

US EPA ARCHIVE DOCUMENT

Questions and Answers about the CARE RFP

Updated March 2, 2010:

The following Questions and Answers are compiled for the benefit of organizations considering applying for a CARE Grant. They include questions from previous years as well as updates from the current RFP process. They are grouped by categories and numbered consecutively with the category.

As new questions are posted, they will be added within the appropriate category. This document will be periodically updated through the closing date for the RFP: March 9, 2010.

New since Last Version (January 15, 2010): A15, B13, B14, D10 (revised), E6 (revised), E7, E8

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A. Eligible Applicants (Section III in RFP: p. 18 – 22)

Question A1: I am curious to know whether or not a community group that is not a nonprofit is eligible for the CARE grant? Does community organization have to be a 501c3? Are 501(c) (3)'s eligible? Are local hospital foundations eligible?

Answer: According to the RFP, a 501(c) (3) is eligible. A community group or hospital foundation or other organization must be a non-profit as defined by OMB Circular A-122. The Circular defines a non-profit as:

“any corporation, trust, association, cooperative, or other organization which:

- 1) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;
- 2) is not organized primarily for profit; and
- 3) uses its net proceeds to maintain, improve, and/or expand its operations. For this purpose, the term "non-profit organization" excludes (i) colleges and universities; (ii) hospitals; (iii) State, local, and federally-recognized Indian tribal governments; and (iv) those non-profit organizations which are excluded from coverage of this Circular in accordance with paragraph 5.

[Please note that while colleges and universities and tribes are not non-profits they are still eligible for CARE grants]

Question A2: I am not an agency, only an individual but looking over the grant requirements it is to prevent pollution; well that is what I am trying to do also. Is it possible for me to apply?

Answer: Individuals are not eligible to apply for CARE Cooperative Agreements.

Question A3: Are local county health departments eligible to apply for CARE program funding?

Answer: If the county health department is an agency of the county or other local or tribal government entity they could apply. However, in some states the county health department is part of the State government. In those States they can not apply since State agencies are ineligible. They could of course be a partner working on a CARE project that has an eligible grantee.

Question A4: Is a Council of Governments eligible to be an applicant for the CARE

Program? We are a regional planning organization that serves city and county governments who are members of the Council.

Answer: An organization of local government or local officials would be eligible to be an applicant.

Question A5: Will CARE consider funding a Level I and a Level II grant for a community? We would like to submit a Level I grant but do not want to interfere with the community's larger collaboration that may be seeking Level II funding.

Answer: According to the RFP an applicant (organization) can submit only one proposal. An organization could partner in more than one CARE project or proposal. However, you should be aware that it is EPA's intent, to the extent it can, provide geographic diversity in the CARE projects (see p. 37). As a practical matter, it is highly unlikely that we would have two CARE Cooperative Agreements in the same community.

Question A6: In Puerto Rico, nonprofits apply for certification under Section 1101 under the PR Internal Revenue Code and are not directed to apply under any other code, are they eligible as non-profits?

Answer: If you are legally recognized as a non-profit in Puerto Rico you are eligible. Similarly, if an organization qualifies as a non-profit organization under state law, that organization also is eligible.

Question A7: Are 501 C (4) non profits eligible to apply -or only 501(c) 3?

Answer: No.

Non profits that meet the definition of non profit under OMB Circular A-122, with the exception of Nonprofits that fall under Section 501(c)(4) of the Internal Revenue Act and lobby, are eligible. Nonprofits can demonstrate eligibility by providing documentation of nonprofit status under the state law in which the organization was incorporated or by providing evidence that the IRS considers the organization exempt from taxation under 501(c)(3), 501(c)(6) or another provision of the IRS.

Question A8: 1. Will the community spanning across the border be eligible providing that all other criteria are met?

2. Are non-US institutions eligible to provide services/be partners providing that this is the only option/the most efficient option available?

Answer: Border communities are eligible for funding provided the money goes to a United States grantee. Once the US grantee gets the money they can use

a non-US entity to provide services if all other criteria for efficiently spending money are met.

Question A9: Is a public school eligible to apply?

Answer: A public school would be considered an agency of local government and thus eligible. A local chapter of a Parent Teacher Association or similar organization would be considered a nonprofit. EPA would judge an application from a school the same as other applications.

Please note that while a school would be part of a community, a school in and of itself is not a community. As we stated in the RFP (pg. 3-4):

*“A community is **all** the people living in the same area sharing the same environment, including both residents and businesses. ... Moreover, a subpopulation of a community (e.g., all the schools in a specific area; or all the people of the same ethnic group; or all the people with a single occupation to the exclusion of the other people living in the same area), does not qualify as representing the entire community and a project addressing a subpopulation is not be eligible for a CARE grant.”*

Question A10 Is a *national* non-profit eligible to apply?

Answer: A national non-profit is eligible to apply providing it meets the criteria established by OMB Circular A-122.

CARE is focused upon local communities which have specific boundaries, not upon broad national toxic issues. Therefore, a national non-profit must have specific, local partners as part of the proposal and focus upon issues and concerns specific to that community.

Question A11 I am not sure if I should apply for a Level I or a Level II project. How do I determine which level I should apply for?

Answer The applicant ultimately decides which Level to apply for.

A number of CARE grantees received a Level II grant without first receiving a Level I grant. The threshold factor for Level II assumes that the applicant completed a process akin to a Level I project. See p. 20-21 of the RFP for more complete discussion.

Question A12 Are US Trust Territories (e.g. American Samoa, Guam) eligible for a CARE Grant?

Answer Yes.

Care Grants can be awarded to any qualifying organization in a United States territory where the US Government has authority. For example, there is a current CARE grant in the US Virgin Islands.

Question A13: Are you saying that Counties, Territories, or Tribes cannot use CARE grants to undertake activities that are already funded by Clean Water Act development and implementation funds like Section 106?

Answer Yes.

