

The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs

Massachusetts Department of Environmental Protection

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BOSTON, MASSACHUSETTS 02114

REQUEST FOR PROPOSALS

**FEDERAL FISCAL YEAR 2023 SECTION 604(b) WATER QUALITY
MANAGEMENT PLANNING GRANT PROGRAM**

Agency Document Numbers:

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1. Grant Introduction

A. Overview and Goals of Grant

The Nonpoint Source (“NPS”) Management Section in the Watershed Planning Program (“WPP”), Bureau of Water Resources (“BWR”), Massachusetts Department of Environmental Protection (“MassDEP”), is pleased to issue this Request for Proposals (“RFP”) for Section 604(b) Water Quality Management Planning Program Grants. Funding offered under this RFP consists of Base funding from Award Year 2023 (AY23) and Bipartisan Infrastructure Law (BIL) funding from Award Year 2022 (AY22) and AY23. MassDEP is seeking grant proposals from Eligible Entities that identify NPS water quality issues, determine the most effective solutions, and provide preliminary designs for Best Management Practices (“BMPs”) to address the identified issues.

MassDEP is committed to advancing equity, diversity, and environmental justice (EJ) through its public investments. The agency seeks to prioritize the direction of these resources to benefit communities with EJ populations and to address environmental inequities. To that end, MassDEP grant and funding programs include criteria and evaluation parameters that emphasize equity, diversity and environmental justice, consistent with each program’s statutory authority and source of funding.

This RFP contains eligibility requirements, funding priorities, selection criteria, and the estimated calendar for the grant application and program.

B. Procurement Scope and Description

Section 604(b) of the federal Clean Water Act (“CWA”) authorizes the awarding of funds through the U.S. Environmental Protection Agency (“EPA”) to states for water quality assessment and management planning grants. States are mandated to allocate at least 40% of each award to providing water quality assessment and planning assistance to local communities. The BIL provides supplemental funds under Section 604(b) to states to conduct water quality management planning focused on addressing equity and climate challenges.

MassDEP expects to have \$916,000 available in total grant funds (consisting of funding from AY22 BIL, AY23 Base, and AY23 BIL) from the EPA to put towards new projects under this RFP. Projects can only be funded from a single funding source, which may result in some partially funded projects. A match of funds is not required for Section 604(b) projects; however, the inclusion of a match of either cash or in-kind services may increase the competitiveness of a submitted proposal by demonstrating local commitment to the project.

For this RFP, MassDEP will prioritize Section 604(b) grant funds on NPS assessment and planning projects that result in the following:

- Development of a nine (9)-element Watershed-Based Plan (WBP) for local watershed planning and to support future Section 319 grant implementation projects. A MassDEP online tool to support development of WBPs can be found [here](#).
- Development of a WBP for the Section 319 Grant’s Healthy Waters category, to guide watershed protection and management activities;
- Determination of the nature, extent, and causes of water quality problems and determination of pollutant load reductions necessary to meet the Massachusetts Surface Water Quality Standards (SWQS; [314 CMR 4.00](#));
- Development of climate resilient designs and implementation plans that will address water quality impairments;

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- EJ NPS Coordinator positions that will support communities with EJ populations in conducting community needs assessments, water quality monitoring and assessment, development of WBPs, development of resilient implementation designs, and drafting and submitting grant applications;
- Climate resiliency water quality planning; and/or
- Regional scale watershed planning for the restoration of nitrogen impacted areas.

Each project must include a public awareness component involving coordinated efforts with local boards, town officials, and/or other appropriate interest groups and agencies working in the area.

Please note: After the March 8, 2024, RFP release date, MassDEP staff and all Commonwealth employees will only respond to administrative questions and provide copies of reference documents. Applicants may contact the contact person for this RFP in the event this RFP is incomplete, the Applicant is having trouble obtaining any required attachments, and/or having difficulty with the electronic submission. Staff are prohibited from assisting potential applicants in developing specific Section 604(b) proposals.

This RFP has been announced electronically using the Commonwealth’s electronic procurement system, (COMMBUYS). The RFP and any additional information can be found on the [MassDEP Grants and Financial Assistance: Watersheds & Water Quality page](#)

C. Estimated Calendar for Grant Application and Award

Applications are due by **Wednesday, May 8, 2024, at 5:00 p.m.**

EVENT	DATE	TIME
Pre-RFP Remote Informational Meeting (online via Zoom; details provided in Notice of Grant Opportunity)	Wednesday January 24, 2024	10:00 AM
RFP Release Date (posted on MassDEP website and COMMBUYS)	Friday March 8, 2024	
Deadline for submission of written questions	Wednesday March 20, 2024	5:00 PM
Answers to questions (posted on MassDEP website and COMMBUYS)	Wednesday March 27, 2024	
RFP Amendment Deadline	Wednesday March 27, 2024	
Grant Application due date	Wednesday May 8, 2024	5:00 PM
Announcement of RFP Grant selection results (posted on MassDEP website and COMMBUYS)	August 2024 (estimated)	
Contract Start Date	October 2024 (estimated)	

Applicants will be notified on or about August 2024 as to the results of MassDEP’s project review and selection process. MassDEP will then enter contract negotiations with the selected applicants. MassDEP reserves the right to fund a portion of a project, revise the project scope, and/or add or delete tasks to any project proposal that is recommended to the EPA. Applicants will have the option to reject the Section 604(b) award if a project, as revised, does not meet their capacity or the goals of their organization.

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D. Written Questions

Any applicant wishing to submit written questions must do so by email to the 604(b) Grant Coordinator, Meghan Selby, at meghan.selby@mass.gov by the deadline of **Wednesday, March 20, 2024 at 5:00 p.m.** MassDEP anticipates that its official answers to all questions will be posted on the [MassDEP Website](#) by **Wednesday, March 27, 2024.**

2. Eligibility

A. Eligible Applicants

Pursuant to Section 604(b) of the Clean Water Act, eligible grant applicants include: regional planning agencies, council of governments, counties, conservation districts, cities and towns, and federally or state recognized tribes.

- *Subcontracting*: Applicants may propose a subcontractor or team of subcontractors as part of their application and proposal. Subcontractors working for the applicant are subject to the same terms and conditions as the applicant, as defined in this RFP.
- *Multiple applications*: An Eligible Applicant may submit more than one (1) proposal for distinct water quality projects.

B. Eligible & Priority Projects

The goals of this grant opportunity are:

- The determination of the nature, extent, and causes of water quality problems and determination of pollutant load reductions necessary to meet the SWQS.
- Identification of sources of impairment(s) to impaired waters identified in the [Final 2022 Massachusetts Integrated List of Waters](#).
- Development of climate-resilient implementation plans to remediate pollution to impaired waters that will partially or fully restore waterbody segments not meeting the SWQS.
- Providing opportunities for communities with EJ populations to ensure equitable and fair access to the benefits of the 604(b) Grant Program.
- Support of projects that will be used for future Section 319 projects, such as developing WBPs, implementation plans, and pollutant load reduction calculations.

Watershed-based NPS assessment and planning projects are eligible for funding under this joint AY22/AY23 Section 604(b) Grant Program. Such projects may include, but are not limited to, projects that fall under the following categories:

- **Water Quality Monitoring and Assessment** – Identification and characterization of a specific NPS pollution problem or resource of particular concern via water quality sampling and/or other assessment activity, which could include, but is not limited to hydrologic and hydraulic modelling and BMP siting prioritization studies. Results should be used to develop recommendations and designs for BMP implementation projects and management strategies.
 - Projects that involve data collection or use will be required to provide or develop a MassDEP- and EPA-approved Quality Assurance Project Plan (“QAPP”). Additional information on QAPPs can be found at the [MassDEP web page](#) and in Attachment A – Scope of Services.

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- **Climate Resiliency Water Quality Planning** – Water quality management planning projects that factor in climate resiliency include, but are not limited to, assessing climate-related risks and developing solutions.
 - Incorporating the use of the Resilient Massachusetts Action Team’s (RMAT) Climate Resilience Design Standards Tool can be used during 604(b) planning and design grants. This Tool provides Massachusetts’ projects with a preliminary climate exposure rating based on best available statewide climate data, recommended resilience design criteria, and technical guidance.
 - The RMAT’s Climate Resilience Design Standards Tool can be found [here](#). Helpful resources in the RMAT tool include:
 - The RMAT tool’s User Guide (Version 1.2) and Training Videos, accessible once you log into the tool;
 - Information on applicable project types and asset categories (page 10 of the “Project Inputs” reference document); and
 - Additional reference documents can be found once you have logged in under “Supporting Documents” on the tool landing page.
 - Applications proposing to use the RMAT Tool should include time for an NPS-focused tutorial and time to run the tool for each BMP design. Applicants are strongly encouraged to use the RMAT Tool for each proposed BMP design.
 - The NPS Management Section is in the process of developing an NPS-focused user guide to supplement the RMAT Tool’s User Guide. The NPS Management Section will provide an NPS-focused tutorial for projects that are selected for funding.
- **Development of Watershed-Based Plans** – The development of WBPs are Eligible Projects under this program and specifically, WBP’s falling into any of the following categories:
 - **Impaired Waters** – EPA requires a nine (9)-element WBP to support implementation projects that are funded through Section 319 of the CWA. Projects that develop one (1) or more WBP(s) at the watershed or sub-watershed level are eligible for Section 604(b) funding under this grant program.
 - **Healthy Waters** – Section 319 Healthy Waters Projects require a WBP, which is used to guide watershed protection and management activities. The main types of projects that will be eligible for Section 319 funding include geomorphology and habitat improvement and nutrient, sediment, and pathogen pollution reduction.
 - **Other Waters** – The development of one (1) or more WBP(s) at the sub-watershed level for waters that do not have a listed impairment are eligible for 604(b) funding under this grant program.

MassDEP has developed a web-based tool to assist with development of the nine (9) -element WBPs for waters in the Commonwealth. The WBP tool can be found [here](#). Please note that waters must have an NPS-related impairment on the IR 2022 in order to meet eligibility requirements for Section 319 implementation funding.

