

United States Bureau of Reclamation
Department of the Interior

R-DO - Reclamation – Denver and Washington Offices



2022
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A. Program Description

A1. Authority

TAP is administered in accordance with the Reclamation Act of 1902, as amended and supplemented. Consolidated Appropriations Resolution, 2003, Division D - Energy and Water Development Appropriations, Title II, Sec. 201, P. L. 108-7 (43 USC Sec. 373d) authorizes Reclamation to enter into financial assistance agreements with Indian tribes and tribal organizations to increase opportunities to develop, manage, and protect tribal water and related resources.

Catalog of Federal Domestic Assistance (CFDA) Number
15.519

A2. Background, Purpose and Program Requirements

The Bureau of Reclamation (Reclamation), through the Native American Affairs Technical Assistance Program (TAP), provides financial and technical assistance to Indian tribes and tribal organizations. The TAP establishes cooperative working relationships, through partnerships with Indian tribes and tribal organizations, to assist tribes as they develop, manage, and protect their water and related resources. Reclamation’s Native American and International Affairs Office, Washington, D.C., plans to make FY 2022 funds available for the TAP through Reclamation’s six Regional Offices.

The objective of this NOFO is to invite federally recognized Indian tribes and tribal organizations to submit proposals for financial assistance for projects and activities that develop, manage, and protect tribal water and related resources.

This NOFO also implements the Biden-Harris Administration’s priorities including Presidential Executive Order 14008: Tackling the Climate Crisis at Home and Abroad (E.O. 14008), and Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (E.O. 13985). E.O. 13985 is supported by this NOFO as it increases opportunities for Indian tribes to develop, manage, and protect their water and related resources.

B. Federal Award Information

B1. Total Funding

Estimate contingent upon final Congressional appropriations

Estimated Total Funding

\$ 1,000,000

B2. Expected Award Amount

Maximum Award

\$ 200,000

Minimum Award

\$ 0

B3. Anticipated Award Funding and Dates

Anticipated Award Date

March 31, 2022

Anticipated Project Completion Date

09/30/2024

B4. Number of Awards

Anticipated Number of Awards

10

B5. Type of Award

Funding Instrument Type

CA - Cooperative Agreement

G - Grant

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

C. Eligibility Information

C1. Eligible Applicants

Eligible Applicants

07 – Native American tribal governments (Federally recognized)

25 – Others (see text field entitled “Additional Information on Eligibility” for clarification)

Additional Information on Eligibility

Federally recognized Indian tribes or tribal organizations in the 17 Western States identified in the Reclamation Act of June 17, 1902 including Arizona, California, Colorado, Idaho, Kansas,

Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

C2. Cost Sharing or Matching

Cost Sharing / Matching Requirement

No

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

C3. Other

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

Excluded Parties: Reclamation conducts a review of the SAM.gov Exclusions database for all applicant entities and their project personnel prior to award. Reclamation cannot award funds to entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

C4. Eligible Project Types

Applicants eligible to receive an award to fund activities must be:

- A federally recognized Indian tribe or tribal organization, as defined in 25 U.S.C. 5304; and
- Located in the 17 Western States identified in the Reclamation Act of June 17, 1902, as amended and supplemented: Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

Those not eligible include, but are not limited to, the following entities:

- Federal governmental entities.
- State governmental entities.
- Local governmental entities.
- Individuals.

D. Application and Submission Information

D1. Address to Request Application Package

If you are unable to access this information electronically, you can request paper copies of any of the documents referenced in this NOFO by emailing the Notice of Funding Opportunity Team at bor-sha-fafoa@usbr.gov.

D2. Content and Form of Application Submission

1. SF-424, Application for Federal Assistance

Applicants must submit the appropriate Standard Form (SF)-424, Application for Federal Assistance. The required application forms are available with this announcement on Grants.gov. The SF-424, Application for Federal Assistance must be complete, signed, and dated. Do not include any proprietary or personally identifiable information. Please note: Enter only the amount requested from this Federal program in the “Federal” funding box on the SF-424 Application form. Include any other Federal sources of funding in the “Other” box and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the “Budget Narrative” section below).

Project Narrative

Detailed Budget Narrative

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

Conflict of Interest Disclosure

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.112](#), applicants must state in their application if any actual or potential conflict of interest exists at the time of submission.

(a) Applicability.

(1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.

