

United States Bureau of Reclamation  
Department of the Interior

R-DO - Reclamation – Denver and Washington Offices



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**A. Program Description**

**A1. Authority**

This NOFO is issued under the authority of Title XVI of Public Law 102-575, as amended (43 United States Code [U.S.C.] 390h), including amendments in Title II, Subtitle J of the WIIN Act.

**Catalog of Federal Domestic Assistance (CFDA) Number**  
15.504

**A2. Background, Purpose and Program Requirements**

The U.S. Department of the Interior’s (Department) WaterSMART (Sustain and Manage America’s Resources for Tomorrow) Program provides a framework for Federal leadership and assistance to stretch and secure water supplies for future generations in support of the Department’s priorities. Through WaterSMART, the Bureau of Reclamation (Reclamation) leverages Federal and non-Federal funding to support stakeholder efforts to stretch scarce water supplies and avoid conflicts over water.

Through the Title XVI Water Reclamation and Reuse Program (Title XVI), authorized by Public Law (P.L.) 102-575 in 1992, Reclamation provides financial and technical assistance to local water agencies for the planning, design, and construction of water reclamation and reuse projects. Water recycling is a tool in stretching the limited water supplies in the Western United States. Title XVI projects develop and supplement urban and irrigation water supplies through water reuse—thereby improving efficiency, providing flexibility during water shortages, and diversifying the water supply. These projects provide growing communities with new sources of clean water which increases water management flexibility and makes our water supply more reliable. Title XVI water projects are an important part of the WaterSMART Program. For further information on the WaterSMART Program, see <https://www.usbr.gov/watersmart/>.

The objective of this Notice of Funding Opportunity (NOFO) is to invite sponsors of projects eligible under section 4009(c) of the WIIN Act (Projects) to request cost-shared funding for planning, design, and/or construction of those Projects. A NOFO for congressionally authorized Title XVI projects is being released separately.

**See Attachment for A.3 Information regarding Other WaterSMART Programs.**

**B. Federal Award Information**

## **B1. Total Funding**

Estimate contingent upon final Congressional appropriations

### **Estimated Total Funding**

## **B2. Expected Award Amount**

### **Maximum Award**

\$30,000,000

### **Minimum Award**

\$0

This NOFO will be used to allocate available fiscal year (FY) 2022 enacted appropriations for Title XVI projects authorized under section 4009(c) of the WIIN Act. Applications submitted under this NOFO also may be considered if additional funding becomes available in FY 2022 or thereafter.

The Federal share (i.e., Reclamation's share in addition to any other sources of Federal funding), of any Title XVI Project, including any funding provided as a result of this NOFO, shall not exceed 25 percent of the total Project cost, up to a maximum of \$20 million per project. Eligible applicants are invited to request funding for planning, design, and/or construction of Projects. Although the evaluation criteria listed in this NOFO will be applied to the Project as a whole, funding requests submitted under this NOFO must be based on the expenditures already incurred or planned to be incurred by September 30, 2024.

This may include work either:

- Planned through September 30, 2024; or
- Completed work that was conducted after the date of Reclamation's feasibility study review findings for the Project.

Under section 4009(c) of the WIIN Act, Projects can only receive funding once enacted appropriations legislation designates funding to them by name. Therefore, financial assistance agreements for projects eligible under section 4009(c) will not be entered into until the project appears in enacted appropriations legislation.

All costs incurred by Reclamation related to the development and administration of any award under this NOFO are considered part of the total Project costs, and the recipient will be required to provide cost share for these costs. All Reclamation administrative costs will also be included in the Federal cost share for the Project.

## **B3. Anticipated Award Funding and Dates**

### **Anticipated Award Date**

September 30, 2022

Reclamation expects to contact potential award recipients and unsuccessful applicants in the spring of 2022 (or later if necessary), subject to the timing of final FY 2022 appropriations.

**Anticipated Project Completion Date**

09/30/2024

**B4. Number of Awards**

**Anticipated Number of Awards**

12

Approximately 3 to 12 awards, depending on the amount requested by each applicant and the amount of funding available.

