of **key** individuals and organizations that have agreed to participate in the pilot project. (Note: this is likely a shorter list than the Brownfields Area-Wide Planning Partnership List).
5. Date Submitted: Date proposal is submitted to EPA via U.S. Postal Service, commercial delivery service, or via e-mail through bfcompetition@epa.gov.
6. Project Period: The maximum project period is 24 months.
7. Proposed Pilot Project Area: Briefly state the name of the neighborhood/district/city block/corridor, etc. Describe the approximate size (in acres) and geographic boundaries of the proposed area-wide planning pilot project. Identify the number of specific brownfield site(s). Provide the general population of the brownfields-impacted area addressed by your proposal. Tribes must provide the number of tribal/non-tribal members affected. Use appropriate census data found at <http://www.census.gov>.

4.B.2. Narrative Proposal

The Narrative Proposal must provide the information detailed in this section, including responses to all threshold criteria (see section 3.C.) as well as responses to all ranking criteria (see section 5.B.). The Narrative Proposal must substantially conform to the following outline and content:

1. Community Need.

- Describe the economic, social, environmental and public health concerns of the brownfields-impacted area. Provide census-based (<http://www.census.gov>) demographic data and other indicators (such as the poverty rate, foreclosure rate, unemployment rate, health indicators, etc.) to verify that this assistance will be used in a brownfields-impacted area that is predominantly under-served and economically disadvantaged. Clearly describe how the assistance will serve low-income, minority, and/or economically distressed residents living in areas that face a disproportionate level of environmental degradation, social inequities, historic under representation, economic stagnation, and/or recent economic disruption (e.g., closure of assembly or manufacturing plants, resulting in recent and significant local job loss).
- Discuss how these indicators relate to current brownfields challenges in your community.
- Describe how the area-wide planning assistance will:
 - address or facilitate the identification and reduction of threats to human health and the environment, as well as threats to the health or welfare of sensitive populations, and

- meet the needs of a low-income community, or a community with a small population, that has an inability to draw on other sources of funding for environmental remediation and subsequent redevelopment of the area.
- Describe anticipated benefits to the community from the assessment, cleanup and subsequent reuse of the specific brownfield sites and adjacent areas. Describe how the area-wide planning assistance will facilitate:
 - use or reuse of existing infrastructure.
 - creation or preservation of green space, recreational property, or other non profit uses.
 - brownfield site(s) assessment, cleanup and subsequent reuse, to stimulate economic development of the area on completion of the cleanup.
- Describe any specific community improvements or investments necessary to enable assessment, cleanup and subsequent reuse of the brownfield site(s) and encourage revitalization of the adjacent areas.
- Describe any specific efforts to collaborate with relevant brownfield assessment, revolving loan fund, and cleanup grantees, contractors, and/or brownfield site owners in your community.

2. Area-Wide Planning Pilot Project Description.

- Summarize your overall vision and approach for the brownfields area-wide planning pilot project. Provide details about your strategy to accomplish the project. Specifically describe how this pilot project will:
 - Advance an ongoing planning process for brownfield site(s) assessment, cleanup and subsequent reuse. Describe all brownfields area-wide planning efforts to date, including the potential future uses identified for the brownfield site(s), the beginnings of an area-wide plan, and your efforts to facilitate meaningful and effective community involvement within the brownfields-impacted area. How will EPA assistance be used to provide local leadership and/or necessary support to existing area-wide planning efforts?
 - Facilitate community involvement in developing an area-wide plan for the cleanup and reuse of properties within the brownfields-impacted area. Describe activities which support your approach for
 - involving the affected community in the brownfields area-wide planning pilot, and your plan to increase community involvement opportunities.
 - identifying potential future uses of the brownfield site(s), to inform property assessment and cleanup,
 - creating a set of area-wide strategies to support brownfield site(s) reuse, and
 - developing strategies for facilitating the reuse existing infrastructure and infrastructure investments needed to support brownfield(s) reuse.

