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NOTICE OF FUNDING OPPORTUNITY

Agency: Denali Commission

Date: 16 February 2021

Title: Rural Alaska Household Hazardous Waste Backhaul Service Program

Announcement Type: Initial Solicitation

Notice of Funding Opportunity Number: DC-EPA-21-001

Assistance Listing: 90.100 Denali Commission Program

Application Deadline: 2 April 2021

Entities wishing to apply for this opportunity may download the full NOFO package from the Denali Commission website at <https://www.denali.gov/programs/backhaul-services/>

Applicants may address administrative questions to:

Janet Davis
Denali Commission Grants Management Officer
jdavis@denali.gov
(907) 271-1414 or (907) 271-3036

Applicants may address program related questions to:

Jocelyn Fenton
Denali Commission Program Manager
jfenton@denali.gov
(907) 271-1414 or (907) 271-4714

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1. Background

Solid waste landfills in rural Alaska are not designed for the disposal of household hazardous waste, other waste materials that contain hazardous components, or wastes that may otherwise pose environmental issues for communities. The best management practice for rural Alaska is to ship these waste materials not appropriate for local disposal out of remote areas to recyclers and disposal facilities. Considering the high cost of shipping in rural Alaska, cost efficiencies can be achieved by shipping waste on shipping vessels, aircraft, or trucks when they return from delivering materials to rural Alaska, which is also known as “backhauling.” To ensure that the waste’s shipment is conducted safely and complies with applicable regulations, rural communities are best supported when they receive proper training, supplies, and coordination assistance. A centrally coordinated backhaul program can support rural Alaska communities in building their capacity to operate their local backhaul service, coordinate with transporters, recyclers, and disposal facilities on their behalf, and achieve economies of scale. A coordinated backhaul program is most successful when it can deliver backhaul services to a greater number of communities at lower costs.

The Denali Commission (Commission) and the US Environmental Protection Agency (EPA) entered into an Interagency Agreement to support the development and implementation of a household hazardous waste backhaul service program for rural Alaska. The provision of coordinated services to support rural community backhaul aligns with the Commission’s mission to promote rural infrastructure and development in Alaska and EPA’s mission to protect human health and the environment.

2. Funding Opportunity Description

This Notice of Funding Opportunity (NOFO) announces the availability of funds. It solicits applications from eligible applicants interested in acting as a lead entity to implement a household hazardous waste backhaul service program to serve communities located in rural Alaska and ensure the removal and safe disposal of household generated waste materials that are not appropriate for disposal in rural Alaska landfills. Rural Alaska communities that can be served with funding resulting from this NOFO include those communities in Alaska not connected by road to a Class I Municipal Solid Waste Landfill (MSWLF)¹ or, if connected by a road, is located more than 50 miles from a Class I MSWLF. At least 60 percent of the rural Alaska entities served by the backhaul program must be Federally Recognized Tribes. The authority for this solicitation is Section 305 of the Denali Commission Act of 1998, which authorizes the Commission, acting through the Federal Co-Chairperson, to award grants.

Funds made available via this NOFO are for the administration of a waste backhaul service program that serves communities located in rural Alaska and the implementation of a plan for sustained program growth and funding. Activities that may be funded under this NOFO include, but are not limited to:

- Coordinate the provision of training, technical assistance, supplies, equipment, consultation, coordination, and any other support needed by rural Alaska communities to build their capacity to backhaul household hazardous waste and other waste materials that are not appropriate for disposal in Class III landfills.
- Coordinate with tribes, municipalities, transporters, recycling/disposal end destinations, and others to collect, transport, and properly recycle or dispose of household hazardous waste and

¹ To find the locations of Class I landfills, see the Alaska Department of Environmental Conservation Solid Waste Information Management System database: <https://dec.alaska.gov/applications/eh/swims/search.aspx>

other waste materials in a safe and legally compliant manner.

- Develop internal program operations and administrative structures to deliver backhaul services to rural Alaska communities, including developing and implementing service provision plans, program governance structure, performance management plan, communications, data management and information technology system, operations plans, etc.
- Develop and implement a plan for service provision, program growth, and generating sustained funding.
- Serve as a leader for coordinating waste backhaul in the state and build on the efforts and work-to-date conducted by/with partners to create and sustain a strong network of capacity building support for rural Alaska communities.

The Commission expects to award one grant through this NOFO, subject to the availability of funds, the quality of applications received, and other applicable considerations. Applicants may include subawards and contracts to accomplish program objectives in their proposals.

This NOFO provides funding for the coordination of safe removal and disposal of household hazardous waste and other materials that are generated in households located in rural Alaska communities and not appropriate for disposal in Class III landfills due to their hazardous constituents.² Applicants are encouraged to describe the materials that they propose to backhaul in their proposal and the justification for focusing on specific waste materials. If an applicant is interested in backhauling materials that do not contain hazardous components, such as aluminum, scrap metal, or certain plastics, the applicant is encouraged to justify the incorporation of those materials into their proposed program. Funding under this NOFO cannot be used to subsidize disposal costs for hazardous waste generators regulated as Very Small Quantity Generators, Small Quantity Generators, or Large Quantity Generators.³ If the applicant plans to serve regulated hazardous waste generators as part of the backhaul service program, the applicant must detail how waste from those regulated generators will be managed to ensure regulatory compliance and how the applicant will ensure federal funding is not used to pay for their backhaul cost share.