A grantee cannot use grant funds from one program, e.g., CARE, to supplement activities being funded by another grant program, e.g., Clean Water Act Section 106. This is a general prohibition, not just for the Clean Water Act. As the RFP states "...EPA funds for cooperative agreements under this RFP cannot be used for projects within the scope of activities covered by other appropriations accounts within the EPA Appropriation Act (p. 16-17 of the RFP).

Question A14 Is CARE open to community issues where microbial pathogens rather than toxic chemicals are a primary focus of concern?

Answer It could be.

The primary focus of CARE is assisting communities to identify environmental toxic concerns and help communities to carry out programs to address these concerns. This is described in the RFP. Microbial pathogens are an important concern for Clean Water and in some circumstances water from a lake, river, reservoir or ground water aquifer may be unhealthy due to potentially harmful microbial pathogens. These could include harmful types of bacteria, viruses, protozoa, and other organisms. We would consider these 'toxics' so this would be an acceptable focus of concern for a CARE project. For more information on drinking water, go to: <http://www.epa.gov/safewater>

Focusing upon microbial pathogens needs to be in the context of the five goals in the EPA Strategic Plan (see p. 13 of RFP), thus purely medical concerns would not be eligible. Consequently a project which addresses issues like tuberculosis, AIDS, H1N1 or other medical conditions resulting from microbial pathogens would not be eligible. These are outside of the

EPA Authority (see p. 16-17 of the RFP) and represent issues where EPA does not have existing voluntary programs communities nor does EPA have the ability to offer the technical assistance which is an intrinsic part of CARE model.

Question A15 The XXX County Health Department's Environmental Health Division is interested in submitting a proposal to the EPA's CARE program. While we serve the local needs of XXX County, we are technically an agency of state government (via the StateYYY Department of Health). Upon review of previously funded awardees, I noticed that several health departments had received funding to pursue CARE projects.

Answer The CARE Eligibility criteria are quite clear on this matter (see p. 19 of RFP) and "*State governments or their agencies are not eligible to apply.*"

County Health Departments greatly differ across the United States. Some are direct extensions of State government and therefore ineligible whereas others are a creation of County government and therefore eligible.

For those County Health Departments which are part of state government, we suggest they look to partners in their respective counties who would be eligible.

B. Documentation

Question B1: What kind of documents do you require from a subaward/subcontract?

Answer: What EPA requires is outlined in Section IV, "Proposal and Submission Information" (pgs. 22-29), of the RFP. Letters of commitment from a proposed subcontract is sufficient.

Eligible entities/applicants whose initial proposals are tentatively selected for award will be requested to submit final applications. EPA may request additional documentation regarding subawards/subcontracts when final applications are submitted.

Question B2: We hope to work with EPA around some of the project ideas we have, so we don't have specific breakdown of costs in some cases (i.e. in terms of personnel, contract, supplies). How would you like us to proceed?

Answer: Your budget narrative is an estimate. Guidance on preparing a budget can be found at: <http://www.epa.gov/ogd/recipient/tips.htm>

EPA may request additional, more specific budget information when final applications are requested from those entities/applicants whose proposals have been tentatively selected for award.

Question B3: In addressing the criteria "*Programmatic Capacity*" (pg. 26), it's not clear what information you want regarding prior EPA grants. Do you simply want to know that we are current with all required reports, or do you want to know what we have accomplished substantively?

Answer: Your response should describe other projects that you have successfully managed, or organizational features and controls that will help ensure the project can be effectively managed and successfully completed. You must describe and provide substantiation of your ability to manage a project such as the one proposed. Please also describe the system(s) that will be used to appropriately manage, expend, and account for Federal funds. If you are, or have been, a recipient of an EPA grant/cooperative agreement in the last 3 years the applicant must provide information regarding compliance reporting measures, and annual financial status reporting. If for some reason you have problems complying with some of the requirements of previous federal grants, you may also want to include how those problems were resolved and what measures have been put in place to avoid the same problems to happen in the future.

Question B4: Regarding the letters of commitment from collaborating organizations, agencies, or entities, what level of commitment is required? For example, do we need to obtain a memorandum or is it fine to have a letter of

commitment signed by the representative that will be collaborating with us on the project?

Answer: A letter of commitment by a representative of the organization is sufficient. Please remember that EPA reserves the right to contact organizations to verify their commitment.

Question B5: Is a letter of intent mandatory? And if so, what is the deadline for the letter?

Answer: Letters of intent are not required to submit a proposal for a CARE grant and are not recommended.

Question B6: Are there any required supporting documents for example, 990-forms, bi-laws, articles of incorporation, IRS 501(c) 3 tax letters etc. that need to be included with the grant application. We will be applying for a level I grant.

Answer: No, you do not need to include these forms with your application, although you may be asked for some of them if you are selected.

Question B7: I am interesting in applying for a CARE Cooperative Agreement. I was hoping you could tell me where to obtain the application papers.

Answer: To get information on the EPA grant process including any grant related forms please go to: <http://www.epa.gov/ogd/AppKit/application.htm>

You can use two modes of submission for your application:

1. Hard copy by express delivery service
2. Electronically through email to the specified EPA contact. (see caution about file size)

See Section IV.B. *Modes of Proposal Submission* (p. 22) for more information.

We will not accept proposal via:

- Grants.Gov
- Fax
- 1st class U.S. Postal Mail Delivery

Question B8: What are the Page limits for the various sections of the submission?

What is the overall page limit?

Answer: Please refer to Section IV, C (pg. 23) – ***Proposal Package Components***; for the page limits. They are as follows:

Narrative Proposal

Narrative (Section IV: C.III) 10 pages maximum

The Narrative includes the Title page.

Please see Appendix B for an example of a detailed budget.

Question B 9: What are the font and margin sizes for the proposal?

Answer: In accordance with Section III, B.7. *Threshold Eligibility Requirements*, the minimum acceptable font size for the narrative proposal and the budget is 12 point. Material in smaller font sizes will not be considered. Pages must have at least 1 inch margins on all sides. (pg. 20)

Question B10: Can a logic model table be pasted as a figure, to save space, or would this violate the 12 pt criteria?

