

EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

**Ian A. Bowles, Secretary
Grant Announcement**

RFR ENV 10 CZM 04

Dated: April 8, 2010

Buzzards Bay Watershed Municipal Mini-grant Program FY2011

1. GRANT OPPORTUNITY SUMMARY:

A. PROPOSALS SOUGHT FOR: The Executive Office of Energy and Environmental Affairs (EEA), through the Buzzards Bay National Estuary Program in the Massachusetts Office of Coastal Zone Management (CZM), requests responses for the FY11 Buzzards Bay Watershed Municipal Mini-grant Program. Projects must implement a recommendation or recommendations in the Buzzards Bay Comprehensive Conservation and Management Plan and be principally located within the Buzzards Bay Watershed.

B. OVERVIEW AND GOALS: The Buzzards Bay Watershed Mini-grant Program provides financial and technical resources to municipalities for projects that help meet the Buzzards Bay National Estuary Program's goals to protect and restore water quality and living resources in Buzzards Bay and its surrounding watershed. The sources of funds for this solicitation are federal and provided in accordance with a Cooperative Agreement with the US EPA.

C. ELIGIBLE PROJECTS: Eligible projects include:

- Stormwater remediation designs,
- Implementation and construction of existing stormwater designs,
- Stormwater mapping support,
- Wetland/open space/habitat restoration, preservation, acquisition or protection,
- Municipal parcel GIS data acquisition or update,
- Digitization of wetland boundaries or land elevations from wetland permits,
- Migratory fish passage and habitat restoration,
- Water quality testing in support for establishing priorities for stormwater remediation,
- Construction of a boat pump-out facility in a municipality or harbor when none exists,
- Creation of online reporting systems for tracking of operation, maintenance and monitoring of innovative and alternative septic systems,
- And other activities in support of the Buzzards Bay Comprehensive Conservation and Management Plan.

D. ELIGIBLE APPLICANTS: This solicitation is open to all municipalities within the Buzzards Bay Watershed. However, specific restoration and protection projects must lie within the Buzzards Bay watershed boundary (see map in Attachment C and detail on eligible applicants in section 2A).

E. APPLICATION DEADLINE: **Wednesday, June 2, 2010 by 4:00 PM** (See further detail on deadlines and grant program calendar in section 4).

F. FUNDING AVAILABILITY: It is anticipated that a total of \$282,512 in federal funds will be available through this solicitation. Should additional funds become available, EEA reserves the right to increase the amount of available grant funding. Final funding amounts subject to approval. Exceptions may be made at the Secretary's discretion (see further detail on Funding Availability in section 2C).

G. MATCH REQUIREMENT: Applicants must provide a non-federal match that will equal or exceed 33 percent of requested funds. (Please see further detail on match requirement in section 2D). Funds from other federal sources or grants, and funds committed to match other federal grants, are not eligible to be used as matching funds.

H. TOTAL ANTICIPATED DURATION OF CONTRACT(S): Contracts will last approximately 11 months, with a proposed start date of August 2010 and a completion date of June 30, 2011. However, where needed, and with the approval of EEA, contracts may be written or extended to December 31, 2011. (See further detail on anticipated duration of contract(s) in section 2F).

I. REGULATIONS, STATUTES, OR AUTHORIZATION GOVERNING THIS GRANT PROGRAM: The award of grants to municipalities is subject to the regulations in [815 CMR 2.0.doc](#). Additional state policies and guidelines on municipal grants can be found on the [Operational Services Division](#) website. This grant program is also governed by cooperative agreements between the Commonwealth of Massachusetts and the US EPA in support of the Buzzards Bay National Estuary Program (See further detail in Attachment B).

J. CONTACT INFORMATION: Sarah Williams, Municipal Grants Coordinator
Buzzards Bay National Estuary Program/CZM
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East Wareham, MA 02538
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Website: buzzardsbay.org

2. Performance and Contract Specifications

A. ELIGIBLE APPLICANTS: This RFR is open to municipalities within the Buzzards Bay Watershed, including: Fall River, Westport, Dartmouth, New Bedford, Acushnet, Fairhaven, Rochester, Mattapoisett, Marion, Wareham, Middleborough, Carver, Plymouth, Bourne, Falmouth, and Gosnold. However, specific restoration and protection projects must lie within the Buzzards Bay watershed (see Attachment C).

B. ELIGIBLE PROJECT(S)/SCOPE(S) OF WORK: To be eligible for funding, applications must conform to the guidelines listed in the ten eligible grant categories listed below. Categories one (1) through nine (9) are considered priority areas for funding. Applications in Category 10 (“Other Actions in Support of Management Plan Implementation”) will receive a lower priority based on the scoring system described in section 3A and Attachment D (scoring sheet).

1) Stormwater Remediation Designs

Funds in this category may be used to develop feasibility studies, assessments or designs for the remediation and treatment of stormwater. Projects must address stormwater discharges or combined sewer overflows (CSOs) that are affecting water quality resulting in the closure of shellfish beds or public bathing beaches or other impairments and areas listed on the state's Integrated List of Impaired Waters as Category 5 (formerly the 303(d) list). Only Massachusetts Category 5 Waters (“Waters requiring a TMDL”) are eligible for funding in this category and the proposed remediation strategy must address the impairment.

Note that in this category, municipalities will not receive cash awards. Instead, for each project selected, \$20,000 of available grant funds will be set aside to fund engineering services that support these awards. Municipalities will work with the Buzzards Bay NEP to develop feasibility studies, assessments or conceptual plans mutually acceptable to the municipality and the Buzzards Bay NEP. After a site evaluation is made, it is possible that a viable conceptual plan cannot be developed for a particular site. For example, a combination of high water table and the lack of town-owned land near the discharge may make it impossible for the construction of “end of the pipe” treatment options. At such sites, the Buzzards Bay NEP may look for upgradient stormwater reduction and pollutant source reduction strategies.