- **Development of Implementation Plans** – Implementation plans can range from conceptual designs to final plans and engineering studies that will lead to remediation of water quality impairments and

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restoration of beneficial uses. Implementation plans must include estimations of pollutant load reductions and construction costs.

- **604(b) Environmental Justice NPS Coordinator Program** – This new initiative seeks [Regional Planning Agencies](#) (RPA) that will actively and inclusively engage with and/or form partnerships to benefit Massachusetts communities with [Environmental Justice \(EJ\) populations](#) and build capacity to ensure equitable and fair access to the benefits of the 604(b) Grant Program. Grantees under this initiative will serve as Environmental Justice NPS Coordinators (EJ NPS Coordinators), be expected to carry out NPS-focused capacity-building work in and for communities with EJ populations, and meaningfully engender environmental stewardship in these communities.

This project type will start with a three (3)-year contract duration to allow RPAs to address staffing support needs, with the option to extend for up to one (1) year, at the discretion of MassDEP. Monthly EJ NPS Coordinator check-in meetings will be required with MassDEP throughout the duration of the contract. At a minimum, an EJ NPS Coordinator Program must include task types 1 and 5 below.

1. Conduct Water Quality Community Needs Assessment(required component):
 - EJ NPS Coordinators will develop community needs assessments to identify water quality needs with their local EJ populations in collaboration with MassDEP and other EJ NPS Coordinators.
 - MassDEP understands that applications for EJ NPS Coordinator Programs will be based on the current understanding of community needs. Applicants should plan to accommodate the results from the community needs assessment, which will be used to refine the remaining program scope. This update will require review and approval from MassDEP.
2. Conduct Water Quality Monitoring and Assessments:
 - Develop water quality QAPPs and receive MassDEP and EPA approval.
 - Develop a general QAPP at the regional planning scale for use by communities within the region (RPA maintains and implements QAPP).
 - Assist communities in developing watershed-scale QAPP(s) (communities maintain and implement QAPP).
 - Provide training to communities to monitor water quality.
 - Collect water quality data and submit it to MassDEP.
3. Develop Watershed-Based Plan:
 - Develop a Nine-Element WBP.
 - Develop a WBP for a Healthy Water.
 - Develop a WBP for other waters.
4. Develop Resilient Implementation Design(s):
 - Develop climate-resilient implementation project design(s) using the RMA Tool.
 - Develop a plan for Adaptive Management of BMPs.
5. NPS Grant Proposal Development (required component):

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- Develop, write, and submit at least three grant proposals for 604(b) projects and/or 319 implementation projects that will directly benefit communities with EJ populations, who should be involved in this process through active collaboration.

- **Regional Scale Watershed Planning for Nitrogen Impacted Areas** – MassDEP has been addressing nitrogen pollution along the southeastern Massachusetts, Cape Cod, Martha’s Vineyard, and Nantucket coastlines. The 2020-2024 Nonpoint Source Management Program Plan (NPSMPP) was updated in June 2023 to expand the range of Eligible Projects to include planning for the restoration of nitrogen impacted areas.
 - Eligible project components include:
 - identification of nitrogen sources,
 - ambient water quality sampling,
 - monitoring data analysis,
 - modeling of nitrogen reduction scenarios,
 - development of Comprehensive Watershed Management Plans (CWMP),
 - development of Targeted Watershed Management Plans (TWMP),
 - updating CWMPs or TWMPs to nine-element WBP,
 - development of climate resilient implementation plans

C. MassDEP Priority Waterbodies

Eligible Applicants should be aware that MassDEP has identified priority waterbodies (described below). Eligible Applicants may identify such waters in their geographic area as targets for proposed project locations.

- Waterbodies identified on the [NPS Priority Segments](#) list.
- Waterbodies in the following [National Water Quality Initiative](#) (NWQI) HUC12 watersheds:
 - Unkety Brook-Nashua River Watershed (HUCID: 010700040402)
 - Upper Manhan River (HUCID: 010802010608)
 - South River (010802030501)
 - Westport River Watershed (HUCID: 010900020501 and 010900020502)
- Waters assessed as impaired for harmful algal blooms, in Category 5 of the [Final 2022 Massachusetts Integrated List of Waters](#)
- Waterbodies with a documented history of harmful algal blooms within the last five (5) years.
- Waterbodies listed on the [NPS Healthy Waters](#) list.

D. Ineligible Projects

The following projects and/or scopes of work are ineligible for funding under the Section 604(b) Grant Program:

- Projects that would be undertaken to comply with local, State, or Federal governmental enforcement actions, such as Administrative Orders or Consent Orders.
- Projects to implement specific requirements of National Pollutant Discharge Elimination System (NPDES) or Massachusetts Surface Water Discharge stormwater permits.

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- Remediation of non-stormwater discharges related to “point source” problems, such as the repair of illegal sewer line connections or upgrades to sewage treatment facilities.
- Projects which focus solely on flooding remediation.
- Comprehensive municipal wastewater planning projects.

3. Grant Contract Information

A. Grant Contracts

Solicitations and procurements are governed by specific Commonwealth regulations, and where federal funding is employed, also by federal requirements contained in the federal grant that issues the funds to the Commonwealth.

Projects awarded as part of this funding opportunity will be awarded as a grant. The regulation governing this procurement is 815 CMR 2.00, with some provisions of 801 CMR 21.00. The terms of 815 CMR 2.00: Grants and Subsidies and 801 CMR 21.00: Procurement of Commodities and Services are incorporated by reference into this Grant Opportunity/Announcement. Words used in this Grant Opportunity document shall have the meanings defined in 815 CMR 2.00 and, where applicable, in 801 CMR 21.00 Definitions.

B. Total Anticipated Duration of Grant Contract(s)

The base period of the grant contract is approximately two (2) years, for all projects except the EJ NPS Coordinator Program, with a potential for two (2) additional one (1)-year renewal options, for a maximum grant contract period of four (4) years. EJ NPS Coordinator Program project types will have a base period of three (3) years, with a potential for one (1) additional one-year renewal option, for a grant contract period of four (4) years. No agreements for services may be executed after the grant contract has expired. Extension of the base contract term is at the sole discretion of MassDEP.

C. Funding Availability, Budgeting Guidelines & Allowable Expenditures

The total available funding for water quality projects under this Grant Announcement is \$916,000. Grant contracts will have a maximum obligation amount. MassDEP is under no obligation to disburse a specific sum of funding. There is no guarantee that funding will be awarded. All grant contracts shall be subject to available funding. Ten percent (10%) retainage is withheld from each invoice submitted during the project. MassDEP pays the retainage to the Grantee once all deliverables are received, and the contract is closed out.

Grant funds are dispersed on a reimbursement basis. MassDEP will only reimburse costs and expenses that relate directly to the Proposed Project. For grant contracts that are implemented under this Grant Opportunity, changes to the Scope of Services will require a formal grant contract amendment; however, shifts in budget amounts between line items that do not substantively alter the Scope of Services may be considered to be administrative changes that will not require a formal grant contract amendment, but may require a project change order. The decision as to whether a grant contract amendment is required is solely within the discretion of the MassDEP 604(b) Grant Coordinator and must result in best or better value for the Commonwealth. See Attachment C (Supplemental Terms and Conditions) Section 3 (Compensation and Payment of Grant Funds) for additional requirements and restrictions on payment.

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D. Matching Funds

Matching funds are not required for a project to be eligible for funding; however, MassDEP encourages applications that leverage additional funding and/or in-kind services because it extends the availability of Section 604(b) funds and therefore increases the resource benefits provided to the public by the funds. If a cash or in-kind match will be provided by an entity outside the applicant's organization, a letter from the authorized agent of the match provider must be submitted by the Grant Application due date, stating a commitment to provide the match.

E. Grant Contract Award

Funding for projects selected under this Grant Announcement will be through a grant contract issued and administered by MassDEP's Section 604(b) Grant Program. MassDEP may fund multiple awards to multiple organizations within the limits of the available funding. However, MassDEP could award all the funding for a single project, depending on the number of applications received, the results of the evaluation, and ranking of the applications and projected costs.

Projects that are awarded a grant contract shall abide by the terms and conditions set forth in Section 5 (Terms and Conditions) and the additional terms and conditions set forth in Attachment C (Supplemental Terms and Conditions) of this RFP. Additionally, final grant contracts are subject to successful negotiation of the Final Scope of Services. Grant contracts are not final until MassDEP and the Grantee signatories have fully executed the Commonwealth's Standard Contract form, and the Section 604(b) Grant Coordinator has issued a written Notice to Proceed.

MassDEP does not guarantee that any grant contracts may result from this Grant Announcement, or that any particular funding amount will be awarded. It is anticipated that projects could commence immediately upon MassDEP's award of a contract. Awarded contracts will be reviewed during the contract term and, upon request by the Grantee, may be extended or otherwise amended at the sole discretion of MassDEP. Any extension granted will not necessarily change, or increase, the monetary value of the contract.

F. Applicant Communication with MassDEP and the Commonwealth

Applicants are prohibited from communicating directly with any employee of MassDEP regarding this Grant Opportunity except as specified in this RFP, and no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this RFP. Applicants may contact the contact person for this RFP in the event this RFP is incomplete, or the Applicant is having trouble obtaining any required attachments. Note that there is an open period to submit written questions up to the deadline specified in this RFP. MassDEP's response to questions from all prospective applicants that are pertinent to this grant solicitation will be answered and posted on the MassDEP website.

G. Grant Opportunity Distribution Method

This RFP and all the attachments were posted to COMMBUYS on March 8, 2024, and on the MassDEP Grants and Financial Assistance: [Watersheds & Water Quality website](#). It is the responsibility of every Applicant to check the MassDEP website for any addenda or modifications to the Grant Opportunity 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 amendments to the Grant Opportunity and/or submit inadequate or incorrect responses.

