

**U.S. Department of the Interior
National Park Service**

**Financial Assistance
Notice of Funding Opportunity (NOFO)**



Program Title	Battlefield Land Acquisition Grant
Notice of Funding Opportunity	Program
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Section A: Program Description

Federal Agency Name: Department of the Interior, National Park Service

Funding Opportunity Title: ABPP FY 17 Battlefield Land Acquisition Grants

Funding Opportunity Number: P17AS00825

Catalog Of Federal Domestic Assistance (CFDA) Number: 15.928

Legislative Authority: 54 U.S.C. 308103; 54 U.S.C. §200305

Federal Regulations: 2 C.F.R. § 200; 2 C.F.R. § 1402; 36 C.F.R. § 59.3

Program Background Information and Objectives:

The National Park Service (NPS) makes available funds from the Land and Water Conservation Fund (LWCF) to help States and local communities acquire and preserve threatened Revolutionary War, War of 1812, and Civil War Battlefields. The Battlefield Land Acquisition Grants (BLAGs) are administered by the American Battlefield Protection Program (ABPP) and awarded through a competitive process. Each grant requires a dollar-for-dollar non-Federal match. Grants are available to purchase 1) land in fee simple or 2) permanent, protective interests in land (easements) at Civil War Battlefields listed in the Civil War sites Advisory Commission's (CWSAC) 1993 *Report on the Nation's Civil War Battlefields* and at Revolutionary War and War of 1812 Battlefields listed in the American Battlefield Protection Program (ABPP) 2007 *Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States (Reports)*.

Foremost consideration is given to application packages for acquisition proposals at battlefields defined as Priority I or II sites in the *Reports*. The Reports and a listing of battlefields' priority status can be found at on the Web at www.nps.gov/abpp

Potential applicants should carefully review the following guidelines before preparing an application package. The ABPP also encourages applicants to contact the ABPP staff before submitting an application package.

Funds may not be used to acquire land or interests in land within the legislative boundary of a National Park. Grantees or subgrantees must provide for the appropriate public access (entry or viewable from public right-of-way) to and enjoyment of any lands or interests in lands acquired with assistance from this program, subject to necessary and reasonable measures on the part of the beneficiary to protect the historic features of the battlefield from damage or loss.

Grantees may not charge costs for administering the project to the grant or to the required matching share.

Land acquired with these funds must be preserved in perpetuity. In any case where a local government or a private non-profit organization acquires land or an interest in land with

assistance from this program, it must convey an acceptable perpetual protective easement on the land to the State Historic Preservation Office (SHPO) or other organization acceptable to the National Park Service and SHPO.

Section B: Federal Award Information

Anticipated Federal Funding: \$10,000,000

The amount of funding available per award for this NOFO will be determined once final FY 2018 appropriations have been made. This NOFO will be cancelled if FY 2018 appropriations are insufficient to support new awards.

Recipient Cost Share:

The recipient must provide a cost match of minimum of 50% of the total project cost. Contributions for cost match must be made from non-Federal sources which may include cash, loans (see below), landowner donations of lands or interests in lands (also partial donations, such as bargain sales that reduce the cost of the acquisition below its fair market value), or any combination thereof. Federal appropriations or other Federal grants **may not** be used to match Battlefield Land Acquisition Grants. Other Federal grants, however, may be part of the overall financing package, as long as non-Federal monies are used to match the Battlefield Land Acquisition Grant portion of the transaction.

Estimated Number of Agreements to be Awarded: 25-30

Each activity or project awarded under this Funding Opportunity will be treated individually, with more detail through project statements, project plans and budgets developed cooperatively between the NPS and the recipient organization.

Estimated Amount of Funding Available Per Award:

An estimated range of \$10,000 To \$2,000,000 of funding is anticipated for each award. The amount of funding available per award for this NOFO will be determined as part of the application review process based on applications received and funding made available through appropriations.

Anticipated Start Date:

Projects receiving funding through this Notice of Funding Opportunity will start once funding has been secured and awards have been made.

Anticipated Term of the Agreement:

Agreement terms for funded projects are estimated to be three years, depending on the negotiated project statement of work. Agreements are not effective until fully executed with signature from the NPS Financial Assistance Awarding Officer (FAAO). Prior to the expiration of an awarded grant agreement, modifications may be proposed by either party and will become effective upon written approval of both parties.

