

US EPA ARCHIVE DOCUMENT

Questions and Answers about the CARE RFP: 2011

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 within 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 22, 2011.**

SPECIAL NOTE: This is a change from previous years and is explained on page 2 of the RFP.

“Due to appropriation law concerns, until Congress provides separate authorization, EPA can only award CARE Level II cooperative agreements to recipients that have already received CARE Level I cooperative agreements.”

New Since Last Version: A17, B14

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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 501(c)(3)? 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 (see Sec III.C.5, p. 20). 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. 36). As a practical matter, it is highly unlikely that we would have two CARE Cooperative Agreements in the same community.

Please see Special Note on page 1 which explains that only communities with existing Level I grants can apply for a Level II grant.

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. 4-5):

“Under the CARE program a community is generally **all** the people living in the same area sharing the same environment, including both residents and businesses. A tribal reservation would be considered a community. Eligible CARE partnerships can be formed at the neighborhood level or in larger place-based areas.’

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: 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 A12: Are you saying that applicants cannot use CARE grants to undertake activities that are already funded by other parts of EPA?

Answer: Yes.

There are certain statutory restrictions which apply to the kind of activities which can be funded by a CARE Grant. Essentially a CARE Grantee cannot receive funding for an activity which is covered under another existing EPA Grant.

Section I.d.2 (p. 16-17) describes this in more detail.

Question A13: 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 Statutory Authorities for CARE awards (p. 16) 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 because these are outside of the EPA Authority 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 A14: 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. Under this RFP” EPA does strongly encourage CARE communities to work with state agencies as partners to support the project as appropriate.

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.

Question A15 My organization is a non-profit hospital. Are we eligible for a CARE grant?

I am part of a non-profit association within a hospital. Are we eligible for a CARE grant?

Answer OMB Circular A-122 is quite clear on this question:
(http://www.whitehouse.gov/omb/circulars_a122_2004)

*“...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.”*

Thus, a hospital would **not be eligible to receive a CARE grant**. The same is true for an association linked with the hospital (e.g. uses the hospital name, located in the hospital space, uses the hospital address, etc.)

Question A16 Do you have to be an EJ community to apply for a CARE grant?

Answer No.

While a number of CARE communities would also be considered EJ communities, these are separate EPA programs and the EPA Office of Environmental Justice operates their own grant program which is substantially different from the CARE grant.

The Evaluation Criteria RFP p. 29-35) does take into account "...multiple stresses on economically disadvantaged communities and/or vulnerable communities and populations." as part of the rating process.

Question A17: My community received a CARE Level I grant. We would like to apply for a Level II grant but understand that these grants are only open to communities which received a Level I grant but the applicant which received the LI grant does not want to re-apply. Can another organization within our CARE Level I community partnership apply for the CARE Level II and meet the limitations imposed this year?

Answer Yes, another CARE Level I partner organization can apply for a CARE Level II providing the proposal represents the same community project and builds upon the work performed in the Level I grant.

The restriction in the 2011 RFP pertains to the community project and work associated in the CARE Level I and not the specific grantee. Only communities who have received a CARE Level I grant are eligible for a Level II. Make sure that the definition of Community included in your Community Profile is the same as that used for the Level I grant (see RFP p. 24).

B. Documentation

Question B1: Can we make subawards to acquire services?

What do we need to do to make sole source awards?

Answer: Yes, the grantee can provide subgrants or subawards for financial assistance but the grantee must comply with Federal rules.

What EPA requires is outlined in Section IV (p. 27), "Can funding be used for the applicant to make subawards to acquire contract services or fund partnerships"

It is important that subawards comply 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 of the regulations at 40 CFR Parts 30 or 31, as appropriate.

It is important to note that an applicant cannot plan to award sole source contracts to consulting, engineering or other firms based upon assistance provided in developing the proposal.

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: The narrative in this section tries to provide the information you should supply so refer to that description.

This information will be part of the Evaluation Criteria described in Section V. (#6, p. 31 for level I and #8, p 34)

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. This information needs to be part of the Application Package, and not sent independently to EPA staff.