- Determine next steps and identify resources needed to address assessment and cleanup of the brownfield site(s) and implementation of the area-wide plan.
- Describe any innovative components of the pilot project, particularly with regard to the integration of sustainable and/or equitable development principles.

3. **Leadership of an Inclusive Brownfields Area-Wide Planning Partnership.**

- Demonstrate your leadership role as organizer, facilitator, or manager of an existing brownfields area-wide planning partnership of community organizations and government actively working together to facilitate community involvement in area-wide planning within the brownfields-impacted area.
- Demonstrate how this partnership is representative of area residents, businesses, and other organizations.
- Discuss what progress the brownfields area-wide planning partnership has made in working towards generating an area-wide plan for the brownfields-impacted area.
- Describe how your organization has obtained the full support and commitment to your brownfields area-wide planning efforts from the state, local and/or tribal government, local non-governmental or community-based organizations, and others not actively involved in the brownfields area-wide planning partnership.

4. **Performance Measurement: Anticipated Outcomes and Outputs.**

- **Anticipated Outcomes.** Specify the expected environmental outcomes anticipated as a result of the area-wide planning project. Do not simply reiterate the outcomes described in *Section 1.E, Measuring Environmental Results: Anticipated Outcomes/Outputs* of this announcement. Discuss how you propose to track and measure your progress in achieving the pilot project outcomes and results including those identified in Section 1.E. (*Refer to Section 5.B, Evaluation Criteria, Performance Measurement.*)
- **Anticipated Outputs.** Identify the specific expected project outputs anticipated as a result of the area-wide planning project. Do not simply reiterate the outputs described in *Section 1.E, Measuring Environmental Results: Anticipated Outcomes/Outputs* of this announcement. Discuss how you will track and measure your progress in achieving the expected project outputs including those identified in Section 1.E. Outputs, quantitative or qualitative, must be measurable during the project performance period.

5. **Programmatic Capability and Past Performance.**

- Submit a list of Federally and/or non-Federally funded assistance agreements (assistance agreements include Federal grants and cooperative agreements but not Federal contracts) similar in size, scope and relevance to the proposed project that your organization performed within the last three years (no more than 5 agreements, and preferably EPA

agreements) and describe (i) whether, and how, you were able to successfully complete and manage those agreements and (ii) your history of meeting the reporting requirements under those agreements including whether you adequately and timely reported on your progress towards achieving the expected outputs and outcomes of those agreements (and if not, explain why not) and whether you submitted acceptable final technical reports under the agreements. In evaluating applicants under these factors in Section 5, EPA will consider the information provided by the applicant and may also consider relevant information from other sources, including information from EPA files and from current/prior grantors (e.g., to verify and/or supplement the information provided by the applicant). If you do not have any relevant or available past performance or past reporting information, please indicate this in the proposal and you will receive a neutral score for these factors (a neutral score is half of the total points available in a subset of possible points). If you do not provide any response for these items, you may receive a score of 0 for these factors.

- Provide information on your organizational experience and ability to timely and successfully achieve the objectives of your proposed pilot project. Demonstrate how the applicant has the capability to facilitate community involvement in developing and implementing the area-wide plan.
- Describe your staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the proposed pilot project.

6. Resources.

- **Cooperative Agreement Budget.** Use the sample budget table format below to identify specific tasks for which EPA grant (cooperative agreement) funding will be used. Show the costs (by budget category) associated with each task. In addition to the budget table, describe in narrative format each task in detail, including the basis for the estimated cost as well as the projected activities.

Do not include tasks or activities for costs that are ineligible uses of funds as per Section 1.C., as doing so can render the proposal incapable of being funded (see Threshold Criterion #4 in Section 3.C. and partial funding provision in Section 2.A.). In addition, proposing ineligible costs or requesting assistance over \$175,000 may affect the cost effectiveness of the project and affect the evaluation of the proposal under Section 5.