Type of Agreements:

Grant Agreement - A legal instrument of financial assistance between The National Park Service and a non-Federal entity that, consistent with 31 U.S.C. § 6302, 6304:

(1) Is used to enter into a relationship the principal purpose of which is to transfer anything of value from the Federal awarding agency to the non-Federal entity to carry out a public purpose

authorized by a law of the United States (see 31 U.S.C. § 6101(3)); and not to acquire property or services for the Federal awarding agency's direct benefit or use;

(2) Is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

Substantial Involvement:

For a grant agreement, no substantial involvement on the part of the National Park Service is anticipated.

Other Information:

As BLAGs are awarded throughout the year as funds are available, applications for renewal or supplementation of existing projects are eligible to compete with applications for new Federal awards.

Section C: Eligibility Information

Application Due Date: April 1, 2020, 11:59 PM PT

Applications are accepted at any time. The last day to submit applications will be April 1, 2020.

An applicant's failure to meet an eligibility criterion by the time of the application deadline will result in the application being excluded from consideration. This includes but is not limited to late and incomplete application packages.

1. Eligible Applicants

In accordance with 54 U.S.C. § 308103(b), Battlefield Acquisition Grant Program, this funding opportunity is limited to State or local governments. A nonprofit organization may acquire an interest in an eligible site by applying in partnership with a State or local government which has jurisdiction over the property to be acquired or put under easement.

Battlefield Land Acquisition Grants will be awarded to units of State and local governments. In any case where a private non-profit organization seeks to acquire battlefield land with assistance from this program, that organization must apply in partnership with a State or local government agency sponsor. The government agency may then subgrant the Federal funds to the non-profit organization.

2. Cost Sharing or Matching

In accordance with 54 U.S.C. § 308103(d), recipient cost share in the amount of 50% is required to be eligible for an award under this Notice of Funding Opportunity. Battlefield Land Acquisition Grants may be used to pay up to 50% of the total cost—the sum of both the cost of the land or protective easement to be purchased and any necessary fees—of the real estate transaction. The applicant must be willing to contribute at least 50% of the total project cost from non-Federal sources as evidenced by a letter of commitment from the applicant and/or a third party source. Eligible non-Federal sources of contributions must be in accordance with 2 C.F.R. § 200.306 and may include: cash, loans (see below), landowner donations of lands or interests in lands (also partial donations, such as bargain sales that reduce the cost of the acquisition below its fair market value), or any combination thereof. Federal appropriations or other Federal grants **may not** be used to match Battlefield Land Acquisition Grants. Other Federal grants, however, may be part of the overall financing package, as long as non-Federal monies are used to match the Battlefield Land Acquisition Grant portion of the transaction. Recipient cost share contributions shall be annotated within the SF-424A or C (reference section D, Application and Submission Information).

For the purposes of this program, applicants may use a loan as non-Federal match. However, if the loan is secured by the land to be acquired, the lending institution must agree, in writing, that it will subordinate its own interest in the property to the terms of the grant, especially the LWCF Act Section 6(f)(3) "non-conversion" and conservation easement requirements. The applicant must include this explicit, written agreement from the lending institution in the proposal package. (This provision is not required if the loan is secured by means other than the land to be acquired or if the Battlefield Land Acquisition Grant will retire the entire debt.)

Per 2 C.F.R. § 200.306 Cost sharing or matching, under Federal research proposals, voluntary committed cost sharing is not expected. It cannot be used as a factor during the merit review of applications or proposals for research projects.

3. Other

There are no limits on the number of applications an applicant may submit.

Section D: Application and Submission Information

1. Address to Request Application Package

An Application Package has been included within this Notice of Funding Opportunity for your convenience, found in Appendix A. The Application Package contains four mandatory forms, which must be submitted with your proposal, forms include: form SF-424 (Application for Financial Assistance), form SF-424A (Budget Information), form SF-424B (Assurances), and SF-LLL (Lobbying). The Application Package can also be accessed and downloaded from the Synopsis page of this announcement in Grants.gov. Applicants may also request paper copies of application materials by contacting the Awarding Agency using the information provided in Section G of this Notice of Funding Opportunity.

