



# Department of Environmental Protection

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## Sewage Notification Assistance Grant Program 2023-2024 Opportunity

### 1. GRANT OPPORTUNITY SUMMARY:

- A. **Proposals Sought:** The Massachusetts Department of Environmental Protection (MassDEP or the Department) seeks proposals from Massachusetts regional or municipal wastewater utilities or systems that meet the definition of “Permittee” and are subject to 314 CMR 16.00, for innovative projects that will assist them in meeting the requirements of MassDEP’s Sewage Notification Regulations at 314 CMR 16.00 (the “Regulations”). The purpose of this grant program is to assist Permittees with expanding their efforts to meet the Sewage Notification regulatory requirements, which were promulgated to Promote Public Awareness of Sewage Pollution. Only projects that meet specific requirements of the Regulation will be considered for funding. Interested entities should refer to the regulations here:

<https://www.mass.gov/regulations/314-CMR-1600-notification-requirements-to-promote-public-awareness-of-sewage-pollution>

The funding for this Grant Program is available only for the Commonwealth of Massachusetts State Fiscal Year 2024 (July 1, 2023-June 30, 2024).

- B. **Overview and Goals:** In January 2022, MassDEP promulgated regulations that are entitled “Notification Requirements to Promote Public Awareness of Sewage Pollution” (314 CMR 16.00). The Regulation requires any entity meeting the definition of “Permittee” to promptly notify the public if one of the following events occurs:
- Combined sewer overflow (CSO);
  - Partially treated wastewater discharge;
  - Blended wastewater discharge;
  - Any Sanitary Sewer Overflow (SSO) that discharges through a wastewater outfall, either directly or indirectly, to a surface water of the Commonwealth;
  - Any SSO that flows into a surface water of the Commonwealth and is the result of the sanitary sewer system surcharging under high flow conditions when peak flows cannot be conveyed to a wastewater treatment plant due to capacity constraints; and

- Any SSO that flows into a surface water of the Commonwealth and is the result of a failure of a wastewater pump station or associated force main designed to convey peak flows of one million gallons per day or greater (see 314 CMR 16.03(1)).

All permittees with reportable events under 314 CMR 16.00 were required to issue public advisory notifications, enter discharge data into MassDEP’s data system and fulfill other requirements of 314 CMR 16.00 (314 CMR 16.01) starting on July 6, 2022. Through this grant program, MassDEP seeks to facilitate and improve the Permittees’ compliance with their responsibilities under 314 CMR 16.00 by offering funding for Eligible Projects to Eligible Entities as further defined below.

- C. Environmental Justice:** MassDEP is committed to advancing equity, diversity, and environmental justice (EJ)<sup>1</sup> through its public investments. The agency seeks to prioritize the direction of these resources to benefit EJ communities and to address environmental inequities. To that end, MassDEP grant and funding programs include criteria and evaluation parameters that emphasize equity, diversity and environmental justice, consistent with each program’s statutory authority and source of funding. Preference will be given to projects that provide direct benefit to environmental justice populations. Information on which communities are classified as environmental justice populations can be found at <https://www.mass.gov/info-details/environmental-justice-populations-in-massachusetts>.
- D. Eligible Entities:** Eligible applicants are regional or municipal wastewater utilities that meet the regulatory definition of “Permittee” as defined in 314 CMR 16.02. Eligible entities may have combined sewer systems or separate sewer and stormwater systems.
- E. Eligible Projects:** Eligible Projects will result in non-operational expenditures, capital investments, planning projects, or installation of equipment that will help Sewage Notification permittees meet one or more requirement(s) of 314 CMR 16.00. Eligible projects will also improve the timeliness, accuracy, and reliability of public notification; and/or improve the clarity and accessibility of this information to the public. Eligible Projects must also provide a shared benefit to Permittee and its environmental justice populations (if present in the Permittee’s jurisdiction).

Examples of Eligible Projects include, but are not limited to:

- New or improved signage at public access points or at CSO outfalls;
- Services to design and/or implement a public notification system for subscribers to receive emails/text message notifications of CSO activation which will be hosted and supported/operated by the municipal or regional utility beyond the grant funding cycle;
- Consultant services for design or improvement of a website that will be hosted and supported/operated by the municipal or regional utility beyond the grant funding cycle;
- Purchase/installation of meters where metering was not previously present or where the meters will increase reliability or speed of discharge activation detection and flow measurement;

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<sup>1</sup> “Environmental justice is based on the principle that all people have a right to be protected from environmental hazards and to live in and enjoy a clean and healthful environment regardless of race, color, national origin, income, or English language proficiency. Environmental justice is the equal protection and meaningful involvement of all people and communities with respect to the development, implementation, and enforcement of energy, climate change, and environmental laws, regulations, and policies and the equitable distribution of energy and environmental benefits and burdens.” See Environmental Justice Policy of the Executive Office of Energy and Environmental Affairs (updated June 24, 2021): <https://www.mass.gov/doc/environmental-justice-policy6242021-update/download>.