Sample budget table

<i>Example task descriptions</i> Cooperative Agreement Budget	Task 1 <i>Brownfield site(s) reuse planning</i>	Task 2 <i>Set area-wide strategies</i>	Task 3 <i>Infrastructure reuse strategies</i>	Task 4 <i>Develop area-wide plan</i>	Task 5 <i>Next steps & resources plan</i>	Total
EPA Project Funding						
Personnel						
Fringe benefits						
Travel						
Contractual						
Supplies						
Other (please be specific and include anticipated amounts for subgrants)						
Total EPA Funds						

- Role/tasks for EPA contract support.** Describe the proposed role, expertise, and/or tasks for EPA technical assistance via Agency contract support. Provide a detailed itemized proposal for how the Agency-furnished contract support will be used to facilitate community involvement in brownfields area-wide planning activities and/or assist with developing the area-wide plan, identifying next steps and resources needed for implementation, and/or final report.

7. **Leveraging.** Demonstrate how you will leverage additional funds/resources beyond the EPA assistance awarded to support the proposed project activities and how these funds/resources will be used to contribute to the performance and success of the proposed project. 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.

Describe any specific, existing, and dedicated resources to support brownfields area-wide planning and plan implementation. Provide a list of these resources and briefly describe how they will be used to facilitate community involvement in area-wide planning for the brownfields-impacted area. Describe the amount and type of leveraged resources to be provided, how you will obtain the leveraged resources, the likelihood the leveraging will materialize during EPA assistance performance period, the strength of the leveraging commitment, and the role the leveraged resources will play to support the proposed project activities. Selected applicants are expected to abide by their proposed leveraging commitments during the EPA assistance performance period and the failure to do so may affect the legitimacy of the award.

The narrative proposal must be clear, concise, and specifically address all of the proposal threshold and ranking criteria. Responses to the criteria must include the criteria number and title but not restate the entire text of the criteria. Proposals must provide sufficient detail to allow for an evaluation of the merits of the proposal. Factual information about the proposed pilot project and community must be provided. Do not include discussions of broad principles that are not specific to the proposed work or project covered by your proposal.

4.B.3. Required Attachments

The following documents must be included as attachments to the narrative proposal. The attachments (items 1-3) must not exceed a total of 7 single-spaced pages in length.

1. **Brownfields Area-Wide Planning Partnership List:** EPA may contact these individuals and organizations during the evaluation of your proposal. Attach a list, NOT letters, with the names and phone numbers of persons to contact from the local organizations and government entities actively involved in the area-wide planning partnership. Include a brief statement describing the role of each partner listed as it pertains to the partnership.
2. **Milestones Schedule:** Indicate start times and completion dates of significant tasks under your proposed pilot project (e.g., provide timeframes for public meetings and activities to facilitate community involvement in brownfields assessment, cleanup, and subsequent reuse, final report preparation, etc.).
3. **Letters of Support:** As per the threshold criteria in Section 3.C., provide letters of support from at least three separate local organizations or government entities which demonstrate that you have the full support and commitment to brownfields area-wide planning efforts from state, local and/or tribal government, local non-governmental and community-based organizations. If applicant is a local non-governmental or community-based organization, at least one letter of support must be from a local or tribal government entity that is an active partner in the pilot project. If applicant is a local or tribal government entity, at least one letter of support must be from a local non-governmental or community-based organization that is an active partner in the pilot project. Each letter of support must discuss the organization's role in the area-wide planning pilot project.
4. **Application for Federal Assistance (SF-424)**, available at http://www.epa.gov/ogd/forms/adobe/SF424_sec.pdf. Applicants will be required to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when submitting the SF-424. Applicants can receive a DUNS number, at no cost, by calling the dedicated toll-free DUNS number request line at 1-888-814-1435 or visiting the D&B website at <http://www.dnb.com>. *Note: The SF-424 does not count against page limitations.*
5. **Documentation of Applicant Eligibility:** For entities other than cities, counties, or tribes, please attach documentation of your eligibility (non-profit status, resolutions, statutes, etc.). *Note: This documentation does not count against page limitations*

4.C. Confidential Information

Proposals received by EPA may be subject to the Freedom of Information Act; therefore, in accordance with 40 CFR 2.203, applicants may claim all or a portion of their proposal as confidential business information. EPA will evaluate confidentiality claims in accordance with 40 CFR Part 2. Applicants must clearly mark proposals or portions thereof that they claim as confidential. If no claim of confidentiality is made, EPA is not required to make the inquiry to the applicant otherwise required by 40 CFR 2.204(c)(2) prior to disclosure. However, competitive proposals are considered confidential and protected from disclosure prior to the completion of the competitive selection process.