(2) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

(b) Notification.

(1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112.

(2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients.

(c) Restrictions on lobbying. Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR part 18 and 31 U.S.C. 1352.

(d) Review procedures. The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

(e) Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for noncompliance, including suspension or debarment (see also 2 CFR part 180).

Single Audit Reporting Statement

All U.S. states, local governments, federally recognized Indian tribal governments, and non-profit organizations expending \$750,000 USD or more in Federal award funds in the applicant's fiscal year must submit a Single Audit report for that year through the [Federal Audit Clearinghouse's Internet Data Entry System](#). U.S. state, local government, federally recognized Indian tribal government, and non-profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the EIN associated with that report and state if it is available through the [Federal Audit Clearinghouse](#) website.

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

Certification Regarding Lobbying

Applicants requesting more than \$100,000 in Federal funding must certify to the statements in [43 CFR Part 18, Appendix A-Certification Regarding Lobbying](#). If this application requests more than \$100,000 in Federal funds, the Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form also represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

Disclosure of Lobbying Activities

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

Overlap or Duplication of Effort Statement

Applicants must provide a statement that addresses if there is any overlap between the proposed project and any other active or anticipated proposals or projects in terms of activities, costs, or commitment of key personnel. If any overlap exists, applicants must provide a description of the overlap in their application for review.

Applicants must also state if the proposal submitted for consideration under this program is or is not in any way duplicative of any proposal or project that has been or will be submitted for funding consideration to any other potential funding source whether it be Federal or non-Federal. If such a circumstance exists, applicants must detail when the other duplicative proposal(s) were submitted, to whom (Agency name and Financial Assistance program), and when funding decisions are expected to be announced. If at any time a proposal is awarded funds that would be duplicative of the funding requested from the Bureau of Reclamation, applicants must notify the Notice of Funding Opportunity point of contact or the Program Coordinator immediately.

D3. Unique Entity Identifier and System for Award Management (SAM)

Identifier and System for Award Management (SAM.gov) Registration: This requirement does not apply to individuals applying for funds as individual (i.e., unrelated to any business or nonprofit organization you may own or operate) or any entity with an exception approved by the funding bureau or office in accordance with bureau or office policy. All other applicants are required to obtain a Data Universal Numbering System (DUNS) number from Dun & Bradstreet and then register in SAM.gov prior to submitting a Federal award application. Federal award recipients must continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s). See the “Submission Requirements” section of this document below for more information on SAM.gov registration. We may not make a Federal award to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program can use that determination as a basis for making an award to another applicant. **There is no cost to register with Dun & Bradstreet or SAM.gov.** There are third-party vendors who will charge a fee in exchange for registering entities with Dun & Bradstreet and SAM.gov; **please be aware you can register and request help for free.**

Obtain a DUNS Number

Request a DUNS Number through the Dun & Bradstreet website. For technical difficulties, send an email to the D&B SAM Help Desk. Please ensure that you are able to receive emails from SAMHelp@dnb.com. The Grants.gov “Obtain a DUNS Number” webpage also provides detailed instructions. Once assigned a DUNS number, your organization must maintain up-to-date information with Dun & Bradstreet. Applicants must enter their DUNS number in the “Organizational DUNS” field on the SF-424, Application for Federal Assistance form.

Register with the System for Award Management (SAM)

Register on the SAM.gov website. “Help” tab on the website contains User Guides and other information to assist you with registration. The Grants.gov Register with SAM page also provides detailed instructions. You can also contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been to the entity’s DUNS or IRS information.

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

D4. Submission Dates and Times

Due Date for Applications

10/20/2021

Application Due Date Explanation

Wednesday, October 20, 2021, at 4:00 p.m. Mountain Daylight Time

D5. Intergovernmental Review

Prior to application submission, U.S. state and local government applicants should visit the [OMB Office of Federal Financial Management website](#) and view the “State Point of Contact (SPOC) List” to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 “Intergovernmental Review of Federal Programs.” States not on the list do not participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency. If your state is on the list, contact the designated entity for more information on the state’s prior review requirements for Federal assistance applications.