**B5. Type of Award**

**Funding Instrument Type**

G - Grant

CA - Cooperative Agreement

Awards will be made through a grant or cooperative agreement as applicable to the selected Project. If a cooperative agreement is awarded, the recipient should expect Reclamation to have substantial involvement in the Project. Substantial involvement by Reclamation may include:

- Collaboration and participation with the recipient in the management of the Project and close oversight of the recipient’s activities to ensure that the program objectives are being achieved. Note: The development and administration of an award under this NOFO is not considered substantial involvement.
- Review, input, and approval at key interim stages of the Project.

At the request of the recipient, Reclamation can provide technical assistance after award of an agreement. If you would like to receive Reclamation technical assistance, you must account for these costs in your budget. To discuss available assistance and these costs, contact the **program coordinator** identified in *Section G*.

**C. Eligibility Information**

**C1. Eligible Applicants**

**Eligible Applicants**

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

**Additional Information on Eligibility**

Sponsors of projects eligible for funding under section 4009(c) of the WIIN Act, P.L. 114-322. Eligible entities under section 4009(c) include sponsors of Projects that have submitted a Title XVI Feasibility Study to Reclamation for review and the study has been found to meet all of the requirements of [\*Reclamation Manual WTR 11-01: Title XVI Water Reclamation and Reuse Program Feasibility Study Review Process\*](#) by the date that this NOFO is posted. If a feasibility study has been reviewed by Reclamation and found to meet the requirements of WTR 11-01, but the review findings have not yet been transmitted to Congress, Reclamation will transmit those findings to Congress either before project selections are made or concurrently with project selections. Eligibility does not entitle an applicant to any future Federal funding or create a new project authorization.

## **C2. Cost Sharing or Matching**

### **Cost Sharing / Matching Requirement**

Yes

This program has a cost share requirement.

Applicants must be capable of cost sharing 75 percent or more of the total Project costs. The total Project cost is defined as the total allowable costs incurred under a Federal award and all required cost share and voluntary committed cost share contributions, including third-party contributions.

Cost share may be made through cash, costs contributed by the applicant, or third-party in-kind contributions. Third-party in-kind contributions is the value of non-cash contributions of property or services that benefit the federally assisted project and are contributed by non-Federal third parties, without charge. Cost-share funding from sources outside the applicant's organization (e.g., loans or state grants) should be secured and available to the applicant prior to award. Please see *Sections D.2.2.8. Project Budget* and *D.2.2.10. Official Resolution* for more information regarding the documentation required to verify commitments to meet cost-sharing requirements.

Other sources of Federal funding may not be counted towards the required cost share. The exception to this requirement is where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs, such as awards to tribal organizations under P.L. 93-638, as amended. If it is determined that the Federal funding cannot be applied towards the non-Federal cost share, the work associated with the funding may be removed from the proposed project or the Federal funding will be counted toward the 25 percent Federal cost share for the project. Please identify any other Federal funding received for the Project.

See Section C.2 of the Attachment for more information regarding cost-share regulations and third-party contributions.

### **C3. Other**

**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**

Planning, design, and construction of water reclamation and reuse facilities that are eligible for funding under section 4009(c) of the WIIN Act, P.L. 114-322. In order to be eligible for funding, the Project must have a completed Feasibility Study that has been reviewed by Reclamation and found to meet all of the requirements of Reclamation Manual Release WTR 11-01 by the date that this NOFO is posted. If a feasibility study has been reviewed by Reclamation and found to meet the requirements of WTR 11-01, but the review findings have not yet been transmitted to Congress, Reclamation will transmit those findings to Congress either before project selections are made or concurrently with project selections. Eligibility does not entitle a project to any future Federal funding or create a new project authorization.

**See Section C.4.2 and Section C.4.3 of the Attachment for information regarding ineligible projects and Length of Projects**

## **D. Application and Submission Information**

### **D1. Address to Request Application Package**

This document contains all information, forms, and electronic addresses required to obtain the information required for submission of an application.