Answer: A logic model is not required for any submission, but can provide a useful mechanism for expressing elements of the ***Project Description*** (p. 24)

Figures can be pasted into the ***Narrative Proposal*** providing they are within the overall application page limit and conform to the margins.

Please remember that a logic model table can also be one of your attachments since it is supporting materials. You should mention it in the body of your narrative proposal and attach. CARE Level IIs have a 50 TOTAL pages limitation for attachments with no limitation for CARE Level Is.

Keep in mind that reviewers will be reading the application. If the text within the figures becomes too small to read or the figure itself is too small to read, it may not be understood which will not add value to your submission.

Use good judgment when including figures, graphs, or other tables.

Question B11 We made a short video which we would like to include in the Application as an Attachment. Is that permissible and will that information be considered?

Answer Section III clearly states that “*Project proposals must be written in English.*” (p. 19) so any audio or video material **will not be considered**. Pictures may be considered but need to be embedded in a text document. Remember that any information included in Attachments needs to bolster your application and address the elements identified in the Evaluation Criteria (p. 30-36)

Question B12 If I choose to submit the Application electronically, how do I “confirm receipt of materials with Marva King as soon as possible after submission” (pg. 23)?

Answer. When you send your materials to the EPA electronic mailbox (CARE_2010_RFP@epa.gov) you receive an automatic electronic receipt on behalf of Marva King <mailto:King.Marva@epa.gov> per the RFP instructions. Remember that the complete application needs to be contained in a **single email**. EPA will not be responsible for merging information from multiple emails. The first eligibility check is for all required Proposal package Components (pgs. 23-27) and incomplete packages will be disqualified.

Question B13 What is the difference between the Budget narrative in the Application and the SF-424a Budget document? Must I complete both?

Answer You must complete both. The SF-424A is a federally required form which is part of all federal Grant applications.

The difference between the budget narrative and the 424A is that the narrative provides detail on what is included in each of the line items from the 424A. For example, the 424 will request numbers for personnel and travel, the narrative should break those down by the rate of pay and type of personnel and the number, duration and location of trips.

We suggest you complete the budget narrative first and then use that to complete the SF-424A

Question B14 I have letters of support. Who do I address them to and how do I get them to you?

Answer Letters of support can be included as an attachment. Letters of Support can be addressed to Ms. Marva King, or EPA CARE Program.

Letters of Support must be part of the Application Package and cannot be sent separately through the mail. Letters sent through the mail will not be included in the review process.

C. Speaking to Someone

Question C1: I understand that formal questions are requested in writing, but it would be quite helpful to learn more informally about the genesis of the program and the results EPA hopes for. Is there a contact officer I can speak with to ask further detailed questions about the program or the details of my proposal?

Answer: Because this is an open competitive opportunity, in the interest of fairness, we are unable to discuss a potential proposal beyond the information available in the RFP and the Question and Answer document posted on the WEB. Specific questions not covered in the Question and Answer document must be submitted to EPA.

Section VII, (p. 41) includes information about transmitting questions to EPA.

Of course additional information about the program can be accessed at www.epa.gov/care.

Question C2: We have a specific idea and want to submit a question to the website to see if it is something that is eligible for CARE technical assistance? Can you provide any information?

Answer: Because this is a competitive process, we can not answer specific questions about whether one idea or another is eligible for funding. In addition, it is hard to evaluate projects based on short descriptions.

In order to give you some guidance we remind everyone that, the RFP does provide CARE Goals and CARE Strategies which provide guidance. Additionally, information about current and past CARE Projects is available on our Web site: <http://www.epa.gov/care/community.htm>

Question C3: I applied for a previous CARE grant and was not selected. I did not receive an oral debrief last summer. Is there a way I can receive an oral debrief now because I plan to apply for a 2010 CARE grant?

Answer: During the summer, letters were sent either from the EPA Selecting Official (if you made it to the National Selection Panel but were not chosen) or from the EPA Deputy Regional Administrator or designee (if you were not selected in your region for submission to the National Selection Panel). In the letter, applicants receive notice to schedule a detailed oral debrief within 15 days with appropriate EPA staff.

The CARE policy is not to schedule an oral debrief after a new CARE RFP has been posted (e.g., usually 6 months later) and after unsuccessful applications have been stored away. Only in the cases of extreme circumstances (such as evidence of a letter not being sent) does CARE reconsider providing oral debriefs after posting of the next year RFP.

One way to assess the components of a successful application is to look at the description of awarded CARE Program Grants. These are available on the CARE Website under Community Profiles.

D. Costs and Funding

Question D1: Is the funding awarded per year or is the total amount to cover both years?

Answer: Funding for the project is awarded for a 2-year period, but the money is provided incrementally. Funding for the second year is contingent on the performance of the award recipient.

Question D2: Will indirect costs be allowed with the CARE grants? If so, is there a limit on the amount of indirect costs?

Answers: Yes, indirect costs are allowed. Any organization claiming indirect costs in its budget, must submit a copy of their approved indirect cost rate, if selected for award. The government would only reimburse indirect costs up to the approved rate

For more information, go to the EPA WEB:
<http://www.epa.gov/ogd/recipient/sample1.htm>

Question D3: What projects or project costs are considered ineligible for the CARE grant?

Answer: All costs associated with any project must be eligible, allowable, allocable and reasonable. Allowable costs must be consistent with the appropriate OMB cost principles. These are:

OMB Cost Principles A_21 for Educational Institutions
(<http://www.whitehouse.gov/omb/circulars/a021/a021.html>);

OMB Cost Principles A_87 for State, Local and Tribal Governments
(http://www.whitehouse.gov/omb/assets/omb/fedreg/2005/083105_a87.pdf); and

OMB Cost Principles A_122 for Non-Profit Organizations
(<http://www.whitehouse.gov/omb/rewrite/circulars/a122/a122.html>)

Question D4: If a university and community are applying for this grant together, is there a specific percentage that has to be allocated to each of the partners?