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H. Prohibition of Changes to the Grant Announcement/Application

Applicants may not alter the Grant Announcement language or any Grant Announcement component files. Those applying must respond in accordance with the Grant Announcement directions and complete only those sections that prompt an Applicant for a response. Modifications to the body of this Grant Announcement, specifications, terms and conditions, or which change the intent of this Grant Announcement are prohibited. Any unauthorized alterations will cause rejection of the response by MassDEP. If an Applicant finds an error where a change may be required, the Applicant should immediately contact the MassDEP Contact listed in Section 1D of this Grant Announcement.

I. Failure to Provide a Complete and Compliant Application

Applications that are incomplete and/or non-compliant with the requirements stated in this RFP are subject to rejection by the Grant Review Team ("GRT").

J. Reasonable Accommodation

Applicants with disabilities or hardships that seek reasonable accommodation, which may include the receipt of information in an alternative format, must communicate such requests in writing to Melixza Esenyie, the Secretariat Director of Diversity, Equity and Inclusion, at 100 Cambridge Street, Boston, MA 02114 (617-626-1282, TTY# MassRelay Service 1-800-439-2370, or melixza.esenyie@mass.gov). Requests for accommodation will be addressed on a case-by-case basis.

K. Selection for Award of a Grant Contract

Applications that are determined to be eligible for grant funding as described in this RFP and meet the evaluation criteria and the terms and conditions of the Grant Contract, as determined by the GRT, may be awarded a Grant Contract. Eligible applications will be reviewed by the GRT, given scores based on the evaluation criteria (Section 4.A.), and ranked based on the average score from the GRT. However, the grant funds available for all projects have a definite limit, as stated in Section 1 of this RFP. If the total number of eligible applications exceed the available funding, the GRT will evaluate and rank the submittals to ensure the funding limits will not be exceeded. In this case, the GRT will use the Commonwealth "best value" evaluation methods to select those projects that will be awarded grants under this RFP to ensure the total grant funding limit will not be exceeded.

Failure of the Applicant to be awarded a grant under this RFP shall not eliminate their eligibility or consideration for any future potential grant funds that may be available through the Section 604(b) Grant Program.

L. Affirmative Action Requirements

In order for a proposal to be considered complete and responsive to this RFP, Applicants' proposals must include the appropriate Equal Employment Opportunity/Affirmative Action ("EEO/AA") and Disadvantaged Minority/Women Business Enterprise (D/MBE or D/WBE) information listed below. Additional information is found in Attachment B.

Equal Employment Opportunity/Affirmative Action

For proposals, each Applicant **must** provide a **signed EEO/AA Policy Statement** on the organization's letterhead, which outlines its company's/agency's commitment to EEO/AA as a company/agency objective of equal importance to other company/agency objectives. Please refer to the EEO/AA Requirements and EEO/AA Policy Guidance Statement in Attachment B.

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Disadvantaged Business Enterprise (DBE) Utilization Requirements

Regardless of the dollar value of a project awarded, the Section 604(b) Grant Program requires that any prime contracts or subcontracts for services, construction, goods, or equipment procured by a Grantee to implement the project funded from the Grant must contain the applicable Federal “Fair Share” DBE Utilization Goals.

For firms to qualify under the DBE Program, they must be both **socially** and **economically** disadvantaged, citizens of the United States, and certified as a DBE by the Supplier Diversity Office (SDO). Women and certain minorities are presumed to be socially disadvantaged. The economic disadvantage is measured by the owner’s initial and continuing personal net worth of less than \$1,320,000.

Because the Clean Water Act requires the use of Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs), these firms should still be utilized, but they must also be certified as DBEs. **In essence, the regulations mean that only a subset of the universe of MBEs and WBEs can be counted toward the Fair Share goals – those who are also certified as DBEs.**

The **DBE utilization goals are 4.2% D/MBE and 4.5% D/WBE**, respectively, for any subcontract for services, construction, goods, or equipment.

For the purposes of being awarded a Grant pursuant to this RFP, all applicants must include a written Statement of Intent in their proposals (on their organization’s letterhead) which clearly acknowledges that the applicant, as Grantee, shall comply with the DBE utilization requirements contained in this RFP, during the implementation of its project. The proposed project budget contained in the applicant’s proposal must also identify specific expense categories (with associated dollar amounts) that the applicant expects to procure to meet or exceed the applicable D/MBE and D/WBE goals during project implementation.

All Applicants must clearly indicate in their proposed budgets the specific task(s) with dollar amounts that will be used to meet or exceed the DBE "Fair Share" requirement described above.

4. Instructions for Submitting an Application

A. Evaluation Criteria

Applicants must submit a completed application that includes all the required supporting materials, agree to the program conditions, and meet the eligibility requirements in order to be considered for a grant award. An interagency review committee will evaluate proposed projects based upon the criteria listed below. The review committee reserves the right to reject any or all proposals.

Evaluation Criteria Components: The GRT will evaluate and score the grant applications from Eligible Applicants (as defined previously in this Grant Opportunity) based upon the following criteria:

1. Concise Problem Definition (15 pts)

The review will focus on the clarity of problem identification. Focus of the review will include:

- Does the Applicant present a clearly defined NPS pollution problem?
- Are the problem areas(s) and nature of problem(s) clearly identified?
- Does the proposal present or cite adequate data to support the description of the problem?

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- Is an impaired waterbody identified, with a description of the specific impairment?

2. Project Goals and Approach (20 pts)

The review will focus on clearly identified project goals and the quality of the approach to the problem, including discrete project deliverables with clearly defined results. Review will include, but not be limited to, the following questions as applicable:

- Does the proposal contain a reasonable technical approach?
- Does the project plan present a logical, coordinated approach to the problem(s)?
- Are the deliverables clearly stated and described?
- Is the approach appropriate or suitable to address the NPS problem and meet the project goals?
- Are QAPPs provided as required?
- Does the proposal focus on a MassDEP Priority Water (see Section 2.C. MassDEP Priority Waterbodies)?

This section shall include a narrative response (see Attachment A: Project Goals and Approach) and must also use the format provided in Attachment A – Scope of Services.

3. Project Budget (Cost effectiveness of the proposal) (15 pts)

Detail the anticipated cost associated with the Proposed Project. Proposals should demonstrate a realistic understanding of project costs by providing a budget with detailed and credible cost estimates. Provision of a local match, whether in the form of cash or in-kind services, while not required by Section 604(b), can increase the competitiveness of a proposal by demonstrating local commitment to the project. Review will include, but not be limited to, the following questions as applicable:

- Is the total cost and distribution of costs by budget categories reasonable for the work proposed? (e.g., offers good value)
- Are the project goals proportional to the allotted resources?
- If included, does cost sharing enhance the proposal?
- Are the Disadvantaged Minority/Women Business Enterprise (DM/WBE) goals clearly identified?
- Are potential DM/WBE firms identified?

This section shall include a narrative response as appropriate and must include a project budget which is summarized in the format found in Attachment A – Project Budget.

4. Project Timeline (5 pts)

Review will focus on:

- How well does the applicant describe the timeline for the proposed work?

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- Is the project timeline reasonable?

This section shall include a narrative response as appropriate and must include a project timeline which is summarized in the format found in Attachment A – Project Milestone Schedule.

5. Qualifications of Organization and Project Manager (10 pts)

The quality of the organization and personnel to satisfactorily carry out the work identified in the proposal will be examined. The Applicant's past performance in conducting projects funded under this or other grant programs administered by MassDEP, and other EEA Agencies will be part of the evaluation process. Review will focus on:

- How does the Applicant describe the qualifications of the organization and the project manager to carry out the proposed project?
- Is the Applicant adequately staffed?
- Are the key personnel identified qualified? The review team will focus on the ability to successfully carry out tasks identified in the project approach, including the scope of work.
- Was the Applicant's performance on past projects, including timelines, budgets, accurate invoice submittal and deliverables, consistently met in a timely manner?

6. Project Benefit (20 pts)

The Applicant's likelihood of success for the Proposed Project, including the usefulness of the resulting products, and proposed implementation strategies, will be considered. Review will focus on:

- What is the likelihood of success for the Proposed Project, i.e., usefulness of the resulting deliverables and proposed implementation strategies?
- Extent to which the project, scope of services, and targeted watersheds would further MassDEP priorities.
- Does the project build on other projects or regional efforts?
- Does the project promote collaboration and inclusive information sharing among multiple communities and stakeholders?
- Are the deliverables set up in a way that they can be used in a future Section 319 project?
- Is there a strong level of commitment from project partners and stakeholders? Are letters of support from project partners and watershed groups submitted?
- Does the project consider long-term resiliency to climate change impacts in planning and site prioritization, design, siting, and selection of BMPs?

7. Active and Inclusive Community Engagement (10 pts)

MassDEP's NPS Management Section in the Watershed Planning Program highly encourages robust and inclusive community involvement through active engagement in water quality management planning grants.

- Has the proposal included a plan to involve the community through active engagement? For example:

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- Incorporating NPS projects into school curricular and/or extracurricular activities such as environmental clubs, science exhibitions, and/or field trips;
- Activities that engage community youth;
- Partnerships with local organizations;
- Neighborhood/Watershed clean-ups associated with the grant project;
- Other community events associated with the grant project that will result in meaningful and impactful outcomes such as increased stakeholder knowledge and understanding and neighborhood-scale adoption of BMPs;
- Community engagement via programs such as Photo-Voice Approach (Please see this [example](#) for more details);
- Information sharing through stakeholders' meetings or community workshops; and
- Site tours with community members.
- Does the proposal illustrate how this project would facilitate the participation of EJ community members? For example:
 - Does the proposal include a plan(s) to translate project materials and signage into languages relevant to your community to be more inclusive of all members?
 - Does the proposal include a plan(s) to have language interpreters at meetings?
 - Does the proposal include a plan(s) to provide accommodations for community members with disabilities?

8. Quality and Responsiveness of the Proposal (5 pts)

Review will focus on completeness, organization, and conciseness including the following:

- Does the project fit within the purpose of the NPS Management Section?
- Is the proposed workplan well organized and concise?
- Is the application complete, and have all requested materials been submitted, and are they in the proper format? (See Sections 4B. and 4C. below.)