2. Contents and Form of Application Submission

You must complete the mandatory forms and any applicable optional forms, in accordance with the instructions below, as required by this Notice of Funding Opportunity. Do not include any proprietary or personally identifiable information. A complete application should include:

- Standard Form 424 (SF 424) - Application for Federal Assistance
Complete this form as much as possible with all applicable information.
- Standard Form 424A (SF 424A) - Budget Information
The project budget shall include detailed information on all cost categories and must clearly identify all project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. In addition, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement). Cost categories can include, but are not limited to, those costs items included on the SF424A.
- Standard Form 424B – Assurances
This form must be signed and submitted with your application.
- Standard Form LLL - Disclosure of Lobbying Activities
In accordance with 43 C.F.R. § 18 and 31 U.S.C. § 1352 this form must be completed and signed if the amount of the Federal award is anticipated to exceed \$100,000.
- Project Narrative - Proposal Submission Format
The proposal is a narrative description that should specifically address each of the review criteria (see Section E). The proposal text must be no longer than 5 pages, no smaller than font size 11, and have 1-inch margins. The 5-page limit includes all text, figures, references, and resumes (Forms SF-424, SF-424A, SF-424B, SF-LLL, and the statement of indirect charges are not counted as part of the 5 page limit). Additionally, only

information that is pertinent to the proposal should be included.

- Indirect Costs
Indirect Costs are not eligible. Grantees may not charge costs for administering the project to the grant or to the required matching share.
- Other Documents required by the program
Applicants must also submit:
 - Cover Sheet check list;
 - Government sponsor letter;
 - Battlefield/parcel map;
 - Section 106 Letter from the appropriate State Historic Preservation Office;
 - Associated GIS Shapefiles
 - Willingness to Sell documentation (letter, contract);
 - Easement holder letter (if applicable);
 - State Park preservation agreement/Section 6(f)(3) letter (if applicable);
 - At least 4 photos of the property to be acquired/placed under easement; and
 - Schedule for Acquisition.

These are submitted via the Attachments Form on Grants.gov.

If selected for award, NPS reserves the right to request additional or clarifying information for any reason deemed necessary, including, but not limited to:

- (a) Other budget information
- (b) Financial capability
- (c) Evaluation of risk
- (d) Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 43 C.F.R. § 17)

3. Unique entity identifier and System for Award Management (SAM)

Each applicant (unless exempt under 2 CFR §25.110) is required to:

- (a) Be registered in SAM before submitting its application;
- (b) Provide a valid unique entity identifier in its application (currently a DUNS number);
- (c) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

Registration processes for SAM can be found at <https://www.sam.gov>

A financial assistance agreement will not be made with an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements. If an applicant has not fully complied with the requirements by the time that an agreement is ready for award, a determination may be made that the applicant is not qualified to receive a Federal award. That determination may be used as a basis for making a Federal award to another applicant.

In addition, in order to submit an application through Grants.gov an applicant must have an active SAM registration and register for submission permissions through the [Grants.gov](https://www.grants.gov) website. Utilize the following link to guide you through this process:

<http://www.grants.gov/web/grants/applicants/organization-registration.html>

4. Submission Dates and Times

Applicants are held responsible for their proposals being submitted to the National Park Service. Applications must be received by April 1, 2020 at 11:59 PM ET. Applicants are encouraged to submit the application well before the deadline.

Hard copy proposals submitted via USPS or Courier Service, must be postmarked by March 27, 2020 in order to be accepted (See Paragraph 7 below).

Application preparation time may take several weeks, so please start the application process as soon as possible. Applications received after the deadline will not be reviewed or considered for an award. If it is determined that a proposal was not considered due to lateness, the applicant will be notified during the selection process.

5. Intergovernmental Review

This funding opportunity is not subject to Executive Order (EO) 12372 “Intergovernmental Review of Federal Programs;” however, applicants subject to EO 12372 must contact their State’s Single Point of Contact (SPOC) to find out about and comply with the State’s process. The names and addresses of the SPOC’s are listed in the OMB’s home page at: http://www.whitehouse.gov/omb/grants_spoc/

6. Funding Restrictions

Costs incurred by the applicant prior to the start date of the period of performance of a signed Federal award are only allowable with written approval by a Financial Assistance Awarding Officer and noted as Pre-Agreement Costs in the grant agreement.

7. Other Submission Requirements

Applications may be submitted by email *or* mail *or* grants.gov to the National Park Service by the deadline identified in paragraph 4 above. Applications submitted by other means or not received by the deadline will not be considered.

Applications submitted via email must be sent to: abpp_blag@nps.gov

Applications submitted via mail/Courier Service must be sent to:

American Battlefield Protection Program
National Park Service
1849 C Street, NW
MS 7228
Washington, DC 20240

Applicants may be required to provide their proposal electronically, or hard copy, but not both (per Appendix 1 of 2 C.F.R § 200; paragraph D.7.).

In the event the applicant experiences technical difficulties with submitting their application, please contact: ABPP Staff at 202-354-2037 and/or abpp_blag@nps.gov.