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 staff at [sha-dro-fafoa@usbr.gov](mailto:sha-dro-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**

**All applications must conform to the requirements set forth in Section D.2. of the Attachment.**

Applicants must submit the appropriate SF-424 Budget Information form and Budget Narrative. For non-construction programs or projects, applicants must complete and submit the SF-424A, “Budget Information for Non-Construction Programs” form. All of the required application forms are available with this announcement on Grants.gov. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200.

## **Detailed Budget Narrative**

The total project cost is the sum of all allowable items of costs, including all required cost sharing and voluntary committed cost sharing (including third-party contributions) that are necessary to complete the Project. The budget proposal should include detailed information on the categories listed below and must clearly identify *all* Project costs, including those that will be contributed as a non-Federal cost share by the applicant (required and voluntary), third-party in-kind contributions, and those that will be covered using the funding requested from Reclamation, and any requested pre-award costs. Unit costs must be provided for all budget items, including the cost of services or other work to be provided by consultants and contractors. Applicants are strongly encouraged to review the procurement standards for Federal awards found at 2 CFR §200.317 through §200.327 before developing their budget proposal.

Submission of a budget narrative is mandatory. An award will not be made to any applicant who fails to fully disclose this information. The budget narrative provides a discussion of, or explanation for, items included in the budget proposal. The types of information to describe in the narrative include, but are not limited to, those listed in the following subsections. Costs, including the valuation of third-party in-kind contributions, must comply with the applicable cost principles contained in 2 CFR §200, available at the Electronic Code of Federal Regulations ([www.ecfr.gov](http://www.ecfr.gov)). See Section D.2.2.8 of the Attachment for budget narrative requirements.

## **Conflict of Interest Disclosure**

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.112](http://www.ecfr.gov), 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.

### **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.

### **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](mailto: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.

### **D4. Submission Dates and Times**

#### **Due Date for Applications**

03/15/2022

### **Application Due Date Explanation**

March 15, 2022, 4:00 p.m. Mountain Daylight Time (MDT)

Proposals received after the application deadline will not be considered unless it can be determined that the delay was caused by Reclamation mishandling or technical issues with the Grants.gov application system. Please note that difficulties related to an applicant's Grants.gov profile (e.g., incorrect organizational representative), uploading documents to Grants.gov, or an applicant's SAM registration are not considered technical issues with the Grants.gov system.

Submitted applications must be submitted no later than 4:00 p.m. Mountain Standard Time (MST) on the listed application due date.

**See Section D.4.1 in the attachment to find Application Delivery Instructions, Instructions for Submission of Project Application, Acknowledgement of Application Receipt**

#### **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**

Not Applicable.

##### **Indirect Costs: Organizations**

If the applicant has never received a Federal negotiated indirect cost rate, the budget may include a *de minimis* rate of up to 10 percent of modified total direct costs. For further information on modified total direct costs, refer to 2 CFR §200 available at [www.ecfr.gov](http://www.ecfr.gov).

If the applicant does not have a federally approved indirect cost rate agreement and is proposing a rate greater than the *de minimis* 10 percent rate, include the computational basis for the indirect expense pool and corresponding allocation base for each rate. Information on "Preparing and Submitting Indirect Cost Proposals" is available from the Department's Interior Business Center, and Indirect Cost Services, at <http://www.doi.gov/ibc/services/finance/indirect-cost-services>. If the proposed project is selected for award, the recipient will be required to submit an indirect cost rate proposal with their cognizant agency within 3 months of award.

## **D7. Other Submission Requirements**

### **Pre-award Costs**

Project costs incurred prior to the date of award may be submitted for consideration as an allowable reimbursable expense or as a non-Federal cost share as long as they were incurred after the date of Reclamation's feasibility study review findings.

Reclamation will review the proposed pre-award costs to determine if they are allowable in accordance with the applicable cost principles. To be considered allowable, any pre-award costs proposed for consideration under the new awards must comply with all applicable requirements under this NOFO.