- Purchase/installation of other equipment including a one-time software or sensor installation used to detect/determine discharges and/or measuring volume (i.e., computer models); or
- Translation services.

Examples of projects that are not eligible for funding include, but are not limited to:

- Salary for existing or new municipal or contracted employees involved in work related to 314 CMR 16.00;
- Funding for the operation and maintenance of sewer systems;
- Meter rental and software subscription costs; or
- Funding for the operation of assets associated with metering or detecting discharges.

Both existing and proposed projects are eligible for this grant program, and funding will support work activities for any phase(s) of a project, from initial project planning through project implementation, so long as the work funded by this program is conducted during the contract period (i.e., started on or after July 1, 2023, and completed on or before June 30, 2024). All Applications must include a feasible timeline for completion (i.e., illustrating that the project can be completed on or before the June 30, 2024, deadline). For projects including work conducted before submission of the Grant Application, the Applicant must provide documentation such as invoices in the Grant Application.

Ownership of all equipment or resources purchased pursuant to a grant award shall remain the property of the grantee.

- F. **Application Deadline:** Applications are due electronically by 5:00 P.M. on Friday, November 10, 2023.
- G. **Page Limit:** Grant Applications, including the budget sheet but excluding the cover sheet, must not exceed fifteen single-sided (15) pages in length. The cover sheet (Attachment A) is at the end of this document is also available online at <https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality#sewage-notification-assistance-grant-program->
- H. **Funding Availability:** MassDEP anticipates that up to \$563,289 in total funding may be available for projects through this program. Grant Awards may range from \$10,000 to \$563,289 per applicant, although the MassDEP review committee reserves the right, in its discretion, to grant smaller awards to proposals of exceptional merit. If there are remaining unspent capital funds available from other Department projects during the period between the announcement of this grant opportunity and the announcement of the grant awards, the Department reserves the right to allocate supplemental funds to this grant solicitation and/or initiate additional funding rounds. Applicants must only propose project scopes with timelines that can be completed between July 1, 2023, and June 30, 2024. All funding for awards issued through this program are subject to the availability of appropriations or funding from other Department sources.
- I. **Match and Other Funding Obligations:** Applicants are not required to provide matching funds. However, applicants are encouraged to identify other known sources of funding for a proposed project on the Application Form, from both secured and anticipated sources, which may make the Application more competitive during review and evaluation by MassDEP.

In addition, applicants are advised that grant awards involving capital funds, which is the case here, are required to be disbursed on a cost reimbursement basis, meaning that grantees will be reimbursed for funds already expended. To receive reimbursement for funds expended, grantees must submit a written request for payment, along with any other required documentation. All work must be completed on or before June 30, 2024, and grantees are strongly encouraged to submit written requests for payment, and any corresponding supporting documentation, on or before June 30, 2024, as well. Please see section L. for more information on required documents.

- J. Bidders' Conference:** A Bidders' Conference using Microsoft Teams will be held on Wednesday, October 11, 2023 at 1 PM to field questions from Grant Applicants. To obtain the meeting link information or the Teams link please contact Samuel Ashbrook via email at [samuel.ashbrook@mass.gov](mailto:samuel.ashbrook@mass.gov) with "FY 2024 Sewage Notification Assistance Grant Bidders' Conference Details" in the email subject line.
- K. Total Anticipated Duration of Grant(s):** The contract duration will be through June 30, 2024. MassDEP reserves the right to extend the contract duration solely for the purposes of performance completion consistent with the terms of the Grant Award contract.
- L. Final Report:** Upon completion of the project and with submission of the final request for reimbursement, all applicants shall submit a one-page summary of their project tasks and links or copies to the produced resources.

MassDEP reserves the right to request additional materials, information, or other documentary evidence demonstrating completion of work and/or compliance with program requirements. MassDEP also reserves the right to withhold funding until receipt of satisfactory materials, information, or other documentary evidence demonstrating completion of work and/or compliance with program requirements.

- M. Applicable Procurement Law:** Grants-- MGL c. 7A, § 7; St. 1986 c. 206, § 17; 815 CMR 2.00.

## 2. INSTRUCTIONS FOR APPLICATION SUBMISSION:

- A. Evaluation Criteria (general):** In order to be considered for a grant award, applicants must submit a completed application that: includes all required supporting materials; consent to program terms and conditions; an affirmative commitment to completing the proposed project by June 30, 2024; and meets program eligibility requirements. A MassDEP review committee will evaluate proposed projects based upon the criteria listed below. The review committee reserves the right to reject any or all proposals.