Under Public Law No. 105-277, data produced under awards resulting from this announcement are subject to the Freedom of Information Act.

4.D. Management Fees

When formulating budgets for proposals, applicants must not include management fees or similar charges in excess of the direct costs or at the rate provided for by the terms of the agreement negotiated with EPA. The term “management fees” or similar charges refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs that are not allowable under EPA assistance agreements. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

4.E. Pre-Proposal Assistance and Communications

In accordance with EPA’s Assistance Agreement Competition Policy (EPA Order 5700.5A1), EPA staff will not meet with individual applicants to discuss draft proposals, provide informal comments on draft proposals, or provide advice on how to respond to ranking criteria. Applicants are responsible for the content of their proposal package.

EPA will respond to questions in writing from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the proposal, and requests for clarification about the announcement. Questions received from applicants and EPA’s responses will be posted online at <http://www.epa.gov/oswer/grants-funding.htm>.

SECTION 5 – PROPOSAL REVIEW INFORMATION

5.A. Review and Selection Process

EPA will initially review proposals to determine compliance with the applicable threshold criteria for Brownfields Area-Wide Planning Pilot Program (see Section 3.C.). All proposals that pass the threshold criteria review will then be evaluated by national evaluation panels chosen for their expertise in the range of activities associated with the National Brownfields Program. The national evaluation panels will be composed of EPA staff and may include other Federal agency

representatives. National evaluation panels will base their evaluations solely on the responses to the applicable ranking criteria and will assign a total point score to each proposal.

Completed evaluations and rankings will then be referred to the EPA Selection Official, who is responsible for final selection of EPA assistance recipients. Proposals will be selected for award by this official based on their evaluated point scores, the availability of funds, and, if applicable, the consideration of other factors as described in Section 5.C.

5.B. Evaluation Criteria

Each eligible proposal will be evaluated according to the criteria set forth below. Applicants must directly and explicitly address these criteria as part of their narrative proposals. Each proposal will be rated under a points system, with a total of 100 points possible.

Evaluation Criteria	Maximum Points per Criterion
<p>1. Community Need. This criterion refers to the quality and extent to which the proposal demonstrates how the brownfields-impacted area has been affected by contamination and economic disinvestment, and how brownfields area-wide planning will identify opportunities and facilitate community involvement to address those needs. Under this criterion the following factors will be evaluated:</p> <ul style="list-style-type: none"> • Demonstrated economic, social, environmental and public health concerns in the brownfields-impacted area. <ul style="list-style-type: none"> ○ The extent to which census-based demographic data and other indicators (such as the poverty rate, foreclosure rate, unemployment rate, health indicators, etc.) support that this assistance will be used in a brownfields-impacted area that is predominantly under-served and economically disadvantaged, helping low-income, minority, and/or economically-distressed residents living in areas that face a disproportionate level of environmental degradation, social inequities, historic under representation, economic stagnation, and/or recent economic disruption (e.g., closure of assembly or manufacturing plants, resulting in recent and significant local job loss). (10 pts) ○ How these indicators relate to the current brownfields challenges in your community. (2 pts) ○ The extent to which the area-wide planning assistance will: <ul style="list-style-type: none"> ▪ address or facilitate the identification and reduction of threats to human health and the environment, as well as threats to the health and welfare of sensitive populations. (2 pts) ▪ meet the needs of a low-income community, or a community with a small population, with an inability to draw on other sources of funding for environmental remediation and subsequent reuse of the area. (2 pts) • Anticipated community benefits addressed by the assessment, cleanup and subsequent reuse of the specific brownfield sites and adjacent areas—the extent to which the area-wide planning assistance will facilitate: <ul style="list-style-type: none"> ○ use or reuse of existing infrastructure. (2 pts) ○ creation or preservation of green space, recreational property, or other non profit uses. (2 pts) ○ brownfield site(s) assessment, cleanup and subsequent reuse, to stimulate economic development of the area on completion of the cleanup. (2 pts) • Identified improvements or investments necessary to enable assessment, cleanup and subsequent reuse of the brownfield site(s) and encourage revitalization of the adjacent areas. (4 pts) • Efforts to collaborate with brownfield assessment, revolving loan fund, and cleanup grantees, contractors, and/or brownfield site owners in your community. (4 pts) 	30