START THIS PROCESS EARLY DON'T DELAY!

Section E: Application Review Information

Reviewers evaluate applications according to the following considerations:

- *Significance of the battlefield land as defined in the Reports*
- *Whether the proposed acquisition parcel lies within ABPP-defined battlefield Core and/or Study Areas and outside the legislative boundaries of any associated National Parks*
- *Availability of required matching funds*
- *Acquisition schedule*
- *Threat to the battlefield land*

1. Criteria

NPS will evaluate and consider only those applications that separately address each of the merit review criteria. Each applicant is required to provide a detailed narrative, in accordance with section D.2., of the following criteria elements. It is HIGHLY recommended that the project narrative have sections labeled as follows:

Criterion 1	
Historical Significance and Integrity	Weight 20%
<p>Significance of the battlefield land as defined in the CWSAC 1993 <i>Report</i> or ABPP 2007 <i>Report</i>. Integrity of the battlefield landscape. (Project Narrative)</p>	<p>Proposals for purchases at CWSAC Priority I and II and Revolutionary War/War of 1812 Priority I and II sites will be given highest consideration. Priority III and IV sites are considered but after consideration of Priority I and II sites. Does the land still retain historic integrity? How has the landscape/land use changed since the time of the battle? Is the battlefield listed in the National Register of Historic Places? If so, is the parcel located within the boundary for that listing?</p>

Criterion 2	
Location	Weight 15%
<p>Location of the proposed acquisition parcel within CWSAC/ABPP-defined battlefield boundaries and outside legislative boundaries of any associated National Park Service units</p>	<p>Eligible acquisitions should lie within the “core” areas of CWSAC, Revolutionary War, and War of 1812 battlefields (CWSAC “core” and battlefield boundary area maps are available from the ABPP). Proposals to acquire land outside of the “core” area but within the battlefield boundary are eligible, but will be considered a lower priority than proposals to purchase “core” area land only. Land lying entirely outside of the battlefield boundary is not eligible for assistance from this program. If the land to be acquired lies partially within the battlefield boundary and partially outside the battlefield boundary, a majority (more than 50%) of the land must be within the battlefield boundary in order for the proposal to be eligible for funding. Is it located within the battlefield’s core area?</p>

Criterion 3	
Statement of Threat and Future Preservation Strategy Weight 40%	
Threat to the battlefield as a whole and to the battlefield property. Proposed Future Preservation strategy for land. (Project Narrative)	Applicants must include a statement that demonstrates the nature, extent, and level of severity of the threat(s) to the battlefield and to the property to be acquired/placed under easement. How and to what extent does the proposed acquisition address and mitigate the described threat(s)? In cases of minimal threats, is there a compelling reason for why the acquisition of the property at this time is the most appropriate preservation strategy for the battlefield?

Criterion 4	
Risk Evaluation Weight 10%	
Risks posed by Applicants	The State or local government’s evaluation of risk will be considered in the review process. Risk will be considered on a low, medium, or high scale. Low= 5 pts; Medium = 3 pts; High = 1 pt. See E.3. below.

Criterion 5	
Budget Weight 15%	
Review of Proposed Budget and Required Cost Share	Are the budgeted items eligible for Battlefield Land Acquisition funding? Is the budget reasonable to accomplish project tasks and activities? Are budget items necessary to accomplish project activities? Is the budget justification sufficient to explain project costs in detail? Are the sources of all project costs clearly described?

2. Review and Selection Process

NPS personnel, and in some cases independent reviewers, will review all proposals. All proposals for funding will be considered using the criteria outlined above. A summary of the review panel comments may be provided to the applicant if requested.

a. Initial Review

Prior to conducting the comprehensive merit review, an initial review will be performed to determine whether: (1) the Applicant is eligible for an award; (2) the information required by the NOFO has been submitted; (3) all mandatory requirements of the NOFO are satisfied; and (4) the proposed project is responsive to the program objectives of the NOFO (program determination). If an applicant fails to meet the requirements or objectives of the NOFO, or does not provide sufficient information for review, the applicant will be considered non-responsive and eliminated from further review.

b. Comprehensive Merit Review

All applications that satisfactorily pass the initial review will be eligible for the Comprehensive Merit Review. Each criteria element will be scored on a 0-10 point scale:

10	Superior	(100 % of weighted average)
8	Good	(80 % of weighted average)
6	Satisfactory	(60 % of weighted average)
4	Marginal	(40 % of weighted average)
2	Poor	(20 % of weighted average)
0	Not Acceptable	(No score)