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

### **Project Description (20 points)**

- How well does the Applicant describe the Proposed Project and the work to be covered by this funding?
- How well does the Applicant articulate how the Eligible Entity will be helped by the proposal?
- If some or all of the Proposed Project includes a request for reimbursement for eligible costs incurred after July 1, 2023 and before submission of the Application, has the Applicant included a description of the Project that is partially or fully completed?
- Are all proposed elements of the proposal eligible under the listed criteria for this grant program and do not include continued operational or maintenance costs?

### **Meet Regulatory Requirements (15 points)**

- Does the Applicant demonstrate how the Proposed Project intends to fulfill one or more specific requirements of 314 CMR 16.00?

### **Financial Need (5 points)**

- How well does the applicant demonstrate the Eligible Entity's need for financial assistance to implement the Proposed Project?

### **Project Budget and Timeline (10 points)**

- How well does the Applicant estimate and describe the Project Costs within the application? Pricing details such as quotes may also be attached as supporting information.
- If some or all of the Proposed Project includes a request for reimbursement for eligible costs incurred after July 1, 2023 and before submission of the Application, has the Applicant attached all documentation supporting the request for reimbursement for these Project Costs? Attachments do not count towards the 15 page limit.
- Does the Applicant demonstrate a realistic understanding of project costs by providing a budget with detailed and credible cost estimates?
- Does the Applicant identify and describe any match or other funding sources that will support the project?
- How well does the Applicant demonstrate a realistic understanding of the timeline for the proposed work?

### **Qualifications of Organization and Project Manager (10 points)**

- How well does the Applicant describe the qualifications of the Eligible Entity and its project manager to carry out the proposed project?

### **Project Benefit (25 points)**

- MassDEP will evaluate the proposed project's public awareness and economic benefits. Specifically, the Department will look at how the proposed project furthers the goal of notifying the public of sewage discharges and how it reduces the Eligible Entity's financial burden imposed by implementing 314 CMR 16.00. Applications received for regional

wastewater utilities or systems will be evaluated based on the requested cost per municipality, with lower costs per community being ranked higher.

**Environmental Justice (15 points)**

- How does the proposal describe direct benefits to environmental justice (EJ) populations? (Information on which communities are classified as EJ communities can be found at <https://www.mass.gov/info-details/environmental-justice-communities-in-massachusetts>).
- How well does the project specifically benefit EJ populations?
- How are EJ populations, EJ communities, or EJ organizations involved in the Proposed Project?

**B. Application Completion and Submission Instructions:** All grant applicants must include the attached application form in their application and submit the packet electronically as a Microsoft Word or Adobe PDF file by 5:00 p.m. on Friday, November 10, 2023.

Submit applications to Samuel Ashbrook via email at: [samuel.ashbrook@mass.gov](mailto:samuel.ashbrook@mass.gov). Please include the Applicant name AND “Sewage Notification Assistance Grant Program” in the subject line. Attachment A, Section 1 and 2 are at the end of this document or available for download at

<https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality#sewage-notification-assistance-grant-program>

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

**C. Additional Required Documentation:**

If selected for a Grant Award, the Applicant will be required to submit the following forms to complete the Grant Award contracting process. Forms with an asterisk (\*) need not be submitted, if they have been completed previously and are already on file with the Commonwealth:

- Commonwealth Standard Contract Form, filled out and signed by the applicant. The Standard Contract Form is listed under Contracts on this website: [www.macomptroller.org/forms](http://www.macomptroller.org/forms).
- Commonwealth Terms and Conditions. [www.macomptroller.org/forms](http://www.macomptroller.org/forms)  
These Terms and Conditions are incorporated by reference into the Standard Contract Form, and do not need to be executed separately.
- Commonwealth W-9 tax information form filled out and signed by the applicant with DUNS number and Federal Tax ID(\*) [www.macomptroller.org/forms](http://www.macomptroller.org/forms)
- Completed Contractor Authorized Signatory Listing Form  
<https://www.macomptroller.org/forms>
- Electronic Funds Transfer (EFT) form(\*)  
<https://www.mass.gov/how-to/tips-for-completing-the-electronic-funds-transfer-eft-form>
- Scope of Work

Applicants are encouraged to review these forms prior to submission of an application.