2. Area-Wide Planning Pilot Project Description. This criterion refers to the quality and extent to which the proposal effectively provides specific information on how the applicant will facilitate community involvement in conducting the brownfields area-wide planning to inform the assessment and cleanup of brownfield sites. Under this criterion the following factors will be evaluated:

- Overall vision and approach for the brownfields area-wide planning pilot project, with details about your strategy to accomplish the project—the extent to which the pilot project will:
 - advance an ongoing planning process for brownfield site(s) assessment, cleanup and subsequent reuse. (2 pts)
 - how EPA assistance will be used to provide local leadership and/or necessary support to existing area-wide planning efforts. (2 pts)
 - facilitate community involvement in developing an area-wide plan for the cleanup and reuse of properties within the brownfields-impacted area. Activities described which support your approach for:
 - involving the affected community in the brownfields area-wide planning pilot, and your plan to increase community involvement opportunities. (3 pts)
 - identifying potential future uses of the brownfield site(s), to inform property assessment and cleanup. (2 pts)
 - creating a set of area-wide strategies to support brownfield site(s) reuse. (5 pts)
 - developing strategies for facilitating the reuse existing infrastructure and infrastructure investments needed to support brownfield(s) reuse. (4 pts)
 - determine next steps and identify resources needed to address assessment and cleanup of brownfield site(s) and implementation of the area-wide plan. (5 pts)
- Inclusion of any innovative components to the pilot project, particularly with regard to the integration of sustainable and/or equitable development principles (2 pts)

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<p>3. Leadership of an Inclusive Brownfields Area-Wide Planning Partnership. This criterion refers to the quality and extent to which the applicant leads the existing area-wide planning partnership within the brownfields-impacted area; that the partnership is effective; that the partnership is inclusive and representative; and that the partnership has existing broad support. Under this criterion the following factors will be evaluated:</p> <ul style="list-style-type: none"> • Applicant’s leadership role as organizer, facilitator, or manager of an existing brownfields area-wide planning partnership of community organizations and government actively working together to facilitate community involvement in area-wide planning within the brownfields-impacted area. (3 pts) • How the partnership is representative of area residents, businesses, and other organizations. (3 pts) • Progress made through the brownfields area-wide planning partnership in working towards generating an area-wide plan for the brownfields-impacted area. (2 pts) • The extent to which applicant has obtained full support and commitment to brownfields area-wide planning efforts from the state, local and/or tribal government, local non-governmental or community-based organizations, and others not actively involved in the brownfields area-wide planning partnership. (2 pts) 	10
<p>4. Performance Measurement: Anticipated Outcomes and Outputs. Under this criterion, EPA will evaluate the extent to which the proposal realistically describes how the project will lead to measurable environmental results. Proposals will be evaluated on the quality and extent to which they:</p> <ul style="list-style-type: none"> • Specify anticipated environmental outcomes and outputs as a result of the area-wide planning pilot project including but not limited to those described in Section 1.E., <i>Measuring Environmental Results: Anticipated Outcomes/Outputs</i>. (4 pts) • Propose a process for tracking, measuring, and documenting the expected project outcomes and outputs including those identified in Section 1.E., <i>Measuring Environmental Results: Anticipated Outcomes/Outputs</i> (3 pts) • Specify the measures of success for the project. Measure of success should be either measures of environmental improvement or should be directly linked to such measures. (3 pts) 	10

