

The Commonwealth of Massachusetts
**EXECUTIVE OFFICE OF ENERGY &
ENVIRONMENTAL AFFAIRS**
DEPARTMENT OF ENVIRONMENTAL PROTECTION

100 Cambridge Street Suite 900, Boston, MA 02114



REQUEST FOR PROPOSALS (RFP)

Document Title:
FEDERAL FISCAL YEARS 2025 and 2026
SECTION 319 NONPOINT SOURCE (NPS)
IMPLEMENTATION GRANT PROGRAM

Agency Document Number:
BWR-RFP-FFY2025-2026-319-GRANT CYCLE- WPP08
COMMBUYS Bid #: BD-27-1045-BWR00-BWR01-132812

September 2, 2026

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Highlights for FFY 2025-2026

- Eligibility Form
- Non-Federal Match Waiver (Section 2.2.1)
- S.319 Cost Calculator
- Build America, Buy America Requirement (Section 2.2.3)
- [2025-2029 Massachusetts NPS Management Plan](#)
- Eligible Projects (Section 2.3.1):
 - Implementation Projects to Restore Impaired Waters
 - Implementation Projects to Restore Nitrogen Impacted Coastal Waters
 - Implementation Projects to Protect Healthy Waters

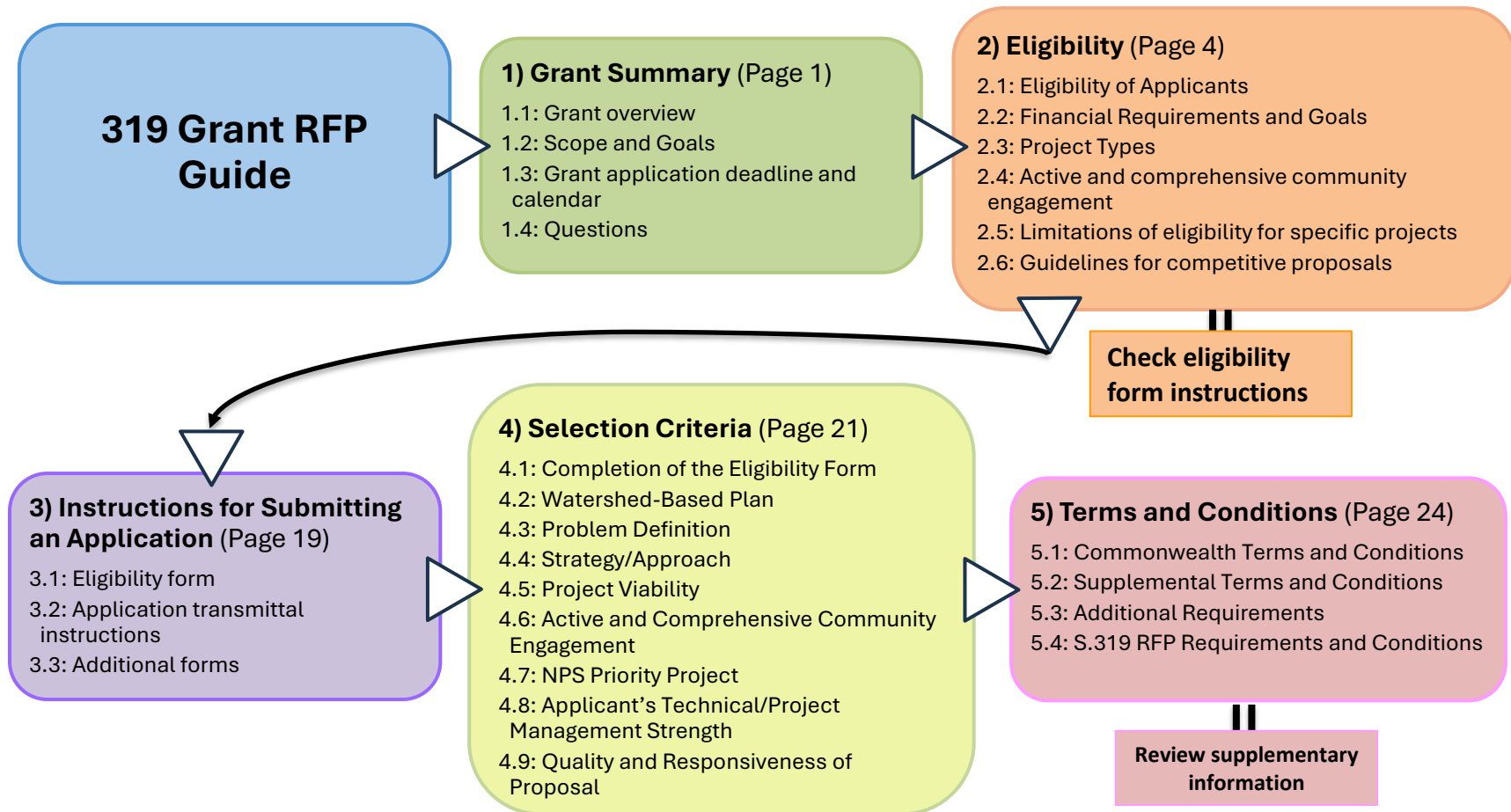


Figure A. Flow path for the CWA s.319 RFP guide.

319 Grant RFP Supplementary Information

A) Additional Grant Contract Information (weblink)

- A1: Procurement for grant contracts
- A2: Total Anticipated Duration of Grant Contract(s)
- A3: Funding Availability, Budgeting Guidelines & Allowable Expenditures
- A4: Grant Contract Award
- A5: Applicant Communication with MassDEP and the Commonwealth
- A6: Grant Announcement Distribution Method
- A7: Prohibition of Changes to the Grant Announcement/Application
- A8: Failure to Provide a Complete and Compliant Application
- A9: Reasonable Accommodation
- A10: Selection for a Grant Award

B) Application (Response Form) (Web link)

C) Proposal Checklist (web link)

D) Additional Resources and FAQs (web link)

F) Supplemental Terms and Conditions (web link)

G) Definitions (web link)

Figure B. Flow path for the CWA s.319 RFP supplementary information.

Section 1: Grant Summary

1.1. Grant Overview

MassDEP announces a Request for Proposals (RFP) under the federal Clean Water Act (CWA) section 319 (s.319) Nonpoint Source (NPS) Implementation Grant program. CWA s.319 was established in 1987 as a national program to control NPS pollution, which occurs when rainfall or snowmelt moves over and through the ground, transporting and depositing natural and human-made pollutants into lakes, rivers, wetlands, coastal waters, and groundwater. The Watershed Planning Program (WPP) in the Bureau of Water Resources (BWR), Massachusetts Department of Environmental Protection (MassDEP), awards CWA s.319 grant funding via federal funds from the United States Environmental Protection Agency (EPA) for projects that address the prevention, control, and abatement of NPS pollution in the Commonwealth. These projects maintain or restore beneficial designated uses for waterbodies in accordance with the Massachusetts Surface Water Quality Standards (MA SWQS; 314 Code of Massachusetts Regulations [CMR] 4.00). Eligible projects are those that mitigate NPS impacts, provided that all CWA s.319 eligibility requirements specified in this RFP are met. Activities that implement the provisions of EPA National Pollutant Discharge Elimination System (NPDES) stormwater permits, including MS4 permits, and other administrative orders are not eligible for funding.

1.2. Scope and Goals

The goal of the CWA s.319 NPS Implementation Grant program in Massachusetts is to fund projects that target NPS pollution to restore or maintain beneficial uses as established in the MA SWQS. MassDEP anticipates that approximately \$2.5 million in federal CWA funds for federal fiscal years (FFY) 2025 and 2026 will be available for NPS implementation projects.

Projects should reflect MassDEP NPS management priorities consistent with federal [NPS Program guidelines](#) and the [2025-2029 Massachusetts Nonpoint Source Management Plan](#) (NPS Plan). Massachusetts priority focus areas for NPS pollution mitigation, as identified in the NPS Plan, are developed land, septic systems, and agriculture. Watershed-based implementation activities that address water quality impairments listed in Categories 4a, 4c, and 5 of the [Final Massachusetts Integrated List of Waters for the Clean Water Act 2022 Reporting Cycle](#) in these focus areas are the highest MassDEP NPS mitigation priority, followed by implementation projects to restore nitrogen impacted coastal waters, and the implementation of Healthy Watershed projects to protect high quality and unimpaired waters. MassDEP encourages proposals for projects across all Massachusetts watersheds.

This document summarizes the guidelines, eligibility requirements, selection criteria, and RFP solicitation schedule. Proposals that are not complete or that are not submitted according to the guidelines set forth in this RFP will be disqualified and will not be considered

for funding. Qualified proposals will be selected on a competitive basis. All applicants are cautioned that funding for this program is subject to both Commonwealth Terms and Conditions as well as the Terms and Conditions of the FFY 2025 and FFY 2026 CWA s.319 Federal Grant Awards from the EPA to MassDEP. Terms and Conditions and supplementary RFP documents can be found on the [MassDEP Grants & Financial Assistance: Watersheds & Water Quality](#) website.

1.3. Grant Application Deadline and Calendar

Applications are due by Wednesday, October 28, 2026, at 4:00 p.m. (EDT). Applicants must submit completed applications that include all required supporting materials, agree to the program conditions, and meet the eligibility requirements by the deadline stated above to be considered for a reimbursable grant award. Completed proposals must be emailed to: Malcolm.Harper@mass.gov and Padmini.Das@mass.gov.

MassDEP anticipates that applicants will be notified in early 2027 regarding the results of the proposal review and selection process. Letters of award will be issued at this time, after which MassDEP will commence contract preparations with the selected applicants. The grant award announcement will also be posted on MassDEP's website. MassDEP reserves the right to fund a portion of a project, revise the project scope, and/or modify tasks to any project proposal. Applicants will have the option to reject the CWA s.319 grant award if a project, as revised, does not align with their capacity or organizational goals.

Table 1.1. CWA s.319 grant announcement calendar and application deadlines.

EVENT	DATE
Pre-RFP Remote Informational Meeting (online via Zoom; details posted on MassDEP website and COMMBUYS and provided via email to those who have signed up for WPP emails focused on NPS management)	Thursday, July 23, 2026, at 9:30 am
RFP Release Date (posted on MassDEP website and COMMBUYS)	Wednesday, September 2, 2026
Deadline for submission of written questions to: Malcolm.Harper@mass.gov and Judith.Rondeau@mass.gov	Wednesday, September 9, 2026, at 4:00 p.m.
Answers to written questions posted on MassDEP website & COMMBUYS	Wednesday, September 16, 2026
RFP Amendment Deadline. RFP documents will not be amended after this date.	Wednesday, September 16, 2026

EVENT	DATE
Grant Application Due Date	Wednesday, October 28, 2026 at 4:00 p.m.
Additional Letters of Support (that do not involve matching funds or in-kind services) are due	Wednesday, November 4, 2026
Evaluation of Responses and Response Selection by MassDEP	November 2026
Announcement of Grant Awards (estimated)	January 2027 (estimated)
Contract Start Date (estimated)	March 2027 (estimated)

1.4. Questions

Anyone wishing to submit questions must do so in writing by email to the s.319 Grant Coordinator, Malcolm Harper, at malcolm.harper@mass.gov or the NPS Outreach Coordinator, Judith Rondeau, at judith.rondeau@mass.gov. Questions must be received by the deadline of 4:00 p.m. on Wednesday, September 9, 2026. MassDEP anticipates that answers will be posted on the [MassDEP website](https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality) (<https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality>) by Wednesday, September 16, 2026.

Section 2: Eligibility

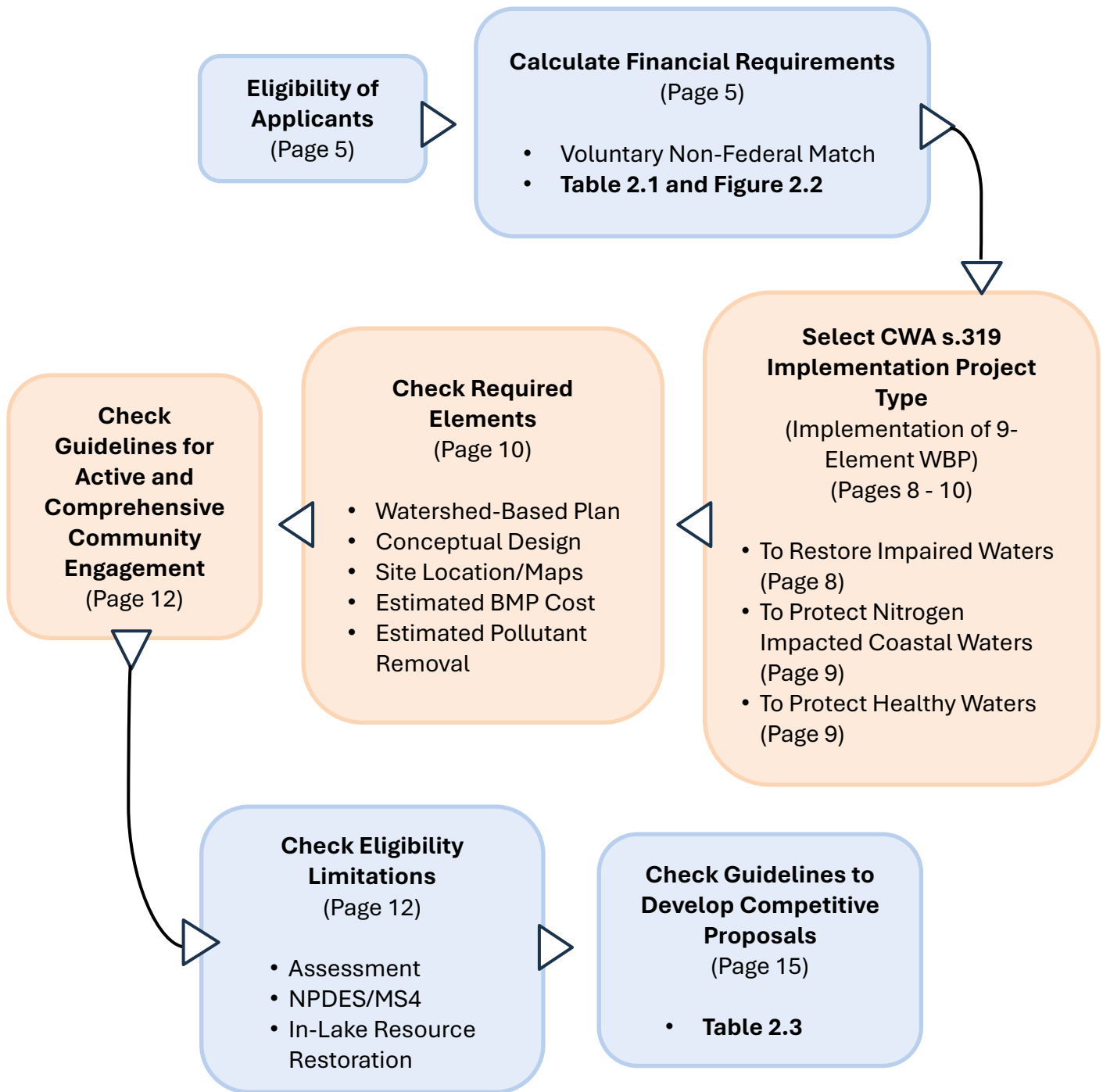


Figure 2.1. CWA s.319 eligibility flow path with RFP page numbers for reference. All information required to complete the [CWA s.319 Grant Eligibility Form](#) is provided in this section.