9. Environmental Justice Benefit (5 pts)

Initiatives that will enhance equity and facilitate the participation of EJ population members in the stewardship of local natural resources will be prioritized. Information on which communities have EJ populations can be found [here](#). Review will focus on the following:

- Does the proposal outline how EJ populations would benefit from and be involved in the proposed project?
- Does the proposal outline specifically identify which EJ populations or organizations are included in the proposed project?
- Are new partnerships being formed to benefit EJ populations?

B. Requirements For Application Structure and Content

Complete proposals will consist of a concise application and all supporting materials in accordance with the following requirements. Applications that are incomplete and/or non-compliant with the requirements stated in this RFP are subject to rejection by the GRT.

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- **A Concise Application *not to exceed 12 pages*** documenting compliance with all the evaluation criteria listed in **Evaluation Criteria** above. The 12-page application limit includes only those items responsive to #1-9 in Evaluation Criteria, and includes both a descriptive narrative and all completed application template documents found in Attachment A. (See the Evaluation Criteria in Section 4A for more detail on the eight listed evaluation criteria).
- To assist Applicants, the completed 12-page application must include the following components:
 - Administrative Summary (Attachment A format);
 - Concise Problem Definition (narrative description);
 - Project Goals and Approach (narrative description and Attachment A: Scope of Services format);
 - Project Budget (Cost effectiveness of the proposal) (narrative description and Attachment A: Project Budget format);
 - Project Timeline (narrative description and Attachment A: Project Milestone Schedule);
 - Qualifications of Organization and Project Manager (narrative description);
 - Project Benefit (narrative description); and
 - Environmental Justice (narrative description).
- **Required Supporting Materials** (*not counted towards 12-page application limit*)
 - Locus map of the project area, and a detailed map of the project area.
 - If a cash or in-kind match will be provided by an entity outside the Applicant's organization, a letter from the authorized agent of the match provider must be submitted by the Grant Application due date, stating a commitment to provide the match.
 - Letters of support from all organizations identified in the project proposal as participating in the project or providing a portion of the matching funds for the project. These letters must: be written on the organization's letterhead, be signed by the organization's authorized signatory, and detail the services or match to be provided by the organization. Letters of support from participating entities should be included with the proposal submission and must be received by the **March 8, 2024, 5:00 p.m.** deadline.
 - An executed Equal Opportunity/Affirmation Action Policy Statement (sample provided in this RFP). See Attachment B of this RFP for further information and sample forms.
 - Written Statement of Intent acknowledging the obligation to meet or exceed fair share goals (sample provided in this RFP). See Attachment B of this RFP for further information and sample forms.
- **Recommended Additional Supporting Materials** (*not counted towards 12-page application limit*):
 - Resumes for key project staff.
 - A statement of support from appropriate local authority(ies) and stakeholder group(s), e.g., Conservation Commission, DPW, watershed organizations, etc.
 - Maps, resource/classification information, and a summary of water quality data pertinent to the project.

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C. Application Submission Instructions

Please note that only electronic submissions will be accepted for this RFP. Applicants must include all the documents required in the application and follow the specified format. Submitted proposals should consist of a concise application of no more than **12 pages**, which excludes additional supporting materials such as plans, maps, photos, summarized water quality data, and letters of support, as described in further detail in Section 4B above. Applications that exceed the 12-page limit requirements (excluding required supporting materials), or submissions that are unreadable, will not be reviewed by the GRT.

The GRT will only receive electronic copies of proposals. Therefore, Applicants must ensure that the materials transmitted through email can be viewed. Large-scale plans are discouraged, but if these plans are essential to the Applicant’s proposal, please contact the 604(b) Grant Coordinator for submittal instructions.

All Applicants must include all required items in their application and submit the packet electronically including both:

- a) a Word (.docx) version of the proposal narrative and application form, plus
- b) a (.pdf) version of the complete proposal, including all forms, attachments, match commitments, and support letters.

Electronic application copies, limited to 10MB, shall be emailed by the deadline [in both (.docx) and (.pdf) formats] **by Wednesday May 8, 2024, at 5:00 p.m. to:**

Meghan Selby, 604(b) Grant Coordinator

Submit applications to meghan.selby@mass.gov with “AY2023 604(b) Grant Application” in the subject line.

Applications received after the deadline will be automatically rejected. MassDEP reserves the right to reject any and all proposals or request additional information if needed.

D. Additional Required Documentation:

Additional Forms: If selected for a grant award, the Applicant will be required to submit the following forms to complete the contracting process. Forms with an asterisk (*) need not be submitted, if they have been completed previously, reflect the most up to date form, and are already on file with the Commonwealth:

- [Commonwealth Standard Contract Form](#), filled out and signed by the applicant
- [Commonwealth Terms and Conditions](#), these Terms and Conditions are incorporated by reference into the Standard Contract Form, and do not need to be executed separately.
- Commonwealth [W-9 tax information form](#) filled out and signed by the applicant with Unique Entity Identifier number and Federal Tax ID (*)
- Completed Contractor Authorized Signatory Listing Form
https://www.macomptroller.org/wp-content/uploads/form_contractor-authorized-signatory-listing-for-contractors.pdf
- Electronic Funds Transfer (EFT) form (*)

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<https://www.mass.gov/doc/electronic-funds-transfer-form-2/download>

Applicants are encouraged to review these forms prior to submission of an application. The Commonwealth Forms are located on the [Massachusetts Comptroller's website](#).

Additional requirement for Grantees: In order to comply with new regulations all successful grantees receiving federal funds from state agencies must submit a new W-9 which must include your Unique Entity Identifier (UEI), which recently replaced the Dunn & Bradstreet Unique Numbering System (DUNs). If your organization does not have a UEI number it is highly recommended to obtain one as soon as possible to prevent avoidable delays in contracting, if chosen for grant award. [Here](#) is a link to a website for applying for a UEI number.

5. Terms and Conditions of Grant Contract Award

Any Grant Applicant receiving an award must comply with the following requirements:

A. Commonwealth Terms and Conditions

The general terms and conditions for this contract are set forth in the following standard Commonwealth documents:

Commonwealth of Massachusetts Standard Contract Form, which incorporates by reference the Standard Contract Form Instructions, Contractor Certifications and Commonwealth Terms and Conditions.

The terms and conditions contained in the aforementioned documents supersede any and all other terms that may be defined explicitly or implied in this Grant Announcement. It is important that the entity submitting proposals fully understand all of the terms and conditions contained in these documents, and the referenced terms in these documents and how the terms apply to their agency, organization or business. A Grantee that fails to comply with the terms and conditions required by this Grant may be terminated from the contract.

B. Supplemental Terms and Conditions

Supplemental terms and conditions are requirements that are specific to the contracts resulting from this RFP. The Supplemental Terms and Conditions are provided in Attachment C (Supplemental Terms and Conditions).

C. Additional Requirements

In addition to complying with the requirements of this section, any Applicant receiving a Grant Award must adhere to all requirements of the grant application, and all documentation submitted in support of that application. If, after award of a Grant to a recipient, the GRT receives information that there has been a material omission or misrepresentation by the Applicant regarding any aspect of the proposed project, this may constitute grounds for invalidating the Grant award.

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6. Definitions

The following definitions supplement the definitions provided in Code of Massachusetts Regulations, 801 CMR 21.00 (Procurement of Commodities and Services) and 815 CMR 2.00 (Grants and Subsidies). These definitions are used for this solicitation and may be used throughout implementation of the grant contract after award:

Applicant: An Applicant is any entity identified in Section 2A of this Grant Announcement that responds to this Grant Announcement with a completed application, including the work and cost plan, and other required documentation as specified herein. For definition purposes, an Applicant is the same as a “bidder” as defined in 801 CMR 21.00 (Procurement of Commodities and Services).

Bureau of Water Resources (BWR): The Bureau within MassDEP that is responsible for the procurement and implementation of this contract. MassDEP’s 604(b) Grant Coordinator and Contract Manager are assigned to BWR.

COMMBUYS: The Commonwealth’s eProcurement Access and Solicitation Website (COMMBUYS) is a free, around-the-clock internet access site that provides bid/solicitation/procurement documents for all goods and services that are available either on existing Commonwealth state-wide contracts or are issued by other Eligible Entities of the Commonwealth of Massachusetts (including MassDEP). Announcements for Grant Opportunities and Notification of selection (and non-selection) for Grant Awards must also be posted on COMMBUYS pursuant to 815 CMR 2.00 (Grants and Subsidies).

Federal Subgrant: A Grant of Federal Funds received by a State Department as a Federal Grantee, which are provided under contractual terms to a Grantee. Certain Grantees receiving Federal Grant Award funds will be considered Subrecipients and will be required to comply with additional federal requirements. See 815 CMR 2.02 (definitions). In this document, Federal Subgrant is also referred to as “Grant Contract.”

Grant Review Team (GRT): The Massachusetts state and federal personnel who are responsible for conducting the evaluation of the applications and recommending to EPA one or more responding entities for award of a grant.

Grant: Discretionary and non-discretionary (earmarked) funds of State or Federal Grant Awards which are considered financial assistance provided under contractual terms between a Grantor State Department and a Grantee to assist the Grantee in the achievement or continuation of a specified public purpose to benefit the general public or a segment of the general public consistent with the Grantor Department's Legislative Authorization and the terms of the Grant funding. A Grant of a Federal Grant Award is also known as a Federal Subgrant. See 815 CMR 2.02 (definitions)

Grant Announcement: also called a Request for Proposals (RFP); the document describing the grant opportunity, terms, and response requirements.

Grantee: A Public or Non-Public Entity selected as a recipient of Grant. See 815 CMR 2.02 (definitions); see also Subrecipient definition below.

Impairment: for purposes of the Section 604(b) Grant Program, a waterbody that is listed in Category 4a, Category 4c, or Category 5 of the [Final 2022 Massachusetts Integrated List of Waters](#) (CWA Sections

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303d and 305b) is considered to be impaired. The listed NPS pollutants are prioritized to be addressed by Section 319 funds.