The following numerical rating values may be assigned: 10, 9, 8, 7, 6, 5, 4, 3, 2, 1, and 0. The scoring of each criterion must be based on the strengths and weaknesses of the application narrative. To assist in assigning an appropriate score, the following will be used as a guideline:

Rating	Descriptive Statement
10	Superior: Applicant fully addresses all aspects of the criterion, convincingly demonstrates that it will meet the Government's performance requirements, and demonstrates no weaknesses.
8	Good: Applicant fully addresses all aspects of the criterion, convincingly demonstrates a likelihood of meeting the Government's requirements, and demonstrates only a few minor weaknesses.
6	Satisfactory: Applicant addresses all aspects of the criterion and demonstrates the ability to meet the Government's performance requirements. The Application contains weaknesses and/or a number of minor weaknesses.
4	Marginal: Applicant addresses all aspects of the criterion and demonstrates the ability to meet the Government's performance requirements. The Application contains significant weaknesses and/or a significant number of minor weaknesses.
2	Poor: Applicant addresses some aspects of the criterion and demonstrates some doubt in the likelihood of successfully meeting the Government's requirements. Significant weaknesses are demonstrated and clearly outweigh any strength presented.
0	Not Acceptable: Applicant does not address all aspects of the criterion and the information presented indicates a strong likelihood of failure to meet the Government's requirements.

c. Selection

The Selection Official may consider the merit review recommendation, program policy factors (list any specific policy factors and/or important criteria to be noted by the applicant while preparing their submission – example “property must be located in a Historic District/on National Park managed land”, preference regarding geographic diversity

regarding recipient selection, etc.), and the amount of funds available to select applications for funding.

d. Discussions and Award

The Government may enter into discussions with a selected applicant for any reason deemed necessary, including, but not limited to: (1) only a portion of the application is selected for award; (2) the Government needs additional information to determine that the recipient is capable of complying with the requirements of DOI Financial Assistance Regulations, and/or (3) additional specific terms and conditions are required. Failure to satisfactorily resolve the issues identified by the Government may preclude award to the applicant.

3. Evaluation of Recipient Risk

In accordance with 2 C.F.R. § 200.205, applications selected for funding will be subject to a pre-award risk assessment which may include a review of information contained within the applicant's proposal, past audits, Federal Awardee Performance and Integrity Information System (FAPIIS), and/or past performance on previous Federal financial assistance awards. Negative information that leads to a recipient being designated as "Medium Risk" or "High Risk" may result in specific conditions, as identified in 2 C.F.R. § 200.207, being incorporated into the final award/grant agreement.

Prior to making a Federal award, any information about the applicant that is in the designated integrity and performance (currently FAPIIS) will be reviewed and considered (see 41 U.S.C. § 2313). Applicants may review and comment about any information about itself in FAPIIS. The Federal awarding agency will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. §200.205

4. Anticipated Announcement and Federal Award Dates

Applicants may submit their proposals to the NPS at any time. The NPS will review all **complete** application packages as they are received. The NPS will review projects at Priority I and II battlefields within 30 days of receipt of a **complete** application package. The NPS will review projects at Priority III and IV battlefields after it considers pending Priority I and II application packages but no later than 120 days after receipt of a **complete** application package. If an applicant at a Priority III or IV battlefield gives a compelling reason to expedite a decision on an application package, the NPS may agree to do so.

Estimated date of Federal Award: Year Round

Estimated date notifying successful and unsuccessful applicants: Year Round

Section F: Federal Award Administration Information

1. Federal Award Notices

Upon being selected for the award, successful applicants (Government sponsors and nonprofit organizations) will receive a notification of the selection of their application for funding. NPS will notify the applicant selected for award by letter approximately three to six months after submission of a complete application. A notice of selection is not an authorization to begin performance on an agreement. This notice will detail the next steps in the awarding process. Once all clearances and reviews have been conducted, a grant agreement will be sent for signature.

Work cannot begin before the recipient receives a fully executed copy of the grant agreement which contains the signature of the Financial Assistance Awarding Officer. Any pre-award costs incurred prior to the receipt of a signed agreement or written notice signed by a Financial Assistance Awarding Officer authorizing pre-award costs, is at the applicant's own risk. A grant agreement signed by a Financial Assistance Awarding Officer is the only authorizing document to begin performance.

Organizations whose applications have not been selected will be advised as promptly as possible.