2.1. Eligibility of Applicants

The CWA s.319 NPS Implementation Grant program is open to any Massachusetts public or private organization. This includes state and federally recognized tribes, regional planning agencies, councils of governments, counties, conservation districts, cities and towns, other local public planning agencies, interstate agencies, and non-profit organizations.

- *Eligibility Form*: Applicants **must** complete the [CWA s.319 Grant Eligibility Form](#)
- to ensure their organization(s) and CWA s.319 grant project(s) are eligible for funding. This form provides applicants with the opportunity to review their projects and identify and correct any elements that may not be eligible for funding.
- *Multiple Applications*: An eligible applicant may submit more than one (1) proposal for distinct implementation projects.
- *Multiple Applicants*: Multiple entities may partner on a single application, but one eligible entity must be the primary applicant.
- *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. Subrecipients of a federal award (excluding states and federally recognized Tribal Nations) must follow 2 CFR §§ 200.318-200.327. Pursuant to Article 9 of the Commonwealth Terms and Conditions, MassDEP reserves the right to review and approve all subcontracts.
- *MBTA Communities Act*: The receipt of grant funds is contingent upon the grantee being able to certify that it will comply with the Massachusetts General Laws, including G.L. c. 40A, § 3A, the [MBTA Communities Act](#). Compliance with the MBTA Communities Act is determined by the Executive Office of Housing and Livable Communities.

2.2. Financial and Federal Requirements

2.2.1. Non-Federal Match Requirements

A non-federal match is not required for this RFP. Proposals under this RFP will not be required to provide a non-federal match of at least 40% of the total project cost. While the CWA (40 CFR 31.24) requires that CWA s.319 grant projects include such a match, MassDEP has gathered funds at the state level to cover this requirement for the FFY2025-2026 s.319 NPS Implementation Grant. Therefore, MassDEP will **waive the match requirement for all awardees in the FFY2025-2026 funding cycle only**. However, the voluntary inclusion of a match may provide applicants a competitive advantage in the selection process, as identified below in Section 4: Selection Criteria/Evaluation Process.

For applicants who wish to provide a non-federal match, please refer to the following guidelines:

- The 40% non-federal match applies to the *total project cost*, not only the CWA s.319 grant request. For example, for a proposed project that has a total project cost of \$100,000, the applicant may request grant funds of 60% (\$60,000) and supply the remaining 40% (\$40,000) of the total project cost as match.
- The 40% match may be provided as cash or as an in-kind contribution. In-kind services must be calculated based on the actual cost of the service provided and must be verifiable. Cost estimates for in-kind services must be reasonable and applicants must be able to provide documentation upon request. In-kind services must also be directly related to and necessary for the successful implementation of the proposed project.
- CWA s.319 funding cannot be used as a non-federal match for any other federally funded grant program or project.
- Non-federal match must meet the same CWA s.319 eligibility guidelines as grant-funded work.
- Required Documentation. Grant recipients will be required to document and report the non-federal match contribution, whether the match is comprised of cash, in-kind services, or both. Letters of commitment must be submitted with the proposal by all individuals and organizations contributing non-federal match funds or in-kind services to the project. The letters should specify the amount and type of match that has been committed, should be on the organization letterhead (as appropriate), and must be signed by an authorized signatory.
- Timeline for Match. CWA s.319-eligible project-related activities that have been accrued from October 1, 2025, to the end of the grant contract are eligible as match. For more information about non-federal match, please see [Office of Management and Budget Uniform Guidance](#) documentation.
- MassDEP has developed the [CWA s.319 Grant Project Cost Calculator](#) to assist applicants with determining the voluntary 40% non-federal match.

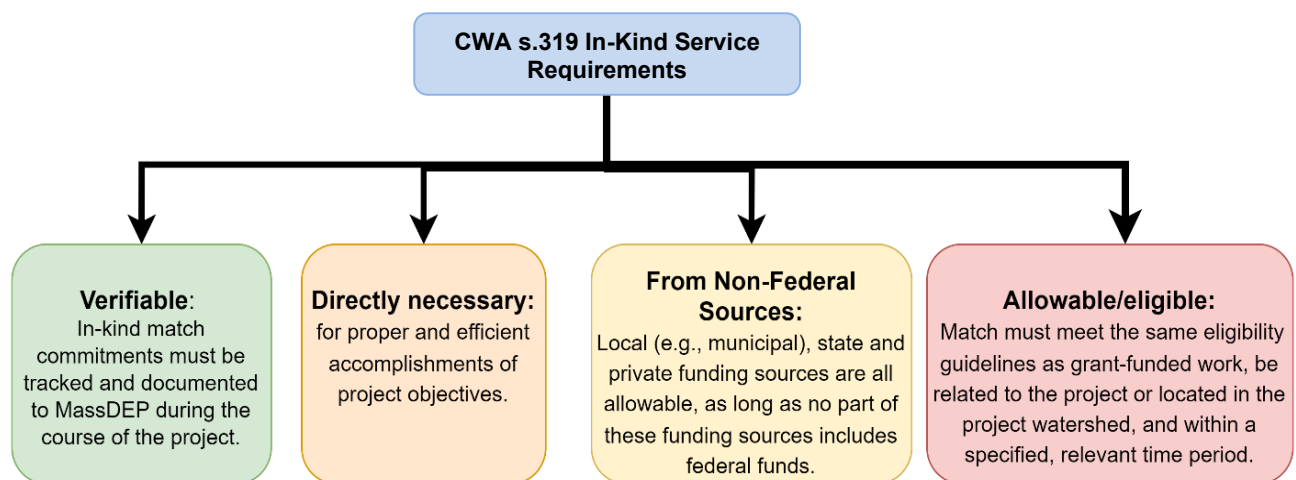


Figure 2.2. Match requirements for Clean Water Act (CWA) s.319 grant awards.

Table 2.1. *Examples of eligible and ineligible s.319 match.*

Eligibility	Examples of Cash or In-Kind Match
Eligible Match	➤ Labor (e.g., project staff time and/or volunteer labor) ➤ Contribution of materials and/or equipment from project partners, including privately owned businesses (e.g., boats, backhoes, street sweepers) ➤ Contribution of office space and/or meeting space, and use of office equipment and supplies ➤ Other non-federal grants (local, state, and/or private grants) (e.g., Massachusetts Environmental Trust, Sustainable Watershed Management Initiative, or Municipal Vulnerability Preparedness [MVP] grants) ➤ Non-federal State Revolving Fund (SRF) funds, Chapter 90 funds, Community Preservation Act, and direct state or town appropriations ➤ Site work, engineering, design, and permitting ➤ Development of a MassDEP-accepted Watershed-Based Plan (WBP) ➤ Any other NPS mitigation work that would be considered CWA s.319-eligible and that is being conducted within the project watershed, provided: ○ The work is described in detail and is included as a task within the CWA s.319 project proposal ○ Letters of commitment from match providers or cooperators are included within the CWA s.319 project proposal, and ○ All other match guidelines are met.
Ineligible Match	➤ Federal grants or funds ➤ Preparation of this proposal and other activity related to seeking CWA s.319 funds through this grant process are not eligible as non-federal match. ➤ NPDES permit-related work

2.2.2. Federal Requirements

Build America, Buy America (BABA) Requirement

As of 2022, implementation projects funded under the CWA s.319 NPS Implementation Grant Program must follow federal BABA requirements. For recipients of CWA s.319 grant funds, [EPA's website](#) explains that grantees should “to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.” Applicants and grantees must

consider their options and impacts to budget items for their proposal and project, respectively.

Projects funded under this RFP will be subject to the Buy America Sourcing requirements under the BABA requirements of the [Infrastructure Investment and Jobs Act \(IIJA\)](#) (P.L. 117-58, §70911-70917). Certain limited exclusions may apply if the proposal meets either of the following conditions:

1. The restoration projects will not require any iron and steel, manufactured products, and nonferrous construction materials covered by the Act to be permanently affixed to, consumed in, or incorporated into the project, and
2. The total project proposal costs less than \$250,000 of federal grant funding.

The Buy America preference will apply to the entire project, including portions funded using non-federal funds (match). For legal definitions and sourcing requirements, consult EPA's [Build America, Buy America website](#) and the Office of Management and Budget's (OMB) [Memorandum M-24-02, Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure & Federal Register Notice](#). EPA's [Office of Water Implementation Procedures](#) provides program-specific guidance relevant to water infrastructure projects.

Federal Terms & Conditions

All applicants are advised that CWA s.319 funding is subject to Federal Terms and Conditions in addition to Commonwealth Terms and Conditions. Applicants should thoroughly review the supplemental information listed in Section 5 of this document, and in particular, both Commonwealth and Federal Terms and Conditions, before submitting responses to this RFP. Terms and Conditions and supplementary RFP documents can be found on the [MassDEP Grants & Financial Assistance: Watersheds & Water Quality](#) website.

2.3. Project Types

2.3.1. CWA s.319 Implementation Project Types

A minimum of 50% of CWA s.319 funding will be directed to implementation projects that will directly address CWA s.303(d) listed impairments or protect healthy waters through NPS pollutant control and removal. Applicants are expected to propose a watershed-based strategy to implement structural and non-structural best management practices (BMPs) that address listed impairments and lead to the restoration of impaired waters (e.g., those waters listed in categories 4a, 4c, and 5 of the [Final Massachusetts Integrated List of Waters for the Clean Water Act 2022 Reporting Cycle](#)). A MassDEP-accepted nine-element Watershed-Based Plan (WBP) is required by the start of each implementation project before a Notice to Proceed can be issued. Contact MassDEP staff (judith.rondeau@mass.gov or meghan.selby@mass.gov) if you do not know if your watershed has a MassDEP-accepted WBP or if you need guidance to develop a WBP.

A. Implementation Projects to Restore Impaired Waters

- Projects that propose structural and non-structural BMPs to restore or improve waters impaired due to the impacts of NPS pollution.
 - BMPs should be selected for optimal pollutant load removal, emphasizing source reduction.
 - Proposed BMPs must be developed to at least the conceptual design stage and the conceptual designs must be submitted with the proposal.
 - Proposals must contain site-specific information to demonstrate that the project is feasible and can be completed within the project timeline.
- Projects that address agricultural NPS or source water protection areas (SWPA) in National Water Quality Initiative (NWQI) watersheds will have a competitive advantage. Current NWQI watersheds: Westport River, Noquochoke Lake, Unkety Brook/James Brook (Nashua River watershed), Manhan River, and South River (in the Deerfield River Watershed).
- A MassDEP-accepted nine-element WBP to restore impaired waters is required for all implementation projects to restore impaired waters.

B. Implementation Projects to Restore Nitrogen Impacted Coastal Waters

- Projects must address nitrogen pollution in designated Nitrogen Impacted Coastal Waters in southeastern Massachusetts, Cape Cod, Martha's Vineyard, and Nantucket.
- Eligible project components must result in nitrogen load reductions and can include, but are not limited to, the following:
 - installation of enhanced innovative/alternative (I/A) nitrogen reducing septic systems,
 - installation of Permeable Reactive Barriers (PRBs), and/or
 - restoration of inland and coastal wetland areas.
- Nitrogen impacted areas that have an approved, or close to completed, CWA s.208 Plan or other watershed plan(s) at the regional scale will be more competitive.
- A MassDEP-accepted nine-element WBP to restore impaired waters is required by the start of each implementation project before a Notice to Proceed can be issued. Nitrogen impacted areas that have or are in the process of developing a Comprehensive Wastewater Management Plan (CWMP) or Targeted Watershed Management Plan (TWMP) should update these plans to comply with the nine-element WBP format. For guidance on updating CWMPs/TWMPs to nine-element WBPs, please visit the [MassDEP WBP webpage](#) or contact Judy Rondeau (judith.rondeau@mass.gov) or Meghan Selby (meghan.selby@mass.gov) for assistance.
- Connections to a centralized wastewater collection system associated with the installation or extension of a centralized wastewater collection system are

eligible for funding under the CWA s.319 grant program; however, the installation or extension of a centralized wastewater collection system is not eligible.

C. Implementation Projects to Protect Healthy Waters

- Projects that protect unimpaired and high-quality waters from the effects of NPS pollution and mitigate the impacts of increased storm frequency and intensity.
- Projects may include, but are not limited to, fluvial geomorphology, habitat improvement, and nutrient, sediment, or pathogen reductions. Proposals may consist of funding and support for projects with a substantial land conservation component as part of NPS prevention and remediation.
- Proposals must be supported with documentation of the problem, conceptual or better plans to explain the strategy and approach, and any other information necessary to demonstrate the feasibility and effectiveness of the proposed project.
- A MassDEP-accepted nine-element WBP to restore impaired waters or [Healthy Watersheds Protection Plan](#) to protect healthy waters is required by the start of each implementation project before a Notice to Proceed can be issued.