Terms used in this NOFO include:

- *Contract* is a legal instrument by which a recipient purchases property or services needed to carry out the project under an award. A contract/contractor provides the goods and services within normal business operations; provides similar goods or services to many different purchasers; normally operates in a competitive environment; and provides goods or services “that are ancillary” to program operations.
- *Financial Assistance Award (FAA)* is the grant/award agreement documentation between the

² The waste materials that are the focus of this NOFO are common household products that contain hazardous substances, such as chemical cleaning products, solvents, batteries, pesticides, mercury-containing equipment, lamps, antifreeze, refrigerants, engine fluids, paint thinners, adhesives, waste products that contain heavy metals, waste electronics, etc. For more information about Household Hazardous Waste, see <https://www.epa.gov/hw/household-hazardous-waste-hhw>

³ For more information about Hazardous Waste Generators as established in 40 CFR part 262, see <https://www.epa.gov/hwgenerators/categories-hazardous-waste-generators>

recipient and the Denali Commission.

- *Recipient* means an applicant that is awarded a Denali Commission grant.
- *Subaward* is a program award to subrecipient(s), passing-through a portion of the award to another entity for the purpose of programmatic effort on the project.
- *Successful Applicant* means an applicant that is awarded a Denali Commission grant, also referred to as a Recipient.

3. Federal Award Information

The Commission anticipates awarding one award resulting from this NOFO. The total estimated funding for this competitive opportunity is \$3,000,000, subject to the availability of funds, the quality of applications received, and other applicable considerations. The selected applicant (recipient) can anticipate up to \$1,000,000 per year in funding and an overall project period of up to five years. Funding will initially be awarded for one year, with the option to extend the period of performance and increase funding upon satisfactory completion of the first year of program activities. Funding is expected to be provided incrementally over a three-year budget period and subsequent incremental funding possible through year five, subject to satisfactory performance of work, adequate and timely expenditure of grant funds, Commission approval of the work plan, and other applicable considerations.

If appropriate, the Commission reserves the right to make additional awards under this announcement, consistent with agency policy and guidance, or partially fund applications by funding discrete phases or projects or adjusting the expected award timeframes as appropriate.

The recipient will be funded through a Financial Assistance Award (FAA) between the Commission and the recipient. The FAA will include the information stipulated in 2 CFR 200.210 (general award information, terms and conditions, budget, schedule, deliverables and reporting requirements). The Commission's FAA general terms and conditions are attached for reference as Exhibit 1. Guidance and requirements for all FAAs awarded by the Commission are summarized in *Recipient Guidelines and Requirements* (RGR), dated September 2018. A copy of the RGR is available on the Commission website, which can be found here:

<https://www.denali.gov/wp-content/uploads/2018/11/FINAL-RGR-10-01-20182.pdf>

The recipient will be issued a cooperative agreement. A cooperative agreement is an assistance agreement that is used when there is substantial federal involvement with the recipient during the performance of the agreement. As agreed in the Denali Commission and EPA Interagency Agreement, the EPA will coordinate Commission and EPA involvement in the awarded activities. This involvement may include, but is not limited to, collaboration on the scope of work, working with EPA and/or Commission program offices to support program success, and communicating progress toward successful execution of the backhaul service program. EPA, in coordination with the Commission, will negotiate the precise terms and conditions of "substantial involvement" with the recipient as part of the work planning and award process.

Pre-award project direct costs are generally unallowable; however, pre-award costs may be considered in FAA negotiations between the Commission and the recipient. Incurring pre-award costs is at the applicant's own risk.

The recipient will be required to submit additional forms and certifications during the development of the FAA documents, including Standard Form SF-424, Application for Federal Assistance. The Commission uses a platform known as GrantSolutions to process new FAAs and amendments to existing FAAs.

As stated above, the initial performance period for the award issued pursuant to this NOFO will be 12 months and may be extended as appropriate. Program components should be developed such that they can be fully executed within the award period.

Denali Commission award recipients will be required to:

- Provide a valid Data Universal Numbering System (DUNS) number prior to award.
- Be registered in the System for Award Management (SAM.gov) prior to award.
- Continue to maintain an active SAM registration with current information at all times during the award performance period.

Though not required to apply for or renew a registration during the application period for this NOFO, applicants are encouraged to address the SAM registration and DUNS number requirements during the application process. The Commission may not issue an FAA until the applicant has complied with all applicable SAM and DUNS requirements. Registration in these systems can take up to one month to complete and, if an applicant has not fully complied with the requirements by the time the Commission is ready to make an award, the Commission may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making an award to another applicant.

SAM registration must be renewed at least annually and entities initially registering in SAM must submit a notarized letter appointing an authorized entity administrator. Entities with an existing SAM registration that have not submitted a notarized letter must do so. To register in SAM or update an existing registration, go to <https://www.sam.gov>. For assistance with SAM registration, contact your local Procurement Technical Assistance Center (PTAC) at <http://www.dla.mil/HQ/SmallBusiness/PTAC.aspx>.

When submitting a grant application, tribes must use the name of the tribe exactly as it appears on Bureau of Indian Affairs (BIA) list of federally recognized tribes. If the tribe's SAM registration name is not exactly the same as the legal name on BIA's list, the tribe should contact their local PTAC as soon as possible. Changing a name can take several weeks.

4. Eligible Applicants

Indian Tribal governments (Tribes) and intertribal consortia are eligible to receive funds through this NOFO. ([40 CFR § 35.502](#))

An Indian Tribal government (Tribe), except as otherwise defined in statute or applicable program specific regulation, is any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native Village, which is recognized as eligible by the U.S. Department of the Interior for the special services provided by the United States to Indians because of their status as Indians.

An *intertribal consortium* is a partnership between two or more Tribes authorized by the governing bodies of those Tribes to apply for and receive assistance.

An intertribal consortium must have adequate documentation of the partnership and authorization of the member Tribes to apply for and receive assistance. Documentation that demonstrates the existence of the partnership of Indian Tribal governments may consist of Tribal Council resolutions, Intertribal consortia resolutions in conjunction with a Tribal Council resolution from each member Tribe, or other written certification from a duly authorized representative of each Tribal government that demonstrates that a partnership of tribal governments exists. An intertribal consortium resolution is not adequate documentation of the member Tribe's authorization of the consortium unless it includes a written certification from a duly authorized representative of each Tribal government.