Answer: No, the percentage is for the partners to decide.

Question D5: Can you explain a little more what you mean by "successful applicant cannot use subgrants or subawards to avoid requirements in EPA Grant

regulations for competitive procurement by using these instruments to acquire commercial services...." (Section IV, D, p.27).

Answer: In the past, some organizations have tried to characterize contractual relationships as one of assistance (or subgrants), thereby getting around the competition requirements. This is only a reminder that it is the nature of the relationship that determines whether a contract or subgrant is the appropriate mechanism.

Question D6: A staffer at the federal agency is hoping to work with a local group on a Level I grant. Can a portion of the budget include salary and equipment for their contribution? This is not a pass through.

Answer: There are federal ethics laws that federal employees must adhere to and therefore should check with their individual Agency's ethics attorneys. EPA hopes to work with other Federal agencies to encourage them to support communities that receive CARE agreements at no extra charge. No EPA employee is allowed to receive compensation for working on an EPA grant.

Question D7: Our goal is to work with all sectors of the community to draft state legislation that will allow the creation of an Aquifer Protection Area for a sole-source aquifer. Is this even eligible for CARE?

Answer: EPA grant funds can not be used for lobbying as the drafting of state legislation would imply. CARE is also focused upon community level activities, not state wide activities.

Questions D8: I can complete a Level I project in 1 year. Can I apply for up to \$100,000 for 1 year?

Answer: There is nothing in the RFP that says the grant has to be two years long or limits the money to a certain amount per a year. You must justify why you believe you can do the work half the time but still need all the money.

Questions D9: Can you tell me when the two conferences that a Level I grant requires attendance at would occur so that I can price tickets appropriately? We can be \$580-\$1180 depending upon the month and vacation times.

Answer: The training conference would probably occur between early October to mid November. The exact location of the Training Workshops is typically determined in the spring prior to the actual workshop so we are not likely to know the location until after the submission deadline.

Question D10. Must an organization have a negotiated indirect cost rate to apply for a CARE grant?

Answer No.

An organization can apply for a CARE grant without having already secured a negotiated indirect cost rate. If a non profit does not currently have a Federally Approved Indirect Cost Rate but intends to apply for one, they may include Indirect Costs in their CARE application. A Term & Condition may be added to the grant award stating that the applicant will apply for an Indirect Cost Rate within 90 days of the grant award. However, the grantee may not charge any indirect costs to the CARE grant until they receive a Federally Approved Indirect Cost Rate. Also, the date of the Federally Approved Indirect Cost Rate is the date that the grantee may begin to charge indirect costs to the grant. The grantee may not "back charge" indirect costs to the period of the grant prior to the Federally Approved Indirect Cost Rate being approved. A guide for preparing an Indirect Cost Rate may be found at www.epa.gov/ogd. If you are selected for a CARE grant, your assigned EPA Project Officer will assist you with the process of applying for an Indirect Cost Rate

The recipient's "cognizant" agency is the Federal entity that awards them the most grant dollars. If EPA is the cognizant agency, the recipient may use the attached guide (checklist) to ensure submission of a complete indirect cost rate proposal package:

<http://www.epa.gov/ogd/recipient/sample1.htm>

Question D 11 We have to build partnerships and collaborate to create the project yet then making them submit to a selection process to participate makes forging partnerships difficult.

As a follow up I need to know if our partners have to submit to a bidding process.

Answer: Partners are organizations, individuals, and governments who will work with you on the project. Some of these groups may expect payment for services, but others are willing to collaborate without payment. Do not assume everyone who works on the project must be paid with grant funds.

The Federal Government requirements are clear and if you intend to pay them for their services, you must employ a competitive process since they are then consultants providing a service. All procurement of goods and services must be done through a competitive process. Most partners familiar with Federal funding requirements are aware of these requirements.

Question D12 Are CARE Cooperative Agreements paid out on a cost reimbursable basis?

Answer Yes

The specific Assistance Agreement Payment Process is described on the EPA Web site: <http://www.epa.gov/ogd/recipient/payment.htm>

E. Bidding Requirements

Question E1: Two typical examples of competitive procurement requirement questions:

As the lead sponsor of our application, we are collaborating and proposing to pay for deliverables by a local on the ground not for profit group with whom we have a long working relationship; it is a local member of our national organization. This local group, with strong grassroots connections, is uniquely positioned as a trusted convener locally, but does not have the precise expertise in the issues our proposal will address in their community. We see this as a strong partnership, not subject to putting out to bid.

To ensure that we reach consensus with a set of grassroots and institutional stakeholders in a well-known and troubled major urban area, we want to include another nonprofit as facilitator with whom we have worked during the last three years. As the prime application sponsor, we need the mentoring and need large group facilitation; our grassroots partner agrees. Does the proposed facilitation work by a nonprofit need to go to bid?

Answer: EPA grant regulations requires that procurement transactions be conducted in a manner that provides, to the maximum extent practical, open and free competition. Non-profit organizations and universities whose proposals are tentatively selected for award will be required to follow the procurement standards as outlined in 40 *CFR 30.41 through 30.48. Local and tribal governmental agencies will be required to follow the procurement standards as outlined in 40 *CFR 31.36. EPA may request additional documentation regarding subawards/subcontracts when final applications are submitted. (* = Code of Federal Regulations).

For a copy of 40 CFR, please go to:

<http://law.justia.com/us/cfr/title40/40-1.0.1.2.28.3.8.19.html>

Question E2: If we want to use the services of an employee of one of our partner groups, do we have to go through the competitive procurement process?

Answer: EPA is unable to answer this question without more information as to the status of this partner group employee. If this employee will be paid as a contractor, then that contract would be subject to the competition procedures outlined by the contracting organization. Typically, competition would occur or a satisfactory sole source justification and accompanying cost reasonableness determination would have to be conducted.

Question E3 I want to use CARE funds to pay one of our partners for their technical expertise with

If that partner is a state organization, can I pay them through a subgrant or subcontract? If so, how can I do this?