2.3.2. S.319 Implementation Project Required Elements

- A. Project Details:** Applicants **must** identify the impaired water(s), including impairment and known or suspected pollutant source(s). Applicants must include a definitive description of project strategy and viability, an accurate budget for the project, an operations and maintenance plan for installed BMP(s), and a description of the environmental improvements that will result from the project. Sustainability, operation and maintenance, and cost-effectiveness are important aspects of proposal competitiveness.
- B. Nine-Element Watershed-Based Plan:** A completed, MassDEP-accepted nine-element watershed-based plan (WBP) is required by the start of each implementation project before a Notice to Proceed can be issued.
- A WBP is a document that provides a holistic framework for watershed management, detailing water quality concerns and identifying actions to address those concerns. A nine-element WBP incorporates specific elements mandated by EPA that identify water quality impairments and NPS sources and provides a framework to address those sources and evaluate plan effectiveness.
 - MassDEP's [Watershed-Based Plan Tool](#) guides users to select a watershed and complete the nine elements necessary for a WBP.
 - Additional information about WBPs can be found in the Question and Response section of this RFP, located on the [MassDEP Grants & Financial Assistance webpage](#).

- C. Conceptual Designs:** Conceptual designs, specific site location(s), and estimated cost of the BMP(s) are required as part of the Application. Conceptual designs must be of sufficient detail and include sufficient site work to allow the proposal review committee to evaluate the viability of the proposal. Conceptual designs need not be prepared by a Professional Engineer and do not need to include detailed site work. Proposals for infiltration BMPs must provide soil data to support the feasibility of the strategy.
- D. Site Location and Maps:** Proposals must include maps of the site and locus to show site characteristics and the location of each specific BMP location in sufficient detail to defend the feasibility of the BMP(s) and geopolitical and watershed location(s) of the proposed work.
- E. Estimated Costs**
- Applications must include a realistic and well-thought-out cost estimate that accounts for potential unanticipated issues. Applications should provide a sequential list of all possible steps of the project, from planning to construction. Successful grant applications typically have completed most of the technical and planning work necessary before an application is submitted. The total cost should be reasonable for the work proposed.
 - Applications must include a plan for post-construction operations and maintenance (O&M) activities that must be performed for the life of the installed BMP(s).
 - Please refer to the [Massachusetts NPS 319 Grant Guidebook](#) to determine reasonable cost estimation for the financial assistance, technical assistance, and post-construction operations and maintenance (O&M) activities.
- F. Estimated Pollutant Removal**
- Proposals must contain an appropriate method for estimating the success or the pollutant reduction results (e.g., estimate how many tons of sediment have been removed by a new rain garden). Use specific units (e.g., tons, pounds, and/or CFUs), not percentages. Estimating pollutant removal numbers may entail using a MassDEP- and EPA-approved Programmatic Quality Assurance Project Plan (QAPP).
 - Provide load reductions for the pollutant(s) of concern for the target waterbody. Proposed projects should reduce the target pollutant load as much as possible per dollar spent.

2.3.3. CWA s.319 Non-Implementation Project Types

MassDEP will not be funding non-implementation projects through the FFY 2025-2026 CWA s.319 grant. For this grant cycle, please submit proposals for non-implementation projects to the FFY 2024 CWA s.604(b) Water Quality Management Planning Grant Request for Proposals.

2.4. Active and Comprehensive Community Engagement

- MassDEP's NPS program will highly encourage robust and comprehensive community involvement through active engagement in implementation projects funded by the CWA s.319 grant program. Initiatives that will enhance and facilitate the participation of community members in the stewardship of local natural resources will be highly prioritized.
- Project costs associated with active and comprehensive engagement involving all stakeholders on the community level to take meaningful actions to address the effects of NPS pollution are eligible for program funds under this RFP.
- Proposals should include an evaluation method to determine the impact and/or effectiveness of active and comprehensive community engagement actions on the project.
- Community engagement activities should be scalable and transferable and include a deliverable that can be made available in print and electronic form. Note that electronic documents must comply with [Americans with Disabilities Act Title II](#) (ADA Title II) digital accessibility requirements. Click [here](#) to view Commonwealth Digital Accessibility Standards and Requirements.

Examples of initiatives to promote active and comprehensive community engagement include:

- Incorporation of 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 CWA s.319 grant project.
- Other community events associated with the CWA s.319 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](#).
- Information sharing through stakeholders' meetings or community workshops.
- Site tours with community members.
- Community-Based Social Marketing (CBSM) campaigns

2.5. Limitations of Eligibility for Specific Projects

2.5.1. Proposed Work that Includes Water Quality Monitoring and Assessment

Eligible: Water quality monitoring and assessment is eligible *only if*:

- it is a project component to support Total Maximum Daily Load (TMDL) development,
- the assessment is a recommendation of a TMDL analysis, or
- it is a required element of a restoration activity, such as the application of chemicals for in-lake restoration.

****Note that a project-specific QAPP is mandatory for such assessment work.****

Ineligible: A project that proposes activity such as water quality and/or biological monitoring for assessment purposes alone:

- with no significant implementation component, and/or
- with no link to a TMDL.

2.5.2. National Pollutant Discharge Elimination System Small Municipal Separate Storm Sewer Systems (NPDES MS4) Eligibility

Communities that are not MS4-Regulated or Unregulated Portions of Partially Regulated Communities:

CWA s.319 projects are fully eligible for funding in communities that are not subject to MS4 regulations (unregulated communities) and in unregulated portions of partially regulated (mixed) communities. CWA s.319 Implementation funding may be used to fund projects in MS4-regulated areas as long as the funds are not used for work that is required by the current NPDES MS4 permit.

Example: Massachusetts's 2016 NPDES MS4 permit is currently in effect. The 2016 permit requires regulated entities to develop or enhance Stormwater Management Plans (SWMP). CWA s.319-supported work will remain eligible in regulated areas unless or until the work becomes required by the permit or the SWMP. Suppose the SWMP outlines a strategy of progressive housekeeping, and implementation activities will require a BMP at the end of a five-year timeline. In that case, the BMP is eligible for CWA s.319 funds until the start date of the upcoming MS4 permit, when the work becomes required.

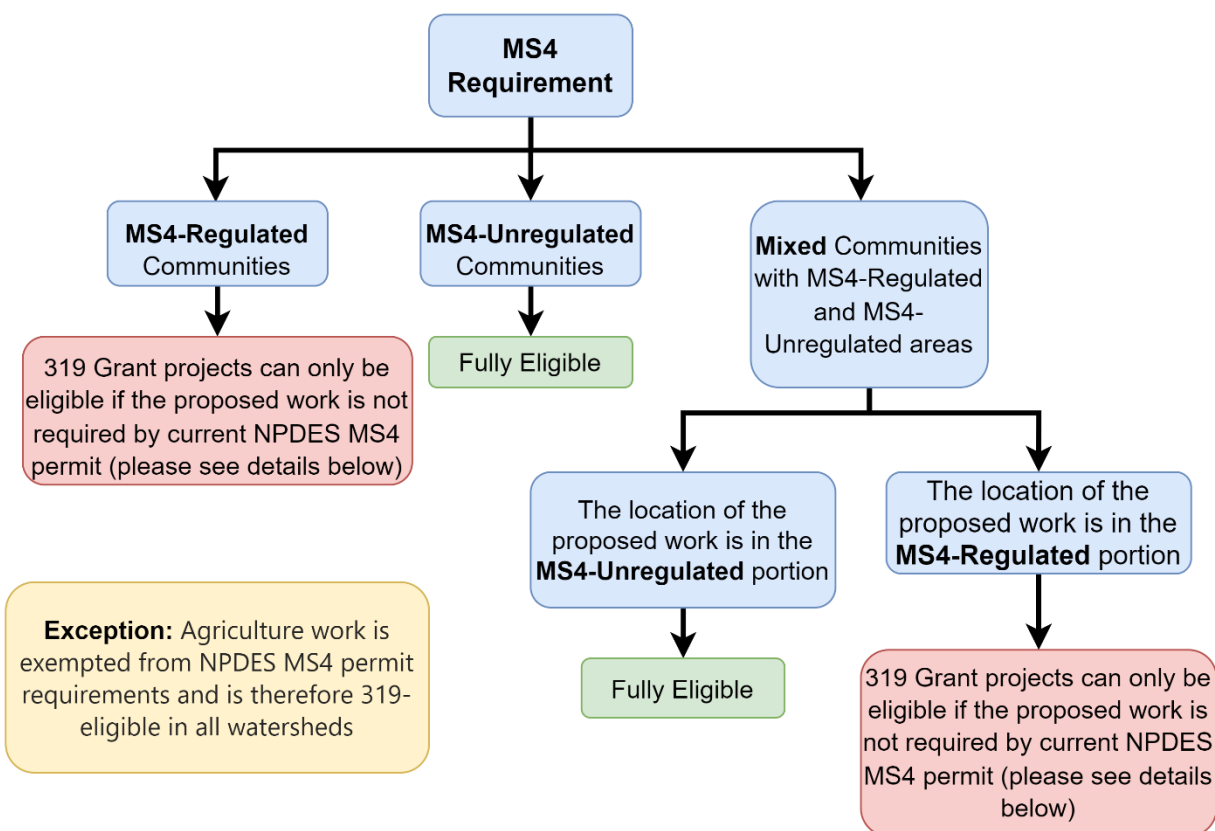


Figure 2.3. CWA s.319 eligibility in NPDES MS4-regulated, unregulated, and mixed communities. See [Town-by-town maps of MS4-Regulated vs. MS4-Unregulated areas](#) to determine if a proposed project is in an MS4 area.

Table 2.2. Frequently asked questions about NPDES MS4 requirements.

Question	Answer
Is mapping work in an MS4-regulated area eligible?	➤ Mapping stormwater systems and/or outfalls in an MS4 area is required as part of the MS4 permit and is, therefore, not eligible. ➤ Mapping a river corridor in an MS4 area as part of a protection proposal would be eligible, provided the MS4 permit does not require it.
Is the groundwork for bylaw development to help meet MS4 permit requirements eligible as a match for CWA s.319 funds?	➤ No. Work that addresses the requirements of the MS4 permit is not CWA s.319-eligible.
Is agricultural work in an MS4-regulated area eligible?	➤ Yes, agriculture work is exempted from NPDES MS4 permit requirements and is CWA s.319-eligible in all watersheds.

2.5.3. In-Lake Resource Restoration

In-lake resource restoration activities are generally eligible for CWA s.319 implementation grant funding as long as certain conditions are met. For example, in-lake work under CWA s.319 can only be funded on waterbodies that have public access. See [Massachusetts Pond Maps](#) (Go Fish MA!) to determine if a lake or pond has public access. Additionally, applicants must demonstrate that all on-land watershed control measures have been exhausted before applying for in-lake measures.

Eligible In-Lake Activities:

In-lake resource restoration activities include:

- drawdowns (including necessary infrastructure and equipment),
- dredging,
- chemical applications (herbicides and chemicals for nutrient inactivation),
- water quality sampling and assessment required for chemical applications, and
- weed harvesting.

These activities are eligible only when combined with other structural and non-structural measures as part of a comprehensive management program intended to holistically restore the NPS-impacted resource.

Ineligible In-Lake Activities:

In-lake and watershed-area work for a privately owned lake are, in most cases, ineligible.

2.5.4. Ineligible Activities/Expenses

- Expenses for extensive training, or the purchase of software, computers, construction equipment, vehicles, and other capital expenditures are not eligible for reimbursement.
- Grant funds cannot be used to provide meals, snacks, or other refreshments for project activities.
- Projects that would be undertaken to comply with local, State, or Federal governmental enforcement actions, such as Administrative Orders or Consent Orders.

2.6. Guidelines for Competitive Proposals

The evaluation of each proposal is based on the quality, completeness, and clarity of the response. In addition to the mandatory requirements in Sections 2.1 and 2.2, applications will be evaluated using the criteria outlined in [Section 4. Selection Criteria/Evaluation Process](#). The elements outlined below in Table 2.3 are intended to aid applicants in developing competitive proposals.

Table 2.3. Guidelines for developing competitive proposals for CWA s.319 implementation projects.

Element	Description
NPS Program Goals	➤ Proposals should clearly demonstrate that the project will advance the goals of MassDEP’s NPS program and meet one or more objectives of the 2025-2029 Massachusetts Nonpoint Source Management Plan. ➤ Applications should propose a watershed-based strategy to implement a combination of structural and non-structural BMPs to address water quality impairments that will lead to the restoration of impaired waters (i.e., those waters listed in categories 4a, 4c, and 5 of the Final Massachusetts Integrated List of Waters for the Clean Water Act 2022 Reporting Cycle) or protect healthy waters from degradation.
Problem Definition/ Project Approach	➤ Implementation projects must be based on recommendations in a MassDEP-accepted nine-element WBP. ➤ Projects should identify the target waterbody and impairment (or water quality concern, if not impaired) and thoroughly describe the water quality concern. ➤ The project should propose comprehensive solutions such as the implementation of structural and non-structural BMPs and source reduction practices that effectively address major identified nonpoint sources affecting water quality in the target watershed. ➤ Structural BMPs should incorporate the use of low-impact development (LID) and/or Nature-based Solution (NBS) principles wherever feasible. ➤ Projects that build upon previous CWA s.319-funded work and/or work initiated through a CWA s.604(b) Water Quality Management Planning grant, Coastal Zone Management (CZM), Municipal Vulnerability Preparedness (MVP), Department of Fish & Game Division of Ecological Restoration (DER), Natural Resources Conservation Services (NRCS), Southeast New England Program (SNEP), MassBays, or other program grants will be more competitive.
Feasibility (Permits, Timeline, Access) and Viability	➤ The most competitive proposals will address all feasibility questions by providing good detail and sufficient information to show that the project can go forward if funded. For example: ▪ If wetlands or other resource areas are nearby, discuss how the permitting process will be undertaken and provide the potential timeline. Applicants should also

Element	Description
	identify and discuss timelines for all other local, state, and federal permits that may be required. ▪ Applicants must state whether the applicant owns or controls the site property. If an applicant does not own or control the project site, then the proposal should include the property owner's agreement to allow access to the project's construction, operation, and/or maintenance, as applicable. ➤ Applicants should demonstrate that the proposed activity is viable and will result in the intended beneficial outcome. ➤ The applicant will demonstrate that the project is of manageable scope and size to allow completion within the grant timeframe.
Pollutant Load Reductions	➤ Applicants should provide thorough but concise information demonstrating the project's effectiveness: demonstrate that the project will result in the reduction of pollutant loads that will lead to the attainment of water quality standards and efficiently expend grant funds (i.e., demonstrate high pollutant load removal per funds expended). ➤ Grantees must quantify pollutant removal achieved by the project.
Active & Comprehensive Community Engagement	➤ Projects should illustrate a robust and comprehensive community outreach and education component that will provide opportunities to engage the community and engender environmental stewardship meaningfully. ➤ Proposals containing innovative ideas to promote active and comprehensive community engagement will be more competitive.
Watershed-based Projects	➤ Projects should be of manageable size. The most competitive projects will propose comprehensive solutions such as the implementation of BMPs and source reduction practices that effectively address major identified nonpoint sources affecting water quality in the project watershed. ➤ The use of the Massachusetts Watershed-Based Plan Tool is encouraged for identifying watershed boundaries and resources. ➤ Structural BMPs should incorporate the use of low-impact development (LID) principles wherever feasible.