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 (see p. 22)
2. By using Grants.Gov. This is a Federal Government wide system. Appendix A (p. 42) EPA will not be able to assist you if you encounter problems with this system. You will need to contact Grants.Gov.

We will not accept proposal via:

- 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 including summary page - 10 pages maximum

Note : Supporting materials such as resumes and letters of support can be submitted as Attachments and are not part of the 10 page limit.

Attachments

Level I	no limit
Level II	up to five (5) attachments No more than fifty (50) pages for all attachments

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: There are no specific requirements for either fonts or margins. Remember that *“Applicants are also advised that readability is of paramount importance and should take precedence in selection of an appropriate font size for use in the proposal.”*

Question B10: Can a logic model table be pasted as a figure, to save space?

Answer: A logic model is not required for any submission, but can provide a useful mechanism for expressing elements of the **Project Description** (p. 24-25)

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

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.

Appendix B, C, and D provide helpful suggestions as you prepare your submission.

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. 20) 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. 29-35)

Question B12: 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 B13 In the RFP (p. 26), you talk about a **Quality Assurance Narrative Statement** as an optional attachment we can include. Just what is this?

Answer This is part of the EPA Quality Assurance Program which is designed to ensure we have confidence that any data we collect through a grant is accurate and reliable. This only comes into consideration if primary data is collected through the grant. The direct use of secondary data sources like the US Census, local economic data, published emission data, etc. is presumed to have their own quality assurance process.

The specific requirements are explained here:

http://www.epa.gov/QUALITY/qa_cfrs.html)

40 CFR Part 30
Grants and Agreements with Institutions of Higher
Education, Hospitals, and Other Non-Profit
Organizations

30.54 Quality assurance.

If the project officer determines that the grantee's project involves environmentally related measurements or data generation, the grantee shall develop and implement quality assurance practices consisting of policies, procedures, specifications, standards, and documentation sufficient to produce data of quality adequate to meet project objectives and to minimize loss of data due to out-of-control conditions or malfunctions. The quality system must comply with the requirements of ANSI/ASQC E4, "Specifications and Guidelines for Quality Systems for Environmental Data Collection and Environmental Technology Programs", which may be obtained from the National Technical Information Service (NTIS), 5885 Port Royal Road, Springfield, VA 22161.

Question B14: We would like to collect some data as part of our CARE Grant. We understand that all data collected using Federal Funds must have an approved Quality Assurance Project Plan (QAPP). If we have a pre-existing QAPP with the state are we also required to have new one for EPA or will the state QAPP suffice?

Answer Generally we recommend that CARE grantees make use of existing data or data obtained outside of the CARE Grant using one of the project partners. There is no prohibition from collecting data through the CARE Grant.

As you note, all data collected using Federal funds as part of an EPA grant must have a QAPP associated with that effort. This requirement is explained in detail at: <http://www.epa.gov/quality/exmural.html> In particular, pay close attention to the table which specifies the requirements depending upon the type of organization.

Having a state approved QAPP would certainly expedite the process, but it does not relieve the Grantee from complying with EPA requirements.

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. 40) 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 2011 CARE grant?

Answer: During the summer, letters were sent either from the EPA Selecting Official (if your proposal was sent 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?

Answer: 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_2004

(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/circulars_a122_2004

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. Remember that a CARE grant is awarded to one organization. We cannot make joint awards.

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? They can vary considerably depending upon the month and the location.

Answer: 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. You can make an estimate.

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. 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 D11: 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://www.epa.gov/ogd/guide/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 not 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.

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.6 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 across the United States and its territories 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”. Under the CARE program a community is generally **all** the people living in the same area sharing the same environment, including both residents and businesses. A tribal reservation would 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 sizes 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. Financial support, though, will be tracked differently than in-kind contributions.

Question G2: Can you explain how any matching funds will be evaluated?

Answer: Level II applications with matching funds will be part of the Evaluation Criteria, #4 as described on p. 33 of the RFP.

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.

In 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. 7-8) for additional information.

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

Answer: EPA has produced the Community Guide to EPA's Partnership Programs 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 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 partnership programs?

Answer: No.