Answer Recipients are allowed to offer sub-grants and sub-contracts under their assistance agreement. However, selection of the sub-grantees are subject to the procurement standards as set forth in 40 CFR 30.40-48. Selection of sub-awardees and sub-contractors should be based on free and open competition (multiple quotations) and hopefully ensure that a fair and reasonable price is obtained for the product or service purchased. A cost and / or price analysis for every procurement, history of the procurement, and an explanation of how the cost was determined to be reasonable should be documented before award is made.

Question E4: As a CARE grantee I want to make a subaward to a city government. Can I do that without competition? What procedures do I need to follow?

Answer You can make a subaward to city government.

Your process needs to be consistent with the EPA subaward policy:
See: <http://intranet.epa.gov/ohr/rmpolicy/aam/subaward-policy-part-2.pdf>

Of particular interest is Section I that refers to subaward competitions.

It is CARE policy that all subawards be done through a competitive process. This policy has been in place since the first 2005 CARE awards.

EPA’s SUBAWARD POLICY

- a. The recipient agrees to:
 - (1) Establish all subaward agreements in writing;
 - (2) Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);
 - (3) Ensure that any subawards comply with the standards in Section 210(a)-
 - (d) of OMB Circular A-133 and are not used to acquire commercial goods or services for the recipient;
 - (4) Ensure that any subawards are awarded to eligible subrecipients and that proposed subaward costs are necessary, reasonable, and allocable;
 - (5) Ensure that any subawards to 501(c)(4) organizations do not involve lobbying activities;
 - (6) Monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which

- flow down in the subaward;
- (7) Obtain EPA's consent before making a subaward to a foreign or international organization, or a subaward to be performed in a foreign country; and
 - (8) Obtain approval from EPA for any new subaward work that is not outlined in the approved work plan in accordance with 40 CFR Parts 30.25 and 31.30, as applicable.

- b. Any questions about subrecipient eligibility or other issues pertaining to subawards should be addressed to the recipient's EPA Project Officer. Additional information regarding subawards may be found at <http://www.epa.gov/ogd/guide/subaward-policy-part-2.pdf>. Guidance for distinguishing between vendor and subrecipient relationships and ensuring compliance with Section 210(a)-(d) of OMB Circular A-133 can be found at <http://www.epa.gov/ogd/guide/subawards-appendix-b.pdf> and <http://www.whitehouse.gov/omb/circulars/a133/a133.html>.
- c. The recipient is responsible for selecting its subrecipients and, if applicable, for conducting subaward competitions.

Question E5 What is meant by the following? *"To survey more than 9 members of the public without prior approval by the Office of Management and Budget of the survey instrument (pg. 17)"* We were considering having a survey of stakeholders as an evaluation of project success tool, but it would include more than 9 people surveyed, so I am confused if this is allowed, and why it wouldn't be

Answer: The Paperwork Reduction Act (PRA) of 1995 requires that any survey collecting information from ten or more persons and using federal funds (e.g. a CARE Grant) must receive clearance from the Office of Management and Budget (OMB) prior to administering the survey. The approval process which is usually referred to as "OMB clearance process" is usually lengthy and time consuming. The approval request needs to be processed through EPA and forwarded to OMB for consideration. For more information on the PRA go to: <http://www.archives.gov/federal-register/laws/paperwork-reduction/>

Communities can conduct surveys using their own resources and nor be required to comply with the PRA.

Question E6: Is it possible to have the role of a fiscal agent housed in a separate organization from the applicant?

Answer The RFP clearly states:

“EPA awards funds to one eligible applicant as the recipient of the financial assistance 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 (pg. 27).” Thus the applicant will be accountable for all aspects of the Grant including financial accountability.

Question E7 Are there thresholds below which a CARE grantee does not have to compete for contracted services?

Answer There are no monetary thresholds that excuse the CARE grantee from competing contracts (see CFR 40, Part 30). The CARE grantee need not follow formal bidding for contracts less than \$100k. Nonetheless, even for contracts under \$100k the recipient must compete to the maximum extent practicable and take affirmative steps to consider offers from disadvantaged businesses (per 40 CFR Part 34). While sole source justifications are possible, in the absence of a patent or copyright, there are plenty of firms in the commercial marketplace to compete for the goods and services a CARE grantee would need.

Question E8 Are there are limits or ceilings on the amount of subawards to non-profit partners which determine if they are required to go out to bid.

Answer Subawards to partners (non-profit) identified in the proposal does not require a competitive process.

There are no explicit ceilings on subawards but there are important criteria to keep in mind (see p. 27-28 of RFP).

However, subgrants may only be used to provide financial assistance rather than to acquire commercial services. For example, it is permissible for a CARE grantee to award a subgrant to a university which is part of the CARE project without undertaking a competition. It is not permissible for the CARE grantee to award a subgrant to a consultant who provides technical services commercially without competition.

The CARE grantee could not "partner" with a consultant for professional advice by using a non competitive subgrant. That transaction would be a procurement contract subject to the competitive requirements of 40 CFR Part 30.

F. CARE Definitions

Question F1: How do you define "risk" as mentioned in the CARE request for initial proposals?

Answer: Risk is the possibility of a person suffering harm to their health or to the quality of their environment. Risk comes from the exposure of the person or their environment to a toxic substance or pollutant or to the combination several threats. In some cases a substance may be harmful not because it is intrinsically hazardous but because the amount may be so large as to disrupt the natural ecological or biological systems.

Question F2: What does a community need to do determine the environmental risks? Do we need to perform a risk assessment?

Answer: Section I.B.5 on pg. 6 of the RFP explains what EPA expects the community undertake. We do not expect the community to conduct a formal Risk Assessment which typically is a lengthy process requiring specific data inputs. We do expect a community to conduct a screening process which looks at possible toxics from land, water and air to identify hazards in their community.

The EPA document: *The CARE Road Map: 10 Step Plan to Improve Community Environment and Health* provides an example for communities to employ.