### **Automated Standard Application for Payments Registration**

All applicants must also be registered with and willing to process all payments through the Department of Treasury Automated Standard Application for Payments (ASAP) system. All recipients with active financial assistance agreements with Reclamation must be enrolled in ASAP under the appropriate Agency Location Code(s) 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. Information on the enrollment process for recipients, including the enrollment initiation form, can be requested by e-mail from sha-dro-asap\_ [enr@usbr.gov](mailto:enr@usbr.gov). Note: If your entity is currently enrolled in the ASAP system with an agency other than Reclamation, you must enroll specifically with Reclamation in order to process payments.

## **E. Application Review Information**

### **E1. Criteria**

#### **Evaluation Criterion 1—Water Supply (35 points)**

**Maximum Points: 35**

##### **Subcriterion No. 1a—Stretching Water Supplies (18 points)**

Points will be awarded based on the extent to which the Project is expected to secure and stretch reliable water supplies. Consideration will be given to the amount of water expected to be made available by the Project; the extent to which the Project will reduce demands on existing water supplies and/or facilities and/or reduce, postpone, or eliminate the development of new water supplies; and the performance measures that will be used to measure the benefits of the Project to otherwise reduce water diversions.

1. How many acre-feet of water are expected to be made available each year upon completion of the Project? What percentage of the present and/or future annual demand in the project sponsor's service area will the Project's reclaimed water provide upon Project completion? The percentage should be based on the total service area demand, not just recycled water demand. Use the total capacity of the entire Project upon completion, not just the water that will be produced by the activities that will be completed over the next 2 years.
2. Will the Project reduce, postpone, or eliminate the development of new or expanded non-recycled water supplies? Explain.

3. Will the Project alleviate pressure on existing water supplies and/or facilities? If so, please describe the existing water supplies, identify the supplies and/or facilities that will be impacted and explain how they will be impacted by the Project, including quantifications where applicable.
4. What performance measures will be used to quantify actual benefits upon completion of the Project?

**Subcriterion No. 1b—Contributions to Water Supply Sustainability (17 points)**

Points will be awarded for Projects that contribute to a more reliable water supply.

1. Will the Project make water available to address a specific concern? Consider the number of acre-feet of water and/or the percentage of overall water supply to be made available by the Project. Explain the specific concern and its severity. Also explain the role of the Project in addressing that concern and the extent to which the Project will address it. Specific concerns may include, but are not limited to:
  - Water supply shortages
  - Water supply reliability
  - Groundwater depletion
  - Water quality issues
  - Natural disasters that may impact water supply infrastructure
  - Heightened competition for water supplies
  - Availability of alternative supplies
  - Increasing cost of water supplies
2. Will the project address climate change? E.O. 14008: Tackling the Climate Crisis at Home and Abroad focuses on increasing resilience to climate change and supporting climate resilient development. Please describe how the project will address climate change.
3. Will the project help create additional flexibility to address drought? Will water made available by this Project continue to be available during periods of drought? To what extent is the water made available by this Project more drought resistant than alternative water supply options? Explain.
4. Has the area served by the Project been identified by the United States Drought Monitor as experiencing severe, extreme, or exceptional drought at any time in the last 4 years?

Has the area served by the Project been designated as a drought disaster area by the State in the last 4 years?

**Evaluation Criterion 2—Environment and Water Quality (18 points)**

**Maximum Points: 18**

Points will be awarded based on the extent to which the Project will improve surface, groundwater, or effluent discharge quality; will restore or enhance habitat for non-listed species; will address problems caused by invasive species; or will provide water or habitat for federally listed threatened or endangered species. Indirect benefits of the project will also be considered under this criterion.

1. Will the Project improve the quality of surface water or groundwater? If so, how?
2. Will the Project improve effluent quality beyond levels necessary to meet State or Federal discharge requirements?
3. Will the Project improve flow conditions in a natural stream channel? If so, how?
4. Will the Project restore or enhance habitat for non-listed species? If so, how?
5. Will the Project provide water or habitat for federally listed threatened or endangered species? If so, how?

**Evaluation Criterion 3—Economic Benefits (25 points)**

**Maximum Points: 25**

**Subcriterion No. 3a—Cost Effectiveness (15 points)**

Points will be awarded based on the cost per acre-foot of water expected to be delivered upon completion of the Project and how the cost of the Project compares to a non-reclaimed water alternative. Please use costs related to the entire Project, not just the cost of work over the next 2 years or the phase that is currently being constructed. Costs should be provided for the entire Project described in the Reclamation approved feasibility study.