2. Administrative and National Policy Requirements

a. Code of Federal Regulations (CFR)

By accepting Federal financial assistance, the recipient organization agrees to abide by the applicable Federal regulations in the expenditure of Federal funds and performance under this program: [2 C.F.R. Part 200](#) - Uniform Administrative Requirements, Cost Principles, And Audit Requirements For Federal Awards

b. Standard Award Terms and Conditions

This agreement incorporates the Standard Award Terms and Conditions found at the following Department of the Interior website as if they were given here:

http://www.doi.gov/pam/programs/financial_assistance/TermsandConditions.cfm

Acceptance of a Federal financial assistance award from the Department of the Interior carries with it the responsibility to be aware of and comply with the terms and conditions of the award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to, and as approved by the Financial Assistance Awarding Officer. All financial assistance awards are subject to the terms and conditions incorporated either directly or by reference in the award document. Code of Federal Regulations/Regulatory Requirements, as applicable, are listed below (Contact the Financial Assistance Awarding Officer with any questions regarding the applicability of the following):

- 2 C.F.R. Part 175 - Trafficking Victims Protection Act of 2000

- 2 C.F.R. Parts 182 & 1401 - Government-wide Requirements for a Drug-Free Workplace
- 2 C.F.R. Parts 180 & 1400 - Government-wide Debarment and Suspension (Non-procurement)
- 43 CFR. 18 - Restrictions on Lobbying

c. Special Terms and Conditions

Order of Precedence

Any inconsistency in the agreement shall be resolved by giving precedence in the following order: (a) Any national policy requirements and administrative management standards; (b) 2 C.F.R. Part 200, in its entirety; (c) requirements of the applicable OMB Circulars and Treasury regulations; (d) special terms and conditions; (e) all agreement sections, documents, exhibits, and attachments; (f) and the recipient's project proposal.

Modifications

The agreement may be modified by written agreement signed by both the recipient's Authorized Representative and the Financial Assistance Awarding Officer. Administrative changes (i.e. Awarding Officer name change, etc.) which do not change the statement of work, agreement amount, etc., or otherwise affect the recipient may be signed unilaterally by the Financial Assistance Awarding Officer. Additionally, a unilateral modification may be utilized if it should become necessary to impose remedies for non-compliance, suspension or termination of the agreement in accordance with 2 CFR 200, Section 200.338 – 200.342.

All other changes shall be made by means of a bilateral modification to the agreement. No oral statement made by any person, or written statement by any person other than the NPS Financial Assistance Awarding Officer shall be allowed in any manner or degree to modify or otherwise effect the terms of the agreement.

d. Payments

All applicants must be registered in the System for Awards Management (SAM) prior to award under this NOFO. Instructions for registering for SAM are located at <http://www.sam.gov/portal/public/SAM>. All applicants must maintain an active SAM registration with current information at all times while they have an active Federal award or an application under consideration.

All applicants must also be registered with, and willing to process all payments through, the Department of the Treasury Automated Standard Application for Payments (ASAP) system. All recipients with active NPS financial assistance agreements must be enrolled in ASAP under the appropriate Agency Location Code(s) (ALC) and the Data Universal Number System (DUNS) Number prior to the award of funds. If a recipient has multiple DUNS numbers they must separately enroll within ASAP for each unique DUNS Number and/or Agency. Note that if your entity is currently enrolled in the ASAP system with an agency other than NPS, you must enroll specifically with NPS in order to process payments.

e. Award Instrument Information

Projects will be funded, subject to the availability of funds, by issuance of a grant agreement.

The final award agreement will identify the amount of funding provided by NPS, any cost share to be provided by the Recipient, a detailed Statement of Work (SOW) for the project, a project plan, and detailed project budget.

An agreement issued and signed by the NPS Financial Assistance Awarding Officer obligates NPS funds. Notification of a successful proposal does not constitute authority to incur costs. Once the grant agreement for a successful proposal has been signed by the NPS Financial Assistance Awarding Officer, the recipient may incur costs as specified in the approved budget submittal.

f. Liability

i) Insurance:

It is suggested that recipient (1) obtain liability insurance or (2) demonstrate present financial resources in an amount determined sufficient by the Government to cover claims brought by third parties for death, bodily injury, property damage, or other loss resulting from one or more identified activities carried out in connection with this financial assistance agreement.

ii) Insured:

The federal government shall be named as an additional insured under the recipient's insurance policy.

iii) Indemnification:

The recipient hereby agrees to indemnify the federal government, NPS or from any act or omission of the Recipient, its officers, employees, or (members, participants, agents, representatives, agents as appropriate), (1) against third party claims for damages arising from one or more identified activities carried out in connection with this financial assistance agreement and (2) for damage or loss to government property resulting from such an activity. This obligation should survive the termination of this Agreement.