D6. Funding Restrictions

Indirect Costs: Individuals

Indirect Costs: Organizations

D7. Other Submission Requirements

Please see **Attachment for additional information and the Full Notice of Funding Opportunity Document**

E. Application Review Information

E1. Criteria

Evaluation Criterion A—Project Need

Maximum Points: 30

Up to **30 points** may be awarded based upon extent to which the proposal demonstrates a compelling need to implement the project based on the following:

- How does Federal funding assist in developing the project?
- What is the magnitude of the impacts if the proposed project is not funded (e.g., public health and safety, regulatory, and social risk etc.)?
- Does the project assist in addressing health and safety of the tribe and its members, and if so, how?
- How urgent is the proposed project?
- Does project assist in complying with regulatory requirements related to water and water resources, and if so, how?
- What is the status of the tribe’s capacity to manage, develop and protect its water and related resources?
- Are there current or historic drought conditions in the tribal or project area?

Evaluation Criterion B—Project Benefits

Maximum Points: 30

Up to **30 points** may be awarded based upon evaluation of the benefits that are expected to result from implementing the proposed project/activity. This criterion considers a variety of

project benefits to water resources, including increases to water reliability and quality, improvements to water management, and/or reduction to conflicts between water users. Describe the expected benefits and outcomes of the project. In doing so, please answer all the questions applicable to the project. It is not necessary to answer all these questions in the affirmative to score well on this criterion and points will be allocated based on the degree to which the project provides water resource benefits as a whole.

- Does the project improve development, management, and/or protection of tribal water and related resources, and if so, how?
- Does the project build or enhance the tribe's internal capacity to manage, develop and protect its water and related resources, and if so, how?
- Does the project include data collection related to water quality?
 - How will data be analyzed and used to benefit the tribe?
 - How will data analyses inform management decisions/ approaches?
- Does the project include data collection related to water supply?
 - How will data be analyzed and used to benefit the tribe?
 - How will data analyses inform management decisions/ approaches?
- Does the project improve water reliability or build long-term drought resilience for a given tribal community, and if so, how and to what extent?
- Does the project assist with addressing current or future water shortages, and if so, how?
- Will the project build long-term resilience to drought, and if so, how?
- Will the project make additional water supplies available, and if so how?
 - What is the estimated quantity of additional supply the project will provide and how was this calculated?
 - What percentage of the total water supply does the additional water supply represent?
- Does the project improve tribal water system efficiencies and promote water conservation, and if so, how?
 - What is the estimated average annual quantity of conserved water and how was this calculated?
 - How will the conserved water be used?
- Does the project reduce conflicts between water users, and if so, how?
 - Does the project address heightened competition for finite water supplies or issues related to over-allocation of water rights, and if so, how?
 - Does the project promote and encourage collaboration among parties in a way that helps increase the reliability of the water supply, and if so, how?
 - Will the project help prevent a water-related crisis or conflict, and if so, how?
 - Is there frequently tension or litigation over water in the basin?
 - Are there non-tribal partners in the project and what is their roles?
- Is the project supported by existing water resource management plans, and if so, how?

- Does the project protect and enhance the environment, and if so, how?
- Projects that involve riparian and aquatic habitat improvements, must also improve water quality and quantity. Describe the environmental benefits as they relate to improved water quality and quantity.

Evaluation Criterion C—Project Implementation

Maximum Points: 30

Up to **30 points** may be awarded based upon the extent to which the proposed project is capable of proceeding upon entering into a financial assistance agreement. Applicants that describe a detailed plan (e.g., estimated project schedule that shows the stages and duration of the proposed work, including major tasks, milestones, and dates) will receive the most points under this criterion. In responding to this criterion, provide the following information to demonstrate the capability to implement the project:

- Describe the implementation plan for the project that includes an estimated schedule that shows the stages and duration of the proposed work. The implementation plan should also include major tasks and milestones, identify staff with appropriate technical and project management expertise and describe their qualifications and roles in the proposed project or activity.
- Describe any plans to contract activities. Describe the procurement standards that will be used to select successful contractors.
- Describe any permits that will be required, along with the process for obtaining such permits.
- Identify and describe any engineering or design work performed specifically in support of the proposed project.
- Describe any new policies or administrative actions required to implement the project.
- Identify staff with appropriate technical and project management expertise and describe their qualifications and roles in the proposed project or activity.
- Describe how the environmental compliance estimate was developed. Has the compliance cost been discussed with the local Reclamation office?