Groups of two or more eligible applicants may choose to form a coalition and submit a single application under this NOFO. However, one entity must be responsible for the Financial Assistance Agreement (FAA). Coalitions must identify which eligible organization will be the primary recipient of the FAA and which eligible organization(s) will be sub-awardees of the primary recipient. Sub-awards and sub-grants must be consistent with the definition of that term in 2 CFR Part 200. The recipient must administer the FAA, will be accountable to the Commission for proper expenditure of the funds and reporting, and will be the point of contact for the coalition. As provided in 2 CFR Part 22, sub-recipients or sub-grantees are accountable to the primary recipient or grantee for proper use of Commission funding.

Coalitions may not include for-profit organizations that will provide services or products to the selected applicant. For-profit organizations are not eligible for sub-awards. For-profit organizations are eligible to receive contracts. Any contracts for services or products funded with Commission financial assistance must be awarded under the competitive procurement procedures of 2 CFR Part 200. The regulations also contain limitations on consultant compensation.

5. Threshold Eligibility Criteria

Applicants must meet the threshold eligibility criteria listed below by the time of an applicant's submission or they will be eliminated from consideration for funding. Only applications meeting all the criteria will be evaluated against the score ranking factors in *Section 10: Application Review, Evaluation, and Selection Process*. Applicants whose applications are deemed ineligible due to the threshold review will be notified within 15 calendar days of the ineligibility determination. If an application is submitted that includes any ineligible tasks or activities, that portion of the application will be ineligible and may, depending on the extent to which it affects the application, render the entire application ineligible for funding.

1. Applications must substantially comply with the application submission instructions and requirements listed in *Section 8: Application Format and Submittal Requirements* and *Section 9: Application Contents* of this NOFO or they will be rejected. Where a page limit is expressed in this NOFO, pages in excess of the page limitation will not be reviewed.
2. Applications submitted after the submission deadline will be considered late and deemed ineligible without further consideration unless the applicant can demonstrate that it was late due to extraordinary circumstances or technical problems associated with the application. The Commission confirms receipt, so if you do not receive a confirmation, please check in with Janet Davis, jdavis@denali.gov.

3. Applicants must meet the eligibility requirements as described in *Section 4: Eligible Applicants*.

6. Performance Measurement

The applicant must develop performance measures they expect to achieve through the proposed funded activities and describe them in their application. These performance measures will be the main mechanism for tracking successful program management progress and will provide the basis for developing lessons to inform future related work. It is expected that the performance measures will include defined benchmarks or change in status, be described in terms of programmatic function or social/environmental condition, and be time constrained and/or quantifiable.

The Commission expects several outputs and outcomes to be produced with funding under this opportunity. The term “output” means an activity, effort, and/or associated work product related to a program goal and objective that will be produced or provided over a period of time or by a specified date. *Outputs* must be measurable during the award funding period. The term “outcome” means the result, effect, or consequence that will occur from carrying out a program or activity that is related to a programmatic goal or objective. *Outcomes* may be qualitative and environmental, behavioral, health-related, or programmatic in nature, but must also be quantitative. *Outcomes* may be achieved during the award funding period or after the award period has ended.

Activities funded under this award are expected to produce *outputs* such as, but not limited to:

- Deliver waste backhaul supplies and personal protective equipment to participating communities.
- Deliver training and technical assistance to participating communities
- Transport waste out of communities to proper disposal or recycling facilities
- Communicate with program participants and stakeholders regarding program activities
- Negotiate shipping rates with transporter companies
- Develop logistics and operations plans to support program implementation
- Complete research to incorporate into a sustained funding plan

Activities funded under this award are expected to produce programmatic and/or environmental *outcomes* including but not limited to:

- Reduced risk of environmental contamination
- Increased level of knowledge among program participants on waste management handling safety and best management practices
- Reduced number of communities disposing of household hazardous waste in Class III landfills
- Increased number of community members knowledgeable about waste backhaul and its local impact
- Reduced liability for waste transporters and recyclers/disposal facilities receiving waste shipments
- Sustained funding sources are developed to support program implementation after this grant award ends

7. Funding Restrictions

Award funds may not be used for lobbying or intervention in federal regulatory or adjudicatory proceedings. Award funding must be authorized by the statutory authority and may not be used to sue the federal government or any other government entity. In accordance with applicable law, regulation, and policy, any recipient of funding must agree to comply with restrictions on using assistance funds for unauthorized lobbying, fundraising, or political activities (i.e. lobbying members of Congress or lobbying for other federal grants, cooperative agreements, or contracts). The Commission reserves the right to make financial decisions regarding actions or costs incurred that are contrary or damaging to the intent and purposes of the award objectives. All costs incurred under this program must be allowable under 2 CFR 200, Subpart E.

The Commission recognizes that the recipient will be developing a plan for program growth and sustained funding. To develop a funding plan, a recipient might conduct planning meetings and develop communications as well as conduct research and analysis into program costs, cost projections, and future funding opportunities, which are activities that would not be considered lobbying or fundraising. Commission funds may not be used for lobbying.

8. Application Format and Submittal Requirements

All applications must be submitted via email to Janet Davis at jdavis@denali.gov no later than the time specified below. Facsimile or hardcopy mail applications can be accepted if pre-arranged. Any applications not electronically received at the email address provided on or before the specified date and time will not be considered.

The Commission will confirm receipt of each application, so applicants are encouraged to follow up if no confirmation is received.

Deadline:	Friday, 2 April 2021 at 5:00 PM AKDT
Address Responses To:	Janet Davis, Grants Officer jdavis@denali.gov Denali Commission 510 "L" St., Suite 410 Anchorage, Alaska 99501
Mark Submittals as Follows:	Application for Rural Alaska Household Hazardous Waste Backhaul Service Program Grant

Applications must include all required sections, adhere to the specified criteria, and not exceed the page number maximums specified. One page is defined as one side of a standard 8 ½-inch by 11-inch sheet of paper. Font size may be no smaller than 11 point.