While we expect CARE projects to focus on partnership programs to reduce the impact of toxics and environmental pollutants, we do not require or expect that only EPA 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 I1: Your note says that groups around sites that are CERCLA cleanup sites do not qualify for CARE grants. 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: As stated in the RFP, this year only applicants who are a current or former level I grantee may apply:

NOTE: Due to appropriation law concerns, until Congress provides separate authorization, EPA can only award CARE Level II cooperative agreements to communities that have already received CARE Level I cooperative agreements. P. 2

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: Yes, Organizations can always apply for a CARE grant.

You do need to be aware of the EPA National Selection Committee Determination (pg. 36-37) which does mention geographic balance within

an EPA Region and throughout the nation as one of several factors. CARE is looking for geographic diversity. 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 2012? 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* (p. 4-7) does provide overall guidance.

You may also want to look at the Evaluation Criteria (pgs. 29-35) 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 partnership built upon broad based , community-driven involvement aimed at creating 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. 29-35).

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)?

Answer: The CARE program is designed to be a multi-media program. We expect communities with a Level I agreement to analyze toxic and environmental pollutant 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: 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.

Question O3 Can you better define what “multi-media” means? (i.e. is more better?) – can there be too many?

Answer What makes the CARE grant different than many of the existing EPA grant programs is the focus upon a comprehensive, multi media approach to toxic problems confronting communities.

Within EPA the term ‘media’ usually refers to:

Environmental medium: One of the major categories of material found in the physical environment that surrounds or contacts organisms, e.g., surface water, ground water, soil, or air, and through which chemicals or pollutants can move and reach the organisms.

(<http://www.epa.gov/ttn/atw/hlthef/hapglossaryrev.html>)

Most of EPA is organized around specific media due to specific legislation (e.g. Clean Water Act, Clean Air Act, Toxic Substances Control Act, etc) so EPA grants and programs usually conform to this media specific approach. The EPA Strategic Plan (<http://www.epa.gov/planandbudget/strategicplan.html>) also provides insight into what are specific ‘media’ . The CARE approach seeks to embrace a more comprehensive look at issues within a community by looking across several ‘media’ (see p. 13-14 of RFP)

We do not specify exactly what is multi-media but most successful applicants look at air (Outdoor and indoor), water (surface and ground), and land (waste, pesticides, chemicals) as part of their process. This is best described in the **CARE Roadmap** (<http://epa.gov/care/library/20080620roadmap.pdf>) publication and other similar methodologies like **PACE EH** (Protocol for Assessing Community Excellence in Environmental Health: <http://www.cdc.gov/nceh/ehs/ceha/>).

Some activities while important to the community are simply beyond the scope of EPA and CARE given the EPA enabling legislation. General Public Health activities like inoculations, AIDS education, or childhood obesity cannot be addressed using CARE 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: How many proposals do you anticipate and what proportion receive funding?

Answer: CARE is always a very popular EPA program and we expect a significant number of proposals. This is a very competitive grant program.

Page 2 of the RFP provides data from last year: *“In the 2010 competition, 189 eligible proposals were received and 14 two-year 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.

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 23, 2011 1:00 PM – 3:00 PM ET

March 2, 2011 1:00 PM – 3:00 PM ET

To register for the upcoming CARE national information sessions for one of the above dates, please go to

<http://www.cluin.org/studio/seminar.cfm#upcoming>

And click on the registration link for the 2011 CARE National Web Cast.

The three national training Webcast sessions are completed during the 2010 RFP are available and the February 8, 2011 call will also be available. We will archive the remaining 2011 sessions as well. These are available on: <http://www.cluin.org/live/archive.cfm>

Be aware that the format of all three sessions is identical so there is no need to attend each one.

S. Project leads

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

Answer: There are no specific qualifications for the person who will lead a CARE grant. EPA asks 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 the term Principle Investigator (PI) is used in a generic context, not the traditional academic setting 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: It is EPA policy not to distribute applications and workplans since EPA considers proposals/application confidential and protected.. They are not considered public documents and therefore belong to the grantees. We would recommend your participation in the upcoming webcasts to learn more about the CARE program.