Once all viable conceptual plans are completed for all projects selected, they will be ranked by the Buzzards Bay NEP. The Buzzards Bay NEP will then conduct a solicitation to hire a private engineering firm to develop final feasibility studies, assessments or stamped engineering designs for the top 3 or 4 ranked conceptual plans. When these projects are complete, the Buzzards Bay NEP will then work with the municipality to secure additional state and federal funds to implement the final stormwater remediation plans.

For this category, municipalities must submit the following information in Part II of the application.

- Identify the specific pollutant(s) or impairment associated with the stormwater discharge that the town must address (e.g. fecal bacteria causing shellfish bed closures).
- Include a locus map showing any known drainage networks and presumed drainage watershed associated with the discharge and the name of the receiving waters.
- Provide any available water quality monitoring or shellfish bed closure information.

- State whether or not the discharge is within a closed shellfish area or at a swimming beach.
- State whether the town is willing to collect water samples of stormwater discharges if the Buzzards Bay NEP pays for the analysis of the samples.
- State whether the town owns land for site remediation. Or can the town obtain an easement, where the stormwater treatment could be located? (Attach a portion of an assessors map showing property bounds and potential locations of BMPs).
- State whether the town will want to consider BMPs that may require the road to be dug-up and/or may result in a reduction of road width.
- State whether the municipality will dig test pits, at its expense, to allow the Buzzards Bay NEP to evaluate soils and the water table at the site.
- State whether the municipality will provide, at its expense, copies of town plans, engineering as-builts, and any other existing pertinent information needed to assess the project.
- State whether the municipality's project lead will participate in necessary site visits and meetings to develop a conceptual stormwater remediation plan for the site.
- Explain what utilities are located at the site and how they might affect the selection of a BMP.
- If the conceptual plans developed through the above process are selected for the development of final designs and engineering plans, state whether the municipality agrees to have representatives from the municipality's Conservation Commission and the Department of Public Works meet with the Buzzards Bay NEP and private engineer, as necessary, to finalize designs for the stormwater remediation project.
- If final stormwater designs and engineering plans are developed through the process described above, state whether the municipality requires assistance from the Buzzards Bay NEP to develop a grant application to fund the implementation of those final designs.

Communities applying in this category must commit to their project by providing a project leader who will actively participate in site assessment and the development of conceptual plans. In their application, the municipality must also agree to have their DPW excavate any soils test pits required to evaluate the site. More meetings will be required if the project is selected (by the Buzzards Bay NEP) for the preparation of final designs by an engineering firm.

Selection of municipal projects for design funding will be based on ratings of viability and effectiveness as determined by the Buzzards Bay NEP. Any unspent funds in this category will be made available in a future municipal grant RFR.

2) Implementation and Construction of Existing Stormwater Designs

This category funds the construction and implementation of Best Management Practices (BMPs). Only discharges that are contributing to impairment are eligible for funding. For example, a stormwater pipe must either discharge to an impaired area (closed shellfish area, periodically closed swimming beach, etc.), or flow to a stream or tributary that contributes to the impairment.

Projects must meet certain design criteria to be eligible for the funding of construction of stormwater remediation solutions. Designs must address discharges to a documented impaired body of water. For example, the use of swirl separators alone, which are needed to comply with the state's stormwater policy under the Wetlands Protection Act in order to meet the requirement of removing 80% of the Total Suspended Solids (TSS), will be ineligible for funding if they are the sole

solution for stormwater treatment of a discharge to an impaired shellfish bed or swimming area. That is because swirl separators alone do not remove an adequate amount of bacteria to change bacteria concentrations in the receiving waters. On the other hand, if a design includes swirl separators as a form of pre-treatment before infiltration of the first flush of stormwater into the ground, such a project would be eligible for funding to address shellfish bed closures. Designs previously funded by DEP, CZM or Buzzards Bay NEP may be considered automatically eligible.

Applicants in this category must submit engineered plans, design calculations, TR-55 or equivalent summary reports, operation and maintenance plans, and should state whether or not any permits have already been obtained. If permits have not been obtained, the Buzzards Bay NEP staff will be willing to assist the municipality in preparing and submitting all necessary permits.

3) Stormwater Mapping Support

In this category, municipalities may seek funds to hire student interns or temporary staff to expand upon or update efforts to map stormwater drainage networks in the Buzzards Bay watershed. Funds may not be used to pay salaries of existing staff.

The purpose of this program is to encourage municipalities to validate, use, and update the Buzzards Bay watershed stormwater drainage system database developed by the Buzzards Bay NEP and its partners (see <http://www.buzzardsbay.org/stormatlas.htm> for more information). Often DPWs or other departments lack staff time or expertise to update GIS stormwater databases. This funding will help municipalities meet this need. Any applicant funded under this category is required to contact MassGIS at the start of the project and to keep in close contact with MassGIS, providing them with updates and data as requested, throughout the term of the project. Final GIS products must be approved by MassGIS and, at a minimum, meet their standards for Water, Wastewater and Stormwater Infrastructure (see <http://www.mass.gov/mgis/standards.htm#Pipestandard>).

In Part II of the application form, explicitly state the purpose of your request.

4) Wetland/Open Space/Habitat Restoration, Preservation, Acquisition or Protection

Funds in this category will help permanently protect, restore, acquire, or preserve wetlands or upland open space for the purposes of habitat protection, wildlife protection, conservation and passive recreation purposes.

Funds may be used for a variety of purposes that meet these goals, including, but not limited to:

- Startup or seed money for restoration of wetlands (including surface water quality), including survey, assessment, and development of designs.
- Appraisals, site evaluations, or professional land surveys of any parcels where wetlands, wetland buffer zones, or endangered species habitats are a major feature. These evaluations are intended for parcels that are expected to be available for public land purchases, permanent conservation restrictions or easements, or purchase by land trust organizations.
- Outright purchase of parcels where wetlands, wetland buffer zones, or endangered species habitats are a major feature. Cost effectiveness for this category will be based on cost per acre as defined in the scoring criteria.
- Municipal acquisition of Conservation Restrictions to permanently protect a parcel from development, particularly on those parcels where wetlands, wetland buffer zones, or

endangered species habitat are a major feature. Work may be conducted in partnership with land trusts.