- | | |
|-----------------------|------------------|
| A. Cover Letter | 1 page maximum |
| B. Project Summary | 1 page maximum |
| C. Narrative | 10 pages maximum |
| D. Budget with detail | 3 pages maximum |
| E. Appendix | 20 pages maximum |

9. Application Contents

A. Cover Letter

Each application must include a cover letter signed by an individual duly authorized to represent the entity applying. Failure to include all the required information in the cover letter may result in the application being rejected as non-responsive. The cover letter must include the following.

- Acknowledgment that the applicant has reviewed all information included in the original NOFO solicitation and all subsequent information related to the NOFO (if any) posted on the Commission's website prior to 19 March 2021.
- Certification that the applicant is in good standing with the Internal Revenue Service.
- If the applicant is an entity applying on behalf of a Tribal government(s), a statement confirming that the entity is authorized to apply on their behalf with a reference to an appropriate authorizing resolution included in the Appendix.

B. Program Summary

Each application must include a one-page summary that includes the following information:

- Name of applicant
- Program title and service location(s)
- Description of the program and approach for backhaul service delivery
- Total amount of requested funding and other funding/resources available or in-kind contribution
- Program milestones

C. Narrative

Each application must include a narrative section that describes the proposed program that specifically addresses all the evaluation criteria in *Section 10: Application Review, Evaluation, and Selection Process*. The narrative should include the following:

- **Service Delivery Approach:** Outline your proposed approach for working with communities, transporters, and end destinations to coordinate waste backhaul services. Describe the key components of the program and your approach for implementing them. Summarize the benefits you will provide to communities, how many you will serve, and how they will be selected. Describe the waste material(s) the program will backhaul and the reasoning behind the selected material. Describe your overall program management strategy, who will be conducting the work, and how you will ensure that work is implemented as planned. Describe how program management decisions will be made and by whom. Describe how you will deliver services compliant with applicable federal, state, and local regulations. Describe plans, existing or to be developed, for managing logistics, operations, information, communications, infrastructure, capital, or otherwise that may be required for streamlined service delivery. Note: the applicant will be required to monitor and report that at least 60 percent of entities receiving program service are Federally Recognized Tribes.

Applicants may include subawards or contracted services to accomplish the work proposed within their application. If subawards are proposed, applicants should describe any prior experience they have had in making and managing subawards and the degree to which that history has been

successful. Describe the system you will use to effectively negotiate, manage, and oversee subaward work, including your proposed system for making, managing, and monitoring subawards, and the internal controls that the organization has in place to ensure that the subaward management system is being properly implemented. Applicants acquiring professional or commercial goods or services must comply with the competitive procurement standards in 2 CFR 200.317 – 200.326 and cannot use a subaward/subgrant as the funding mechanism to procure commercial services.

- **Organization, Capacity, and Qualifications:** Provide information about your organization, including its mission, structure, leadership, programs, and unique expertise. Summarize your organization’s experience and capacity to manage Federal grant programs and your organization’s expertise in delivering waste backhaul or similar services to communities in Alaska. List key personnel and summarize their experience managing federal grants, programs, and contracts of a similar size or nature and the outcomes achieved. Resumes may be included in an appendix and will not count against the narrative section page limits.
- **Performance Measurement:** Describe how you will measure success for the program. Describe the outputs and outcomes you expect to achieve and your approach to managing the program’s overall performance. Describe the baseline(s) from which you will measure performance and the metrics you intend to track and measure during the performance period. Describe who will be monitoring program performance and how performance progress and results will be communicated.
- **Plan for Program Growth and Sustained Funding:** Describe your approach for expanding service delivery throughout the state over time and the activities you will undertake to secure funding for the program during and/or after the grant performance period has ended. Describe your approach for serving communities that may differ in their ability to pay for program services. Summarize what you expect to achieve with your described activities.
- **Partnerships:** Describe how you plan to work with partners to deliver backhaul services. Summarize the existing partnerships you plan to continue or new partnerships you plan to develop to accomplish program objectives.
- **Schedule:** Provide a program implementation schedule illustrating the proposed completion dates of significant milestones, including planning, start-up, and implementation activities. Demonstrate the ability to complete project activities within the award period.

D. Budget

Each application must provide a budget and funding estimate for the project that identifies and justifies the cost of the proposed work. An example Budget and Funding Table framework is furnished as Exhibit 2. All costs must be allowable, allocable, and reasonable in accordance with 2 CFR 200 Subpart E. A budget detail narrative should be provided that is sufficiently detailed to enable a clear understanding of the various cost elements of the project, the calculations used to derive line item subtotals, and other funding expected for the project. Include funding being leveraged from other sources or in-kind support. The budget should state the requested funding amount for each year. Include the following categories, as applicable. Note: this funding opportunity does not require a funding match and this funding opportunity will not fund construction costs.

- **Personnel:** Include personnel labor rates and fringe benefits as line items in the budget. Only include costs for employees working directly on the grant project. Include the number of staff, type of personnel, hourly wage (or salary), and total cost to the grant. Costs should be consistent with that paid for similar types of work within the organization. Fringe benefits included in the application must be consistent with benefits paid to all of the organization's employees. Fringe benefits are only for the percentage of time devoted to the grant project. This *Personnel* cost category is limited to only those individuals directly employed by your organization. The labor cost for individuals working on the project but not employed by your organization should be included in the *Contractual* category below.
- **Travel:** Summarize costs for travel required for project implementation. Provide the purpose, method of travel, number of people traveling, number of days, and estimated cost for each trip. If details of each trip are not known at the time of application submission, provide the basis for determining the amount requested.
- **Equipment:** Include costs for those items which are tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, unless the applicant has a clear and consistent written policy that results in a different threshold. Include a description, quantity, and unit price for all equipment owned by your organization that will be charged to the project. Each item of equipment must be identified with its corresponding cost. List fuel, maintenance and operator costs under their appropriate headings, such as supplies, contracts, or personnel/labor as appropriate. General-purpose equipment must be justified as to how it will be used during the program.