Element	Description
Report Pollutant Reductions	➤ Grantees must quantify pollutant removal achieved by the project. ➤
Feasibility (Permits, Timeline, Access)	➤ The most competitive proposals answer all feasibility questions at the proposal stage by providing good detail and sufficient information to show that the project can go forward if funded. For example: ▪ If wetlands or other resource areas are nearby, discuss how the permitting process will be undertaken and the potential timeline. ▪ Applicants should also identify and discuss timelines for all other local, state, and federal permits that may be required. ▪ Applicants must state whether the applicant owns or controls the site property. ▪ If an applicant does not own or control the project site, the proposal should include the property owner's agreement to allow access to the project's construction, operation, and/or maintenance, as applicable.

Section 3: Instructions for Submitting an Application

3.1. Eligibility Form

Applicants **must** complete the [online eligibility form](#) to check the eligibility of your project's proposed work. [Section 2 \(Eligibility\)](#) provides all required information to complete this form.

3.2. Application Transmittal Instructions

Applications are due by Wednesday, October 28, 2026, at 4:00 p.m. (EDT). Applicants must submit completed application packages that include the eligibility form, the CWA s.319 Response Form (Attachment B), and required supporting materials (see Attachment C) by the deadline stated above to be considered for a reimbursable grant award. Electronic application packages, in both Word and PDF, should comprise no more than 10 MB of data. **Please note that only electronic submissions will be accepted.**

E-mail the application package (including supporting materials) to the CWA s.319 Grant contact (Malcolm.Harper@mass.gov) and NPS Management Section Chief Dr. Padmini Das (Padmini.Das@mass.gov) with the subject line "FFY2025-2026-319-GRANT Proposal [your organization name]."

Applications received after **4:00 p.m. (EDT) on Wednesday, October 28, 2026**, will not be accepted. Reviewers will only receive electronic copies of proposals. Therefore, applicants must ensure that the materials transmitted through email can be viewed and shared easily.

Required Application Package:

- 1) Completed and submitted [Eligibility Form](#).
- 2) One complete original proposal in the format provided in the CWA s.319 Response Form (Attachment B – Application), which includes an administrative summary, project description, scope of services, project budget, and project milestone schedule.
- 3) Proposals should consist of **no more than 12 single-sided pages** in Aptos size 12 font. The 12 single-sided pages do not include supporting materials such as required forms, letters of support, plans, maps, photos, summarized water quality data, and statements of qualification.
- 4) Required Response Attachments as detailed in Section 3.3 (below) and Attachments B and C.
- 5) An electronic copy in both Word *and* PDF format of the full proposal, limited to 10 MB, emailed by the deadline (Wednesday, October 28, 2026, no later than 4:00 P.M. EDT) to: Malcolm.Harper@mass.gov and Padmini.Das@mass.gov.

Please note that all responses and information submitted in response to this Grant RFP are subject to the Massachusetts Public Records Law, M.G.L. c. 66, & 10, and to c. 4, & 7, cl. 26. Any statements in submitted responses that are inconsistent with these statutes, including marking of information as confidential, shall be disregarded. Please do not submit any information that the applicant may not wish to disclose publicly, such as home addresses or personal telephone numbers, social security numbers, or other similar information. MassDEP reserves the right to reject any and all proposals or request additional information if needed.

3.3. Additional Forms

If selected for a grant award, the applicant will be required to submit the following forms to complete the contracting process:

- [Contractor Authorized Signatory Listing Form](#)
- Commonwealth Standard Contract Form, filled out and signed by the applicant
- Please provide the most up-to-date Commonwealth W-9 tax information form (Revised April 2022), completely filled out and signed by the applicant, that includes Taxpayer Identification Number (TIN), DUNS Number, and Unique Entity ID (SAM) number, signed by the applicant's authorized signatory.
- [Electronic Funds Transfer \(EFT\) form](#)

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

Section 4: Selection Criteria/Evaluation Process

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. Eligible proposals will be competitively evaluated by an inter- and intra-agency review committee and recommended to the EPA for grant funding. The review committee reserves the right to reject any or all proposals.

The review committee will evaluate and score the grant applications from Eligible Applicants (as defined previously in this Grant Opportunity) based on the quality, completeness, and clarity of the response. The maximum number of points an application may receive is 125. The evaluation criteria for Implementation projects include, but are not limited to, the following:

4.1. Completion of the Eligibility Form (10 points)

- Has the applicant completed the [eligibility form](#) and confirmed the CWA s.319 eligibility of their proposed work?

4.2. Watershed-Based Plan, CWA s.208 or Other Plan (10 pts)

- Has MassDEP accepted a nine-element WBP for the target watershed?
- Does the project implement a recommendation of a MassDEP-accepted nine-element WBP?
- If the project is in a Nitrogen Impacted Coastal Water area, does it have a CWMP, TWMP, watershed permit, or other regional-scale watershed plan that has been or is in the process of being updated to a nine-element WBP?

4.3. Problem Definition (10 points)

- Has the applicant clearly and concisely described the problem?
- Is the proposal consistent with the goals and requirements of the Massachusetts NPS Management Plan?
- Does the applicant clearly understand the nature and severity of the problem?
- Does the proposal provide adequate data to support the description/analysis of the problem?
- Does the project address a category 4a, 4c, or 5 waterbody or TMDL implementation?
- Does the project address a priority focus category (developed land, septic systems, agriculture) as identified in the Massachusetts NPS Management Plan?

4.3. Strategy/Approach (20 points)

- Is the approach or strategy logical and properly sequenced?
- Have all necessary elements been incorporated into the proposal strategy and description, including estimated load reductions associated with the proposed BMPs?
- Are the problems, goals, strategy, tasks/deliverables consistent?

- Is the proposed strategy appropriate or suitable to accomplish the goals of the proposal?
- Does the proposed strategy result in substantial estimated pollutant load reductions?
- Is the approach or strategy cost-effective?
- Does the project consider the impacts of increased storm frequency and intensity on the strategy/approach?
- Does the proposal build on other grant projects, programs, or regional efforts?
- Will the project result in the delisting of a waterbody, pursuant to CWA s.303(d), or restoration of beneficial uses?

4.4. Project Viability (15 points)

- Is the project based on sound practice or proven innovative technology?
- Has adequate research or preparation been done to assess project feasibility?
- Are there any apparent community/public relations issues?
- Is the project subject to NPDES or other permits or consent orders, and have permitting issues been considered and addressed?
- Has the grantee addressed site property access issues where implementation work will occur?
- If this is a lakes project, is there public access to the waterbody?
- Does the project demonstrate strong stakeholder support?
- Are operations and maintenance requirements addressed in the proposal?

4.5. Permitting (5 points)

- Have required permits been acquired?
- Have permitting issues, including permitting timelines, been considered and addressed?

4.6. Active and Comprehensive Community Engagement (20 points)

- Has the proposal included a plan to involve the community through active and comprehensive engagement?

For example:

- 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 CWA s.319 grant project
- Other community events associated with the CWA s.319 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

- Information sharing through stakeholders' meetings or community workshops
 - Site tours with community members
- Does the proposal illustrate how this project would facilitate the participation of all community members?
For example:
 - Does the proposal include a plan to translate project materials and signage into the community's relevant languages?
 - Do you plan to have language interpreters at meetings?
 - Do you plan to provide accommodation for community members with disabilities?

4.7. NPS Priority Project (10 points)

- Does the project address an NPS focus area (as identified in the 2025-2029 NPS Management Plan)?
- Does the project implement BMPs in an NWQI watershed?
- Does the project implement BMPs in a Nitrogen Impacted Coastal Water?
- Does the project implement work generated by the Regional NPS or Agricultural Coordinator Initiatives?

4.8. Applicant's Technical/Project Management Strength (15 points)

- Is the applicant qualified to manage the project?
- Are there any current or prior performance issues with this applicant or their subcontractor(s)?
- Have qualified staff or appropriate subcontractors been identified?

4.9. Quality and Responsiveness of Proposal (10 points)

- Has the proposal been formatted as requested?
- Have all requested materials been submitted?
- Are the budget and timeline reasonable for the work proposed?
- Has the source and amount of the non-federal match been clearly described within the tasks and budget as well as within the project description? **Note:** Non-federal match is not required for this RFP; however, providing match may increase a proposal's competitiveness.

Section 5: Supplemental Material

The following supplemental material can be found on the [MassDEP Grants & Financial Assistance: Watersheds & Water Quality](#) website:

- A. Application (Response Form)
- B. Proposal Checklist
- C. Procurement and Grant Contract Information
- D. Terms and Conditions of Grant Contract Award
- E. Supplemental Terms and Conditions
- F. Federal Terms and Conditions
- G. Good Faith Efforts
- H. Additional Resources and FAQs
- I. Definitions

The Commonwealth of Massachusetts

**EXECUTIVE OFFICE OF ENERGY &
ENVIRONMENTAL AFFAIRS**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

100 Cambridge Street Suite 900, Boston, MA 02114



REQUEST FOR PROPOSALS (RFP) - ATTACHMENTS

Document Title:

FEDERAL FISCAL YEARS 2025 and 2026
SECTION 319 NONPOINT SOURCE (NPS)
IMPLEMENTATION GRANT PROGRAM

Agency Document Number:

BWR-RFP-FFY2025-2026-319-GRANT CYCLE- WPP08
COMMBUYS Bid #: BD-27-1045-BWR00-BWR01-132812

September 2, 2026

Attachment A. Application (Response Form)

STANDARD FORMAT REQUIREMENTS for CLEAN WATER ACT (CWA) s.319 PROJECT PROPOSALS

Responses must be focused and action-oriented with clearly identifiable, cost-effective, realistic, and attainable environmental goals and objectives. The environmental indicators that are to be used in evaluating the success of the project in meeting its environmental goal(s) should be clearly defined. The application forms on the following pages should be used when preparing the narrative, scope of services, budget and milestone schedule for the proposed project; information provided on these pages by the proponent must meet the minimum format requirements for CWA s.319 responses.

Required Response Attachments

1. **DATA.** Attach any backup data that are believed to be necessary to support and clarify the response, including maps of the project area: at minimum, a locus map of the watershed and a site map showing each specific BMP location, in sufficient detail to defend the feasibility of the BMP(s). If extensive backup data are to be submitted with the response, a summary of the data will facilitate the review of the response; in this case, the applicant may wish to provide only one copy of the complete report or data, and a summary in each proposal copy. If by-laws, regulations, policies, ordinances, and/or enforcement mechanisms are proposed as part of the project, a preliminary plan of how these mechanisms will be developed and implemented is required as part of the response. If structural BMPs are proposed as part of the project, at a minimum conceptual design(s), specific site location(s), and estimated cost of the BMPs are required as part of the response. Use of the Watershed-Based Plan Tool is encouraged as a source of maps, resources, and strategy (<http://prj.geosyntec.com/MassDEPWBP>).
2. **MATCH DOCUMENTATION.** Letters from all organizations, including state organizations, identified as providing a portion of the non-federal match for the project, detailing the amount and source of the match to be provided by the organization. Such letter(s) must be on the organization's letterhead and signed by an authorized signatory for the organization. If up-front match is proposed, provide additional detail to document the timing of the up-front match and its exact relationship to the proposed project work. **Note that match is not required for this grant cycle.**
3. **QUALIFICATIONS.** A statement of the applicant's qualifications, and their subcontractors' qualifications, where appropriate, to perform the proposed project. Such statements should include resumes of key personnel and examples of similar work, if available.

4. All respondents must complete, execute, and return electronically with the application the CONTRACTOR AUTHORIZED SIGNATORY LISTING FORM (see Section 3). As described on the Form, this may also include separate documentation of the signatory's authorization to sign contracts on behalf of the applicant (i.e., a letter from the Town Clerk or Selectmen attesting to the authority of the individual to sign the contract; a section of the organization's charter or enabling legislation granting that authority; or similar).

RESPONSE FORM
CWA s.319 NONPOINT SOURCE IMPLEMENTATION GRANT PROGRAM
RFP #: BWR-RFP-FFY2025-2026-319-GRANT CYCLE

Administrative Summary

APPLICANT -

Address -

Telephone -

Email Address -

PROJECT TITLE –

WATERSHED(S)/SUBWATERSHED(S) SERVED BY THIS PROJECT –

PROJECT TYPE(s) - see Section 2.3. A response may encompass more than one project type.

- ☐ A. Implementation Projects to Restore Category 4a, 4c, or 5 Impaired Waters
- ☐ B. Implementation Projects to Restore Nitrogen Sensitive Coastal Waters
- ☐ C. Implementation of Healthy Watersheds Projects

POLLUTANT(S) OF CONCERN -

AMOUNT OF FUNDING REQUESTED AND AMOUNT AND PERCENT OF MATCH FUNDING PROPOSED
(Note that match is not required-for the FFY 2025-2026 grant cycle.)

Federal Funds via MassDEP	\$	
Non-Federal Match	\$	% of the Total Budget Cost _____
Total Project Budget	\$	

PROJECT SUMMARY/OBJECTIVES -

RESPONSE FORM
CWA s.319 NONPOINT SOURCE IMPLEMENTATION GRANT PROGRAM
RFP #: BWR-RFP-FFY2025-2026-319-GRANT CYCLE

PRINCIPAL CONTACT (Project Manager)

Name and Title

Email

() _____
Telephone

AUTHORIZED SIGNATORY - All respondents must complete, execute and return the [CONTRACTOR AUTHORIZED SIGNATORY LISTING FORM](#) (see Section 3.3 of the RFP).

RESPONSE
CWA s.319 NONPOINT SOURCE IMPLEMENTATION GRANT PROGRAM
RFP #: BWR-RFP-FFY2025-2026-319-GRANT CYCLE

PROJECT DESCRIPTION

Provide a brief project description in narrative form and *should not exceed 12 single-sided pages*. This limit includes both a descriptive narrative and completed application documents found in this Attachment C – Application. The 12-page limit excludes additional supporting materials such as required forms, plans, maps, photos, summarized water quality data, and letters of support.