- Improved tidal flushing of bays and salt marshes to restore tidally restricted salt marshes (see the *Atlas of Tidally Restricted Salt Marshes in the Buzzards Bay Watershed* at <http://www.buzzardsbay.org/smatlasmain.htm>), or achieve other improvements in water quality and benthic or other habitat.
- Removal of fill or other alterations to inland and coastal wetlands. Municipalities are encouraged to review the *Selected Inventory of Potential Wetland Restoration Sites in the Buzzards Bay Watershed, Phases I and II* on the www.buzzardsbay.org website.
- Projects to detect and monitor non-native invasive species.
- Development of an EPA-approved Quality Assurance Project Plan (QAPP) for an environmental monitoring project.

Projects not eligible under this RFR include those that are required by wetland enforcement orders because of a wetlands violation, sites under adjudicatory review, or projects required as mitigation under an existing Order of Conditions.

For direct land acquisition projects, where the town proposes the use of Buzzards Bay NEP funds for the purchase of land in fee or conservation restrictions, the municipality must stipulate that they will protect the property in perpetuity under Article 97 of the Constitution when recorded at the Registry of Deeds.

For wetlands restoration projects pre-restoration and post-restoration photos of the site will be required as deliverables. Photos should be taken from multiple, but consistent angles and perspectives (i.e. using the same camera (if possible) and standing in the same position). The dates photos were taken must be provided. Digital photos are preferred.

For all projects involving monitoring, a Quality Assurance Project Plan (QAPP) will be required. A QAPP is a document that outlines the components of a monitoring program, including the steps taken to assure the quality of the data generated. All QAPPs must go through the formal EPA-approval process, which may take several weeks to months, depending on the complexity of the project. Due to the limited timeframe of this grant program and the lengthy QAPP approval process, it will be difficult, especially for complex projects, to complete a QAPP and perform the actual monitoring by the contract deadline. Therefore, municipalities are encouraged to consider applying for QAPP development and monitoring in separate and subsequent grant rounds. If a municipality intends to hire a consultant to complete their QAPP, the municipality should ensure that the consultant it hires has recent experience completing a QAPP that has been approved by EPA. The cost of hiring a consultant to draft a QAPP and have it approved by EPA is a reimbursable item in this grant category. An example QAPP is available at http://www.mass.gov/czm/docs/word/general_qapp.doc

Any project involving construction (e.g. culvert replacements, etc) will require an as-built as a deliverable.

Parcels that include appreciable uplands will be considered if their protection provides benefits in the protection of wetlands, wetland habitat, water quality (including groundwater), endangered

species habitat, or wetland or aquatic species.

In Part II of your application, explicitly state the purpose of your request.

5) Town Parcel GIS Data Acquisition/Update or Digitizing of Wetland Boundaries or Land Elevation from Wetland Permits

Funds are available to address serious errors in positional accuracy and GIS registration of parcel boundaries, or to update existing GIS coverages that do not include new subdivisions and other parcel boundary changes. Municipalities must agree to meet at least Level 2 compliance standards identified by MassGIS for municipal assessors map data sets, as described in the link at: <http://www.mass.gov/mgis/standards.htm> - Parstandard

Municipalities may also request funding in this category to create GIS coverages of wetland boundaries defined on plans accepted pursuant to the state Wetlands Protection Act and supporting regulations (310 CMR 10.00) or comparable local wetland bylaws as part of filings of Notices of Intent and Requests for Determination of Applicability. Mapping may include land contours in the flood zone to help plan for storm inundation and impacts from sea level rise. Only municipalities now meeting Level 2 compliance for GIS parcel data coverage are eligible for the wetland delineation funding.

Describe in detail the tasks to be undertaken. Funds may be used for subcontracts or to bring on temporary staff to complete the work. Updated GIS data must be provided to the Buzzards Bay NEP and MassGIS as a deliverable under this grant. Reimbursement will not be made to a municipality until MassGIS has determined the new data meets its Level 2 standards.

Any applicant funded under this category is required to contact MassGIS at the start of the project and to keep in close contact with MassGIS, providing them with updates and data as requested, throughout the term of the project. The final deliverable must be approved by MassGIS.

6) Migratory Fish Passage and Habitat Restoration

Proposals should address problems in the migration of fish between fresh water and saltwater bodies, including, but not limited to herring, shad and eels. Eligible projects include feasibility studies, design and/or construction. Proposals to simply install counters are ineligible in this category. However, if a counter is proposed as part of structural improvements to improve the migration of fish, or if this counter was needed for the management and control of these structural improvements, or to evaluate the effectiveness of these structural improvements for the purposes of additional modifications, then the purchase of a counter would be eligible for funding as part of the broader proposed funding request.

In this category applicants should describe in detail the work to be completed, the location of the work, describe existing structure, and the expected time frame for completion of the work. Identify the individual who will coordinate the effort or play a key role. Describe the fish species that will benefit from the work. Provide any available historic fish population data if available, the acreage of the upstream spawning area, and any estimates of fish populations that might be expected. Describe also, any other follow-up or management actions planned to manage or enhance the restoration project.

For migratory fish projects involving structural improvements, pre-restoration and post-restoration photos of the site will be required as deliverables. Photos should be taken from multiple, but consistent angles and perspectives (i.e. using the same camera (if possible) and standing in the same position). The dates photos were taken must be provided. Digital photos are preferred.