1. To purchase public and employee liability insurance at its own expense from a responsible company or companies with a minimum limitation of one million dollars (\$1,000,000) per person for anyone claim, and an aggregate limitation of Three Million Dollars (\$3,000,000) for any number of claims arising from any one incident. The policies shall name the United States as an additional insured, shall specify that the insured shall have no right of subrogation against the United States for payments of any premiums or deductibles due thereunder, and shall specify that the insurance shall be assumed by, be for the account of, and be at the

insured's sole risk. Prior to beginning the work authorized herein, the Recipient shall provide the NPS with confirmation of such insurance coverage.

2. To pay the United States the full value for all damage to the lands or other property of the United States caused by the Recipient
3. To provide workers' compensation protection to the Recipient, its officers, employees, and representatives.
4. To cooperate with NPS in the investigation and defense of any claims that may be filed with NPS arising out of the activities of the Recipient, its agents, and employees.
5. In the event of damage to or destruction of the buildings and facilities assigned for the use of the Recipient in whole or in part by any cause whatsoever, nothing herein contained shall be deemed to require NPS to replace or repair the buildings or facilities. If NPS determines in writing, after consultation with the Recipient that damage to the buildings or portions thereof renders such buildings unsuitable for continued use by the Recipient, NPS shall assume sole control over such buildings or portions thereof. If the buildings or facilities rendered unsuitable for use are essential for conducting operations authorized under this Agreement, then failure to substitute and assign other facilities acceptable to the Recipient will constitute termination of this Agreement by NPS.

iv) Flow-down:

For the purposes of this clause, "Recipient" includes such sub-recipients, contractors, or subcontractors as, in the judgment of the recipient and subject to the Government's determination of sufficiency, has sufficient resources and/or maintains adequate and appropriate insurance to achieve the purposes of this clause.

g. Funding Restrictions

All funding is contingent upon the availability and appropriation of funds by the United States Congress.

Cost Principles:

Costs must be allowable in accordance with the applicable Federal cost principles referenced in 2 CFR Part 200, Subpart E – Cost Principles.

Pre-award Costs:

Must comply with 2 CFR Part 200.458 and requires written approval from the Financial Assistance Awarding Officer. Preagreement costs consist of grant-related costs incurred prior to the start date of the grant agreement period of performance (e.g. appraisal costs, costs associated with required Section 106 Review). Documentation of these preaward costs must be retained for review by the grantee's financial audit.

3. Reporting

a. Financial Status Reports:

A report of expenditures is required as documentation of the financial status of awards according to the official accounting records of the recipient's organization. The financial information will be reported by completing and submitting the Federal Financial Report (FFR), SF425. At a minimum, financial reports will be required annually and shall be submitted within 90 calendar days after the end of the annual reporting period. The Financial Assistance Awarding Officer may designate a reporting schedule requiring more frequent reporting based on the assessment of risk. The reporting requirements will be defined within the grant agreement. A final FFR shall be submitted no more than 90 calendar days after the end date of the agreement.

The FFR can be downloaded at:

http://www.whitehouse.gov/omb/grants/standard_forms/ffr.pdf

The NPS Financial Assistance Awarding Officer will review the report for patterns of cash expenditures and assess whether performance or financial management problems exist. Before submitting the FFR to the NPS Financial Assistance Awarding Officer, recipients must ensure that the information submitted is accurate, complete, and consistent with the recipient's accounting system. The recipient Authorized Certifying Official's signature on the FFR certifies that the information in the FFR is correct and complete and that all outlays and obligations are for the purposes set forth in the agreement documents, and represents a claim to the Federal Government. Filing a false claim may result in the imposition of civil or criminal penalties.

b. Performance Reports:

A report of performance is required as documentation of performance towards the accomplishments of the Federal award and detailing project activity and participant profile information. At a minimum, performance reports will be required annually and shall be submitted within 90 calendar days after the end of the annual reporting period. The Financial Assistance Awarding Officer may designate a reporting schedule requiring more frequent reporting based on the assessment of risk. The reporting requirements will be defined within the grant agreement. A final performance report shall be submitted no more than 90 calendar days after the end date of the agreement.