<p>5. Programmatic Capability and Past Performance. This criterion refers to the evaluation of the technical capability of the applicant to successfully carry out the proposed project, taking into account the applicant's:</p> <ul style="list-style-type: none"> • Ability to successfully complete and manage the proposed project taking into account the applicant's past performance in successfully completing and managing the assistance agreements identified in response to Section 4.B.2.5 of the announcement and history of meeting the reporting requirements under those assistance agreements 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. (4 pts) <p><i>Note: In evaluating applicants under this factor, the Agency will consider the information provided by the applicant and may also consider relevant information from other sources including agency files and prior/current grantors (e.g., to verify and/or supplement the information supplied by the applicant). If you do not have any relevant or available past performance or past reporting information, please indicate this in the proposal and you will receive a neutral score for this factor (a neutral score is half of the total points available in a subset of possible points). If you do not provide any response for these items, you may receive a score of 0 for these factors.</i></p> <ul style="list-style-type: none"> • Organizational experience and plan for timely and successful achievement for the objectives of the pilot project. (3 pts) • Demonstrated staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the goals of the project. (3 pts) 	10
<p>6. Resources. Under this criterion applicants will be evaluated based on the extent they provide a clearly stated, detailed, and appropriate proposed budget and plan for achieving the project's objectives using cooperative agreement funds, and/or Agency-furnished contract support. Applicants will also be evaluated based on the cost effectiveness of the proposed budget including whether the budget contains any ineligible costs and is otherwise consistent with the expected award amounts stated in Section 2.A. (10 pts)</p>	10

<p>7. Leveraging. Under this criterion, applicants will be evaluated based on the extent they demonstrate that they will leverage additional funds/resources beyond the EPA assistance awarded to support the proposed project activities and how these funds/resources will be used to contribute to the performance and success of the proposed project. This includes but is not limited to funds and other resources leveraged from businesses, labor organizations, non-profits organizations, education and training providers, and/or Federal, state, tribal, and local governments, as appropriate. Applicants will also be evaluated based on the amount and type of leveraged resources to be provided, how they will obtain the leveraged resources, the likelihood the leveraging will materialize during the EPA assistance performance period, the strength of the leveraging commitment, and the role the leveraged funds/resources will play to support the proposed project activities. (5 pts)</p>	5
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5.C. Other Factors.

The EPA Selection Official may consider the following other factors, in addition to the evaluation results based on the criteria above, in making final funding decisions:

- Fair distribution of funds between urban and non-urban areas;
- Fair geographic distribution of funds across EPA’s ten Regions;
- Fair distribution of funds between new applicants and previous brownfields grant recipients;
- Whether the applicant is a federally recognized Indian Tribe or United States Territory;
- Whether the applicant proposes to serve an area affected by natural disasters and/or recent economic disruption, and
- Whether the applicant proposes to serve an area designation as a Federal, state or local Empowerment Zone or Renewal Community.

5.D. Proposal Checklist

Before you submit your proposal to EPA for the Brownfields Area-Wide Planning Pilot Program, please ensure that the following documents are included in your submission.

<input type="checkbox"/> Transmittal Letter (3-page limit) (see Section 4.B.1)
<input type="checkbox"/> Narrative Proposal, which includes the responses to all threshold and all ranking criteria (12-page limit) (see Section 4.B.2)
Required Attachments including: (7-page limit) (see Section 4.B.3)
<input type="checkbox"/> Brownfields Area-Wide Planning Partnership List
<input type="checkbox"/> Milestones Schedule
<input type="checkbox"/> Letters of support (at least 3)
<input type="checkbox"/> Application for Federal Assistance (SF-424), available at http://www.epa.gov/ogd/forms/adobe/SF424_sec.pdf . <i>Note: The SF-424 does not count against page limits.</i>

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| <ul style="list-style-type: none">□ Documentation of applicant eligibility if other than city, county, or tribe (see Section 4.B.3).
<i>Note: This documentation does not count against page limits.</i> |
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SECTION 6 – AWARD ADMINISTRATION INFORMATION

6.A. Award Notices

EPA will notify applicants who have not been selected for award within 15 calendar days of EPA's final decision on selections for this competition.