<http://www.epa.gov/care/library/20080620roadmap.pdf>

Question F3: The RFP mentions "*toxic pollutants and environmental concerns*". Could you define toxic pollutants and environmental concerns?

Would harmful algal blooms and toxic phytoplankton fall under the toxic pollutants and environmental concerns?

Do you consider nitrogen and phosphorous or their toxic outcomes as toxic substances?

Answer: For purposes of the CARE program the term "*toxic pollutants and environmental concerns*" refers to local environmental risks and their related health impacts.

The focus is a broad range of toxic substances and environmental pollutants can be in the air, water and/or land or in the indoor environment. The environmental concerns can be due to direct or indirect

effects on human health or environmental quality. We are not limiting the term toxics to chemicals listed in one or more statutes or regulations.

Harmful algal blooms, toxic phytoplankton, nitrogen and phosphorous or their toxic outcomes, would fall under that definition if they were of a sufficient magnitude to cause negative health or environmental impacts in that community.

See Section I.B.5 for additional information.

Question F4: How do you define "community" and "local level?" Specifically, could we apply for work at a statewide level? What about work with a particular community of interest or subpopulation (e.g., children)?

Answer: As stated in the RFP (pgs. 4-5):

*“CARE is designed to help geographic communities build collaborative partnerships that can work to understand and improve environments at the local level. Since the size of local level geographic place-based communities varies depending on the project, the CARE program is not strictly defining the term “community”. A community is **all** the people living in the same area sharing the same environment, including both residents and businesses. A community will often be in a relatively small area, but in rural locations a larger area such as a watershed would be considered a community. A tribal reservation would normally be considered a community. Eligible CARE partnerships can be formed at the neighborhood level or in larger place-based areas.”* p. 4-5

Thus, places like New York City or watersheds the size of the Missouri or the Columbia Rivers are too populous or vast to be considered a ‘community’ under the CARE program. However, sections of New York City or the watershed of smaller rivers would be considered communities. Because CARE is designed to get community residents involved in projects, the larger the CARE community proposed by the applicant the more time they should spend explaining how they will bring stakeholders together as well as involve the public. Moreover, a subpopulation of a community (e.g., all the schools in a specific area; or all the people of the same ethnic group; or all the people with a single occupation to the exclusion of the other people living in the same area), does not qualify as representing the entire community and a project addressing a subpopulation is not be eligible for a CARE grant.

Based on this definition, a State or a major city like New York or Los Angeles is too large of an area and could not be a community. CARE focuses upon the “local level” and actions implemented by a community.

A CARE project could, and in many cases will, involve some work that is specific to a subpopulation within a community (such as daycare providers or schools), those subpopulations would not, by themselves constitute a community. There are certainly many communities that revolve around their local schools, but those schools are not, by themselves, communities.

In addition, a group of locations or subpopulations that are not co-located can not be “joined together” to form a community. For example, all the public housing spread throughout different locations in a city is not a community for purposes of CARE.

G. Leveraging

Question G1: For Level II applicants, is it better to provide cash or in-kind leveraged funds?

Answer: EPA does not weigh one type more highly than the other.

Question G2: I know it says no match required, but if we have matching funds, should we list them?

Answer: It is your decision whether or not to list matching funds. You should examine the evaluation criteria and see whether listing the matching funds help you demonstrate that you meet the criteria. If you do, you will be expected to account for matching funds during the project.

H. Working with EPA

Question H1: When EPA says they can lend technical expertise, what does that mean? What level of technical support will the EPA provide? For example, if we are interested in identifying multiple sources of exposure for a cumulative risk assessment, will EPA be able to provide modeling expertise to help us identify those sources of highest health risk? Or, would we need to bring on an academic partner that could provide that level of technical expertise? Do we need to specify in the application what type of assistance we might need from EPA?

Answer: You do not have to specify the type of assistance you might need. In general EPA sees its role as providing tools, technical assistance and other support. That support can come all phases of the CARE project based on the needs of the community. One place you can go to find the kinds of information and tools that EPA has is the CARE Resource Guide, which can found on the CARE website
<http://cfpub.epa.gov/oarweb/care/index.cfm?fuseaction=Guide.showIntro>

Please note that the specific assistance provided will depend on the situation and needs of the community and will be worked out by the EPA Project Officer and the selected applicants in the performance of the work supported.

If some cases EPA's technical support could include modeling support. It should be noted that the CARE program has a bias for action. In general, we do not believe that full scale cumulative risk assessments are necessary or appropriate for CARE projects. They are usually too expensive and time consuming. We believe in using screening level assessments, which can include modeling, to help prioritize risks so that communities can move more quickly to take actions that will reduce risk.

See the RFP (pgs. 7-9) for additional information.

Question H2: What is the list of EPA voluntary programs to choose from for the Level II awards?

Answer: EPA has produced the Voluntary Program Guide which can be found on the CARE website: <http://www.epa.gov/care/publications.htm>

However, for purposes of applying to the RFP, you do not need to include the specific set of voluntary partnership programs you plan to carry out. It is expected that a community partnership will work with EPA, other Federal Agencies (e.g. CDC, HUD) and your State to examine possible voluntary programs that will address the community's priority risks.

Question H3: Is it mandatory to promote or carry out only EPA's voluntary partnership programs?

Answer: No.

While we expect CARE projects to focus on voluntary partnership programs to reduce the impact of toxics and environmental pollutants, we do not require or expect that only EPA voluntary partnership programs will be used. EPA staff will work with the community partnership and provide information on EPA's and other programs. In addition, the other partners will also provide information on other programs they have or know about. The partnership will then select the programs that best meet their needs and resources. We expect communities will look to the broad array of programs available to them.