Equipment that costs less than \$5,000 should be included under "*Supplies*" or "*Other Direct Costs*." The costs for rented or leased equipment should be included in the "*Contractual*" or "*Other Direct Costs*" category, depending upon the procurement method.

- **Supplies:** Supplies are tangible personal property other than equipment. If supplies are requested, include a justification of why they are needed for project implementation. It is not necessary to document office supplies in great detail (for example: reams of paper, boxes of paperclips, etc.). However, applicants should include a quantity and unit cost for larger cost supply items such as computers and printers.
- **Contracts:** Include the estimated costs for labor (fully burdened), travel, materials, equipment, and freight for those activities to be performed by an individual or organization, other than the applicant, in the form of a procurement relationship. Applicants should include detailed budget information regarding all known contracts and indicate the basis for the estimated contract costs.
- **Other Direct Costs:** Include costs that do not fit any of the categories mentioned above, such as rent for buildings used to conduct project activities, utilities, leased equipment, employee training tuition, etc. *Other Direct Costs* must be itemized.
- **Indirect Costs (unless waived):** Indirect costs are an allowable cost under Commission awards. Indirect costs are incurred for common or joint objectives that benefit more than one project. If claiming an indirect cost rate, the applicant must include a signed copy of the approved negotiated rate agreement in the appendix, that is valid as of the date of the application. If the rate is not approved by the application due date, attach the letter of renewal or letter of request that you

sent to your cognizant agency with your application. A cognizant agency is the Federal agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals. Applicants that do not have an approved indirect cost rate agreement can use the 10% de-minimis rate referenced in 2 CFR 200.414. Indirect rates may only be applied to the first \$25,000 of any contract or subgrant related to a federal grant.

E. Appendix

The appendix may contain other relevant supporting materials such as plans, resumes of key personnel, maps of the service area, photographs, letters of support, etc. The use of photographs or figures to help communicate concepts discussed in the proposal is encouraged. Support material referenced in the text of an application but included in an appendix do not count against the cover letter, program summary, or narrative section page limits.

10. Application Review, Evaluation, and Selection Process

The Commission will review applications based upon merit per 2 CFR 200.204. An initial review will be conducted to determine if applications meet the threshold eligibility criteria and are consistent with program objectives. Only those applications meeting these initial criteria will be considered eligible and forwarded for formal review.

A Review Committee will review eligible applications established for this particular NOFO. The Committee will be comprised of at least three reviewers. Commission, EPA, and non-Commission subject matter experts may be members of the Committee. Each Committee member will score each application based on the evaluation criteria listed below. A combined Committee score will be assigned to each application by summing the scores from each reviewer.

The Review Committee will develop a ranked list of applications based on the combined Committee score. The Review Committee's highest-ranking application will be forwarded to the Denali Commission Federal Co-Chair for approval. The Committee will evaluate applications with the following score ranking method.

Evaluation Criterion	Max Score
A. Program Summary and Service Delivery Approach	30
B. Organization, Capacity, and Qualifications	15
C. Performance Measurement	10
D. Plan for Program Growth and Sustained Funding	25
E. Partnerships	10
F. Budget/Resources	10
Total	100

Each evaluation criterion is detailed below. The narrative section of the application should address all the evaluation criteria sections and subsections. Applicants should provide supporting documentation in an appendix if warranted.

A. Program Summary and Service Delivery Approach (30 points)

The applicant's description of the proposed service delivery approach will be evaluated as follows:

- i. The applicant clearly, concisely and realistically demonstrates a sound approach for the safe removal of household hazardous waste from rural Alaska communities and transfer/delivery of removed waste to end destinations. (10 pts.)
- ii. The applicant describes a program management strategy that includes adequate oversight and accountability structures to ensure federal funds are used appropriately, efficiently and expeditiously, that work is accomplished according to the plan, and performance targets are met. (5 pts.)
- iii. The applicant describes the services that will be provided to communities, how many communities will be served, and how communities will be selected. (5 pts.)
- iv. The applicant describes how the project will be conducted and result in compliance with applicable federal, state, and local regulations. (5 pts.)
- v. The application sets forth a reasonable time schedule for the execution of the tasks associated with the program and for achieving the program goals and objectives by the funding period end. (5 pts.)

B. Organization, Capacity and Qualifications (15 pts.)

The applicant's description of their organization, capacity and qualifications will be evaluated as follows:

- i. The applicant clearly summarizes information about their organization including its mission, structure, leadership, programs, and special expertise. (5 pts.)
- ii. The applicant demonstrates its capacity (experienced personnel, organizational infrastructure, etc.) to manage a Federal grant of this nature. (5 pts.)
- iii. The applicant demonstrates a successful track record of delivering waste backhaul or similar service to communities in Alaska. (5 pts.)

C. Performance Measurement (10 pts.)

The applicant's description of its performance management plan will be evaluated as follows:

- i. The applicant clearly describes the measures of success for the project and the expected outputs and outcomes, as described in *Section 6: Performance Measurement*, are reasonable and achievable. (5 pts.)
- ii. The applicant describes how performance progress will be evaluated and measured and includes a description of any planned reports or other deliverables that measure and track program success and document achievement of expected outputs and outcomes. (5 pts.)