Evaluation Criterion D—Presidential and Department of the Interior Priorities

Maximum Points: 10

Up to **10 points** may be awarded based upon the extent to which the proposed project demonstrates support for the Biden-Harris Administration’s priorities, including Presidential Executive Order 14008: Tackling the Climate Crisis at Home and Abroad (E.O. 14008). Presidential Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (E.O. 13985).

Please address only those priorities that are applicable to your project. It is not necessary to address priorities that are not applicable to your project. A project will not necessarily receive more points simply because multiple priorities are addressed. Points will be allocated based on the degree to which the project supports one or more of the priorities listed, and whether the connection to the priority(ies) is well supported in the proposal. Without repeating benefits already described in previous criteria, describe in detail how the proposed project supports a priority(ies) below.

1. **Climate Change:** E.O. 14008 emphasizes the need to prioritize and take robust actions to reduce climate pollution; increase resilience to the impacts of climate change; protect public health; and conserve our lands, waters, oceans, and biodiversity.

- How will the project build long-term resilience to drought? How many years will the project continue to provide benefits? Please estimate the extent to which the project will build resilience to drought and provide support for your estimate.

- In addition to drought resiliency measures, does the proposed project include other natural hazard risk reductions for hazards such as wildfires or floods?

- Does the proposed project include green or sustainable infrastructure to improve community climate resilience such as reducing the urban heat island effect, lowering building energy demands, or reducing the energy needed to manage water? Does this infrastructure complement other green solutions being implemented throughout the region or watershed?

- Will the proposed project establish and utilize a renewable energy source?

- Does the proposed project seek to reduce or mitigate climate pollutions such as air or water pollution?

- Will the proposed project reduce greenhouse gas emissions by sequestering carbon in soils, grasses, trees, and other vegetation?

- Does the proposed project have a conservation or management component that will promote healthy lands and soils or serve to protect water supplies and its associated uses?

- Does the proposed project contribute to climate change resiliency in other ways not described above?

E2. Review and Selection Process

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

E3. CFR – Regulatory Information

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

E4. Anticipated Announcement and Federal Award Dates

Reclamation expects to contact potential award recipients and unsuccessful applicants in within 90 days of the NOFO closing or slightly later if necessary. Financial assistance agreements will

be awarded to applicants that successfully pass all pre-award reviews and clearances.

F. Federal Award Administration Information

F1. Federal Award Notices

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

F2. Administrative and National Policy Requirements

See the “[DOI Standard Terms and Conditions](#)” for the administrative and national policy requirements applicable to DOI awards.

Data Availability

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.315](#):

(a) All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.

(b) The Federal Government has the right to:

(1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and

(2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes, including to allow for meaningful third-party evaluation.

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

F3. Reporting

Financial Reports

All recipients must use the [SF-425, Federal Financial Report](#) form for financial reporting. At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award.

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

Performance Reports

Performance reports must contain a comparison of actual accomplishments with the established goals and objectives of the award; a description of reasons why established goals were not met, if appropriate; and any other pertinent information relevant to the project results. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award.

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

Real Property Reports

Recipients and subrecipients are required to submit status reports on the status of real property acquired under the award in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. Reclamation will include recipient-specific real property reporting requirements, including the required data elements, reporting frequency, and report due dates, in the Notice of Award when applicable.

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

Conflict of Interest Disclosures

Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the [U.S. Office of Government Ethics website](#) for more information on these restrictions. Reclamation will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, Reclamation will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies Reclamation may result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including termination of the award.

Other Mandatory Disclosures

The Non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the terms and conditions outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including suspension or debarment.

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

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 CFR 200.

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document

G. Federal Awarding Agency Contact(s)

G1. Program Technical Contact

For **programmatic technical assistance**, contact:

First Name:

Kelly

Last Name:

Titensor

Address:

Telephone:

202-578-5144

Email:

ktitensor@usbr.gov

www.usbr.gov/native/programs/techasst_activities_tap.html

G2. Financial Assistance Administrative Contact

For **financial assistance administrative assistance**, contact:

First Name:

Matthew

Last Name:

Reichert

Address:

Telephone:

Email:

bor-sha-fafoa@usbr.gov

G3. Application System Technical Support

For **Grants.gov** technical registration and submission, downloading forms and application packages, contact:

Name:

Grants.gov Customer Support

Telephone:

1-800-518-4726

Email:

Support@grants.gov

H. Other Information

Please see Attachment for additional information and the Full Notice of Funding Opportunity Document