I. CERCLA and Monitoring

Question II: Your note, below, says that groups around sites that are CERCLA cleanup sites do not qualify. Can you explain? Do you mean that Superfund related PROJECTS would not be eligible (e.g., the kinds of projects that are eligible under the TAG program)? Or did you mean if the site is a CERCLA site, no matter what you propose in the community, it would not be eligible? Or, put another way, would a project be eligible if it involved a Superfund site. If the project clearly was not about the Superfund cleanup of that site. For example, would sampling for potential airborne emissions (should the community desire that) downwind be a potentially eligible project -- as that has zero to do with the CERCLA cleanup at the site? Or perhaps a series of mediated meetings with site management on pollution prevention technologies -- as that is not related to CERCLA either??? I went through the guidelines and FAQs and other things, and didn't get a clear answer to this. Any help you can offer would be appreciated.

Answer: The CARE grants can't be used to fund work that is typically done under Superfund, e.g., funding cleanup work at a Superfund site or hiring a technical advisor to assist a community in understanding issues associated with a Superfund site cleanup. A community that has a Superfund site in it can be eligible for a CARE grant to assess toxic problems in their community beyond the Superfund site, and to identify ways to reduce the risks from these toxic problems.

Something like air sampling unrelated to the Superfund site could be covered by a CARE grant, but, a project that seek to use existing air emissions information from sources such as the EPA Toxics Release Inventory to prioritize toxic problems in a community may be a better CARE project. CARE projects are designed to use readily available information to set priorities and get quickly to risk reduction efforts as opposed to air emission sampling which can be very expensive and time consuming. Air sampling may be necessary for some communities, but funding for this kind of more detailed assessment activity would more likely come from the air monitoring program.

J. Threshold Criteria

Question J1: Does our project meet the Level II threshold eligibility if our stakeholder group was formed to address a known problem rather than our specific stakeholder group identifying the priority problem?

Answer: In order to meet the Level II threshold eligibility criteria, as stated in the RFP you must represent a partnership that has "... completed a detailed examination of toxics and environmental pollutants in the community which includes more than one environmental media, come to consensus on the specific community priorities for risk reduction, and be prepared to choose a risk reduction to address community priorities and mobilize the community and its partners to carry out this plan."

Based on the limited information provided, it does not appear that your project meets the established threshold criteria.

Questions J2: I am facilitating a PACE EH process in my community and would like to apply for CARE II funding. Our process will not be complete by the deadline for applications but we expect that it will be completed by the time the funding would arrive in Oct/Nov. 08, we will have come to consensus on the specific community priorities for risk reduction and have a draft plan of action. However, in the CARE RFP, it states that to apply for a CARE II grant, "the applicant must have come to consensus on the community priorities for risk...". Can we still apply although we are only 1/3 of the way through our process? We would hate to have to wait another year to begin implementing risk reduction activities. Thank you for responding to this question!

Answer: The language of the RFP is what matters. Level II applications need to meet the Threshold Criteria that states the applicant (pgs 20-21):

- must have completed a detailed examination of all or most of the toxic risks in the community including all environmental media (air, water, etc.).
- must have come to consensus on the specific community priorities for risk reduction.
- must be prepared to choose a risk reduction program to address community priorities.

This language means the applicant must meet the Threshold criteria at the time of application.

K. Locations for CARE Communities

Question K1: Are the LEVEL I awards earmarked for big cities with large populations? With a population of 52,000 would our city be in the running for a Level I grant award?

Answer: None of the cooperative agreements are earmarked for any size of community. EPA is looking for a variety of projects in communities of different sizes with varying types of organizations.

You can see the variety of communities by reviewing previously awarded grants: <http://www.epa.gov/care/community.htm>

Question K2 I live in a large city where one organization already has a CARE Grant. Would I be eligible to apply for a grant as well?

Answer Organizations can always apply for a CARE grant.

You do need to be aware of the EPA National Selection Committee Determination (pg. 37 of the RFP) which does mention geographic balance within an EPA Region and throughout the nation as one of several factors. CARE is looking for geographic diversity. Currently, 68 communities throughout the US have or had CARE Grants. For a complete list of CARE Communities, go to the CARE Website: <http://www.epa.gov/care/community.htm>

L. Length of CARE Agreement

Question L1: Our organization is applying for a CARE Level I grant. Is it possible to complete the work in one year instead of two?

Answer: EPA expects that it will take more than a year for a community to achieve the goals of a Level I agreement - i.e. create a broad based stakeholder group, examine the toxics and environmental pollutants risks in the community and achieve consensus on priority risk, etc. However, there is no problem if the community can achieve those results in a year or less.

We believe that communities should, but are not required to, plan to complete their Level I project in either 18 or 30 months so they would be on schedule to apply for Level II grant when the appropriate RFP comes out.

M. Future CARE Competitions

Question M1: Will there be another round of similar CARE funding in 2011? Are you going to be running the grant competition every year?

Answer: It is our intent to continue the CARE program and fund additional cooperative agreements in the future but that will depend on future appropriations and budget decisions.

Question M2: Should I submit my grant this year with the hope that if it doesn't get funded this year, it might be funded next year or the year after that?

Answer: No.

EPA does not save applications that are not awarded this year and use them in future competitions. You must apply each time the RFA is announced.

N. Is My Project Eligible For Funding?

Question N1: Examples of questions about the types of community projects submitted during prior RFPs:

We are a very rural area on St. John in the US Virgin Islands with only 1500 people. We have stormwater pollutants entering ocean and damaging coral, need for rainwater cistern drinking water to be purified in homes, and an old auto junkyard needing detox and removal. Are any of these needs eligible?

I am wondering if unserved communities that discharge to a drainage tile which ultimately goes to a drainage ditch and/or stream would be considered a toxic exposure and would qualify for this CARE program.

Are there grants available for meth cleanup?

Will the CARE Program fund initiatives related to lead poisoning prevention?

We would like to produce and distribute to the residents of our small community, a video outlining how they can prepare for and protect themselves from, these hazards in the event of a release of some kind. We were wondering if funding under the Care Program would be applicable to this application.

Answer: We cannot answer specific questions about whether one idea or another is eligible for funding. Not only is it unfair to the other applicants to prejudge a specific idea, it is hard to evaluate projects based on short descriptions. However, Section I.B *Scope of CARE Projects* does provide overall guidance.