**3. ESTIMATED PROCUREMENT CALENDAR FOR GRANT APPLICATION/AWARD:**

<b>Procurement Activity</b>	<b>Date</b>	<b>Time</b>
Notice of Grant Opportunity (posted on COMMBUYS and MassDEP website)	Tuesday, October 3, 2023	
Bid Release Date (Posting Date) on MassDEP website	Tuesday, October 3, 2023	
Bidders' Conference: Via Teams. To obtain dial-in information or the Teams link please contact Samuel Ashbrook via email at samuel.ashbrook@mass.gov with 'FY 2023 Sewage Notification Assistance Grant Bidder's Conference Details' in the email subject line.	Wednesday, October 11, 2023	1 P.M.
Deadline for Submission of Questions to MassDEP, either at Bidders' Conference or prior to deadline, via email to: samuel.ashbrook@mass.gov	Thursday, October 12, 2023	3 P.M.
Official Answers for Q&A published on MassDEP website	Tuesday, October 24, 2023	5 P.M.
<b><u>GRANT APPLICATION DEADLINE; ELECTRONIC SUBMISSION TO</u></b> samuel.ashbrook@mass.gov	Friday, November 10, 2023	<b>5 P.M.</b>
Notification of Grant Award(s) (Estimated) (POSTED ON COMMBUYS AND MASSDEP WEBSITE)	Friday, December 22, 2023	
Estimated Contract Start Date	Friday, January 12, 2024	

**ATTACHMENT A**

**Sewage Notification Assistance**  
**2023-2024 Grant Program Application**

Section 1 and 2 of application Form available for download at <https://www.mass.gov/info-details/grants-financial-assistance-watersheds-water-quality#sewage-notification-assistance-grant-program->

**Overview:** The Massachusetts Department of Environmental Protection (MassDEP or the Department) seeks proposals from Massachusetts regional or municipal wastewater utilities or systems that meet the definition of “Permittee” and are subject to 314 CMR 16.00, for innovative projects that will assist them in meeting the requirements of MassDEP’s Sewage Notification Regulations at 314 CMR 16.00 (the “Regulations”). The purpose of this grant program is to assist Permittees with expanding their efforts to meet the Sewage Notification regulatory requirements, which were promulgated to Promote Public Awareness of Sewage Pollution. Only projects that meet specific requirements of the Regulation will be considered for funding.

**Section 1: Applicant Information**

Applicant Name: \_\_\_\_\_

Project Title: \_\_\_\_\_

Short description of the work (<5 sentences)

Requested Funds: \_\_\_\_\_ Matching Funds (optional): \_\_\_\_\_

Name of person completing form: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**By checking this box  the applicant confirms that they are authorized to submit this grant application on behalf of the specified Permittee listed above.**

**Section 2: Ability to Perform Proposed project**

**A.** Ability to Use Funds: If awarded a Sewage Notification Assistance Grant, the awardee must be able to enter into a contract with MassDEP within 15-30 days of Grant Award.

**By checking this box  the Applicant acknowledges and agrees that its entity is able to enter into the contract and perform the project and meet all requirements of this state grant.**



### Section 3: Application Structure

Please include the following sections in your application:

**Project Description:** Describe the Proposed Project and the proposed work to be covered by this funding. This project description includes Proposed Project tasks and desired outcome(s) for the project as well as how the Eligible Entity will be helped by the Project. If all or some of the Proposed Project includes a request for reimbursement for eligible costs incurred after July 1, 2023 and before submission of the Application, please include a description of the Project partially or fully completed.

**Project Benefit:** Provide information about both the public awareness and economic benefits of the Proposed Project; specifically, how the Proposed Project furthers the goal of notifying the public of sewage discharges; and how it reduces the Eligible Entity's financial burden imposed by implementing 314 CMR 16.00.

**Meet Regulatory Requirements:** Describe how the Proposed Project helps the Eligible Entity meet one or more specific requirements of 314 CMR 16.00.

**Financial Need:** Explain the need for financial assistance to implement the Proposed Project, including other anticipated or secured funding sources that will support portions of the project (if applicable).

**Qualifications of Organization and Project Manager:** Describe the qualifications of the Eligible Entity and its project manager relevant to carrying out the Proposed Project.

**Environmental Justice:** Describe in detail how environmental justice populations will benefit directly from the Proposed Project, and whether EJ populations, EJ communities, or EJ organizations will be involved in the Proposed Project.

**Project Budget:** Detail the anticipated cost associated with the Proposed Project. Demonstrate a realistic understanding of Project Costs by providing a budget with detailed and credible cost estimates. For any in-kind or monetary match, explain how extensive it is and how it will be made available to the project. If all or some of the Proposed Project includes a request for reimbursement for eligible costs incurred after July 1, 2023 and before submission of the Application, please attach documentation supporting these Project Costs.

**Project Timeline:** Describe the timeline for the work proposed (or work that is in the process of completion), including a commitment to achieving final completion by the deadline of June 30, 2024, or earlier. Explain in detail how the work can be feasibly completed by June 30, 2024, or earlier. Describe a plan for written and/or oral communication of the project's status and progress between the awardee and MassDEP throughout the project period.