Massachusetts Department of Environmental Protection (MassDEP): MassDEP is an Executive Branch Agency under the Executive Office of Energy and Environmental Affairs (EOEEA). Within EOEEA, MassDEP administers the Section 604(b) Water Quality Management Planning Grant Program.

State or Commonwealth: The Commonwealth of Massachusetts.

Subrecipient: A Grantee that receives a Federal Subgrant from a Grantor (also known as a “pass-through entity”) to carry out part of a Federal Grant Award. Grantees receiving Federal Grant Awards who are deemed “Subrecipients” for Federal Grant Award purposes will be required to comply with applicable federal requirements, including but not limited to Subrecipient audit requirements under the Code of Federal Regulations, including 2 CFR Chapter I, Chapter II, Part 200 et al.

7. List of Attachments:

Attachment A – Application

Attachment B – Equal Employment/Affirmative Action Guidance and Forms

Attachment C – Supplemental Terms and Conditions

Attachment D – Additional Resources and FAQs

ATTACHMENT A – APPLICATION
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ADMINISTRATIVE SUMMARY

APPLICANT:	
Address:	
Telephone:	Email:

PROJECT TITLE:

PRIORITY PROJECT TYPE(S):

PRIORITY WATERBODY(IES)/SEGMENT ID (See Section 2.C. MassDEP Priority Waterbodies):

MUNICIPALITIES AND WATERSHED SERVED BY THIS PROJECT:

(Attach required participation letters)

AMOUNT OF FUNDING REQUESTED AND LOCAL MATCH (IF ANY) PROPOSED:

Federal 604(b) Funds via MassDEP	\$ _____
Cost Share Proposed	\$ _____ (not required)
Total Project Budget	\$ _____

PROJECT SUMMARY/OBJECTIVES:

PRINCIPAL CONTACT:

_____ () _____
Name and Title Telephone

Email

AUTHORIZED SIGNATORY:

Name and Title (Printed)

_____ Date

_____ () _____
Email Telephone

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The Application must contain clear and concise narrative responses (and supporting graphics, maps, or tables as necessary) to each of the following sections.

1. CONCISE STATEMENT OF THE PROBLEM: Provide background, describe the issue, furnish a statement of need for the selected communities and or watershed, and provide overall project justification. Additionally, provide concise descriptions, information, and/or discussion that answer the following questions:

- What are the issues that this project intends to address?
- What is/are the waterbody segment ID(s) and what is/are the specific water quality impairment(s), from the Section 303(d) listing from the [Final 2022 Massachusetts Integrated List of Waters](#), for the project area? Give a brief history/background leading up to the current situation.
- Who are the "stakeholders" involved in this issue?
- What will the stakeholders gain from the project?
- Why is this project needed in this watershed, or in these particular communities in this watershed?
- Provide a brief summary of any other water quality data that was previously collected for the project area, as applicable. Applicants are encouraged to identify any relevant water quality data collected by MassDEP's Watershed Planning Program either through review of [Technical Memorandum](#) or [Water Quality Monitoring Program Data](#). Please include brief summaries only and refer to supporting materials for more in-depth analysis.

2. PROJECT GOALS AND APPROACH: Provide a description of the project and the strategy to be implemented in response to the identified problem. Refer to a locus map of the project area and a detailed map of the project site in supporting materials. Describe how the Proposed Project will address the identified nonpoint source pollution problem, clearly linking to the issue(s) described in the above section. Goals should be specific and measurable over short- and long-term time frames, including how appropriate interest groups in the watershed will be made aware of the project and how results of the project will be disseminated to these groups. When describing the approach to the problem, be as specific as possible. Clearly describe the specific steps to be taken (i.e., scope of work), and the deliverables to be completed. When appropriate, be quantitative in your description (tell where, how many, how frequently, etc.). Present the approach in a logical, step-by-step fashion. Identify who will be involved in each step (if the project has multiple participants), and how the tasks will be coordinated. Describe how the major tasks will be accomplished and provide specific details. Identify any special skills or techniques that will be used to accomplish certain tasks, for example, GIS capabilities, trained wetland biologists, water quality sampling experience, computer modeling skills, etc.

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SCOPE OF SERVICES

Please note that the following tasks must be included in your proposal if your project includes the specific assessment activities stated below.

FOR PROPOSALS THAT INCLUDE DATA COLLECTION OR USE:

1. A quality assurance project plan (QAPP) describes the specific procedures, roles, responsibilities, training requirements, and procurement procedures used in a project meet certain quality objectives. **QAPPs are required if a project includes the collection, evaluation, use, or management of environmental data; the use of environmental models; or the design, construction, or operation of environmental technology.** A QAPP must be approved by EPA and MassDEP before any data is collected or used and must be included in the scope of services as a discrete project task.
2. A preliminary sampling plan must be provided in proposals that include water sampling as a task. At a minimum, the preliminary plan must describe the general sampling approach. If possible, Applicants should provide specific details about how many samples and where, how frequently sampling will occur, what kind of sampling event will be targeted (i.e., stormwater, groundwater, sediments, biological assessment, dry weather, etc.), what type of analyses will be performed (i.e., bacteria, flow, PCBs, heavy metals, macroinvertebrates, etc.). If possible, Applicants should state how the results will be analyzed and presented. **When sampling relatively low phosphorus concentration waters, Applicants are advised to check with the labs performing the analysis to confirm their ability to accurately analyze low phosphorus levels. The lab analytical methods must be documented in the QAPP.**
3. All surface water quality or quantity data or other assessment data collected under this contract must be submitted to the Watershed Planning Program following the [external data submittal requirements](#).

The data submittal must include: a cover letter, data files containing the data elements described in the data submittal template, a statement of data integrity, and an electronic copy of the approved QAPP for the data being submitted. Electronic data files and related information can be sent via email to WPP at: WQData.Submit@mass.gov. For regular mail delivery (e.g., CD), data can be sent to the following address:

External Monitoring and Data Coordinator
Massachusetts Department of Environmental Protection
Division of Watershed Management, Watershed Planning Program
8 New Bond Street, Worcester, MA 01606

FOR PROPOSALS THAT INCLUDE GEOGRAPHIC INFORMATION SYSTEMS (GIS) WORK AS A TASK:

Projects that propose to use GIS to perform land-use assessments or identify and map sources of pollution within a watershed or subwatershed must provide information on the type of database(s) that will be used, describe any ground-truthing of information, and state the scale of maps to be produced. Additionally, at the end of the project, all GIS data must be provided to MassDEP, and to other end users as appropriate, in either an ESRI file geo-database or shapefile.

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ALL PROPOSALS – REPORTING REQUIREMENTS

After grant award, all projects will require quarterly progress reports, a draft final report, and a final report. This task is the primary end product of all water quality management planning projects funded under this grant program. WPP and other state, federal, and local agencies, as well as public and private stakeholder groups, will use these reports as publicly available information. Because of the importance of the reporting requirements, MassDEP expects that the final reports produced under these grants will be comprehensive, professionally written and produced, and contain useful recommendations based on sound technical assessment/planning information gathered during the project. An electronic copy of the final report, in both word and pdf format, will be required at the conclusion of all projects.

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SCOPE OF SERVICES: TASKS/DELIVERABLES SUMMARY

Please provide a brief descriptive statement for each objective and the task/activity, followed by the deliverable product(s) to be submitted. Tasks are to be content-specific, which result in discrete deliverable products.

Two (2) tasks, the Kickoff Meeting Task and the Reporting Task, must be included in the Application. A kickoff meeting with MassDEP and the project team will be scheduled once a contract is initiated, and project reporting includes quarterly project management and the development of a final project report. Applicants can add more to each of these two tasks but should not remove the language provided below.

All Applicants must clearly indicate the specific task(s) with dollar amounts that will be used to meet or exceed the DBE "Fair Share" requirement.

OBJECTIVE / TASK #1: Kickoff Meeting with MassDEP and the Project Team

SUMMARY: The meeting will consist of reviewing the project scope, timeline, and budget, project and fiscal management, and reporting requirements.

PERSONNEL:

DELIVERABLE PRODUCT(S): A)
 B)
 C)

COST:

OBJECTIVE / TASK #2: Monthly meeting with MassDEP and EJ NPS Coordinators (*Only required for EJ NPS Coordinator projects*).

SUMMARY: The meeting will consist of reviewing monthly progress on project initiative and cross connection with other EJ NPS Coordinators. MassDEP staff and all active EJ NPS Coordinators will attend.

PERSONNEL:

DELIVERABLE PRODUCT(S): A)
 B)
 C)

COST:

OBJECTIVE / TASK #3:

SUMMARY:

PERSONNEL:

DELIVERABLE PRODUCT(S): A)
 B)
 C)

COST:

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OBJECTIVE / TASK #4:

SUMMARY:

PERSONNEL:

DELIVERABLE PRODUCT(S): A)
 B)
 C)

COST:

OBJECTIVE / TASK #__ : Reporting

SUMMARY: Quarterly invoice packages will be submitted to the 604(b) Program Coordinator and Contract Manager within 15 days of the end of a reporting quarter (i.e.; by January 15th, April 15th, July 15th and October 15th of each year). A draft final report will be submitted to the 604(b) Program Coordinator for review and comment at least two (2) months prior to the contract end date. The report must include a description of all activities undertaken as part of the project and a summary of the project. An electronic copy of the final report in both word and pdf format will be submitted to MassDEP by the project end date.

PERSONNEL:

DELIVERABLE PRODUCT(S): A) Quarterly Reports and Invoice Packages
 B) Draft Report due two months prior to project completion
 C) Final Report

COST:

(Repeat as necessary.)

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PROJECT BUDGET

(This budget is for proposal evaluation purposes. Use whole dollar method.)