7) Water Quality Testing in Support for Establishing Priorities for Stormwater Remediation

Municipalities often have dozens of stormwater or other pollution sources that may contribute to closures of shellfish beds or impairments of other resources. In order to better direct limited state and federal funding to remediate stormwater discharges, this funding category was established to provide municipalities with a way to pay for the testing of water samples or hire a contractor to collect and test water samples. For projects in this category, municipalities should specify the precise discharges, the state of the receiving waters from a shellfish resource classification perspective, any swimming beach impairments, pollution sources, or runoff areas they wish to monitor. The parameters to be tested, the approximate number of samples to be collected, and the period of time monitoring is planned for (winter monitoring is not recommended for bacterial discharges) must be specified in the proposal. Planned efforts to sample dry weather flows and wet weather flows should be described and a target number of stations and sampling events should be identified, as well as anticipated laboratory costs. Sampling may occur both at the end of the pipe, and within upstream networks, including underground drainage networks, for the purposes of identifying potential upstream hot spots.

This funding is not being provided for generalized monitoring programs. It is to be used to identify pollution sources that must be remediated in order to restore impaired waters and living resources. Municipalities are encouraged to develop partnerships and work with key town boards to create cost-effective monitoring programs.

In this category, a Quality Assurance Project Plan (QAPP) will be required. A QAPP is a document that outlines the components of a monitoring program, including the steps taken to assure the quality of the data generated. All QAPPs must go through the formal EPA-approval process, which may take several weeks to months, depending on the complexity of the project. Due to the limited timeframe of this grant program and the lengthy QAPP approval process, it will be difficult, especially for complex projects, to complete a QAPP and perform the actual monitoring by the contract deadline. Therefore, municipalities are encouraged to consider applying for QAPP development and monitoring in separate and subsequent grant rounds. If a municipality intends to hire a consultant to complete their QAPP, the municipality should ensure that the consultant it hires has recent experience completing a QAPP that has been approved by EPA. The cost of hiring a consultant to draft a QAPP and have it approved by EPA is a reimbursable item in this grant category. An example QAPP is available at

http://www.mass.gov/czm/docs/word/general_qapp.doc

8) Construction of a Boat Pump-out Facility in a Municipality or Harbor Where None Exists

Municipalities may request funding in this category if they have no pump-out facility in their community, or if they have a harbor where no pump-out facility exists, and there is a documented need for a pump-out facility. Applicants should provide any available plans or designs, identify any permits already obtained, or permitting needs. Municipalities should identify operation and maintenance costs of such a facility and identify any fees they anticipate charging for the use of these facilities. If permits have not been obtained, the Buzzards Bay NEP staff will assist the municipality

in preparing and submitting all necessary permits. Funding for the operation of the facility is ineligible in this category.

9) Creation of Online Reporting Systems for the Tracking of Operation, Maintenance, and Monitoring of Innovative and Alternative Septic Systems

As the use of innovative and alternative (I/A) septic systems becomes more widespread, the tracking of required operation and maintenance contracts and system effluent monitoring has become more burdensome to municipal boards of health. To overcome such a burden, Barnstable County created an online reporting website (article at:

<http://www.soil.ncsu.edu/lockers/lindbo/Nowra%202006%20Proceedings/Papers/OM-06-27.pdf>)

that automates the process of tracking these systems and creating written notifications for systems out of compliance with monitoring or operation and maintenance contract requirements. This category of funding is to help establish either municipal or regional I/A web based tracking systems for Buzzards Bay communities not included in the Barnstable County tracking system.

10) Other Activities in Support of the Buzzards Bay Management Plan

Municipalities may request funding for activities not included in the priority categories identified above if the proposed activity helps implement recommendations contained in the 1991 Buzzards Bay Comprehensive Conservation and Management Plan (available at: <http://www.buzzardsbay.org/ccmptoc.htm>). To be eligible in this category, the applicant must identify the specific management plan goals and recommendations they hope to achieve. As with other grant categories, the applicant must clearly articulate the costs and approach undertaken in the proposed work.

C. FUNDING AVAILABILITY, BUDGETING GUIDELINES & ALLOWABLE EXPENDITURES: It is anticipated that a total of \$282,512 in federal funds will be available through this solicitation. Should additional funds become available, EEA reserves the right to increase the amount of available grant funding. Final funding amounts subject to approval. Exceptions may be made at the Secretary's discretion.

- *Subcontracting:* Municipalities may subcontract any portion of their grant award. Massachusetts General Law Chapter 30 governs the procurement of goods and services by municipalities.
- *Multiple Applications:* Municipalities may submit any number of applications per grant category, and they may receive more than one grant; however, no single grant award may exceed \$45,000, and no municipality may be awarded more than \$75,000 cumulatively through this solicitation. If a municipality applies in several categories, and the cumulative request of applications exceeds \$75,000, only the highest ranked proposals from that municipality will be considered for funding. If a municipality has several proposals that rank competitively and are selected for funding, but which cumulatively exceed \$75,000, partial funding may be offered to the lowest ranked proposal where feasible. Communities are encouraged to submit multiple projects, even if the cumulative request exceeds \$75,000. Please do not tailor the budgets of individual project requests so the combined municipal request stays under the \$75,000 threshold. It is best to ask for what is necessary to complete the projects and allow the grant review committee, which reviews and ranks all proposals received, to make the funding decisions.

All contracts shall be subject to available funding, whether through the appropriation and authorization of sufficient funds or the receipt of sufficient revenues. If available funding ceases for any reason, a contract shall be deemed under suspension and contract performance must halt. A contractor will not be entitled to compensation for any performance provided during the period of contract suspension. EEA may lift the suspension if available funding is received. In the absence of foreseeable available funding, EEA may terminate the contract.

D. MATCH REQUIREMENT: The Grantee will provide a non-federal match that will equal or exceed 33 percent of requested funds for projects submitted in Categories 2-10. This match can be satisfied with cash or in-kind services, or a combination of both. Cash contributions are those funds used to purchase goods or services associated with the project. In-kind contributions represent the value of non-cash contributions provided by the applicant. Any match expenditures made by the municipality after January 1, 2010 can be credited to the municipality's match requirement. **Funds from other federal sources or grants, and funds committed to match other federal grants, are not eligible to be used as matching funds.** All municipalities must complete a match reporting form when requesting final reimbursement. (Note: Category 1 - stormwater remediation design projects do not require a proposed match to be stated in the grant application. However, if a stormwater project is selected for funding, the participation of town officials in meetings to develop and review stormwater conceptual plans and engineering plans will be documented as in-kind match after projects are initiated.)