EPA anticipates notification to both successful and unsuccessful applicants will be made via telephone, e-mail, or postal mail. The notification will be sent to the original signer of the proposal or the project contact listed in the proposal. The notification to successful applicant(s) that their proposal has been selected and recommended for award is not an authorization to begin work. The successful applicant must prepare a work plan and submit required grant application forms, which must be approved by EPA, before the cooperative agreement can officially be awarded. The award notice, signed by an EPA Grants Officer, is the authorizing document and will be provided through postal mail. The time between notification of selection and award of cooperative agreement can take up to 90 days or longer.

6.B. Administrative and National Policy Requirements

1. Direct funding to a successful applicant will be awarded as a cooperative agreement. Successful applicants will be asked to submit a cooperative agreement application package to EPA. This package will include the application (Standard Form 424), a proposed work plan, a proposed budget, and other required forms. An EPA Project Officer will work with you to finalize the budget and work plan. EPA has discretion to award assistance in the form of Agency contract support in lieu of, or in addition to, direct funding to a successful applicant.
2. Approved cooperative agreements will include terms and conditions that will be binding on the recipient. Terms and conditions specify what grantees must do to ensure that grant-related and Brownfields Program-related requirements are met. Applicants also will be required to submit progress reports in accordance with grant regulations found in 40 CFR 30.51 or 40 CFR 31.40. A listing and description of general EPA regulations applicable to the award of grants may be viewed at http://www.epa.gov/ogd/AppKit/applicable_epa_regulations_and_description.htm.

6.C. Reporting Requirements

During the cooperative agreement, recipients are required to submit progress reports to the EPA Project Officer within 30 days after each reporting period. The reporting period (i.e., quarterly, annually) is set forth in the terms and conditions of the cooperative agreement. These reports will cover work status, work progress, difficulties encountered, an accounting of financial expenditures, preliminary data results, anticipated activities, and any changes of key personnel involved with the project.

At the end of the cooperative agreement, a final project report is required. Meaningful community involvement is required both during report development and before the report is finalized. Local residents must have ample opportunity to review and comment on the report, and diverse opinions regarding proposed brownfield reuses must be described.

The final report will accompany the brownfields area-wide plan and identification of next steps and resources needed for plan implementation, as described in Section 1.B. The final report will also address goals and objectives, performance measurements, lessons learned, any other resources leveraged during the project and how they were used, any plans to continue the project after the expiration of the cooperative agreement, any associated sources of funding, and the effectiveness of Agency-furnished contract support. Close out of the grant will only occur after EPA receives a final report from the grantee.

6.D. Disputes

Disputes related to this competition 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 <http://www.epa.gov/ogd/competition/resolution.htm>. Copies of these procedures also may be requested by contacting EPA as listed in Section 7.

6.E. Pre-Award Administrative Capability Review for Nonprofits

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 - Policy on Assessing Capabilities of Non-Profit Applicants for Managing Assistance Awards (http://www.epa.gov/ogd/grants/award/5700_8.pdf). In addition, non-profit applicants that qualify for funding may, depending on the size of the award, be required to fill out and submit to the Grants Management Office the Administrative Capabilities Form with supporting documents contained in Appendix A of EPA Order 5700.8.

6.F. Brownfields Programmatic Requirements

Collection of Post Grant Information: Under the Government Performance and Results Act, EPA reports on the many benefits of Brownfields funding. One such measure provides information on additional resources leveraged as a result of the use of brownfields grant funds. These leveraged, non-EPA funds may include additional funding from state, tribal, and local governments, or private organizations. As many of these activities occur beyond the grant period, note that EPA may contact you well after the project period to collect this information.