Expense Items	604(b) Amount	Cost Share (not required)	Total Amount
Applicant's Salary - By Title and salary range			
Subcontractual Services			
Equipment			
Supplies (including printing, mailing)			
Travel (for applicant's mileage, at a rate of 0.62 cents/mile)			
Disadvantaged Business Enterprise* <ul style="list-style-type: none"> • Provide vendor(s) information if already known 			
Other			
Total Amounts:	\$ _____	\$ _____	\$ _____

OVERHEAD RATE (%) _____%

TOTAL REQUEST FOR GRANT: \$ _____ 604(b) Funds

TOTAL COST SHARE: \$ _____ (Not Required)

TOTAL BUDGET AMOUNT: \$ _____

***All Applicants must clearly indicate in their proposal budget the specific tasks with dollar amounts that will be used to meet or exceed the DBE "Fair Share" requirements.**

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PROJECT MILESTONE SCHEDULE

Provide a timeline by “X-ing” out the duration of the task activity. Use additional pages as necessary. Presume an October 1, 2024, Notice to Proceed.

MONTH

TASK	2024			2025												2026									
	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	
Task #1 – Kickoff Meeting																									
Task #2																									
Task #3																									
Task #4																									
Task #5																									
Task #6 - Reporting				X			X			X			X			X			X			X	X	X	
Repeat as necessary.																									

ATTACHMENT A – APPLICATION
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Supporting Materials

Include the following supporting materials with the application. Any application that does not contain the following required material will not be considered for funding.

Required:

- A. Locus map of the project area and a detailed map of the project area
- B. If a cash or in-kind match will be provided by an entity outside the Applicant's organization, a letter from the authorized agent of the match provider must be submitted by the Grant Application due date, stating a commitment to provide the match.
- C. Letters of support from all organizations identified in the project proposal as participating in the project or providing a portion of the match for the project. These letters must: be written on the organization's letterhead, be signed by the organization's authorized signatory, and detail the services or match to be provided by the organization. Letters of support from participating entities must be included with the proposal submission and must be received by the application deadline (**May 8, 2024, at 5:00 p.m.**).
- D. An executed Equal Opportunity/Affirmation Action Policy Statement (sample provided in this RFP) on Applicant's letterhead.
- E. Written Statement of Intent acknowledging the obligation to meet or exceed fair share goals (sample provided in this RFP) on Applicant's letterhead.

Recommended:

- A. Brief resumes for key project staff.
- B. A statement of support from appropriate local authority(ies) and stakeholder group(s), e.g., Conservation Commission, DPW, watershed organizations, etc.
- C. Maps, resource/classification information, and a summary of water quality data pertinent to the project.

ATTACHMENT B – EEO/AA GUIDANCE AND FORMS
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**AFFIRMATIVE ACTION AND DISADVANTAGED BUSINESS ENTERPRISE
REQUIREMENTS**

AFFIRMATIVE ACTION REQUIREMENTS FOR PROPOSALS:

For all proposals, an **Equal Employment Opportunity/Affirmative Action Policy Statement** must be submitted with the proposal.

UTILIZATION OF DISADVANTAGED BUSINESS ENTERPRISES (DBEs) UNDER THE FEDERAL GRANT

In May 2008 a new United States Environmental Protection Agency (EPA) rule became effective that changed the Minority Business Enterprise (MBE) and Women Business Enterprise (WBE) Program to a Disadvantaged Business Enterprise (DBE) Program.

For firms to qualify under the previous MBE/WBE program, they needed to be socially disadvantaged and had to be certified by the Supplier Diversity Office (SDO). Under the new DBE rule, the firms must be both **socially** and **economically** disadvantaged, citizens of the United States, and certified as a DBE either by the state or the federal government. Women and certain minorities are presumed to be socially disadvantaged. The economic disadvantage is measured by the owner's initial and continuing personal net worth of less than \$1,320,000.

Because the Clean Water Act requires the use of MBEs and WBEs, these firms can still be utilized to meet utilization goals, but they must also be certified as DBEs. The new regulations mean that only a subset of the universe of MBEs and WBEs can be used; those who are also certified as DBEs.

MassDEP has undertaken an availability analysis to develop new DBE goals. These new goals are **4.2% D/MBE** and **4.5% D/WBE**, of the full project cost (grant funding and match), respectively for any subcontract for services, construction, goods, or equipment.

SDO will continue to be the certifying agency for D/MBEs and D/WBEs.

The grantee according to 40 CFR, Part 33 Subpart C will make the following good faith efforts whenever procuring construction, equipment, services, and supplies.

The six Good Faith Efforts shall include:

(i) Require the DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. This will include placing qualified disadvantaged minority business and women's business enterprises on solicitation lists and soliciting them whenever they are potential sources;

(ii) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids for a minimum of 30 calendar days before the bid or proposal closing date;

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(iii) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. This will include dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by DBEs;

(iv) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually;

(v) Use the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and

(vi) If the prime subcontractor awards subcontracts, require the prime contractor to take the steps listed in paragraphs (i) through (v) of this section.

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GUIDANCE FOR EEO/AA POLICY STATEMENT

The policy statement outlines your company's/agency's commitment to equal employment opportunity and affirmative action as a company/agency objective of equal importance to other company/agency objectives.

The Policy Statement should include:

Non-Discrimination in employment and service delivery as an organizational priority and practice.

Access to employment and service delivery by all otherwise eligible persons regardless of their race, creed, color, sex, national origin, political affiliation, age, or disability.

Goal of having staff at all levels of the organization reflect the proportion of minority, female and disabled persons represented in the service delivery area.

Identification of an individual in the organization who is entrusted with enforcing the non-discrimination policy.

Signature and title of the organization's Chief Executive Officer.

You may use the attached sample statement as a model. It must be completed and submitted to MassDEP on your agency letterhead. The Chief Executive Officer of your company/agency must sign the Statement, expressing the management endorsement of the policy and assigning responsibility for making that endorsement. The Policy Statement is the basis for the rest of the Affirmative Action Plan, which describes how you will put your commitment to Affirmative Action in practice. The Policy Statement can function as the introduction to your Affirmative Action Plan.

The key individual for developing and implementing the Affirmative Action Program is your company's Affirmative Action Officer. When assigning/appointing the individual designated on the Policy Statement it should be kept in mind that for the Affirmative Action Officer to be effective, he/she should:

- Participate in the planning, development and implementation of policies involving the budget, personnel, recruitment, contract compliance, training, performance appraisals and program and policy development. The Affirmative Action Officer should work in conjunction with the appropriate staff assigned to the aforementioned responsibilities.
- Be actively involved with minority and women's organizations, training programs and other organizations - relating to people identified as members of protected groups.
- Conduct periodic audits of training programs and hiring and promotion patterns to remove barriers to goals and objectives, as well as audits of other plans.
- Review company/agency policies to assure equal opportunity for protected groups and prevent possible adverse impact on these groups.
- Hold regular discussions with managers and supervisors to advise them of their responsibilities and accountabilities, and review progress toward divisional affirmative action goals and implementation of agency affirmative action policies.
- Monitor and review the qualifications of all employees to ensure that minorities, women and other protected group members are given full opportunities for training and promotion.

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- Be familiar with and understand the various State and Federal regulations that impact employment practices (i.e., Title VII, Section 504, Chapter 533, Age Discrimination Act).
- Meet regularly with the hiring sources to review progress toward agency affirmative action goals.

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SAMPLE EEO/AA POLICY STATEMENT

(Place on Letterhead of Organization)

_____ (Name of Organization) has a statutory mandate under law to guarantee equal treatment for all who seek access to its services or opportunities for employment and advancement. No discrimination will be tolerated on the basis of race, creed, political affiliation, color, sex, national origin, age, or handicap. The ultimate goal is for personnel of this organization to reflect the proportions of minority, female, and handicapped persons in the populations they serve.

_____ (Name of Organization) will meet its legal, moral, social, and economic responsibilities for Equal Employment Opportunity/Affirmative Action as authorized and required by all pertinent state and federal legislation, executive orders and rules and regulations, including the following:

1. Title II of the Civil Rights Act of 1964 (42 USC s2000e et. seq., which prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin; and
2. The Age Discrimination in Employment Act of 1967 (29 USC s621 et. seq.), which prohibits discrimination in employment on the basis of age with regard to those individuals who are at least 40 years of age, but less than 65 years of age; and
3. Section 504 of the Rehabilitation Act of 1973 (29 USC s794), and the regulations promulgated pursuant thereto (45 CFR Part 84), which prohibit discrimination against qualified handicapped individuals on the basis of handicap and requires employers to make reasonable accommodations to known physical or mental limitations of otherwise qualified handicapped applications and employees; and
4. M.G.L. c. 151B s4 (1), as amended by Chapter 533, 1983, which prohibits discrimination in employment on the basis of race, color, sex, religious creed, national origin, ancestry, age or handicap,

In addition, the Provider agrees to be familiar with and abide by:

- * Massachusetts Executive Order 599
- * Massachusetts Executive Order 592
- * Equal Pay Act of 1963
- * Massachusetts Architectural Barriers Board Act
- * Federal Executive Orders 11246 and 11375 as amended.

All employees, unions, sub contractors and vendors must make genuine and consistent efforts:

1. To ensure equal employment opportunities for present and future employees, and
2. To implement affirmative action, as legally required, to remedy the effects of past employment discrimination and social inequalities.

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The responsibility for implementing and monitoring this policy has been delegated to:

Name and Title of Employee

Furthermore, _____ (Name of Organization) prohibits that any employee, or applicant, be subjected to coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under this program. No portion of this Equal Employment Opportunity/Affirmative Action Policy shall be construed as conflicting with any existing or future judicial or legislative mandate where a constriction consistent with that mandate is reasonable.

Signature of Chief Executive

Title of Chief Executive

Date

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SAMPLE DBE STATEMENT OF INTENT

(Place on Letterhead of Organization)

The Section 604(b) Water Quality Management Planning Grant Program asks for a good faith effort that minimum Fair Share Disadvantaged Minority and Women Business Enterprise goals will be met or exceeded for this project. The _____ (name of your organization) plans to contract with DMBE/DWBE vendors for _____ (specify type of business, service, or product) during this project.