D. Plan for Program Growth and Sustained Funding (25 pts.)

The applicant's description of its plan for program growth and sustained funding will be evaluated as follows:

- i. The applicant has a detailed plan for delivering services to communities throughout Alaska over time that accounts for any unique or specialized service provision requirements or opportunities in different geographic areas. (7 pts.)
- ii. The applicant has a detailed plan for generating funding that aims to sustain backhaul services into the future. (7 pts.)
- iii. The applicant has considered variability in communities' ability to pay in its plan for program growth and sustained funding. (6 pts.)
- iv. The applicant has outlined how they will work with partners to grow and sustain the program. (5 pts.)

E. Partnerships (10 pts.)

The applicant's plan to work with existing partners or to develop new partnerships will be evaluated as follows:

- i. The application demonstrates multiple and diverse partnerships and documents the relationship between partners and the applicant, for example, through letters of support, joint statements, or principles of agreement signed by other parties. (4 pts.)
- ii. The applicant has established relationships with organizations geographically located throughout the state that can advise and support the applicant in delivering backhaul services. (3 pts.)
- iii. The applicant demonstrates capability to establish strong partnerships i.e., has experience bringing people with varied interests together to accomplish common goals. (3 pts.)

F. Budget/Resources (5 pts.)

The applicant's proposed budget and resources will be evaluated as follows:

- i. The budget is clearly stated, detailed, adequate, reasonable, and appropriate to achieve program objectives. The application provides complete budget information such that amounts indicated for task areas described in the narrative application are clearly identifiable, sufficient, and reasonable to complete the proposed work and it provides justification and/or explanations sufficient to support costs included in different budget categories. (3 pts.)
- ii. The applicant plans to coordinate the use of Commission grant funding with other federal and/or non-federal sources of funds/resources to leverage additional resources beyond the grant funds awarded to carry out the proposed program. Applicants will be evaluated based on the type and amount of leveraging proposed, how the applicant will obtain the leveraged resources, the likelihood the leveraging will materialize during grant performance, the strength of the leveraging commitment, and the role the leveraged resources will play to support the proposed project activities. (2 pts.)

11. Administrative Information

1. Both selected and unselected applicants will be notified within 10 business days after the Review Committee's final recommendations have been approved by the Federal Co-Chair. It is anticipated that said notifications will be made on or about 30 April 2021. The earliest anticipated date that the FAA will be issued is 14 May 2021.
2. The Denali Commission is not liable for any costs incurred by applicants prior to issuing a formal FAA pursuant to this NOFO. All preparation and other costs incurred in responding to this NOFO are the sole responsibility of the applicant.
3. Notification that an applicant has been selected pursuant to this NOFO is not an authorization to proceed with work or to incur costs. A fully executed FAA signed by the Denali Commission Federal Co-Chair is the authorizing document.
4. *Exhibit 1* includes the administrative, national policy, and reporting requirements typically included in

- a Denali Commission FAA. See *Section 3: Federal Award Information* for more information regarding the Commission's FAA documents.
5. Guidance and requirements for all FAAs issued by the Commission are summarized in *Recipient Guidelines and Requirements (RGR)*. See *Exhibit 1* for a link to the current RGR.
 6. If the total value of a recipient's active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the performance period of an Award made pursuant to this NOFO, then the recipient must comply with reporting requirements related to civil, criminal and administrative proceedings, in accordance with 2 CFR 200 Appendix XII.
 7. In accordance with 2 CFR 200.501, recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year.
 8. As required by 2 CFR 200 of the Uniform Guidance, effective January 1, 2016, the Denali Commission is required to review and consider any information about the applicant that is in the [Federal Awardee Performance and Integrity Information System \(FAPIIS\)](#) before making any award in excess of the simplified acquisition threshold (currently \$250,000) over the period of performance. An applicant may review and comment on any information about itself that a federal awarding agency previously entered. Denali Commission will consider any comments by the applicant, in addition to other information in FAPIIS, 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 CFR 200.205 Federal Awarding Agency Review of Risk Posed by Applicants](#).

12. Awarding Agency Contacts

Administrative questions regarding this NOFO or Denali Commission FAAs should be directed to:

Janet Davis
Denali Commission Grants Management Officer
jdavis@denali.gov
(907) 271-1414 or (907) 271-3036

Program-related questions should be directed to:

Jocelyn Fenton
Denali Commission Transportation Program Manager
jfenton@denali.gov
(907) 271-1414 or (907) 271-4714

13. Other Requirements and Information

1. If additional information or instructions regarding this NOFO are published, said information or instructions will be posted on the Denali Commission website here:

<https://www.denali.gov/programs/backhaul-services/>

No new information or instructions will be posted after 19 March 2021. It is the responsibility of applicants to periodically check the website for any new information or instructions, to comply with said new information or instructions, and to acknowledge that they have done so in the cover letter submitted with their application as stated in *Section 9: Application Contents*.

2. The Denali Commission reserves the right to waive minor informalities and to make selections deemed consistent with and in the best interest of the Denali Commission and EPA Interagency Agreement. This includes the right to cancel the solicitation at any time, reject any or all applications, and the right to proceed using a different process based on the Commission's analysis of the overall program budget.
3. The Denali Commission may require, seek, and use all information it deems appropriate in order to assess the qualifications of applicants. All information submitted in response to this NOFO is considered Public Records under the Alaska Public Records Act.
4. Award of an FAA pursuant to this NOFO does not obligate the Denali Commission to issue any future FAAs to selected applicants.