SECTION 7 – EPA CONTACT

7.A. PROPOSAL SUBMISSION ADDRESS FOR REGULAR MAIL (USPS):

Aimee Storm, U.S. EPA, Office of Brownfields and Land Revitalization (MC 5105-T), 1200 Pennsylvania Avenue, N.W., Washington, DC 20460; Phone: 202-566-0633; Email: storm.aimee@epa.gov

7.B. PROPOSAL SUBMISSION ADDRESS FOR EXPRESS MAIL/COURIER DELIVERY:

Aimee Storm, U.S. EPA, Office of Brownfields and Land Revitalization (MC 5105-T), 1301 Constitution Avenue, N.W., EPA West Bldg., Room 2402, Washington, DC 20004

7.C. ALTERNATE EPA CONTACT

Please contact Debi Morey at 202-566-2735 or morey.debi@epa.gov if you have additional questions about the submission of your proposal.

Appendix

Prohibitions on Use of Funds

Funds awarded under Section 104(k)(6) of CERCLA are intended for Brownfields Area-Wide Planning Pilot Program activities and may not be used for:

1. A penalty or fine.
2. Federal cost-share requirement (for example, a cost share required by other Federal funds).
3. A response cost at a brownfield site for which the recipient of the grant is potentially liable under CERCLA Section 107.
4. A cost of compliance with any Federal law, excluding the cost of compliance with laws applicable to the cleanup.
5. The payment of an administrative cost. In implementing the administrative cost prohibition, EPA has made a distinction between prohibited administrative costs and eligible programmatic costs.

A. Administrative Costs. Prohibited administrative costs are direct costs including those in the form of salaries, benefits, contractual costs, supplies, and data processing charges incurred to comply with most provisions of the “Uniform Administrative Requirements for Grants” contained in 40 CFR Part 30 or 40 CFR Part 31. Direct costs for grant administration are ineligible even if the grantee or subgrantee is required to carry out the activity under the grant agreement. Prohibited administrative costs are also all indirect costs under OMB Circulars A-21, 2CFR Part 220 (Educational Institutions), A-87, 2 CFR Part 225 (Governments), and A-122, 2 CFR Part 230 (Nonprofit Organizations), and Subpart 31.2 (Commercial Organizations) of the Federal Acquisition Regulation.

Ineligible grant administration costs include expenses for:

1. Preparation of applications for Brownfields grants and sub-grants;
2. Record retention required under 40 CFR 30.53 and 40 CFR 31.42;
3. Record-keeping associated with supplies and equipment purchases required under 40 CFR 30.33, 30.34, and 30.35 and 40 CFR 31.32 and 31.33;
4. Preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 40 CFR 30.25 and 40 CFR 31.30;
5. Maintaining and operating financial management systems required under 40 CFR 30.20 and 40 CFR 31.20;
6. Preparing payment requests and handling payments under 40 CFR 30.22 and 40 CFR 31.21;
7. Non-Federal audits required under 40 CFR 30.26, 40 CFR 31.26, and OMB Circular A-133;
8. Close out under 40 CFR 30.71 and 40 CFR 31.50.

B. Programmatic Costs. EPA has determined that the administrative cost prohibition does not apply to “programmatic” costs, (i.e., costs for activities that are integral to achieving the purpose of the grant), even if the Agency considered the costs to be “administrative” under

the prior Brownfields Program.

1. The prohibition does not apply to direct costs for developing a brownfield site(s) area-wide plan to inform site assessment, cleanup, and subsequent reuse. For example, costs for program management salaries (to the extent that such costs are included in the scope of work for the brownfields area-wide planning grant), materials and supplies for public meetings, necessary travel and transportation expenses are programmatic, not administrative.
2. Direct costs, as defined in the applicable OMB Cost Principle Circular, for the following programmatic activities are not subject to the administrative cost prohibition. These costs, however, must be allowable under the scope of work for the grant. Costs incurred for complying with procurement provisions of 40 CFR Part 30 and Part 31 are considered eligible programmatic costs only if the procurement contract is for services or products that are direct costs for training as described above. Costs for performance and financial reporting required under 40 CFR 30.51 and 30.52, and 40 CFR 31.40 and 31.41 are eligible programmatic costs. Performance and financial reporting are essential programmatic tools for both the recipient and EPA to ensure that grants are carried out in accordance with statutory and regulatory requirements.

For further information on these prohibitions, contact EPA as listed in Section 7.