1. Reclamation will calculate the cost per acre-foot of water produced by the Project using information provided by Project sponsors. For a description of how this calculation is done, please see the Title XVI Frequently Asked Questions webpage at <https://www.usbr.gov/watersmart/title/faq.html>.

Please provide the following information for this calculation:

- a. The total estimated construction costs, by year, for the Project (include all previous and planned work) as shown in Table 4.

Table 4. Estimated Construction Costs by Year

	Calendar Year	Construction Cost		Calendar Year	Construction Cost
1.			6.		
2.			7.		
3.			8.		
4.			9.		
5.			10.		

- b. The total estimated or actual costs to plan and design the Project. Note: This should not include the cost to complete a feasibility study that meets the requirements of Reclamation’s Directives and Standards WTR 11-01, *Title XVI Water Reclamation and Reuse Program Feasibility Study Review Process*, at [www.usbr.gov/recman/wtr/wtr11-01.pdf](http://www.usbr.gov/recman/wtr/wtr11-01.pdf).
- c. The average annual operation and maintenance costs for the life of the Project. Please do not include periodic replacement costs in the operation and maintenance costs. Periodic

replacement costs should be provided separately in response to (f) below. Note: this is an annual cost—not total cost.

- d. The year the Project will begin to deliver reclaimed water.
- e. The Projected life (in years) that the Project is expected to last. Note: this should be measured from the time the Project starts delivering water.
- f. All estimated replacement costs by year as shown in Table 5. If there are multiple replacement costs in one (1) year, or at the same interval, please total them and put them on one line with the year or interval.

Table 5. Replacement Costs by Year

	Description of Replacement Requirement	Year	Cost
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			

- g. The maximum volume of water (in acre-feet) that will be produced annually upon completion of the Project. This volume of water must correspond to the costs provided above. If costs are only provided for a portion or phase of the project, then only the water produced by that same portion or phase of the project will be considered under this criterion.
2. Reclamation will calculate the cost per acre-foot for the Title XVI Project using the information requested in question No. 1 and compare it to the non-reclaimed water alternative, and any other water supply options identified by the applicant to evaluate the cost effectiveness of the Project. Please provide the following information for this comparison:
- a. A description of the conditions that exist in the area and projections of the future with, and without, the Project.
  - b. Provide the cost per acre-foot of other water supply alternatives that could be implemented by the non-Federal Project sponsor in lieu of the Project. This must include, but is not limited to, one non-reclaimed water alternative that would satisfy the same demand as the Project. Other water supply alternatives beyond one non-reclaimed water alternative are not required, but may be provided where available to demonstrate the cost effectiveness of the Project.
  - c. If available, provide the cost per acre-foot of one water supply project with similar characteristics to the Project. This information does not have to be provided if it is not

available. It is intended to provide another possible comparison to demonstrate the cost effectiveness of the Project.

- d. Discussion of the degree to which the Project is cost-effective. Include, where applicable, a discussion of why the Project may be cost effective even if the overall Project cost appears to be high.

**Subcriterion No. 3b—Economic Analysis and Project Benefits (10 points)**

Points will be awarded based on the analysis of the Project's benefits relative to the Project's costs. Please use costs related to the entire Project—not just the cost of work over the next 2 years.

1. Summarize the economic analysis performed for the Project including information on the Project's estimated benefits and costs. Describe the methodologies used for the analysis that has been conducted. Points will be awarded based on a comparison of the benefits and costs of the Project. The information provided should include:
  - a. Quantified and monetized Project costs, including capital costs and operations and maintenance costs.
  - b. Quantified and monetized Project benefits. This includes benefits that can be quantified and expressed as a monetized benefit per acre-foot. This may include, but is not limited to, benefits related to water supply quantity and water supply reliability, recreational benefits, ecosystem benefits, water quality, energy efficiency, and environmental compliance and permitting. Benefits may also include the avoided costs of no action (i.e., the costs that would be incurred if the Project were not implemented), and the willingness of users or customers to pay for a benefit or to avoid a negative outcome (e.g., the willingness of households to pay for a water supply system that would reduce groundwater overdraft). If quantified and/or monetized information for these benefits is not available, they may be addressed in response to question two below.
  - c. A comparison of the Project's quantified and monetized benefits and costs.