Federal funds under this RFR may be used to leverage other state grants in any of the eligible grant categories defined under this RFR, and such projects will receive higher ratings for match provided. Where feasible, municipalities are encouraged to form partnerships with private lands trusts and other organizations to make proposals more cost effective by leveraging additional support.

E. PROJECT TERMS: A final contract is subject to successful negotiation of a Final Scope of Services. If selected for a grant award, failure to submit any of the required forms prior to contract signing may be grounds for disqualification. Please note that EEA does not guarantee that any contracts may result from this RFR or that any particular funding level will be awarded. It is anticipated that projects could commence immediately upon EEA's decision. The awarded contracts will be reviewed during their course and, upon request by the Contractor, may be extended or otherwise amended at the sole discretion of EEA. Any extensions granted will not necessarily change, or increase, the monetary value of the contract.

F. ANTICIPATED DURATION OF CONTRACTS:

Contracts are anticipated to last for approximately 11 months, with contracts being issued in August 2010 and closing on June 30, 2011. However, where deemed necessary by the Buzzards Bay NEP, and with the approval of EEA, contracts may be written or extended to December 31, 2011. Contracts must be completed in their entirety by their contract end date. Awarded contracts will be reviewed during their course, and upon request by the contractor, may be extended, at the sole discretion of EEA and subject to constraints of the funding source. Contractors must make all extension requests no later than 60 days prior to contract expiration (by May 1, 2011).

G. DELIVERABLES, OWNERSHIP, AND CREDIT DUE: All materials, software, maps, studies, reports, and other products or data, regardless of physical form or characteristics, produced as a result of this solicitation and funded, in whole or in part, under a contract with EEA shall be considered in the public domain and available to the Commonwealth and its municipalities, and the U.S. Environmental Protection Agency (EPA) at the reasonable cost of reproduction in any of the formats in which it is stored or maintained. The contractor shall not obtain, attempt to obtain, or file for a patent, copyright, trademark or any other interest in any such materials, software, maps, reports, and other products or data without the express, written consent of the EEA and subject to any other approvals required by state or federal law. Reports and other deliverables will credit the Buzzards Bay NEP, EEA, and EPA for any work completed under the grant award.

H. REPORTING: Brief progress reports will be required at least quarterly via email or written correspondence describing the progress status or impediments to progress. Additionally, a one-page final report will be required, which should describe the activities completed under its contract, the impact the activities have had on the environment, before and after pictures (where appropriate), and the project budget (expenditures and match).

I. INVOICING: Contract funds are awarded on a reimbursement basis for expenditures made during the period of the contract. Only those tasks/deliverables completed after contract execution, and identified in the scope of work, are eligible for reimbursement. Expenditures made outside of the period of the executed contract are ineligible for reimbursement. Reimbursement is generally made within 30 days subsequent to the receipt of a correctly executed invoice with appropriate backup and completed match certification. Reimbursement requests shall not be made more than monthly.

3. Instructions for Application Submission

A. EVALUATION CRITERIA: A review committee composed of Buzzards Bay NEP staff and or other EEA staff will evaluate all proposals on a competitive basis. The review committee may include a non-governmental representative to serve in an advisory role to the committee.

Using the Selection Criteria presented below, the review committee will judge all qualified proposals on a competitive basis and assign a score to each, and based on these scores, assign a rank order to each proposal. The average rank score among all reviewers shall be the basis of vendor selection, with the highest mean-ranked proposal receiving funding. In the case of a tie rank score, funding will go to the proposal with the lowest cost. The review committee reserves the right to reject any or all proposals that do not meet the goals and terms of this RFR. The scoring sheet is located in Attachment D of this RFR.

Selection Criteria:

- 1) Documentation of need or degree of environmental impairment: 5 points max
- 2) Expected environmental benefits of proposed work: 10 points max
- 3) Estimated cost effectiveness for implementation: 6 points max
- 4) Match provided: 3 points max
- 5) Partnerships formed: 1 points max
- 6) The project falls within priority categories 1-9: 5 pts

NOTE: Incomplete or incorrectly submitted applications will be disqualified. If there are insufficient qualifying eligible proposals to utilize all funds, remaining funds will be directed to the next Buzzards Bay NEP Municipal Mini-grant round.

B. APPLICATION SUBMISSION INSTRUCTIONS: Failure to provide any of the materials listed below may result in the disqualification of the proposal.

Project proposals must include the following:

- A brief cover letter on town stationary, signed by a municipal official, stating that the city/town:
 - Is applying for funds under this program,
 - Commits to a non-federal match of 33% of the total project cost,
 - And acknowledges that funding is provided on a reimbursement basis;
- The four-page application form;
- Any other optional or required supplemental or supporting materials attached to the application form. For site-specific projects, a locus map of the project must be attached. Projects undertaken in partnership with other organizations must include support letters stating their specific commitments. For projects taking place on private property, a letter from the landowner agreeing to the proposed activities, should be included with the application.

When submitting applications, please double-side them where practicable, and minimize/eliminate the use of non-recyclable materials such as plastic or vinyl binders, folders, and covers.

Four complete copies of the application form and any attachments must be submitted no later than **4:00 PM Wednesday, June 2, 2010** to:

Sarah Williams, Municipal Grants Coordinator
RE: RFR ENV 10 CZM 04
Buzzards Bay National Estuary Program/CZM
2870 Cranberry Highway
East Wareham, MA 02538

Proposals received after the deadline for any reason will be automatically rejected. Fax and/or email submissions will not be accepted. Additionally, postmarks are not accepted as verification of date of submission.