CONCISE STATEMENT OF THE PROBLEM

Description of the problem/issue, statement of need, project type, background and overall project justification. Identify and provide data (or summary) and sources of information that define the problem and support the need for the project.

Information sources may include but are not limited to Total Maximum Daily Load publications, the MassDEP Integrated List of Waters, MassDEP Sampling data and other prior studies. See Attachment H and especially Frequently Asked Question #6.

PROJECT GOAL(s)

Specify the goals and anticipated environmental results of the project.

TARGETED POLLUTANT(S) AND WATERBODY(S)

Specify the targeted waterbody(s) and the pollutant(s) that are targeted by the project, if any.

ESTIMATED QUANTITY OF POLLUTANT(S) TO BE REMOVED

Estimated quantities to be removed (*please use pounds, tons, and/or colony-forming units (CFUs)*) for all targeted pollutants, if any, based on modeling, estimation, or other best estimate. Percentages are not acceptable.

PROJECT STRATEGY

Strategy to achieve the project. Describe the steps that will be taken to achieve project goals and explain how the tasks and sequence will achieve those goals. Identify and describe the participation and commitment expected from other agencies and organizations. Describe the role(s) of each group and list the specific responsibilities of each. Letters of support from all organizations providing non-federal match must be submitted with the response.

NPDES STATUS

State whether the project is fully or partially in an NPDES-regulated area. If so, explain how your project meets eligibility requirements as set forth in Section 2.5, “Limitations of Eligibility for Specific Projects.”

RESPONSE
CWA s.319 NONPOINT SOURCE IMPLEMENTATION GRANT PROGRAM
RFP #: BWR-RFP-FFY2025-2026-319-GRANT CYCLE

MILESTONES

In the Project Milestone section, identify the steps that track progress towards meeting a goal.

ACTIVITIES

In the Scope of Services section, provide a brief descriptive statement for each task/activity to be completed under the project to achieve the stated goals.

PROJECT EVALUATION – ENVIRONMENTAL INDICATORS

Description of how the project's accomplishments will be evaluated. The evaluation method selected must fit the project.

OUTREACH-TECHNOLOGY TRANSFER

For implementation projects, provide a description of the proposed outreach/technology transfer task(s), the participants in the program, and the intended audience. For Outreach and Education projects, this may be described under “Project Strategy.”

SCOPE OF SERVICES

Provide a brief descriptive statement for each task/activity to be completed under the project, and list and describe the product(s) for each task. Provide an estimated cost for each task. NOTE: Every implementation proposal must include an Outreach and Education task for the project. Every implementation project must include the development of a MassDEP-approved Operation and Maintenance Plan as a separate task. Finally, every response must include reporting requirements (quarterly updates, final project reports, etc.) as a separate task. Attach additional pages as required to describe objectives/tasks.

TASK/OBJECTIVE # 1: Project Evaluation:

As required, provide the estimated quantity (in pounds, tons, and/or CFUs, etc. but not percentages) of pollutant load removal to be achieved (if applicable). All projects are assumed to be covered under the MassDEP s.319 Programmatic QAPP. For TMDL development or if the project relies on a separate MassDEP- and EPA-approved Quality Assurance Project Plan, explain why this is a necessary component of the proposed work. This Task/Objective is not required for non-implementation proposals.

DELIVERABLES:

ESTIMATED COST:
SOURCE:

s.319 SHARE:

NON-FEDERAL MATCH SHARE AND

RESPONSE
CWA s.319 NONPOINT SOURCE IMPLEMENTATION GRANT PROGRAM
RFP #: BWR-RFP-FFY2025-2026-319-GRANT CYCLE

TASK/OBJECTIVE #_:		
DELIVERABLES:		
ESTIMATED COST: SOURCE:	s.319 SHARE:	NON-FEDERAL MATCH SHARE AND

TASK/OBJECTIVE #_:		
DELIVERABLES:		
ESTIMATED COST: SOURCE:	s.319 SHARE:	NON-FEDERAL MATCH SHARE AND

Repeat this page as necessary to show all proposal tasks.

RESPONSE
RFP #: BWR-RFP-FFY2025-2026-319-GRANT CYCLE
Project Budget

This budget is vital for the evaluation of proposals. Use the whole dollar method. Indicate which items will be paid for by CWA s.319 funds, and which items will be paid for by non-federal match. Attach additional pages as required. Grant administration costs cannot exceed 10% of the grant award.

Expense Items	s.319 Amount	Non-Federal Match and Source	Total Amount
Salary - By Title and salary range (<i>ex.: Engineer, \$40-50/hour including fringe benefits</i>)			
Sub-contractual Services			
Materials and Supplies (including printing, mailings)			
Travel (for auto mileage only @ \$.70 /mile)			
Other			
Totals:	\$	\$	\$

SOURCE(S) OF NON-FEDERAL MATCH - List all sources of non-federal match funds and the amount of matching funds being contributed by each source. Letters of support from all organizations (on the organization's letterhead) identified as providing a portion of the non-federal match for the project **must be submitted with the response**. These letters must detail the match to be provided by the organization and must be signed by an authorized signatory for the organization. **NOTE** that match is not required for this grant cycle.

RESPONSE
CWA s.319 NONPOINT SOURCE IMPLEMENTATION GRANT PROGRAM
RFP #: BWR-RFP-FFY2025-2026-319-GRANT CYCLE
Project Milestone Schedule

Provide a timeline by "X-ing" out the duration of the task activity. Use additional pages as necessary.

MONTH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								
TASK #																								

Attachment B. Proposal Checklist

Use this checklist when reviewing the application to ensure that it meets the minimum format requirements.

COMPLETED ADMINISTRATIVE SUMMARY

- ☐ Completed [Eligibility Form](#)
- ☐ Applicant and contact information
- ☐ Project Title
- ☐ Watershed(s)/Subwatershed(s) served by this project
- ☐ Project type(s)
- ☐ Amount of funding requested
- ☐ Details, amount, and percent of match funding proposed.
- ☐ Project summary/objectives
- ☐ Principal contact name and contact information
- ☐ Authorized Signature

PROJECT DESCRIPTION

- ☐ Concise statement of the problem
- ☐ Targeted pollutant(s) and estimated pollutant load removal numbers (required for implementation projects)
- ☐ Project goals(s)
- ☐ Project strategy
- ☐ NPDES Status
- ☐ Milestones
- ☐ Activities
- ☐ Project evaluation - environmental indicators
- ☐ Outreach - Technology transfer

SCOPE OF SERVICES

- ☐ Objectives/tasks
- ☐ Deliverables
- ☐ Estimated costs

PROJECT BUDGET

PROJECT MILESTONE SCHEDULE

PROPOSAL ATTACHMENTS

- ☐ Proposal backup data
- ☐ Conceptual design(s) (required for implementation projects)
- ☐ Maps, locus, and BMP location(s)

- ☐ Letters of support from all organizations providing match funds or in-kind services
- ☐ Documentation of property ownership and permission for BMP installation and O&M activities
- ☐ Statement of Qualifications, resumes of key personnel
- ☐ Contractor authorized signatory form

ELECTRONIC SUBMITTAL

- ☐ An electronic copy of a full proposal, in both Word (.docx) *and* .pdf, limited to 10 MB, emailed to: Malcolm.Harper@mass.gov and Padmini.Das@mass.gov
- ☐ Please use email subject line: "FFY2025-2026-319-GRANT Proposal [your organization name]."
- ☐ Electronic proposal submitted no later than **4:00 p.m. EST on October 28, 2026**

Attachment C. Procurement and Grant Contract Information

C1. Procurement for 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 801 CMR 21.00. Additional definitions are also provided in the Definitions portion of this document.

C2. Total Anticipated Duration of Grant Contract(s)

The base period of the grant contract is two and one-half years with a potential for an additional one-year extension option. No agreements for services may be executed after the grant contract has expired. Extension of the contract is at the sole discretion of MassDEP.

C3. Funding Availability, Budgeting Guidelines & Allowable Expenditures

The total anticipated expenditure for projects under this Grant Announcement is approximately \$2,500,000. 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 monies will be awarded. All grant contracts shall be subject to available funding. MassDEP reserves the right to withhold a portion of the total grant award amount, to be reimbursed in the final payment, pending receipt, review, and acceptance by MassDEP of all tasks and deliverables under the terms of the grant award contract.

MassDEP will only reimburse costs and expenses that relate directly to the proposed project and that will be incurred if the project is implemented. Contract amendments for grant contracts that are implemented under this Grant Opportunity must be done in accordance with the Commonwealth of Massachusetts Office of the Comptroller's rules and guidance, specifically their Amendments, Suspensions or Terminations Policy (<https://public.powerdms.com/MAComptroller/documents/1778973>). See Attachment E (Supplemental Terms and Conditions), particularly Section 3 (Compensation and Payment of Grant Funds) for additional requirements and restrictions on payment.

C4. Grant Contract Award

Funding for projects selected under this Grant Announcement will be through a grant contract issued and administered by the MassDEP Clean Water Act (CWA) s.319 Grant program. MassDEP may fund multiple awards to multiple organizations within the limits of the available funding. However, MassDEP could award all of the funding for a single project, depending on the number of applications received and 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 Attachment D of this document (Terms and Conditions) and the additional terms and conditions set forth in Attachment E (Supplemental Terms and Conditions) to this Grant Announcement. Additionally, final grant contracts are only awarded after the completion of the parties' successful negotiation of the Project's Final Scope of Services. Applicants should note that Grant contracts are not final until MassDEP and the Grantee signatory have signed the Commonwealth's Standard Contract form, which also incorporates by reference the Standard Contract Form Instructions, Contractor Certifications, and the Commonwealth's Terms and Conditions.

MassDEP does not guarantee that any grant contracts will result from this Grant Announcement, or that any particular funding amount will be awarded. It is anticipated that projects will commence shortly after MassDEP's award of a contract when a formal notice to proceed is issued. Awarded contracts will be reviewed during the contract term and, upon request by the Grantee, may only 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.

C5. 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 Grant Announcement, and no other Commonwealth employee or representative is authorized to provide information or respond to questions or inquiries concerning this Grant Announcement. Applicants may contact the contact person for this Grant Announcement in the event this Grant Announcement is incomplete, or if the applicant is having trouble obtaining any referenced documents or required attachments. Note that there is an open period to submit written questions up to the deadline specified in this Grant Announcement. MassDEP's response to written questions received from all prospective applicants during the question period will be answered and posted on the MassDEP website for this Grant Announcement.

C6. Grant Announcement Distribution Method

This Notice of Grant Availability has been distributed electronically using the Commonwealth's electronic procurement and solicitation website COMMBUYS (posted Wednesday, September 2, 2026). The RFP is also posted on the MassDEP Grants and Financial Assistance: Watersheds & Water Quality website, <https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality#section-319-nonpoint-source-competitive-grants-program>. It is the responsibility of every Applicant to check the MassDEP website for any addenda or modifications to the Grant Announcement 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 Announcement and/or submit inadequate or incorrect responses.

C7. Prohibition of Changes to the Grant Announcement/Application

Applicants may not alter the Grant Announcement language or any Grant Announcement component files. Those submitting an application 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 the Grant Announcement, specifications, terms and conditions, or which change the intent of the Grant Announcement are prohibited. Any unauthorized alterations will cause rejection of the response by the MassDEP. If an Applicant finds an error where a change may be required, the Applicant should immediately contact the MassDEP CWA s.319 Grant contacts listed in Section 1.3 of the RFP.

C8. Failure to Provide a Complete and Compliant Application

Submittals that are received that are incomplete and/or non-compliant with the requirements stated in this Grant Announcement are subject to disqualification.

C9. Reasonable Accommodation

Applicants with disabilities or hardships that seek reasonable accommodation, which may include the receipt of Grant Announcement information in an alternative format, must communicate such requests in writing to the CWA s.319 Grant contact person. Requests for accommodation will be addressed on a case-by-case basis.

C10. Selection for a Grant Award

Applications that are determined to be eligible for grant funding as described in this Grant Announcement, and that meet the evaluation criteria outlined in Section 4 of the RFP and the terms and conditions of the Grant Contract, may be awarded a Grant Contract. However, as indicated previously in this document, there is a limited pool of grant funding for CWA s.319 projects, and as a result, there is a possibility that Applicants who otherwise meet the eligibility criteria for grant funding may not be awarded funds for a project.

Failure of the Applicant to be awarded a grant under this Grant Announcement shall not eliminate their eligibility or consideration for any future grant funds that may be available through the CWA s.319 Grant program.

Attachment D. Terms and Conditions of Grant Contract Award

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

D1. Commonwealth Terms and Conditions

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

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

In addition to meeting the requirements of this Grant Announcement, the Grantee's authorized signatory must sign and submit original, ink versions of the "Standard Contract Form" with the completed Grant Application documents. The terms and conditions contained in the Standard Contract Form and all Commonwealth documents listed above that are incorporated by reference supersede any and all other terms that may be defined explicitly or implied in this Grant Announcement. It is important that the entity submitting a proposal fully understands 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 will be terminated from the contract. See 815 CMR 2.00.

D2. Supplemental Terms and Conditions

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

D3. 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 the award of a Grant to a recipient, the Grant Review Team receives information that there has been a material omission or misrepresentation by the Grant Applicant regarding any aspect of the proposed project, this may constitute grounds for invalidating the Grant award.

D4. S.319 RFP Requirements and Conditions

1. Funding for this program is subject to s.319 federal grant awards from the EPA to the Department.
2. Grantees or their subcontractors are presumed to be equipped for, and capable of, carrying out the proposed work. Expenses for extensive training, or purchase of software, computers, construction tools and equipment, vehicles, and other capital expenditures are not eligible for reimbursement.
3. Grant funds cannot be used to provide meals, snacks, or other refreshments for project activities.
4. For any BMP installation funded under the s.319 program, written certification that the system has been installed consistent with engineering and design specifications will be required from the designer or supplier of the technology as a project deliverable. The certification must occur prior to the system being covered, buried, or otherwise made inaccessible, and shall occur in advance of release of payment for the system by the Department.
5. An Operation and Maintenance Plan will be required as a grant deliverable for each BMP installed. Provisions requiring designer or supplier of the technology certification and a long-term Operation and Maintenance Plan must be consistent with Standard 9 of the Massachusetts Stormwater Policy (found on page 23 of the 2008 Massachusetts Stormwater Handbook, Volume 1) and will be included in the contract or ISA between the grantee and the Department. Please see the [Massachusetts Stormwater Policy](#). The Operation and Maintenance plan must be effective for the life of the BMP.
6. The award of a s.319 grant does not constitute a permit or any other approval that may be required for the project. Grantees must obtain, and comply with, all federal, state, and local permits and approvals required for the project.
7. Administrative costs for overseeing the grant (e.g., reporting and invoicing) cannot exceed 10% of the grant award. The cost of actual project management, including overseeing contractors and site work and managing project-related activities, does not count against the 10% administrative costs.
8. At a minimum, quarterly progress reports, and draft and final reports will be required for all projects selected for s.319 funding. All selected projects will be required to submit electronic copies of all project materials in a format that is compatible with the Department's software systems. All project responses must include the reporting requirements as a separate task, and the budget must include costs for meeting these reporting requirements.
9. The Department reserves the right to fund a portion, change the scope and/or add or delete tasks of any project proposal to more closely meet the purposes of the program.