Exhibit 1. Financial Assistance Award (FAA) Terms and Conditions

Guidance and requirements for all FAAs awarded by the Commission are summarized in *Recipient Guidelines and Requirements* (RGR), dated September 2018: <https://www.denali.gov/wp-content/uploads/2018/11/FINAL-RGR-10-01-20182.pdf>

TEMPLATE

**Financial Assistance Award Terms and Conditions
Between the Denali Commission and <Recipient>
For <Title of Project>
Award No. _____**

1. Project Summary

- a. Scope of Work: <Brief statement summarizing the scope of work>
- b. Deliverables: <Summarize the primary deliverable(s)>
- c. Budget: The Commission is making \$_____ available for the project via this Financial Assistance Award (FAA). This amount includes all direct, indirect, <and pre-award costs (if any) authorized pursuant to 2 CFR 200.458>. Other partners on the project include <_____, who in total are contributing an additional \$_____>. All Commission funding is intended to be used for the scope of work identified in this FAA only. Any funds remaining after the full scope of work has been completed shall be returned to the Denali Commission consistent with 2 CFR 200.345.
- d. Delivery Method: <Brief summary of how the project will be accomplished, including relevant comments with respect to phasing, sub-awards, contracts, force account construction, and competitive procurements. If Cooperative Agreement provisions apply, then insert a statement to this effect in the Special Provisions and include specific details in Attachment A.>
- e. Performance Period: The Period of Performance for this FAA is _____ through _____. In accordance with 2 CFR 200.309 Recipients can only incur obligations or costs against this FAA during the Period of Performance, unless specifically authorized in the Special Provisions (Section 14 of this document). If a project cannot be completed within the approved Period of Performance, an extension request must be made in accordance with the Commission's Recipient Guidelines and Requirements (RGR) document dated September 2018, available at www.denali.gov.

More detailed information on scope, deliverables, budget, funding, project delivery method and/or management plan, schedule and key milestones are included in Attachment A dated _____.

2. Project Reporting and Commission Site Visits

Progress reports and a close-out report are required under this FAA. Progress Reports shall be submitted at the frequency stipulated in the Special Provisions.

The Closeout Report shall be completed within 90-days of the end of the Period of Performance. All reports must be submitted using the Denali Commission's on-line Project Database System, available at www.denali.gov/dcpdb.

Commission staff or agents of the Commission may make visits to the project site and/or home office to monitor progress during and/or after the Period of Performance. The Recipient shall coordinate and make information available as necessary to facilitate any such site visits.

Refer to the *Recipient Guidelines and Requirements* document for further information related to reports and site visits.

3. Payments

Payments under this FAA will be made in accordance with 2 CFR 200.305 by electronic transfer in response to a Standard Form 270 (SF-270) "Request for Advance or Reimbursement", submitted by the Recipient. At a minimum, all 270's must include summary cost information on labor, materials, contracts/consultants, and indirect costs. Detailed documentation is required for any single expenditure greater than \$50,000. If Pre-award Costs and/or Advance Payments are authorized under this FAA, the Special Provisions will indicate so. Requests for reimbursements may be made as needed. Refer to the *Recipient Guidelines and Requirements* document for further information about submitting SF-270's.

4. Modifications

In accordance with 2 CFR 200.308, the Recipient shall report deviations in project scope, budget, delivery method, management plan, schedule, or changed site conditions, and request prior approvals from the Program Manager. The Recipient shall also submit written requests to the Program Manager for the replacement of Key Staff identified in the Special Provisions. Refer to the *Recipient Guidelines and Requirements* document for further information about modifying a Financial Assistance Award.

5. Financial Management, Record Keeping, Internal Controls, and Audits

The Recipient must have financial management and record keeping systems that are consistent with 2 CFR 200.302. If the Recipient is a State organization it must expend and account for FAA funds in accordance with applicable State laws and procedures for expending and accounting for the State's own funds.

The Recipient must establish and maintain effective internal controls with respect to this FAA that are consistent with 2 CFR 200.303.

In accordance with 2 CFR 200.501, Recipients that expend \$750,000 or more of federal funds in a year shall have a single or program-specific audit conducted for that year.

Refer to the *Recipient Guidelines and Requirements* document for further information about financial management, record keeping, internal controls and audits.

6. Direct and Indirect Costs

All direct costs must be allowable and reasonable. Indirect costs must be allocable based on

accepted accounting policies and practices. Indirect costs must be specifically included as a line item or identified with appropriate notes in the approved FAA budget. Refer to 2 CFR 200 Subpart E (Cost Principles) and the *Recipient Guidelines and Requirements* document for further information on direct and indirect costs.

7. Sub-Awards

All sub-awards and contracts issued by the Recipient under this FAA must comply with 2 CFR 200.331 and 332.

8. Procurements

- a. States: In accordance with 2 CFR 200.317, when procuring property and services under this FAA, a State Recipient must follow the same policies and procedures it uses for procurements from its non-Federal funds. The State Recipient must also comply with 2 CFR 200.322, and ensure that every purchase order or contract includes any clauses and provisions required by 2 CFR 200.326.
- b. Other Non-Federal Entities: All other non-Federal Recipients, including subrecipients of a State, must follow their own documented procurement procedures, provided that the procedures conform to applicable Federal law and the standards in 2 CFR 200.318 through 200.326. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

9. Acknowledgement of Support

The Recipient shall name the Denali Commission as a financial contributor and project/program partner in all media correspondence related to the work supported by this FAA. If Commission funds are used for construction, the Recipient shall also display a sign at the construction site that acknowledges the Commission's support. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

10. Real Property and Equipment

The Disposition requirements and restrictions set forth in 2 CFR 200.310 through 200.316 apply, unless specifically altered in the Special Provisions to this FAA.

Any Real Property reporting requirements apply in accordance with 2 CFR 200.329 will be stipulated in the Special Provisions to this FAA.

11. Conflict of Interest

In accordance with 2 CFR 200.112, the Recipient must disclose in writing any potential conflicts of interest to the Commission. In addition, 2 CFR 200.318 requires that Recipients maintain written standards of conduct covering conflicts of interest and governing the performance of their employees engaged in the selection, award, and administration of contracts. Refer to the *Recipient Guidelines and Requirements* document for further information on this subject.

12. Denali Commission Policies

Recipients may be required to comply with published Denali Commission policies covering topics such as cost match, sustainability, private enterprise, competitive bidding, cost containment, etc. Any specific requirements or deliverables related to these policies will be stipulated in the Special

Provisions to this FAA.