C. ADDITIONAL REQUIRED DOCUMENTATION:

If selected, the Respondent will be required to submit the following forms to complete a contract:

- Commonwealth Standard Contract Form, signed and dated by the Respondent
- Scope of Services and Budget Attachments
- Commonwealth Terms and Conditions filled out and signed by the Respondent
- Commonwealth W-9 tax information form filled out and signed by the Respondent.
- Completed Contractor Authorized Signature Verification Form.
- Prompt Payment Discount Form

Respondents are encouraged to review these forms prior to submission of a Response. They are available on Comm-PASS as part of this solicitation.

4. Deadlines and Procurement Calendar

A. RELEASE OF RFR: April 7, 2010

B. INFORMATION SESSION: There is no bidders conference. The Question and Answer period will close 4:00 PM, Wednesday, May 12, 2010.

C. INQUIRIES ABOUT THE RFR: The Municipal Grants Coordinator will accept questions about this RFR in writing by mail, fax, or email through 4 PM, Wednesday, May 12, 2010. Responses to questions, if any, will be sent in writing and posted on the Buzzards Bay NEP website www.buzzardsbay.org/funding by Monday, May 17, 2010, as well as on www.Comm-Pass.com. These answers are for clarification purposes only and do not constitute an amendment to the RFR unless expressly stated as such.

D. APPLICATION DUE DATE: Wednesday, June 2, 2010 by 4:00 PM

E. ESTIMATED AWARD DATE: Awards are estimated to be announced in late July 2010, with contract negotiations to begin immediately thereafter.

F. ESTIMATED CONTRACT START DATE: The estimated contract start date is August 2010. Notwithstanding any verbal representations by the parties, or an earlier start date listed in the Standard Contract Form, and only after an award is issued and a final scope of services has been negotiated, the effective start date of a contract shall be the latest of the following dates: the date the Standard Contract Form has been executed by an authorized signatory of the contractor and the procuring department; the date of secretariat or other approval(s) required by law or regulation; or a later date specified in the Standard Contract Form.

5. Miscellaneous

A. TYPE OF PROCUREMENT: Grant

B. USE OF THIS PROCUREMENT BY SINGLE OR MULTIPLE DEPARTMENTS: This RFR is a single department procurement. All contracts awarded under this RFR will be utilized solely by EEA.

C. REQUEST FOR SINGLE OR MULTIPLE CONTRACTORS: Multiple contracts may be awarded under this RFR.

D. RFR DISTRIBUTION METHOD: This RFR has been distributed electronically using the Comm-PASS system. It will also be posted on the Buzzards Bay NEP website at www.buzzardsbay.org/funding.htm. Notices about the availability of the RFR will be mailed to all eligible Buzzards Bay municipalities including boards of selectmen/mayor, planning boards, boards of health, conservation commission, and public works directors. It is the responsibility of every Applicant to check Comm-PASS for any addenda or modifications to an RFR to which they intend to respond. The Commonwealth of Massachusetts and its subdivisions accept no liability and will provide no accommodations to Applicants who fail to check for amended RFRs and submit inadequate or incorrect responses. Potential Respondents are advised to check the “last change”

field on the summary page of RFRs for which they intend to submit a response to ensure they have the most recent RFR files.

Respondents may not alter RFR language or any RFR component files. Those submitting a proposal must respond in accordance to the RFR directions and complete only those sections that prompt a Respondent for a response. Modifications to the body of this RFR, specifications, terms and conditions, or which change the intent of this RFR are prohibited. Any unauthorized alterations will disqualify a response.

E. LIST OF ATTACHMENTS:

- A. Application Form
- B. Policies, Regulations, and Legislation Guiding this Grant Program
- C. Geographic Limits of Eligible Projects
- D. Scoring Sheet for Buzzards Bay Minigrants
- E. EEA Supplemental Terms and Conditions

Attachment A
Application Form
BUZZARDS BAY WATERSHED MUNICIPAL MINIGRANT PROGRAM
SPRING 2010
RFR ENV 10 CZM 04

Directions:

A complete application consists of: 1) a brief cover letter on town stationary, signed by a municipal official, committing to a 33% non-federal match and acknowledging that funds are provided on a reimbursement basis, 2) the four-page application form, and 3) any other optional or required supplemental materials attached to the application form. Four copies of your application must be submitted. For site-specific projects, a locus map of the project must also be attached. Projects undertaken in partnership with other organizations must include support letters stating their specific commitments. For projects taking place on private property, a letter from the landowner agreeing to the proposed activities, should be included with the application. Applicants should open or copy the application form into a word-processing program and type their responses. If the municipality is submitting more than one application to this grant program, Parts I-III of the application must be submitted separately for each proposal.

PART I- Proposal Overview

Proposal title: _____

Proposal Category:

- 1. Stormwater Remediation Designs
- 2. Implementation and Construction of Existing Stormwater Designs
- 3. Stormwater Mapping Support
- 4. Wetlands/Open Space/Habitat Restoration, Preservation, Acquisition or Protection
- 5. Town Parcel GIS Data Acquisition or Update/Digitizing of Wetlands Boundaries/Land Elevations
- 6. Migratory Fish Passage and Habitat Restoration
- 7. Water Quality Testing in Support for Establishing Priorities for Stormwater Remediation
- 8. Construction of a Boat Pump-out Facility in a Municipality/Harbor Where None Exists
- 9. Online Reporting System for Tracking the O&M and Monitoring of I/A Septic Systems
- 10. Other Activities in Support of the Buzzards Bay Management Plan

[Note: Check only one box. Municipalities may submit any number of proposals and more than one application in each category, but a separate application form (Parts I-III) is required for each proposal. No single project award may exceed \$45,000, and a municipality may not receive more than \$75,000 cumulatively through this solicitation.]