The Fair Share utilization goals for this project are 4.2% DMBE and 4.5% DWBE on the total project dollars (grant funds and match). To comply with the DMBE/DWBE participation goals, it is anticipated that at a minimum \$___ for DMBE and \$___ DWBE will be adhered to.

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REQUEST FOR DBE WAIVER FORM

Upon exhausting all known sources and making every possible effort to meet the minimum requirements for DBE participation, the Contractor may seek relief from these requirements by filing this form with the request and submitting a completed waiver package. Failure to comply with this process shall be cause to reject the bid thereby rendering the Contractor not eligible for award of the subcontract.

General Information

Project Number: _____ Project Location: _____

Project Title: _____

Awarding Authority/Contractor: _____

Mailing Address: _____

Contact Person: _____ Telephone No. () _____ Ext. _____

Minimum Requirements

The Contractor must show that good faith efforts were undertaken to comply with the percentage goals as specified. The Contractor seeking relief must show that such efforts were taken appropriately in advance of the time set for opening bid proposals to allow adequate time for response(s) by submitting the following:

- A. A detailed record of the effort made to contact and negotiate with disadvantaged minority and/or woman owned businesses, including:
1. names, addresses, telephone numbers and contact dates of all such companies contacted;
 2. copies of written notice(s) which were sent to DBE potential subcontractors prior to bid opening;
 3. a detailed statement as to why each subcontractor contacted (i) was not willing to do the job or (ii) was not qualified to perform the work as solicited; and
 4. in the case(s) where a negotiated price could not be reached the bidder should detail what efforts were made to reach an agreement on a competitive price.
 5. copies of advertisements, dated not less than ten (10) days prior to bid opening, as appearing in general publications, trade-oriented publications, and applicable minority/women-focused media detailing the opportunities for participation;

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- B. MassDEP may require the Contractor to produce such additional information as it deems appropriate.
- C. No later than ten (10) days after submission of all required information and documentation, MassDEP shall make a determination, in writing, whether the waiver request is granted and shall provide that determination to the Contractor and Awarding Authority. If the waiver request is denied, the facts upon which a denial is based will be set forth in writing.

Special Note

If at any time, MassDEP determines that one or more of the DBE contractors as submitted by the Contractor is not certified, the Contractor shall have 10 working days, following notification to MassDEP, to either find a certified DBE contractor to perform work equal to or greater than that of the uncertified contractor or submit a waiver request.

CERTIFICATION

The undersigned herewith certifies that the above information and appropriate attachments are true and accurate to the best of my knowledge and that I have been authorized to act on behalf of the bidder in this matter.

(authorized original signature)

DATE

A WAIVER REQUEST SUBMITTAL MUST BE EMAILED CONCURRENTLY TO THE FOLLOWING STAFF:

TO: Meghan Selby
604(b) Grant Coordinator
Nonpoint Source Management Section
MassDEP – Watershed Planning Program
meghan.selby@mass.gov

CC: Yit Ling Slayman
Procurement Analyst
MassDEP – Department of Fiscal Management
yitling.slayman@mass.gov

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In addition to the Commonwealth Terms and Conditions cited in Section 5A of the RFP, the following supplemental terms and conditions apply to the grant contracts issued as a result of this RFP:

1. Electronic Communication/Update of Grantees' Contact Information: It is the responsibility of the Grantee to keep current the email address of the Grantee's contact person and prospective contract manager, and to monitor that email inbox for communications from MassDEP, including requests for clarification. MassDEP and the Commonwealth assume no responsibility if a Grantee's designated email address is not current, or if technical problems, including those with the Grantee's computer, network or internet service provider (ISP) cause email communications sent to/from the Grantee and MassDEP to be lost or rejected by any means including email or spam filtering.

2. Contract Expansion: If additional funds become available during the grant contract duration period, the MassDEP reserves the right to increase the maximum obligation to some or all contracts executed as a result of this Grant Announcement or to execute contracts with Grantees not funded in the initial selection process, subject to available funding, satisfactory contract performance and service or commodity need.

3. Compensation and Payment of Grant Funds: Costs which are not specifically identified in the Applicant's response, and/or accepted by MassDEP as part of a grant contract, will not be compensated under any contract awarded pursuant to this Grant Announcement. The Commonwealth will not be responsible for any costs or expenses incurred by Applicants responding to this Grant Announcement.

Upon award of a contract, the following terms and conditions apply to compensation and payment to the Grantee.

a. Payment for Services Delivered: Contracts will be paid on a reimbursement of costs basis and under maximum obligation contract basis. The payment procedure for awards is reimbursement for costs incurred for the project during the contract period. Only project costs incurred during the contract period will be eligible for payment.

b. Payment only for MassDEP Accepted Services: Compensation will be made for services delivered and accepted by MassDEP's 604(b) Grant Coordinator and Contract Manager provided the project budget is not exceeded, and the scope of the services falls within the scope defined in the approved work plan or subsequent MassDEP approved scope changes, such as a change order document.

c. Cost Tables: Compensation will be based solely on the budget/cost tables supplied by the applicant and accepted by MassDEP. Cost tables must contain all goods and services to be provided on this Contract.

- Travel is reimbursed for vehicle miles only at \$0.62 per mile.
- No meals, snacks, beverages, or other comestibles may be purchased using grant funds.
- Grantees must be equipped to carry out the proposed work. Section 604(b) funds cannot be used to purchase computers, software, capital equipment, and/or similar expenditures.

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d. Payment Restrictions: The following are restrictions that may result in non-payment to the Grantee:

- Costs which are not specifically identified in the Grantee’s application (e.g. Work and Cost Plan) and/or accepted by MassDEP as part of a contract, will not be compensated under any grant contract awarded pursuant to this Grant;
- Costs incurred prior to the official contract start date or after the end date of the grant contract will be ineligible for payment;
- Grantees are at risk for non-payment of claims that exceed the MassDEP approved budget for the project, and cost elements within the project that are tracked as part of the financial management and reporting requirements as determined on a project specific basis;
- The Commonwealth will not be responsible for any costs or expenses incurred by the Applicant responding to this Grant Announcement; and
- Invoices for costs incurred in prior fiscal years cannot be paid.

See also Section 3C (Funding Availability, Budgeting Guidelines & Allowable Expenditures) of this Grant Announcement for additional budget and payment restrictions.

e. Payment through the Commonwealth’s Electronic Funds Transfer (EFT): All Grantees must comply with the Commonwealth Electronic Funds Transfer (EFT) program for receiving payments, unless the Grantee can provide compelling proof that it would be unduly burdensome. The requirement for EFT participation is stipulated in the general Commonwealth of Massachusetts – Standard Contract Form. The link to the EFT Form is [here](#).

If the Grantee is already enrolled in the program, it may so indicate in its response. Because the Authorization for EFT Form contains banking information, this form, and all information contained on this form, shall not be considered a public record and shall not be subject to public disclosure through a public records request.

The requirement to use EFT may be waived by MassDEP on a case-by-case basis if participation in the program would be unduly burdensome on the Grantee. If a Grantee is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in its response. MassDEP will consider such requests on a case-by-case basis and communicate the findings with the Grantee.

f. Invoices Submitted for Reimbursement of Costs: Invoices that are submitted to MassDEP for reimbursement must have sufficient detail to document the validity of the costs being claimed. At a minimum, the invoice must parallel the task breakdown structure and cost elements contained therein so the invoice can be directly compared to the approved budgets for the various cost elements. The level of detail and breakdown of the cost elements in the budget and the invoices will be determined on a project specific basis.

Invoice Supporting Documentation: MassDEP requires supporting documentation for certain costs that have been billed to the Grantee and are included in the claim for compensation in the invoice. Supporting documentation includes items such as copies of bills and invoices from subcontractors, laboratories, purchases of equipment, materials and supplies, etc. The required supporting documentation will be determined on a project specific basis by MassDEP; however, the Grantee may assume that the items cited in this clause will be required.

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g. 45-Day Standard Payment Schedule: Reimbursement is generally made 45 days subsequent to the Grantee submitting an invoice that is accurate and compliant with the contract specific requirements for backup supporting documentation. Invoices that are not compliant with these requirements will be rejected and returned to the Grantee for correction, and the 45-day payment period will no longer apply.

h. Exemption from Massachusetts Sales Tax: No payments shall be made for Massachusetts sales tax as defined in M.G.L Chapter 64H, sec. 6, as applicable to the Grantee. Grantees are required to obtain and complete valid Sales Tax exemption forms for use on the project. For example, Forms ST-2 or ST-5 may be applicable depending on the nature of the Grantee.

i. Fair and Reasonable Pricing: The Applicant must agree that prices included in any and all cost proposals, cost estimates, and bills and invoices for services to be compensated by contract funds are fair and reasonable, and are of fair market value where applicable, including but not limited to prices for labor, equipment rental and leases, equipment purchases, materials and supplies, vehicle usage, and all other costs to be compensated by the funds from the contract. If the Commonwealth believes that it is not receiving fair and reasonable prices from the Grantee, and the Grantee cannot justify the prices to the MassDEP, then MassDEP reserves the right to suspend work and compensation until a satisfactory price is established.

4. MassDEP Authorized Approval Authorities: For this contract, the following are the titles, persons, and their approval authorities to direct and approve the Grantees' technical and financial implementation of the projects throughout the period of performance of the contract:

604(b) Grant Coordinator: Has the authority to approve the technical and administrative aspects of the project, including initial approval and approval of changes to technical and administrative items that do not involve impacts to project costs or impact terms and conditions of the contract. Co-authority, with the Contract Manager, to approve budgets, changes to budgets, acceptance or rejection of invoices, approval or disapproval for payment of invoices or partial payments, negotiations regarding payments, and terms and conditions of the contract that are open to negotiation, usually on a project specific basis.

The current 604(b) Grant Coordinator is Meghan Selby, Watershed Planning Program, MassDEP.

BWR 604(b) Contract Manager: Co-approval authority, with the Section 604(b) Grant Program Manager, to approve the budgets, cost estimating, and invoicing format on a project specific basis, acceptance or rejection of invoices, payment approval or disapproval of invoices or partial payment of invoices, negotiations regarding payments, and terms and conditions of the contract that are open to negotiation, usually on a project specific basis.