*\*Please note that information must be included in the proposal to be considered. Scores will not be based on information provided in the Project's feasibility study if the information is not included in the proposal.*

2. Some Project benefits may be difficult to quantify and/or monetize. Describe any economic benefits of the Project that are difficult to quantify and/or monetize. Provide a qualitative discussion of the economic impact of these benefits. Points will be awarded based on the potential economic impact of the Project-related benefits. Some examples of benefits may include, but are not limited to, acres of land or stream miles that may be benefitted or not harmed, benefits to habitat or species, flood risk mitigation, local impacts on residents and/or businesses, job creation, and regional impacts. This may also include benefits listed in question one, if they have not been monetized (e.g., water reliability, water quality, recreation).

**Evaluation Criterion 4—Reclamation's Obligations and Benefits to Rural or Economically Disadvantaged Communities (12 points)**

**Maximum Points: 12**

**Subcriterion No. 4a—Legal and Contractual Water Supply Obligations (4 Points)**

Points will be awarded for Projects that help to meet Reclamation's legal and contractual



obligations.

Explain how the Project relates to Reclamation's mission and/or serves a Federal interest. Does the Project help fulfill any of Reclamation's legal or contractual obligations such as providing water for Indian Tribes, water right settlements, river restoration, minimum flows, legal court orders, or other obligations? If so, explain. Note: a Project may help Reclamation fulfill its obligations even if the project sponsor is not a Reclamation contractor, and indirect benefits to Reclamation will also be considered under this criterion.

The President's memorandum "Tribal Consultation and Strengthening Nation-to-Nation Relationships" asserts the importance of honoring the Federal government's commitments to Tribal Nations. If the project will provide water for a Tribe, identify whether the project will increase water supply sustainability for an Indian Tribe, directly support tribal resilience to climate change or drought impacts, or provide other tribal benefits such as improved public health and safety through water quality improvements or economic growth opportunities.

Subcriterion No. 4b—Benefits to Rural or Economically Disadvantaged Communities (8 Points)  
Points will be awarded based on the extent to which the Project serves rural communities or economically disadvantaged communities in rural or urban areas.

1. Does the Project serve a rural community, or are there any rural communities within the Project sponsor's service area? If so, provide supporting information. A rural community is defined as a community with fewer than 50,000 people. This may include rural areas that are part of a larger urban area.
2. Does the Project serve an economically disadvantaged community, or are there any economically disadvantaged communities within the Project sponsor's service area? If so, provide supporting information. This may include neighborhoods or census tracts within a larger service area that are economically disadvantaged. A community may be considered disadvantaged based on a combination of variables that may include the following:
  - Low income, high and/or persistent poverty
  - High unemployment and underemployment
  - Racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities
  - Linguistic isolation
  - High housing cost burden and substandard housing
  - Distressed neighborhoods
  - High transportation cost burden and/or low transportation access
  - Disproportionate environmental stressor burden and high cumulative impacts
  - Limited water and sanitation access and affordability
  - Disproportionate impacts from climate change
  - High energy cost burden and low energy access
  - Jobs lost through energy transition
  - Access to healthcare

**Evaluation Criterion 5—Watershed Perspective (10 Points)**

**Maximum Points: 10**

Points will be awarded based on the extent to which the Project promotes or applies a watershed perspective by implementing an integrated resources management approach, implementing a regional planning effort, forming collaborative partnerships with other entities, or conducting public outreach.

A watershed perspective generally means an approach to planning directed at meeting the needs of geographically dispersed localities across a region or a watershed that will take advantage of economies of scale and foster opportunities for partnerships. This approach also takes into account the interconnectedness of water and land resources, encourages the active participation of all interested groups, and uses the full spectrum of technical disciplines in activities and decision making.