You may also want to look at the Evaluation Criteria (pgs. 30-36) to see how your project would score.

Looking at the variety of projects funded since 2005 also provides insight into what would make a successful application:
<http://www.epa.gov/care/community.htm>

Question N2 Can I use CARE funds to build/buy a...(solar heater for a community swimming pool, removal of an underground storage tank, purchase monitoring equipment, etc.)

Answer CARE is a community-based, community-driven program created to build self-sustaining partnerships to help communities understand and reduce environmental and health risks. As such, the primary orientation of CARE

is not purchasing major equipment or funding construction activities. Certainly the purchase of small items is not prohibited, but these need to be indicated in the Project Budget.

Refer to the Evaluation Criteria in the RFP to better understand the selection process (pgs. 30-36).

O. Multi-Media

Questions O1: Do the projects considered for the CARE grants have to be multi-media, or can the projects be limited to one media (e.g., air)?

Is it correct to say that we cannot limit its program to multiple sources of contamination to a single medium (like a waterway) without having that medium come out on top during the risk assessment?

Answer: The CARE program is designed to be a multi-media program. We expect communities with a Level I agreement to analyze toxic risks in all media. In order to pass the threshold criteria to be considered for a Level II agreement, a community would have to have completed a screening level, multi media assessments of toxics in their community. At that point a community which has examined risks from different media would be allowed to set their priorities as they see fit and those priorities could be in one media.

Question O2: In a previous project in the targeted community, we had assessed air and soil contamination, but not water. Are we required to examine all three media – air, soil, and water – or is two enough?

Answer: If you look at the *Threshold Factors for Level II Proposals* (p. 20-21) it says: “*The collaborative partnership must have completed an examination of all or most of the local environmental risks and impacts in the community including all environmental media (air, water, etc.)...*”

Also, you can look to the *Proposal Evaluation Criteria* (pgs 30-36) for additional information.

Question O3: We are planning to submit an application to address Lead Poisoning and the problems associated with Mold and the problem is trying to identify the multi-media for both pollutants. Air is a media for both and water can easily be identified with Lead but not with Mold. Since we would be addressing two issues would both medias have to address both issues? Could physical contact be accepted as a media? Physical contact in the case of Lead would be actual digestion and with mold it would be if some touched visible mold or got it on their clothing.

Answer: For purposes of the CARE program we generally consider the indoor environment to be one media and drinking water to be another. Physical contact is not a media, for a pollutant to impact the body, something (matter or energy) must have some contact with the human body. Please remember that being multi-media is only one requirement of the CARE

Program. The CARE Program is very competitive; your application will need to do a good job addressing all the CARE Evaluation Criteria in order to successfully compete for funding.

P. Difference between Grant and Cooperative Agreement

Question P1: I am unsure what the difference is between a grant and cooperative agreement.

Answer: A cooperative agreement is a type of grant in which EPA has substantial involvement with the grantee and the project. CARE is a Cooperative Agreement. This is more fully described on the EPA Web site:
<http://www.epa.gov/ogd/recipient/fgcaa.htm>

Q. Number of Applications

Questions Q1: 1: Have you had more interest in Level I or Level II funding?

2: How many proposals did you receive last year total?

Answer: During the 2009 process there were more Level I proposals than Level II.

From RFP (pg. 2):

“The CARE grant program is very competitive. In the 2009 competition, 236 eligible proposals were received and 9 projects were funded.”

R. CARE Information Sessions

Questions R1: I have a question about the CARE Grant. Would an applicant be able to apply for the CARE Grant if they had missed the three CARE Information Sessions?

Answer: Please feel free to apply. There is no requirement that you attend any of the sessions. These are simply an opportunity to learn more about the CARE Program and ask questions.

The Webcasts from the 2009 RFP are archived (see February 2009) if that provides assistance. The 2010 Webcasts will be archived shortly after they take place. Webcasts are available at:
<http://www.clu-in.org/live/archive.cfm>.

Question R2: Are you going to conduct a Question and Answer session for potential applicants like you have other years?

Answer: Yes. (see pg. 15 of the RFP)

The CARE Program will conduct three identical national information sessions for potential applicants via a national Web cast seminar. We do require registration prior to the Web cast since we have a limited number of phone lines.

The schedule is as follows:

February 2, 2010 1:00 PM – 3:00 PM ET (completed)

February 23, 2010 1:00 PM – 3:00 PM ET

February 26, 2010 1:00 PM – 3:00 PM ET

S. Principal Investigators

Question S1: What qualifications should the PI have for this grant? Please be as specific as possible. Thanks!

Answer: There are no specific qualifications for the head of a CARE grant. EPA has asked for brief biographical sketches of key technical experts who will be involved in the proposed project in order to see if their qualifications and experience are consistent with workplan and provide confidence that

the project will be successfully completed. Please note that EPA does not use the term Principle Investigator (PI) because CARE projects are not research projects but collaborative projects designed to bring communities together to reduce risks from toxics.

Question S2: Is it possible to have these two roles—fiscal agent and PI--housed in separate organizations? It appears that the applicant organization (presumably also the fiscal agent) would have to subcontract (and bid) the PI role if not housed in the same organization.

Answer: The RFP clearly states (pg. 27):
“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.”

Thus the applicant will be accountable for all aspects of the Grant including financial accountability.

The applicant can subcontract only if proper procedures regarding competition are followed, See Questions E1 through E3 for additional information.

T. Old Applications and Workplans

Question T1: We are looking to do a project that might be eligible for this CARE program but would really appreciate seeing an example of an approved/funded project, such as the application narrative or work-plan. If you can please provide this information, I would greatly appreciate it.

Answer: Unfortunately, it is EPA policy not to distribute applications and workplans. They are not considered public documents and therefore belong to the grantees. We would recommend your participation in the upcoming webcast to learn more about the CARE program. In addition, you can access the 2005 CARE projects final reports posted on the CARE web page at: <http://www.epa.gov/care/community2005.htm>