In accordance with 2 C.F.R. 200 § 200.328, the performance reports shall contain brief information on:

- (1) A comparison of actual accomplishments to the objectives of the Federal award established for the period. Where the accomplishments of the Federal award can be quantified, a computation of the cost (for example, related to units of accomplishment) may be required if that information will be useful. Where performance trend data and analysis would be informative to the Federal awarding agency program, the Federal awarding agency should include this as a performance reporting requirement;

- (2) The reasons why established goals were not met, if appropriate; and
- (3) Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

Before submitting the performance report to the NPS Financial Assistance Awarding Officer, recipients must ensure that the information submitted is accurate, complete, and consistent with the recipient's Federal financial report. Filing false information may result in the imposition of civil or criminal penalties.

c. Non-Compliance:

Failure to comply with the reporting requirements contained in an agreement may be considered a material non-compliance with the terms and conditions of the award. Non-compliance may result in withholding of future payments, suspension or termination of the agreement, recovery of funds paid under the agreement, and the withholding of future awards. The specific information regarding type, frequency and means of submission of post-Federal award reporting requirements will be contained in the award document.

d. Reporting Matters Related to Recipient Integrity and Performance:

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings in accordance with [Appendix XII to 2 C.F.R. 200](#).

Section G: Federal Awarding Agency Contacts

Agency Contact Information:

Name: Melanie O'Brien
Address: 1849 C Street, NW, MS 7228, Washington, DC 20240
Phone: 202-354-2204
E-mail: melanie_o'brien@nps.gov
Fax: n/a

Questions and Requests pertaining to this Notice of Funding Opportunity shall be submitted to:

Name: ABPP Staff
Address: 1849 C Street, NW, MS 7228, Washington, DC 20240
Phone: 202-354-2037
E-mail: abpp_blag@nps.gov
Fax: n/a

Section H: Other Information:

1. Program Information

More useful information to an applicant in understanding this grant program can be found at www.nps.gov/abpp

2. Proprietary and Personally Identifiable Information

a. Notice of Potential Disclosure under Freedom of Information Act

Applicants should be advised that identifying information regarding all applicants, including applicant names and/or points of contact, may be subject to public disclosure under the Freedom of Information Act, whether or not such applicants are selected for negotiation of award. Applicants must identify any proprietary information within their applications.

b. Personally Identifiable Information

In responding to this Notice of Funding Opportunity, applicants must ensure that Protected Personally Identifiable Information (PII) is not included in the following documents: Project Abstract, Project Narrative, Biographical Sketches, Budget or Budget Justification. These documents will be used by the Merit Review Committee in the review process to evaluate each application. PII is defined by the Office of Management and Budget (OMB) as:

Any information about an individual maintained by an agency, including but not limited to, education, financial transactions, medical history, and criminal or employment history and information that can be used to distinguish or trace an individual's identity, such as their name, social security number, date and place of birth, mother's maiden name, biometric records, etc., including any other personal information that is linked or linkable to an individual. This definition of PII can be further defined as: (1) Public PII and (2) Protected PII.

Public PII:

PII found in public sources such as telephone books, public websites, business cards, university listing, etc. Public PII includes first and last name, address, work telephone number, email address, home telephone number, and general education credentials.

Protected PII:

PII that requires enhanced protection. This information includes data that if compromised could cause harm to an individual such as identity theft.

3. Routine Notices to Applicants

a. Modification or Changes to the Notice of Funding Opportunity

Notices of any modifications to this Notice of Funding Opportunity will be posted on Grants.gov. You can receive an email when a modification or an announcement message is

posted. When you download the application at Grants.gov; you can also register to receive notifications of changes through Grants.gov.

b. Government Right to Reject or Negotiate

NPS reserves the right, without qualification, to reject any or all applications received in response to this announcement and to select any application, in whole or in part, as a basis for negotiation and/or award.

c. Evaluation and Administration by Non-Federal Personnel

In conducting the merit review evaluation, the Government may seek the advice of qualified non-Federal personnel as reviewers. The Government may also use non-Federal personnel to conduct routine, nondiscretionary administrative activities. The applicant, by submitting its application, consents to the use of non-Federal reviewers/administrators. Non-Federal reviewers must sign conflict of interest and non-disclosure agreements prior to reviewing an application. Non-Federal personnel conducting administrative activities must sign a nondisclosure agreement.

d. Notice of Right to Conduct a Review of Financial Capability

NPS reserves the right to conduct an independent third party review of financial capability for applicants that are selected for negotiation of award (including personal credit information of principal(s) of a small business if there is insufficient information to determine financial capability of the organization).

**Appendix A - Application Package
Forms SF 424, SF 424A, SF 424B**