1. Does the Project implement a regional or state water plan or an integrated resource management plan? Explain.
2. Does the Project help meet the water supply needs of a large geographic area, region, or watershed? Explain.
3. Does the Project promote collaborative partnerships to address water-related issues? Explain.
4. Does the project include public outreach and opportunities for the public to learn about the project? Explain.

**E2. Review and Selection Process**

The Federal government reserves the right to reject any and all applications that do not meet the requirements or objectives of this NOFO. Awards will be made for Projects most advantageous to the Federal government. Award selection may be made to maintain balance among the eligible projects listed in this NOFO. The evaluation process will be comprised of the steps described in the following subsections.

**E.2.1. Initial Screening**

All application packages will be screened to ensure that:

- The applicant meets the eligibility requirements stated in this NOFO.
- The applicant meets the unique entity identifier and SAM registration requirements stated in this NOFO (this may be completed up to 30 days after the application deadline).
- The application meets the content requirements of the NOFO package, including submission of a technical proposal, including responses to the evaluation criteria, a funding plan, budget proposal, and budget narrative.
- The application contains a properly executed SF-424 Application for Federal Assistance, form SF-424C Budget Information—Construction Programs, and form SF-424D Assurances—Construction Programs.
- The application includes an official resolution, adopted by the applicant’s board of directors, governing body, or appropriate authorized official (this may be submitted up to 30 days after the application deadline).

- The application and funding plan meets or exceeds the minimum non-Federal cost share requirements identified in this NOFO.

Reclamation reserves the right to remove an application from funding consideration if it does not pass all of the Initial Screening criteria listed above. An applicant that has submitted an application that is determined to be ineligible for funding will be notified along with other applicants, or sooner, if possible.

#### **E.2.2. Application Review Committee Evaluation**

Evaluation criteria will comprise the total evaluation weight as stated in the *Section E. Application Review Information*. Applications will be scored against the evaluation criteria by an Application Review Committee (ARC), made up of experts in relevant disciplines selected from across Reclamation. The ARC will also review the application to ensure that the proposed Project meets the description of eligible Projects, meets the feasibility study requirement and meets the objective of this NOFO.

Prior to and during ARC review, Reclamation may contact applicants to request clarifications to the information provided, if necessary.

#### **E.2.3. Red-Flag Review**

Following the results of the ARC review, Reclamation offices will review the top-ranking applications and will identify any reasons why a proposed Project would not be feasible or otherwise advisable, including environmental or cultural resources compliance issues, permitting issues, legal issues, or financial position. Positive or negative past performance by the applicant and any partners in previous working relationships with Reclamation may be considered, including whether the applicant is making significant progress toward completing outstanding financial assistance agreements and whether the applicant is in compliance with all reporting requirements associated with previously funded projects.

In addition, during this review, Reclamation will address any specific concerns or questions raised by members of the ARC, conduct a preliminary budget review, and evaluate the applicant's ability to meet cost share as required.

#### **E.2.4. Managerial Review**

Reclamation management will prioritize Projects to ensure the total amount of all awards does not exceed available funding levels. Management will also ensure that all Projects meet the scope, priorities, requirements, and objectives of this NOFO. Management may also prioritize Projects to ensure that multiple project types are represented. After completing the Managerial Review, Reclamation may notify applicants whose proposals have been selected for award consideration.

#### **E.2.5. Pre-Award Clearances and Approvals**

The following pre-award clearances and approvals must be obtained before an award of funding is made. If the results of all pre-award reviews and clearances are satisfactory, an award of funding will be made once the agreement is finalized (approximately 1 to 3 months from the date of initial selection). If the results of pre-award reviews and clearances are unsatisfactory, consideration of funding for the Project may be withdrawn.

##### **E.2.5.1. Environmental and Cultural Review**

If the work planned to be completed prior to September 30, 2024, includes construction activities, Reclamation will forward the proposal to the appropriate Reclamation Regional or

Area Office for completion of environmental and cultural compliance. However, in most cases, planning and design does not involve ground-disturbing activities and may proceed prior to completion of the environmental and cultural review. The financial assistance agreement will describe how compliance will be carried out and how the costs will be paid. Ground-disturbing activities may not occur until this second level of environmental analysis is completed.