Respondents will have the option of rejecting the grant award if the revised scope does not meet their goals.

10. Prior approval of the Department is required for any subcontracted service of the contract. Contractors are responsible for the satisfactory performance and adequate oversight of their subcontractors. Subcontractors are required to meet the same state and federal financial and program reporting requirements and are held to the same state and federal financial and program reporting requirements and held to the same reimbursable cost standards as contractors.
11. Updated EPA Subaward Policy: Please be aware of and adhere to compliance with the EPA Subaward Policy, dated October 1, 2024 (Amended Grants Policy Issuance (GPI) 16-01) regarding Clean Water Act s.319 grant-related contractor (grantee) and subcontractor requirements. Please note that the EPA Subaward Policy refers to a "Consultant Fee Cap" (2 CFR 1500.10) that applies to "consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate." The Consultant Fee Cap limits the amount of funding a federal program is allowed to reimburse for personal compensation (currently set at \$93.53 per hour). This Consultant Fee Cap does not include costs such as travel or overhead.

The Consultant Fee Cap does not apply to contracts with multi-employee firms for consulting services, provided the contractor or subcontractor rather than the recipient (MassDEP) or subrecipient (grantee) selects, directs, and controls individual employees providing consulting services. The Consultant Fee Cap also does not apply to fixed price contracts such as those structured as lump sum payments for completion of a product or service. If a contractor (grantee) and/or subcontractor charges more than the EPA's hourly rate limit, the difference must be covered by non-federal funds.

12. The expected overall duration of the Contract is from on or about contract start date through approximately two and a half years.
13. The payment procedure for s.319 projects is reimbursement for costs incurred for the project during the contractual period. Advance payments shall not be made. Reimbursement is generally made within 45 days subsequent to a grantee submitting a correctly executed invoice with appropriate backup and a completed Match Certification Form. No payments shall be made for Massachusetts sales tax.
14. MassDEP reserves the right to withhold a portion of the total grant award amount, to be reimbursed in the final payment, pending receipt, review, and acceptance by MassDEP of all tasks and deliverables to under the terms of the grant award contract.

15. The Department may, at any time and without penalty, reject any or all responses whenever the Department determines that such action is in the best interests of the Commonwealth.
16. The Department shall have the option to offer a respondent an opportunity to provide a "Best and Final Offer", and it may limit the number of respondents for this option.
17. All responses and information submitted in response to this RFP are subject to the Massachusetts Public Records Law, M.G.L., Chapter 66, Section 10, and to Chapter 4, Section 7, Subsection 26, regarding Public Access to such documents. Any statements reserving any confidentiality or privacy rights in submitted responses inconsistent with these statutes will be voided and disregarded.
18. Unless otherwise specified in this RFP, any reference to a particular trademark, trade name, patent, design, type, specification, producer or supplier is not intended to restrict this RFP to any manufacturer or proprietor, or to constitute an endorsement of any good or service. The Department may consider clearly identified offers or substantially equivalent goods and services submitted in response to such reference.
19. A response which fails to meet any material term or condition of the RFP, including the submission of required attachments, may be deemed unresponsive and disqualified. Unless otherwise specified, bidders may submit responses proposing alternatives which provide equivalent, better or more cost-effective performance than achievable under the stated RFP specifications. These alternatives may include related commodities or services that may be available to enhance performance during the period of the contract. The response should describe how any alternative achieves substantially equivalent or better performance to that of the RFP specifications. The Department will determine if a proposed alternative method of performance achieves substantially equivalent or better performance.
20. The Department may require that a Memorandum of Understanding (MOU) be signed by the Grantee and any participating organization and/or agency prior to the Grantee receiving Notice to Proceed for the contract. An MOU is an agreement between the Grantee and each participating organization and/or agency that lists the specific project responsibilities of these participating groups.
21. All materials, software, maps, reports, and other products produced through the grant program shall be considered in the public domain and thus available at the cost of production.
22. All publicly-available electronic project deliverables (documents and reports) must comply with the [Americans with Disabilities Act Title II](#) (ADA Title II). Information about Massachusetts Digital Accessibility requirements can be found at the [Massachusetts Digital Accessibility](#) website.

23. During the project, title to any and all real and personal property, equipment and accessories purchased and used for the project scope of work and funded in whole or part by this grant program shall be in the name and control of the grantee.
24. After termination of the project, the manner of use and disposition of any equipment and accessories purchased and used for the project and funded in whole or part under this grant program shall be determined by the Department.
25. Grantees will be required to immediately notify the Department of the loss or reassignment of a project manager, and the Department requires that a replacement project manager be assigned within sixty (60) days. The Department reserves the right to approve all replacement project managers. The Department also reserves the right to terminate the contract if the contractor fails to replace a project manager within this time frame.

Attachment E. Supplemental Terms and Conditions

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

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 Department 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 Project Deliverables: 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 Deliverables: Compensation will be made for services or activities and accepted by MassDEP's s.319 Grant Coordinator and Contract Administrator provided the project budget is not exceeded, and the scope of the services

or activities delivered 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 deliverables to be provided on this Contract.
- Travel is reimbursed for vehicle miles only at \$0.70 per mile.
 - No meals, snacks, beverages, or other comestibles may be purchased using grant funds.
 - Grantees are presumed to be equipped to carry out the proposed work. Clean Water Act (CWA) s.319 funds cannot be used to purchase computers, software, capital equipment, and/or similar expenditures.
- 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 proposal 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 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 Applicants responding to this Grant Announcement; and
 - Invoices for costs incurred in prior fiscal years cannot be paid.
- 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: <https://www.mass.gov/doc/electronic-funds-transfer-sign-up-form-0/download>

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.

As a claim for payment, MassDEP provides an Invoice form for each project that should be followed. Invoices include major sections consistent with the project budget containing the information supporting the claim, depending on the project and payment type and structure.

MassDEP requires supporting documentation for costs that are included in the claim for compensation in the invoice. Supporting documentation includes items such as copies of bills and invoices from subcontractors, travel expenses (vehicle only), and bills for materials and supplies. 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.

- 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.
- 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:

The NPS Management Section Chief 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 Administrator, 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 MassDEP NPS Management Section Chief is Dr. Padmini Das.

The s.319 Grant Coordinator interacts with the Grantee to provide technical and administrative assistance. Reviews and approves progress reports and deliverables, prepares and recommends scope and budget amendments, ensures that project work is progressing according to project timelines and Department expectations. The MassDEP s.319 Grant Coordinator is Malcolm Harper.

The s.319 Contract Administrator has Co-approval authority, with the MassDEP NPS Management Section Chief, 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 MassDEP s.319 Contract Administrator is Monica M. Vega. In the absence of either the NPS Management Section Chief or s.319 Contract Administrator, approval and signature "for" authority may be delegated to other MassDEP staff, as appropriate.

5. Environmental Response Submission Compliance

NOTE: this provision is applicable only in the event that MassDEP and the Applicant agree to submission of a hard copy Application response in lieu of electronic submittal due to case-specific hardship circumstances:

In an effort to promote greater use of recycled and environmentally preferable products and minimize waste, all paper responses submitted should comply with the following guidelines:

- All paper submittals and copies should be printed on recycled paper with a minimum post-consumer content of 30% or on tree-free paper (i.e. paper made from raw materials other than trees, such as kenaf).
- Unless absolutely necessary, all responses and copies should minimize or eliminate use of non-recyclable or non-reusable materials such as plastic report covers,

plastic dividers, vinyl sleeves and GBC binding. Binder clips, glued materials, paper clips and staples are acceptable.

- Applicants should submit materials in a format that allows for easy removal and recycling of paper materials.
- Applicants are encouraged to use other products that contain recycled content in their response documents.
- Unnecessary samples, attachments or documents not specifically asked for should not be submitted.

6. Restriction on the Use of the Commonwealth Seal

Applicants and Grantees are not allowed to display the Commonwealth of Massachusetts Seal in their proposal 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 is prohibited by law.

7. Subcontracting Policies

Concurrence of the Department is required for any subcontracted service of the contract. Grantees are responsible for the satisfactory performance and adequate oversight of their 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 the Department 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 the Department, 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 Department. 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

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 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, and Funding Reference for Printed and Internet Posted Materials:

Grantees will be required to demonstrate satisfactory performance under this contract through periodic review by MassDEP. Projects will have quarterly progress reports, a draft and a final project completion report. Quarterly reporting requirements include a task-by-task summary of project progress, percent of task completion, work to be conducted in the coming quarter, and any problems or challenges. All projects will have a final project completion report. All projects and descriptions, in print and on the Internet, must contain an acknowledgement of MassDEP and EPA participation using language specified in the project contract.

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

Grantee, through submission of an application to MassDEP, agrees 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.

14. Copyrighted Material:

Grantee agrees to comply, and/or assist MassDEP in complying, with requirements regarding copyrighted material described in 2 CFR part 200.315, "Intangible property."

15. Cybersecurity:

Grantee agrees to comply with all applicable state laws regarding cybersecurity, when collecting, managing, protecting, and reporting environmental data associated with the approved workplan and/or SOW for the work funded by the Grant Award contract. Grantee expressly agrees to comply with Article 6 of the Commonwealth's Terms and Conditions, as well as the section titled, "Protection of Commonwealth Data, Personal Data and Information" within the Commonwealth's Standard Contract Form Instructions and Contractor Certifications, incorporated by reference through the execution of the Commonwealth's Standard Contract Form for this Grant award.

Further, Grantee agrees that, as a subrecipient of an EPA grant award, it shall comply with the following condition, outlined in MassDEP's Cooperative Agreement with the U.S. Environmental Protection Agency for the CWA s.319 grant program, if the Grantee's network or information system is connected to EPA networks to transfer data to the Agency, using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange:

"EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition. If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data."

16. Permits:

The Grantee agrees to ensure that all necessary permits (such as Clean Water Act s.404) are obtained prior to implementation of any grant funded activity that may fall under applicable federal, state or local laws. The Grantee's project implementation plan shall identify permits that may be needed to complete work plan activities. The recipient must retain documentation regarding necessary permits in the project file. Issuance of an award by MassDEP and/or EPA approval of a workplan shall not imply nor guarantee that a federal, state, or local permit shall be issued for a particular activity.

17. Outreach, Signage Requirements, Announcements, Public Media Events, and Limited English Proficiency Communities:

a. Signage Requirements:

Grantee agrees that for any best management practice installations, signage will be provided to inform the public that the project is funded by EPA. The signage shall contain the EPA logo or the EPA seal, as appropriate. To obtain approval for the project sign and the appropriate EPA logo or seal graphic file, Grantee shall provide the MassDEP NPS coordinator with a copy of the draft project sign, who shall submit the draft to EPA for approval. Any use of the EPA logo shall comply with the specifications available through the following link:

http://www.epa.gov/ogd/tc/epa_logo_seal_specifications_for_infrastructure_grants.pdf.

The following language should be included immediately adjacent to the EPA logo or seal on the project sign (Note: EPA requires specific acknowledgements and/or disclaimers for different types outreach or educational materials. The following language should be used only for the project signs, described above): "This project was funded, in part, by the United States Environmental Protection Agency."

b. Announcements:

Grantee agrees that announcements through the web or print materials for workshops, conferences, demonstration days or other events as part of a project funded by a Grant award contract, shall contain a statement that the materials or conference has been funded by the United States Environmental Protection Agency.

c. Public or Media Events:

The Grantee agrees to notify MassDEP's Grant Coordinator of public or media events publicizing the accomplishment of significant events related to construction projects as a result of this agreement and provide the opportunity for both MassDEP and/or EPA representatives to attend and participate in such events, with at least ten working days' notice.

d. Limited English Proficiency Communities:

To increase public awareness of projects serving communities where English is not the predominant language, all Grantees are encouraged to include in their outreach strategies communication in non-English languages. Translation costs for this purpose may be allowable, provided the costs are reasonable.

e. ADA Title II Digital Accessibility:

All publicly-available electronic project deliverables (documents and reports) must comply with the [Americans with Disabilities Act Title II](#) (ADA Title II) and conform to the [Digital Accessibility Standards](#) as defined in the [Enterprise Digital Accessibility Policy](#), as it may be amended from time to time. Information about Massachusetts Digital Accessibility requirements can be found at the [Massachusetts Digital Accessibility](#) website.

18. Tax Law Compliance.

Grantee who is a non-public entity, certifies compliance with: (1) federal tax laws; (2) state tax laws including, but not limited to, M.G.L. c. 62C, § 49A, reporting of employees and contractors, withholding and remitting of tax withholdings and child support; and (3) that the Applicant or Grantee is in good standing with respect to all state taxes and returns due, reporting of employees and contractors under M.G.L. c. 62E, withholding and remitting child support including M.G.L. c. 119A, § 12, TIR 05-11, New Independent Contractor Provisions and applicable TIRs.

Attachment F. Federal Terms and Conditions

Grant applicants acknowledge that the Grant Award contract entered into with MassDEP is funded through a financial assistance agreement between MassDEP and the EPA. Through this RFP and the execution of any Grant Award contract made with MassDEP hereunder, the applicant acknowledges that it shall be subject to all applicable federal laws, regulations, policies, terms and conditions, or contract requirements, and all non-conflicting state laws, regulations, policies, terms and conditions, or contract requirements, that MassDEP is required to pass-through to subrecipients. MassDEP reserves the right to add, modify, and/or delete terms and conditions associated with this subaward as directed by the EPA, or at the discretion of MassDEP, either through a formal contract amendment or other means.