The current BWR 604(b) Contract Manager is: Aiesha Cummings, MassDEP.

Co-approval is defined, for this contract, to mean the Grantee must receive written approval from both the 604(b) Grant Coordinator and Contract Manager before the Grantee can implement the work and incur costs eligible for compensation. Written approval, as defined for this contract, is any written documentation clearly approving the project item, including e-mails as well as letters. Failure of the Grantee to receive written approval may result in non-payment of an invoice claiming costs for the unapproved work or resulting in a budget exceedance.

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In the absence of either the 604(b) Grant Coordinator or Contract Manager, approval and signature “for” authority may be delegated to other MassDEP staff, as appropriate.

5. Public Records: All responses and information submitted in response to this Grant Announcement are subject to the Massachusetts Public Records Law, M.G.L., c. 66, s. 10, and to c. 4, s. 7, ss. 26. Any statements in submitted responses that are inconsistent with these statutes shall be disregarded.

6. Restriction on the Use of the Commonwealth Seal: Applicants and Grantees are not allowed to display the Commonwealth of Massachusetts Seal in their bid package or subsequent marketing materials if they are awarded a contract because use of the coat of arms and the Great Seal of the Commonwealth for advertising or commercial purposes are prohibited by law.

7. Subcontracting Policies: Concurrence of MassDEP is required for any subcontracted service of the contract. Grantees are responsible for the satisfactory performance and adequate oversight of its subcontractors. See also, Article 9 of the Commonwealth Terms and Conditions.

8. Confidential Information: The Grantee acknowledges that, in the performance of this Contract, it may acquire information that MassDEP deems confidential and not a public record as defined by M.G.L. chapter 4, subsection 7, including but not limited to policies, procedures, guidelines, and case information and that the unauthorized disclosure of such information would cause MassDEP, in the execution of its functions, irreparable damage. The Grantee shall comply with all laws and regulations relating to confidentiality and privacy, including any rules, regulations, or directions of the MassDEP. See also, Standard Contract Form’s Contractor Instructions, pages 4-5, regarding the Protection of Commonwealth Data, Personal Data, And Information.

9. Security of Confidential Information: The Grantee agrees to take reasonable steps to ensure the physical security of such data under its control, including but not limited to: fire protection; protection against smoke and water damages; alarm systems; locked files, guards or other devices reasonably expected to prevent loss or unauthorized removal of manually held data; passwords, access logs, badges or other methods reasonably expected to prevent loss or unauthorized access to electronically or mechanically held data; limited terminal access, access to input documents and output documents, and design provisions to limit use of personal data.

10. Flow-down the Confidentiality Provision to Subcontractors: The Grantee shall include language in agreements with each of its Subcontractors, which binds the Subcontractors to compliance with the confidentiality provisions of this Contract.

11. Fraud, Waste, and Abuse, and False Statements: Applicants and Grantees that commit fraud, waste, and/or abuse or supply MassDEP or its representatives with false statements shall result in the applicant being disqualified from Grant eligibility, and Grantees being suspended or terminated from the project. Misstatements meant to mislead MassDEP or its representatives, and/or other elements of fraud, waste or abuse of funds may also result in debarment of the Grantee from future Departmental projects, and potential legal action depending on the nature of the violation of this section.

12. Performance, Progress Reporting, Funding Reference for Printed and Internet Posted Materials, and Use of EPA Logo: The Grantee(s) will be required to demonstrate satisfactory performance under this

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contract through periodic review by the MassDEP Section 604(b) Grant Program. Projects will have progress reports, with the timing and number to be determined by the MassDEP Section 604(b) Grant Program on a case-by-case basis, and a final project completion report. Reporting requirements will include a narrative of the project progress and accomplishments, photographs, monitoring data and analysis, and additional site- and project- specific information, as necessary and appropriate. All projects will have a final project completion report. All projects and descriptions, in print and on the Internet, must contain the following statement: “This product has been funded wholly or in part by the United States Environmental Protection Agency under Assistance Agreement number C6-00A01229 to the recipient. The contents of this document do not necessarily reflect the views and policies of the U.S. Environmental Protection Agency, nor does the U.S. EPA endorse trade names or recommend the use of any products, services or enterprises mentioned in this document.” Further, if the U.S. Environmental Protection Agency logo is used, along with logos from other participating entities on websites, outreach materials, or reports, it must not be prominently displayed to imply that any of the Grantee’s activities are being conducted by the EPA. Instead, the EPA logo should be accompanied with a statement indicating that the Grantee through the Commonwealth of Massachusetts, received financial support from the EPA under an Assistance Agreement.

13. Public or Media Events and Press Releases:

The Grantee agrees to inform MassDEP about any public events, media events or press releases publicizing the grant award activities and accomplishments. All such events and press releases shall acknowledge that funding is provided in whole or part by the U.S. Environmental Protection Agency. Grantees shall notify MassDEP no less than ten (10) business days prior to a public event related to the grant award, in order to provide MassDEP and/or U.S. Environmental Protection Agency representative(s) the opportunity to attend and participate in the event.

14. Compliance with U.S. EPA General Terms and Conditions:

Applicants and grantees, through submission of an application to MassDEP, agree to comply with the applicable provisions of the EPA’s General Terms and Conditions in effect at the time of, and during the duration of, any grant award made by MassDEP involving federal funds. These terms and conditions are in addition to the assurances and certifications made as part of the award and terms, conditions, and restrictions reflected on the official assistance award document, and passed along by MassDEP to grantees. Failure to comply with the applicable provisions of the EPA General Terms and Conditions may result in enforcement actions as outlined in 2 CFR 200.339 and 200.340. Copies of the EPA General Terms and Conditions are available online at: www.epa.gov/grants/grant-terms-and-conditions#general.

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- 1) [Massachusetts 2022 Integrated List of Waters Draft](#) and [Final TMDL analyses](#).
- 2) GIS coverage [MassDEP 2018/2020 Integrated List of Waters](#)
- 3) [Watershed-Based Planning Tool](#): This tool will guide a user to select a watershed and complete the nine elements necessary to comprise a WBP.
- 4) [Water Quality Assessment Reports](#)
- 5) [The Clean Water Toolkit](#): Massachusetts Nonpoint Source Pollution Management Manual - A manual in electronic format that provides an overview of nonpoint source related issues, fact sheets and detailed information about best management practices to address nonpoint source problems.
- 6) [NPDES Stormwater Regulated Communities](#): Section 604(b) funds are not eligible for activities that are required under final NPDES permits in the regulated area.
- 7) [University of New Hampshire Stormwater Center](#): where in situ testing of several Best Management Practices is conducted. Visit this site for fact sheets and information about porous asphalt, gravel wetlands, swirl concentrators, and other relevant information.
- 8) [Stormwater Policy and General Publications](#)
- 9) [Cornell Extreme Precipitation Analysis](#): website, providing rainfall analysis calibrated to the present climate.
- 10) [EPA's Soak Up the Rain campaign](#): information and resources to support public outreach and education:
- 11) [MassDEP Project Summaries](#): One-page descriptions of projects that have received 604(b) funding.
- 12) [Massachusetts Nonpoint Source Management Program Plan, 2020-2024](#): with concise goals and objectives.
- 13) [Unique Entity Identifier Update](#): By April of 2022, the federal government will stop using the DUNS number to uniquely identify entities and a new Unique Entity Identifier will be required.

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FREQUENTLY ASKED SECTION 604(b) QUESTIONS AND RESPONSES

1. How often can invoices be submitted for reimbursement?

MassDEP requires grant recipients to submit invoices and project updates on a quarterly basis. On occasion, MassDEP will allow a more frequent schedule for the submission of invoices and/or project updates, provided that this alternative schedule has been approved in advance.

2. If the project proposes a modification to an existing sampling plan and QAPP (e.g., different sampling sites or schedule), should a new sampling and analysis plan (SAP) be submitted or will the project be covered?

In these circumstances, it is likely that a modification or amendment to an existing QAPP would be required during the course of the project. After grant award, Suzanne Flint, MassDEP's Quality Assurance Officer, can provide grant recipients with more specific feedback regarding projects. Her email is: suzanne.flint@mass.gov

3. Is there a technical definition of a "Watershed-Based Plan"?

Yes, please see the [MassDEP website](#) for additional information.

4. What have been the cost ranges for developing a Watershed-Based Plan?

Based upon the costs of prior grant projects, a basic WBP could cost approximately \$15,000. A more detailed WBP, however, with BMP locations prioritized and preliminary designs included, could cost approximately \$50,000 or more, depending on the full scope of the plan.

5. Is developing a Watershed-Based Plan to remove nutrients identified in a TMDL that is in a Phase II MS4 permit eligible for this grant?

The development of a WBP in a NPDES permit area is an eligible Section 604(b) project.

6. Can Section 604(b) funding be used to conduct wet weather screenings required by the NPDES stormwater permit?

Any items that are required by the NPDES stormwater permits are not eligible projects.

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7. If a municipality were awarded a grant under the Southeast New England Program (SNEP) for watershed planning or related activities, would the amount awarded from EPA be able to be used as a match for the Section 604(b) Water Quality Management Planning Grant?

Grants and awards from other Federal programs, such as the SNEP program, are not eligible as matching funds. However, State funded grants, such as Coastal Pollution Remediation Grants and Municipal Vulnerability Program grants, may be eligible as matching funds for the Section 604(b) grant program. See Section 3D above for match information.

If a project proposal builds on previous grant funding received from other federal and/or state programs, or the proposal is intended to lay the groundwork for a future project that would qualify for future federal or state grant funding, and is also a priority for multiple grant programs, it would be considered highly competitive.

8. Would bacteria source tracking be eligible under the Section 604(b) Grant Program?

Yes, a project proposing to conduct bacteria source tracking would be eligible under the Section 604(b) program, if the project is not being conducted as part of or to fulfill any MS4 permit requirements.