Municipality to administer grant: _____

Participating municipality (-ies): _____

Proposal contact: _____ Title: _____

Mailing Address: _____

Email _____ Phone: _____ Fax: _____

Project manager (if different): _____ Title: _____

Mailing Address: _____

Email _____ Phone: _____ Fax: _____

PART I – Proposal Overview, Continued

Amount requested: _____ Total Match: _____

(Match must be at least 1/3 of requested funds. For stormwater design requests, enter N/A)

Amount Requested + Total Match = _____

Location of Proposed Work: _____

Check if true: ___ The town/city of _____ has previously received grants from DEP, EEA, CZM, or the Buzzards Bay NEP and the necessary signed contract forms¹ are, to the best of our knowledge, on file.

Note: If you check this statement as true, do not submit the supplemental forms listed at the bottom of the page. If the proposal is selected, and these forms are not found on file, these forms, and a new “Contractor Authorized Signature Verification Form” must be completed before execution of a new contract. These forms are not used in the selection process.

Disclosure of concurrent or complimentary grant funding requests

(This section must be accurately completed or the proposal will be disqualified as non-responsive. Non-federal sources of funds from other granting entities can be used to meet BBNEP match requirements if used for tasks not funded by the BBNEP)

Have you requested funding for this project from another granting agency or organization?

No Yes

If yes, check the appropriate boxes below and provide any needed explanations.

Name of granting agency and requested amount: _____

- If we receive funding from the other entity, we will withdraw our request for funding from the BBNEP
- Our request for funding is conditional upon receipt of other grant funds. If we do not receive complimentary funding from the other granting agency, our project will not be viable, and we will withdraw our funding request.
- Our request for funding to the other entity is to cover tasks not proposed for funding by the BBNEP
- Other:

Explanations, if any:

1 1. Commonwealth Terms and Conditions. 2. W-9, 3. Northern Ireland Notice and Certification, and 4. Executive Order #481 Contractor Certification Form.

PART II- Proposal Detail

Be sure to include all the required information necessary to evaluate your request, as stated in Section 2B. Eligible Project(s)/Scope(s) of Work, of the RFR. For all projects, we recommend you include these two headers: **Description of environmental impairment** and **Expected environmental benefits of proposed work**:

Part III Budget and Match (this page is required for all grant proposal categories)

A. Budget [Note: For Stormwater Remediation Design proposals (Category 1) leave this section blank. Break down how you will spend the grant money budget by categories. Enter \$0 if category is not applicable:

Personnel*: \$ _____
 Position: _____ Hours: _____ Rate: _____

* Funds should not be requested for positions already appropriated in the municipal budget. Municipal administration services should be included in the match section.

Contractual: \$ _____ Explain: _____
 \$ _____ Explain: _____
 \$ _____ Explain: _____

(e.g. land appraisers, equipment rentals, hired private firms)

Supplies & Materials: \$ _____ Explain: _____
 \$ _____ Explain: _____
 \$ _____ Explain: _____

(e.g. culvert pipe, fencing, equipment rentals, etc.)

Other: \$ _____ Explain: _____
 \$ _____ Explain: _____
 \$ _____ Explain: _____

B. Proposed Match: (Note: Any match expenditures made by the town after January 1, 2010 may be credited to the town's match requirement). Please note that any match claimed below will be considered estimates and not a commitment at this time. Final match will be documented in awarded contracts between the Commonwealth and the municipality. Requests for stormwater remediation designs (Category 1) need not complete this section).

Cash: _____ (a) Source: _____

In kind: _____ (b)

i: Materials and supplies: _____

ii: Administrative and Direct Costs _____

iii. Personnel (list by title, hourly rate, etc.) _____

	Hours	Rate	Total
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

TOTAL MATCH (Cash + In kind): _____ (a+b)

Explanations, if any:

End of application

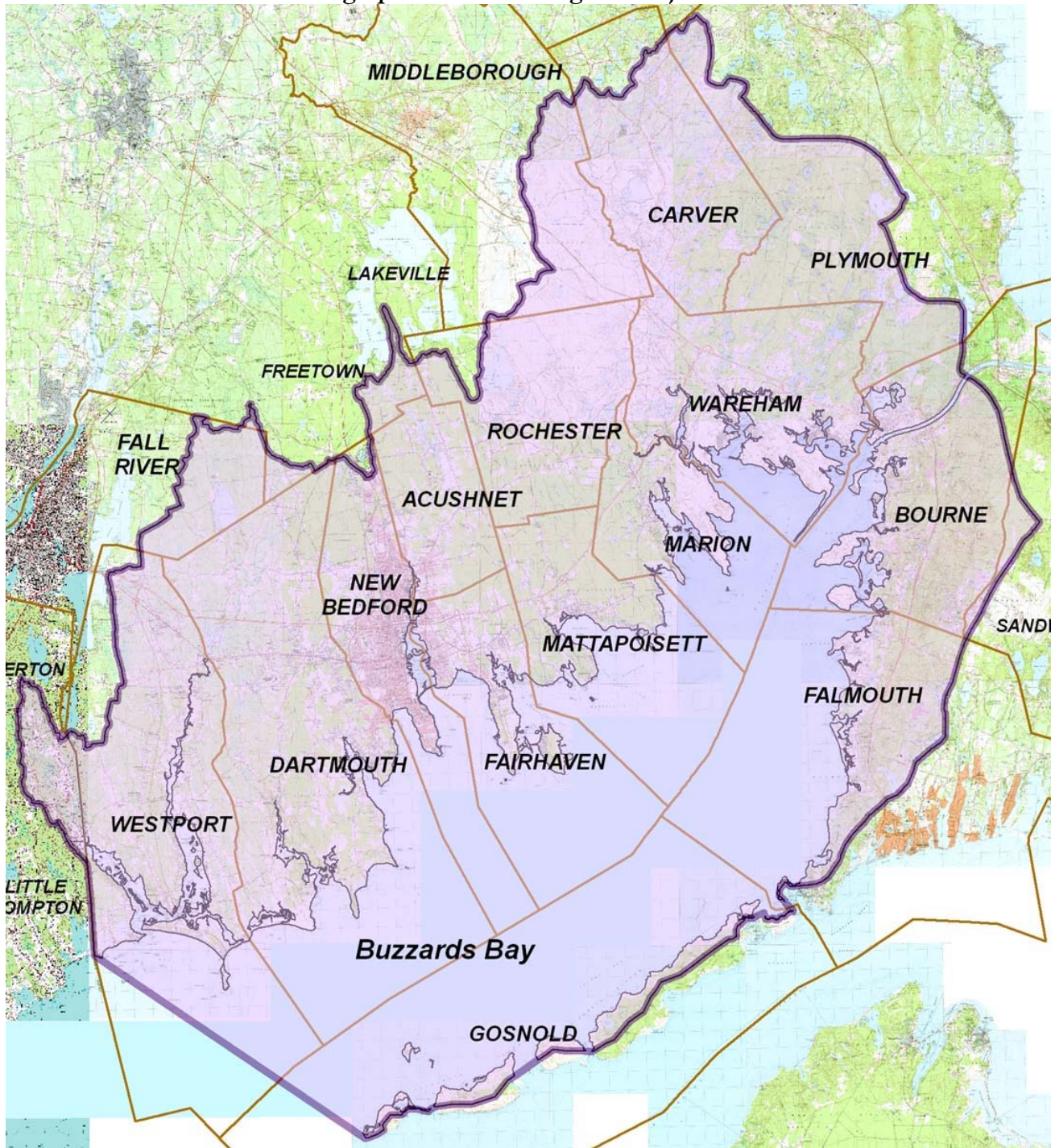
Attachment B

Policies/Statutes/Legislation Guiding this Grant Program

The award of grants to municipalities is subject to the regulations in 815 CMR 2.0.doc. Additional state policies and guidelines on municipal grants can be found on the Operational Services Division website. This grant program is also governed by cooperative agreements between the Commonwealth of Massachusetts and the US EPA in support of the Buzzards Bay National Estuary Program. Any state funds issued under this RFR are considered match to these Cooperative Agreements. A description of the authorization and purposes of the National Estuary Program funding is available at:

<https://www.cfda.gov/index?s=program&mode=form&tab=step1&id=5dad0d18acc9fb603e8cbc46c8efa07d>

Attachment C
Geographic Limits of Eligible Projects



Projects must be located in the Buzzards Bay watershed as delineated by the purple shaded area above, although broader components of projects like outreach and education can be town-wide. Projects in Gosnold must be on the Buzzards Bay half of the island. A larger version of this map is available at <http://www.buzzardsbay.org/bayshed.htm>

Attachment D
Scoring Sheet for Buzzards Bay Minigrants ENV 10 CZM 04

Municipality Applying: _____ **Project:** _____

Amount Requested: _____ **Reviewer:** _____ **Total Pts** _____ (30 max)
Rank among all proposals received: _____ (1= best) of _____ (total)

1) Documentation of Need or Degree of Environmental Impairment _____ pts (5 points max)
Scoring: 1(low) to 5 points based on a review of seriousness and magnitude of the identified environmental impairments or potential threats to the environment or natural resources. Is action really needed to protect or restore living resources, water quality, or wetlands?

Reviewer Comments:

2) Expected Environmental Benefits of Proposed Work _____ pts (10 points max)
Score according to only one set of criteria described a, b, and c.

a) Expected Environmental Benefits of Restoration Projects

Scoring: 0 = "none" to 10 = "considerable". Evaluate the degree that implementation of the project will restore water quality, living resources, or habitat.

b) Expected Planning Benefits of Data Collection and Planning Projects

Scoring: 0 = "none" to 10 = "considerable". Evaluate the degree that completion of data acquisition or planning work is expected to help municipalities in their efforts to protect or restore water quality, living resources, or habitat.

c) Expected Land and Habitat Protection Benefits of Land Acquisition and Protection Projects

Scoring: 0 = "none" to 10 = "considerable". Evaluate the degree that land acquisition or protection is expected to help municipalities in their efforts to protect or restore water quality, living resources, or habitat.

[For a) through c), in your scoring, consider whether the proposal benefits or contains documented Natural Heritage Endangered Species Program areas, such as BioMap, Living Waters, Priority or Estimated Habitat, or if salt marsh, wetlands, shellfish or other resources are important at the site.]

Reviewer Comments:

3) Estimated Cost Effectiveness for Implementation _____ pts (6 points max)

Except for land purchases, divide the funding request amount by the number of points awarded in item 2 to help guide your evaluation. The lower this number, the higher the points awarded should be. Evaluate whether the expenditures principally relate to achieving environmental benefits. ($\$ \text{ requested}/\text{exp. benefit points} = \text{_____}$). For land purchases, $>\$20,000/\text{acre} = 0$ points, $\$16-20,000/\text{ac} = 2$ point, $\$12-16,000/\text{ac} = 4$ points, $\$8-12,000/\text{ac} = 5$ points, $<\$8,000/\text{ac} = 6$ points.

Reviewer Comments:

4) Match Provided _____ pts (3 points max)

(1 to 3 points, based on cash, in-kind, and land value contributions. Required match must be non-federal sources. Meets required 33% of requested funds = 1 point; 40% to 100% of requested funds = 2 points; more than 100% of requested funds or requested funds will be used to match other state grants = 3 points) For stormwater design requests, award up to 3 points if municipality agrees to attend all meetings, dig test pits, and use road layout if necessary).

5) Partnerships Formed _____ pts (1 point max)

Where partnerships are established with other municipalities, lands trusts, citizens groups or other organizations, 1 point is awarded.

Reviewer Comments:

6) Priority Category (Application in Categories 1-9, not "Other") _____ pts (0 or 5 points)

Overall Comments:

Signature: _____ **Date:** _____

Attachment E
EEA Supplemental Terms & Conditions

See attached sheet on Comm-Pass solicitation under Forms & Terms tab.