For the avoidance of doubt and the convenience of applicants, MassDEP has identified the following federal terms, conditions and regulations that applicants, if selected for a grant award, shall be required to comply with as a subrecipient of MassDEP's federal financial assistance agreement with the EPA:

1. EPA General Terms and Conditions. As a subrecipient of an award of federal financial assistance issued by the EPA, Grantee agrees to comply with the EPA General Terms and Conditions in effect at the time of execution of the Grant Award contract, found at the following link: <https://www.epa.gov/grants/grant-terms-and-conditions#general>. Grantee shall comply with, or assist MassDEP in complying with, all applicable provisions.
2. EPA Administrative and Programmatic Conditions. As a subrecipient of a federal award from the EPA to MassDEP, Grantee award agrees to comply with, or shall assist MassDEP in complying with, all applicable administrative and programmatic conditions applicable to that award, which are incorporated by reference herein. A copy of MassDEP's agreement with the EPA shall be available to Grantee upon request.
3. Uniform Grant Guidance (2 CFR Part 200). As a subrecipient of an award of federal financial assistance through this Grant Award contract, Grantee agrees to comply with all requirements of 2 CFR Part 200, applicable to subawards. Grantee shall be required to comply with all applicable federal and state requirements as a continued condition of qualification for funds and performance under this Grant Award contract, for its entire duration, including all extensions or renewals thereof, whether or not such terms are expressly specified herein.

Attachment G. Good Faith Efforts

All applicants agree to adhere to the Six Good Faith Efforts whenever procuring goods or services in support of any grant award in conformance with 2 CMR 200.321. "Six Good Faith Efforts" means the grantee will make the following good faith efforts whenever procuring construction, equipment, services and supplies (40 CFR, Part 33 Subpart C).

The six Good Faith Efforts include:

- (i) Require the Disadvantaged Business Enterprises (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;
- (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.

Attachment H. Additional Resources and FAQs

Background Information

Draft and Final TMDL analyses and the Final Massachusetts Integrated List of Waters for the Clean Water Act 2022 Reporting Cycle

<https://www.mass.gov/total-maximum-daily-loads-tmdls>

<https://www.mass.gov/lists/integrated-lists-of-waters-related-reports>

Water Quality Assessment Reports

<https://www.mass.gov/service-details/water-quality-assessments>

MassDEP Project Summaries. One-page descriptions of projects that have received Clean Water Act (CWA) s.604b or s.319 funding. <https://www.mass.gov/doc/massdep-cwa-section-319-project-summaries-ffy-1990-2022/download>;

<https://www.mass.gov/doc/massdep-cwa-section-604b-project-summaries-ffy-1991-2021/download>

MassDEP Water Quality Monitoring Program Data: <https://www.mass.gov/guides/water-quality-monitoring-program-data>

Massachusetts Surface Water Quality Standards

<https://www.mass.gov/regulations/314-CMR-4-the-massachusetts-surface-water-quality-standards>

Massachusetts Nonpoint Source Information and Tools

Massachusetts Nonpoint Source Management Plan, 2025-2029, with concise goals and objectives:

<https://www.mass.gov/doc/massachusetts-nps-management-plan-2025-2029/download>

INSPIRE (Ideas for Nonpoint Source Projects: Information, Resources, and Examples). Online GIS-based capacity building tool that provides information on CWA s.604(b) and s.319 grants; showcases successful grants-funded projects throughout the Commonwealth as examples; and presents a collection of geospatial layers as resources to help communities develop new project ideas for competitive grant proposals.

<https://experience.arcgis.com/experience/89191a466c184a3592917636b81334bb/>

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 on best management practices (BMPs) to address nonpoint source problems. <http://pri.geosyntec.com/npsmanual/default.aspx>

Watershed-Based Planning Tool. The online tool will guide a user to select a watershed and complete the nine elements necessary to complete a Watershed-Based Plan <http://pri.geosyntec.com/MassDEPWBP>

Stormwater

NPDES Stormwater Regulated Communities. CWA s.319 funds cannot be used for activities that support final NPDES permits in the regulated area.

<https://www.epa.gov/npdes-permits/regulated-ms4-massachusetts-communities>

University of New Hampshire Stormwater Center, <http://www.unh.edu/unhsc/>, where in situ testing of several BMPs is conducted. Visit this site for fact sheets and information about porous asphalt, gravel wetlands, swirl concentrators, and other relevant information.

Stormwater Policy, Permits, and General Publications

<https://www.mass.gov/info-details/stormwater>

Cornell Extreme Precipitation Analysis website, providing rainfall analysis calibrated to the present climate <http://precip.eas.cornell.edu/>

EPA's *Soak Up the Rain* campaign, information and resources to support public outreach and education <http://www.epa.gov/soakuptherain>

Three excellent newsletters with comprehensive grant information from public and private sources:

- *Ebb & Flow Newsletter* (Massachusetts Department of Fish & Game Division of Ecological Restoration) - <https://www.mass.gov/orgs/division-of-ecological-restoration>
- *CZ-Mail* (Massachusetts Office of Coastal Zone Management) - <https://www.mass.gov/service-details/cz-mail>
- *Massachusetts Land Trust Coalition* - <https://massland.org/>

FREQUENTLY ASKED § 319 QUESTIONS AND RESPONSES

INTRODUCTION

The following are frequently asked questions (FAQs) and answers about the CWA s.319 grant program. The questions and responses have been grouped into general categories to help prospective applicants find information. However, there is a great deal of overlap in the categories, and readers are urged to familiarize themselves with the entire Q&A section.

GENERAL INFORMATION

1. Can RFP recipients ask any further questions about the RFP, written or oral, after the RFP release date?

After the September 2, 2026 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 CWA s.319 grant proposals.

2. Do prevailing wage rates apply to work on CWA s.319 funded projects?

Depending on the nature of the work and the public or private nature of the grantee, prevailing wage rates may apply to some or all of the work. For specific advice, applicants should consult with the agency that administers the prevailing wage law, the Department of Labor and Workforce Development, <http://www.mass.gov/lwd/>

3. Do CWA s.319 funds need to be spent within the fiscal year?

No, CWA s.319 projects are under contract for multiple years. However, invoices must be submitted during the same state fiscal year (July 1 through June 30) in which the work is done. Under no circumstances can invoices be processed for work done in the previous state fiscal year.

4. Does the Department provide an explanation of why a proposal was not selected?

Every applicant will be notified of the results of the CWA s.319 selection process and will be offered the opportunity to meet and discuss their proposal after the selection process is complete.

5. Can Applicants submit partial proposals before the RFP submittal deadline, and then send additional materials as they become available?

Applicants may submit *complete* proposal packages prior to the October 28, 2026 due date, but MassDEP strongly recommends against sending partial submittals to ensure that all proposal components are properly assembled for the reviewers.

6. What does the Department mean by “Impaired water” and “Category of Water”?

Massachusetts has adopted EPA’s Integrated Listing Methodology for reporting the status of water resources. The Integrated List replaces the CWA s.305(b) report of previous years by reorganizing the information according to the following categories:

- Category 1 Waters: waters attaining all designated uses
- Category 2 Waters: attaining some uses, other uses not assessed
- Category 3 Waters: no uses assessed
- Category 4a Waters: All Total Maximum Daily Loads (TMDL) are completed
- Category 4b Waters: impairment controlled by alternative pollution control requirements
- Category 4c Waters: impairment not caused by a pollutant – TMDL not required
- Category 5 Waters: waters requiring a TMDL (formerly the 303d list)

For purposes of the CWA s.319 grant program, “impaired waters” are those listed in Categories 4a, 4c, and 5. Impaired waters do not meet their designated uses, as defined by the Massachusetts Surface Water Quality Standards. These categories represent the former CWA s.303(d) list. The *Final Massachusetts Integrated List of Waters for the Clean Water Act 2022 Reporting Cycle*, which includes these category listings, can be found on the Department’s web site at <https://www.mass.gov/lists/integrated-lists-of-waters-related-reports>. Information about the TMDL program can also be found at that site.

7. If I have a current CWA s.319 grant, am I eligible to apply for another?

Yes. All applicants should note that past performance on a CWA s.319 project is one of the Department’s review criteria.

8. Is a waterbody with documented cyanobacteria harmful algae blooms (HABs) eligible?

Yes, provided the waterbody is listed on the Massachusetts List of Impaired Waters and/or documentation of the harmful algae blooms or cyanobacteria problem has been verified by MassDEP or Massachusetts Department of Public Health.

9. Is aeration eligible?

In-lake solutions, including aeration, are only eligible when all watershed sources of pollutants have been remediated. Aeration may be eligible, provided MassDEP's Watershed Planning Program agrees that this is an appropriate and cost-effective BMP.

BUDGET AND 40% NON-FEDERAL MATCH

Note that non-federal match is waived for the FFY2025-2026 grant cycle; however, providing match will increase the competitiveness of a proposal.

10. How does the Department determine the amount of money that is available each year?

The United States Congress annually awards CWA s.319 funds to states via EPA, according to a formula. The CWA s.319 funds given to Massachusetts are evenly split between Project funds and Program funds. As directed by federal CWA s.319 program guidelines, Project funds are 100% passed through as competitive subawards for implementation projects that address water quality impairments caused by nonpoint source pollution (Implementation projects). Program funds are partially used to support MassDEP's Nonpoint Source program, and the remainder is used to fund projects that are consistent with the Massachusetts Nonpoint Source Management Plan (NPS Plan).

11. Is there a limit on the amount of CWA s.319 grant funds that can be requested by an applicant?

No. Typical CWA s.319 grants range from \$50,000 to \$600,000. The Department encourages larger projects to facilitate watershed-wide improvements. The grantee must be able to provide at least a 40% non-federal match for the total project cost, i.e., in cash and/or through in-kind services. ***Note that non-federal match is waived for the FFY 2025-2026 CWA s.319 grant cycle.***

12. What is the payment procedure for CWA s.319 projects?

The grantee will be reimbursed for costs that are incurred for the project during the contractual period. Advance payments will not be made. The Department encourages grantees to submit invoices in a timely manner, as expenses are incurred; in most cases, it is suggested that grantees submit their invoices with their required quarterly progress reports. Reimbursement is generally made within 45 days subsequent to the grantee submitting a correctly executed invoice with appropriate backup documentation and a completed Match Certification Form, as appropriate. No payments shall be made for Massachusetts sales tax. See also the 2016 Grantees Guide, <https://www.mass.gov/doc/watershed-projects-grants-program-grantees-guide/>.

Ten percent (10%) of the CWA s.319 funds that are awarded will be withheld from the project total as retainage. At the end of the project, once the final report has been submitted and accepted and all other contract terms have been satisfied, the retainage will be released. When applying for a CWA s.319 grant, Applicants should ensure that they have sufficient financial resources available to accommodate the retainage that will be withheld for the project costs incurred.

13. Can work begin before a contract is signed for a selected project?

Non-federal match work activities can begin prior to signing a Contract (or in the case of a state agency, an Interdepartmental Services Agreement), consistent with the guidelines outlined elsewhere in this RFP. However, since funding for this program is subject to the CWA s.319 federal grant award from the EPA to the Department, the Department cannot guarantee that a project will be funded even if it is on the list of recommended CWA s.319 projects that is submitted to EPA.

A Notice to Proceed document will be sent to the Grantee by MassDEP once the contract is finalized. Reimbursement cannot be made for costs incurred for any work performed before the project start date contained in the Notice to Proceed.

14. Can in-kind services be utilized for the non-federal match of the CWA s.319 funding? If so, how are the in-kind services calculated (as actual cost or as estimated market value)?

Yes, in-kind services can be utilized to match the federal funding. In-kind services should be based on the actual cost for the service provided and must be reasonable for the services provided. Examples of in-kind services include the actual or estimated true value of: using DPW personnel and equipment to excavate a site for a BMP installation; using non-federally funded personnel to conduct outreach or technology transfer seminars; or donated engineering, design, or permitting services. Guidance for estimating the value of volunteer labor can be found at <https://www.independentsector.org/resource/the-value-of-volunteer-time/>.

15. If another grant source is to be offered as part of the 40% match, and that grant has not been awarded by the time the RFP for CWA s.319 funding must be submitted, what documentation should be provided in the proposal?

As part of the proposal, the Applicant should submit a letter describing the matching grant being sought, along with the timetable for when those funds will be awarded, and any other relevant information such as the likelihood of receiving the funding. The Applicant's proposal will be reviewed, but no contract can be finalized with MassDEP until the matching funding has been finalized. The Applicant's request for the non-federal match grant must already be in process at the time of the submittal of the application for the CWA

s.319 funds; an Applicant cannot wait for MassDEP's decision regarding a recommendation for CWA s.319 funds before applying for the non-federal match grant.

If a town meeting or council vote is required to secure/finalize the non-federal match, the Applicant should include a letter from an authorized official certifying that a request for non-federal match funding will be presented to the deciding municipal body for decision in a *timely* manner.

16. If the non-federal matching grant funds are awarded after the CWA s.319 proposal is submitted, should the Applicant notify the Department right away?

No, because this information became available after the proposal submittal date, it could have no bearing on the Department's proposal evaluation process.

17. What level of commitment must be provided with the proposal for the non-federal match?

Applicants must submit, as part of their proposal, letters of support from any organization(s) that will provide non-federal matching funds or in-kind services for a proposed project. Each letter must be written on the organization's letterhead, must detail the amount and source of the non-federal match (or in-kind services) to be provided, must provide a firm commitment to provide the matching funds or services, and must be signed by an authorized signatory for the organization. If municipal funds are sought, but the availability of the funds is contingent on a future town meeting or city council appropriation, the Applicant must include a letter from the selectmen or mayor confirming that a request for funds will be put before the voters or city council. In this case, the funds must be in place before a contract can be finalized, but the vote does not need to be held prior to proposal submittal or in order for the proposal to be selected for funding.

For the up-front 40% non-federal match (i.e., match work completed after October 1, 2025, but before the start of the current CWA s.319 grant contract), Applicants must provide sufficient documentation to allow reviewers to qualify the match at the proposal review stage. This documentation should include the date(s) of the match work, the value of the service, deliverable(s), relationship to the project, and any other relevant information. If the up-front match cannot be validated at the proposal review, the proposal may be determined to be non-competitive. Therefore, Applicants are urged to pay careful attention to the thorough preparation and documentation of up-front match funds as part of their proposal.

18. Does the rate of non-federal match expenditure need to match the rate of grant expenditure? Does every invoice need to report a corresponding 40% match?