***Note: Any construction costs incurred prior to the completion of environmental and cultural compliance are not eligible for reimbursement and cannot be used to meet the non-Federal cost-share requirement.***

#### **E.2.5.2. Budget Analysis and Business Evaluation**

A Reclamation Grants Officer will also conduct a detailed budget analysis and complete a business evaluation and responsibility determination. During this evaluation, the Grants Officer will consider several factors that are important, but not quantified, such as:

- Allowability, allocability, and reasonableness of proposed costs.
- Financial strength and stability of the applicant.
- Past performance, including satisfactory compliance with all terms and conditions of previous awards, such as environmental compliance issues, reporting requirements, proper procurement of supplies and services, and audit compliance.
- Adequacy of personnel practices, procurement procedures, and accounting policies and procedures, as established by applicable Office of Management and Budget circulars.

### **E3. CFR – Regulatory Information**

Prior to making an award with a Federal total estimated amount greater than \$150,000, Reclamation is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently Federal Award Performance Integrity Information System [FAPIIS]) (see 41 U.S.C. §2313). Applicants, at their option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. Reclamation will consider any comments by applicants, in addition to the other information in FAPIIS, in making a judgment about the applicants' integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR §200.205 Federal awarding agency review of risk posed by applicants.

### **E4. Anticipated Announcement and Federal Award Dates**

Reclamation expects to contact potential award recipients and unsuccessful applicants in the spring of 2022 (or later if necessary), subject to the timing of final FY 2022 appropriations.

### **F. Federal Award Administration Information**

## **F1. Federal Award Notices**

Successful applicants will receive a notice of selection signed by a Reclamation Grants Officer by email. This notice is not an authorization to begin performance.

## **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.

**See Section F of the Attachment for additional National Policy Requirements.**

## **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.

### **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.

**See Section F.3 for interim and final performance report content requirements.**

### **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.

### **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.

### **F.2.5. Additional Bipartisan Infrastructure Law Requirements**

**Wage Rate Requirements (Davis-Bacon Act)**—Section 41101 of the Bipartisan Infrastructure Law requires that all laborers and mechanics employed by contractors or subcontractor in the performance of construction, alteration, or repair work on a project assisted in whole or in part by funding made available under the Bipartisan Infrastructure Law (P.L. 117-58) shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code (commonly referred to as the Davis-Bacon Act). Application of Buy America Preference—Section 70914 of the Bipartisan Infrastructure Law requires that, unless a waiver is approved, funding made available for Federal financial assistance programs for infrastructure under the Law may only be obligated to projects where all of the iron, steel, and manufactured goods used in the project are produced in the United States.

### **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.

### **Releasing Applications**

Following awards of funding, Reclamation may post all successful applications on the Reclamation website after conducting any redactions determined necessary by Reclamation, in consultation with the recipient.

## **G. Federal Awarding Agency Contact(s)**

### **G1. Program Technical Contact**

For **programmatic technical assistance**, contact:

First Name:

Amanda

Last Name:

Erath

Address:

P.O. Box 25007, MS 86-69200 Denver, CO 80225

Telephone:

303-445-2766

Email:

aerath@usbr.gov

Questions regarding applicant and project eligibility and application review may be submitted to the Program Coordinator

### **G2. Financial Assistance Administrative Contact**

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

First Name:

Reclamation NOFO Team

Last Name:

Address:

P.O. Box 25007, MS-84-27133 Denver, CO 80225

Telephone:

Email:

[sha-dro-fafoa@usbr.gov](mailto:sha-dro-fafoa@usbr.gov)

Questions regarding application and submission information and award administration may be submitted to [sha-dro-fafoa@usbr.gov](mailto:sha-dro-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](mailto:Support@grants.gov)

### **H. Other Information**

**For a brief overview of NEPA, NHPA, and ESA see Section H. of the Attachment.**