No. At the end of the project, the non-federal match expenditure must meet the 40% commitment, but the rates of expenditure and reporting do not need to match on an invoice-by-invoice basis.

WATERSHED-BASED PLAN

19. What is the Watershed-Based Plan? Are Applicants required to have one?

EPA requires a Watershed-Based Plan (WBP) as a prerequisite to receiving CWA s.319 implementation funds. Project proposals that are responsive to this RFP must have a MassDEP-accepted WBP or be able to complete and obtain MassDEP acceptance of a WBP before contracts can be finalized. MassDEP has developed the online WBP Tool to guide users through the selection of a watershed and completion of the nine elements necessary to comprise a WBP: <http://prj.geosyntec.com/MassDEPWBP>. _

20. Can we use CWA s.319 funds to help develop a Watershed-Based Plan?

No, a completed and MassDEP-accepted WBP is required to support funding an implementation project prior to the start of the project. However, the development of a MassDEP-accepted WBP is eligible as match. A completed WBP will provide a comprehensive strategy that will lead to restoration of a waterbody. Using a WBP as the basis for CWA s.319 work will lead to eligible and highly competitive grant proposals.

21. What are the nine elements of a Watershed-Based Plan?

The nine elements effectively comprise the information that would go into a TMDL implementation plan.

1. An identification of the causes and sources or groups of similar sources that will need to be controlled to achieve the load reductions estimated in this watershed-based plan.
2. An estimate of the load reductions expected for the management measures described below.
3. A description of the NPS management measures that will need to be implemented to achieve the load reductions estimated under element #2 above.
4. An estimate of the amounts of technical and financial assistance needed, associated costs, and/or the sources and authorities that will be relied upon, to implement this plan.
5. An information/education component that will be used to enhance public understanding of the project.

6. A schedule for implementing the NPS management measures identified in this plan.
7. A description of interim, measurable milestones for determining whether NPS management measures or other control actions are being implemented.
8. A set of criteria that can be used to determine whether loading reductions are being achieved over time.
9. A monitoring component to evaluate the effectiveness of the implementation efforts.

22. Will priority be given to proposals for work in an entire watershed?

Projects should strive to encompass the watershed of the targeted waterbody. Depending on the location and the extent of the impairments, this could be a watershed of any size. The WBP tool has been designed to help define the watershed of each waterbody. The most competitive implementation proposals address NPS problems in the entire watershed that will be mitigated by the proposed BMPs.

Selection will be based on the quality and responsiveness of the proposal. The goal of the CWA s.319 grant program is for waterbodies to meet the Massachusetts Surface Water Quality Standards, and to achieve the goals of the Massachusetts Nonpoint Source Management Plan. The most competitive project proposals will aggressively seek to meet these goals. An implementation project that comprehensively addresses one impairment and results in meeting water quality standards is preferable to a project that partially addresses several impairments with no resulting change in water quality status.

PROPOSAL CONTENT

23. What constitutes an enforcement action that would disqualify a proposal?

Any local, state, or federal enforcement action that is currently in effect, or that is identified by MassDEP as imminent, may disqualify a proposal. Once the matter has been resolved and the enforcement action is ended, proposals will no longer be disqualified.

24. Must an Applicant own the land on which proposed BMPs will be constructed?

No. However, Applicants must demonstrate in their proposal that they have written permission to access the property to design, construct, and maintain the BMPs. Structural BMPs funded under the CWA s.319 grant program may be located on public or private land.

If an Applicant is negotiating an easement for access to the property for installation and long-term maintenance of the BMP, but negotiations are not yet final, the proposal should

include the draft easement, documentation of the negotiations to date, the anticipated date when the negotiations will be final, and a letter of support for the project from the landowner.

If the Applicant is negotiating the purchase of land where a BMP is to be located as part of a CWA s.319-funded project, but the purchase is not yet final, the proposal should include documentation of the purchase process to date (please include the purchase and sale agreement if available, any written documentation of negotiated purchase price, projected timeline for purchasing the property, etc.) and a letter of support for the project from the landowner.

25. Are streambank and shoreline stabilization projects eligible for CWA s.319 funding?

Yes. Bank erosion and channel instability can be a significant source of sediment and nutrients and can be associated with hydrologic and habitat impairment. Watershed restoration work is also recognized as key to protecting infrastructure and natural resources from hydrologic impacts related to intensified weather events, and as such this work can be eligible for CWA s.319 funding in any watershed as a Healthy Watershed project. Proposals should comprehensively describe and address the watershed problems that are the cause of the erosion and channel instability.

26. Where shall we put narrative about past history in our proposal?

Include it as Background in the project description.

27. Where shall I place a citation to justify proposed work?

Include the citation and page number(s) as part of a project description and add the cited report as an attachment.

28. There is so much climate information out there: what should I include in my proposal?

BMP designs should be sized to accommodate intensified weather events. One source of information is Northeast Regional Climate Center, <http://precip.eas.cornell.edu/>. Cite the data you are using in support of your proposal.

29. Is an NRCS-approved Conservation Plan helpful to show as part of previous work?

Yes.

30. I am considering a green infrastructure project, using streetscape designs and runoff calculations developed for US Forest Service urban forestry grant. How advanced do the designs need to be? Is the scale of my project too small to be competitive, and does it make sense to include another GI project nearby?

Conceptual designs are required and must provide sufficient detail to allow the proposal review committee to evaluate the viability of the proposal. Projects should implement watershed-based strategies that address the major source of pollution in a watershed, leading to attainment of water quality standards. Therefore, small-scale projects are much less competitive than larger ones. A small-scale project matched along with other eligible tasks within the watershed could make a project more cost effective and thus more competitive.

31. If our project will remove bacteria, how specific should the calculations be, per BMP or per the overall project?

Estimated quantities (CFUs, pounds, tons, etc.) of all targeted pollutants to be removed must be provided for the overall project as well as the quantities removed by each BMP.

NPDES STORMWATER PERMITS

32. How can I find out about my NPDES status?

Go to the EPA website for Regulated Communities in Massachusetts, <https://www.epa.gov/npdes-permits/regulated-ms4-massachusetts-communities>. Scroll down to the town you are interested in. Click on the '303d/305b' map.

CWA s.319 restrictions on NPDES stormwater activities apply only in these regulated areas. Additional information about NPDES permit restrictions and competitive proposal development is included in the RFP.

33. Do the NPDES stormwater permit limitations apply to everyone, or just to the permit holder?

The limitations apply to everyone. Within designated NPDES stormwater permitted (i.e., MS4, RDA, Phase I and Phase II) areas, CWA s.319 funds cannot be used by any grantee to do work that is specifically required by the current NPDES permit.

34. How will the NPDES MS4 permit affect project eligibility?

As stated previously, CWA s.319 nonpoint source funds cannot be used to implement the requirements of NPDES permits. The federal definition of nonpoint source pollution specifically excludes NPDES permitted discharges.

The 2016 Massachusetts MS4 General Permit, effective July 1, 2018, and administratively continued on July 1, 2022, is in effect. The current permit requires regulated entities to develop or enhance Stormwater Management Plans (SWMP). CWA s.319 supported work will remain eligible in regulated areas unless or until the work becomes required by the permit or the SWMP. For example, if the SWMP outlines a strategy of progressive housekeeping and implementation activities that culminate in requiring a BMP at the end of a five (5)-year timeline, the BMP is eligible for CWA s.319 funds up until the end of the five (5)-year timeline, when the work becomes required.

For these projects, Applicants should read their permits and demonstrate that the proposed work activities are not required by the permit. All work activities for the CWA s.319 project must be *completed* by the Applicant prior to the time when the activities are mandated in an NPDES permit.

35. Is mapping work in an MS4 regulated area eligible?

Mapping stormwater systems and/or outfalls in an MS4 area is required as part of the MS4 permit and is therefore not an eligible CWA s.319 activity. Mapping a river corridor in an MS4 area, as part of a protection proposal, would be eligible, provided it is not required by the MS4 permit.

36. Is the groundwork for bylaw development to help meet MS4 permit requirements eligible as match for s.319?

No. Work that addresses the requirements of the MS4 permit is not CWA s.319-eligible.

37. Is agricultural work in an MS4 area eligible?

With the exception of animal feeding operations (AFOs) and confined animal feeding operations (CAFOs), which are regulated under NPDES, agriculture work is exempted from NPDES permit requirements and is therefore CWA s.319-eligible in all watersheds.

PROPOSAL EVALUATION

38. Is there an advantage to a proposal with different sections or "modules" that may be funded separately or in part?

Ultimately, it is the quality, responsiveness and need for the project that determines whether an eligible proposal receives CWA s.319 funding. The "Scope of Services" required as part of every proposal breaks the proposals down into individual tasks. MassDEP's proposal evaluation team has the discretion to decide to recommend funding for all, or for some, of the tasks listed in the project proposal.

39. If Applicants collaborate on a joint proposal, with whom does the state contract for the work?

The contract will be executed with only one lead party, as designated in the project proposal. All other parties, if described as participants in the proposed project, must submit letters of support to be included with the proposal.

MassDEP may require that a Memorandum of Understanding (MOU) be signed by the grantee and any participating organization and/or agency prior to receiving Notice to Proceed for the contract. An MOU is an agreement between the grantee and each participating organization and/or agency that lists the specific project responsibilities of these participating groups.

40. What role does EPA perform in the selection of eligible proposals for funding?

A review committee comprised of representatives from EPA, MassDEP, DER, CZM, and other EEA agencies evaluates and prioritizes the proposals and makes recommendations for funding. Funding for CWA s.319 projects is ultimately subject to the availability of funds from EPA for each fiscal year.

41. The waterbody is listed, but not for bacteria. Geese have been identified as an issue: is geese deterring landscaping eligible?

It is eligible; however, you may consider making it part of larger project that addresses the listed impairment(s) to make it more competitive.

42. Our plans and estimated costs may not be completed by the proposal deadline. What kind of flexibility is there to change the scope after the fact?

The most competitive proposals provide definitive information about the project, sufficient to reassure reviewers that the project is feasible and ready to build as soon as funds become available. Lack of certainty or detail reduces competitiveness and may render the proposal ineligible.

43. There is a TMDL in place for one pollutant, but can we go after another pollutant that is not on the 303(d) list?

CWA s.319 funds are prioritized for CWA s.303(d)-listed impairments. It is unlikely that a proposal that bypasses a listed pollutant in favor of one that is not documented would be competitive. However, the non-listed pollutant could be addressed as part of a larger project, or as part of BMP that would also be effective for the listed impairment.

44. Stormwater discharges drain into a pond, which is not currently listed, and the pond drains into the Assabet River, which is listed. Can we apply for BMPs to

address the outfalls draining into the pond, or is it more competitive to focus on the outfalls that drain directly into the river?

Both are eligible, but are there data that show the outfalls are major contributors of pollutants? Maximizing the removal of listed pollutants entering the Assabet River should be the goal. An accepted Watershed-Based Plan provides an overall strategy for prioritizing pollutant mitigation in the targeted watershed and will help justify your approach.

SUBCONTRACTING

45. When subcontracting, is the grantee required to follow bidding procedures as required by state law?

Grantees should follow their own organization's procurement policies, as not all grantees (such as watershed associations and other private entities) are required to follow state procurement laws. However, grantees should be mindful that they are subject to all applicable federal terms and conditions. Applicants should also note that they are ultimately responsible for all activities of their subcontractors during the project.

46. Is there a limit to the amount of money that can be subcontracted out for each project?

Although there is no limit to the amount of CWA s.319 grant funds that can be subcontracted from each project's total grant award, it is expected that if subcontracting services are included as part of the proposed project, the subcontracted services are fully documented and justified by the Applicant as part of the submission and are demonstrated to be cost effective for the project.

47. Is a Watershed-Based Plan (WBP) due at the time the proposal is due?

For implementation projects, a WBP must be completed and accepted by MassDEP in order for contract preparation to commence.

48. Is the time and effort we apply to developing a Watershed-Based Plan eligible as match?

Yes, the development of an accepted Watershed-Based Plan is eligible as match. The online WBP tool (<http://prj.geosyntec.com/MassDEPWBP>) also includes a WBP checklist to help applicants/grantees rate their plan to enhance it and their chances of being funded from the CWA s.319 grant program.

49. For infiltration BMPs, is it preferable to submit a phased application that first requests only funding for project design, permitting, plans and bid specs?

No. Project funds are for implementation projects that address water quality impairments caused by nonpoint source pollution. Requesting grant funds for design/planning/permitting work without implementation is not an eligible activity under CWA s.319 funding (this activity is fundable under the CWA s.604(b) grant).

50. If awarded a grant, must we forward an electronic copy of the most recent audit conducted by an independent auditor?

Yes, please forward an electronic copy of your most recent audit to the MassDEP 319 Grant Coordinator.

51. Are permitting costs eligible?

Yes, generally but not in all cases, permitting costs are eligible for grant reimbursement or as match. They are not eligible if they are for NPDES stormwater permitting-related costs.

Attachment I. 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 a grant contract after award:

Applicant: An Applicant is any entity identified in Section 2.1 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 responsible for the procurement and implementation of this contract. MassDEP’s NPS Management Section Chief and s.319 Grant Coordinator are assigned to the Watershed Planning Program, Division of Watershed Management, 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 Clean Water Act (CWA) s.319 grant program, a waterbody that is listed in Category 4a (TMDL), Category 4c, or Category 5 of the Final Massachusetts Integrated List of Waters for the Clean Water Act 2022 Reporting Cycle (CWA Sections 303d and 305b) is considered to be impaired. The listed nonpoint source pollutants are prioritized to be addressed by s.319 funds.

Massachusetts Department of Environmental Protection (MassDEP): MassDEP is an Executive Department under the Executive Office of Energy and Environmental Affairs (EEA). Within EEA, MassDEP administers the CWA s.319 Nonpoint Source (NPS) Implementation Grant Program.

Nonpoint Source (NPS) Pollution – NPS pollution comes from rainfall or melting snow moving over and through the ground, which transports and deposits natural and human-made pollutants into lakes, rivers, wetlands, coastal waters and groundwater. These pollutants may come from fertilizers and herbicides, oil, grease, and toxic chemicals from urban runoff, construction sediment, streambank erosion, irrigation runoff, bacteria and nutrients from animal wastes and atmospheric deposition, commonly called "acid rain".

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.

319 Nonpoint Source Grant: A competitive grant authorized under CWA s.319 for implementation projects that address the prevention, control, and abatement of nonpoint source (NPS) pollution.