13. Laws and Regulations

Recipients are required to comply with all applicable Federal laws and regulations. General categories of potentially applicable laws and regulations are summarized below. Refer to the *Recipient Guidelines and Requirements* document for further information on specific laws and regulations that may apply.

- a. Debarment and Suspension
- b. Whistle-blower Protection
- c. Non-Discrimination
- d. Lobbying and Propaganda
- e. Environmental
- f. Drug-Free Workplace
- g. Travel
- h. Human Rights
- i. Animal Welfare
- j. Executive Compensation

14. Other Provisions

- a. The United States expressly disclaims any and all responsibility or liability to the Recipient or sub-recipients for the actions of the Recipient or sub-recipients resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this FAA, including sub-awards, contracts, or sub-contracts issued in connection with this FAA.
- b. To the maximum extent practicable, considering applicable laws, the Recipient shall accomplish the project contemplated by this FAA using local Alaska firms and labor.
- c. All terms and conditions contained in this FAA apply to any sub-recipient under this FAA.
- d. Failure to comply with the provisions of this FAA or maintain satisfactory performance may result in additional FAA conditions pursuant to 2 CFR 200.207. This includes but is not limited to: temporarily withholding of payments pending the correction of the deficiency; disallowance of project costs; wholly or partially suspending or terminating the FAA. In addition, failure to comply with the provisions of this FAA may also have a negative impact on the Recipient’s eligibility for future Federal awards.

15. Program Manager, Financial Manager & Other Contact Information

Denali Commission	<Recipient>
<Name> Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-xxxx Fax: 907-271-1415 E-mail: @denali.gov	<Name> Project Manager <Address> Phone: 907-xxx-xxxx Fax: 907-xxx-xxxx Email: @

Denali Commission	<Recipient>
Janet Davis Grants Management Officer 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3036 Fax: 907-271-1415 E-mail: jdavis@denali.gov	<Name> Financial Contact <Address> Phone: 907-xxx-xxxx Fax: 907- xxx-xxxx Email: @

16. Special Provisions

<Insert relevant special provisions as appropriate>

Special Provisions Menu:

The following are examples of typical special provision clauses. If the standard language presented below does not fit the situation in a particular FAA, then craft a unique clause accordingly.

All FAA's should include the following entries, even if the entry is n/a.

Progress Reports: "Shall be submitted on a quarterly basis. The first reporting period is xx Month 20yy to xx Month 20yy, and quarterly thereafter in accordance with the Commission's *Recipient Guidelines and Requirements*", or some other clause with more specific criteria.

Pre-award Costs: Either "n/a", "Project related costs beginning xx Month 20yy", or some other clause with more specific criteria.

Advance Payments: Either "n/a", "Allowed", or some other clause with more specific criteria.

Key Staff: List key staff names and titles.

Denali Commission Policies: If no specific requirements from the policies listed below apply, then enter "n/a". Otherwise, list the policies that apply and any specific requirements related to the issues summarized below for each policy. Summarize the requirements in Section 14 of the FAA, or state that they are included within Attachment A to the FAA.

Investment Guidance Policy

- Threats related to erosion, flooding or permafrost degradation
- Consistency with regional planning documents
- Special design phase population/capacity studies
- Special design phase life-cycle cost studies
- Special design phase cost estimating and/or value engineering studies

Sustainability Policy

- Business Plans
- R&R Accounts

Community Planning Policy

- Consistency with current community planning documents

Open Door Policy

- “Completed facility/infrastructure shall be available to all potential users.”

Private Enterprise Policy

- Planning and/or design phase public vs. private competition analysis

Competitive Bid Policy

- Price competition required for projects with total planning, design and construction costs greater than \$3 million
- Local hire requirements/goals

Cost Containment Policy

- Budget and cost estimate detail/justification

NEPA: Either “TypeA.x Categorical Exclusion per Denali Commission National Environmental Policy Act (NEPA) Implementing Procedures published in 45 CFR Part 900 on October 1, 2016 therefore no further NEPA documentation required”, or some other clause with more specific criteria in Attachment A”.

Cooperative Agreement: Either “n/a”, or “ (Recipient) agrees to cooperate and collaborate with the Denali Commission during the project. The Commission will participate in those specific activities stipulated in Attachment A.”

Include the following provisions in FAA’s that involve the purchase of equipment, design and/or construction.

Equipment Disposition: Either “n/a”, or “When any equipment with a useful life longer than one year and a per unit acquisition cost greater than \$5,000 acquired with Denali Commission funds is no longer needed for the originally authorized purpose outlined in this FAA, (Recipient) must contact the Commission for disposition instructions in accordance with 2 CFR 200.313.”

Insurance: “The Denali Commission shall be named additional insured on (Recipient’s) General Liability Insurance Policy, the General Liability Insurance Policy of the prime architectural/engineering firm(s) retained to design the project, the Liability Insurance Policy of the first tier construction firm(s) who will construct the project, and the Liability Insurance Policy of all other independent professional service firms (e.g. land surveyors, geotechnical engineers) with a primary role on the project.”

Bonds: Either “n/a” (ex., for projects constructed via force account), or “Bid (if applicable), Payment and Performance bonds in accordance with 2 CFR 200.325.”

Ownership and Site Control: Either “n/a”, “ (Recipient) shall develop and execute all

necessary documents and agreements required to establish site control and/or right of access to any properties effected by execution of the project”, or some other clause with more specific criteria.

Davis Bacon Wages: Either “n/a”, “Apply”, or some other clause with more specific criteria.

Infrastructure Resilience: Either “n/a”, or “Simple use of historical environmental data to inform the design work is not appropriate. Recipient and/or Recipient’s design professionals shall judiciously account for the potential for increased rates of permafrost thaw, coastal/riverine erosion, and flooding during the design life of the infrastructure.”

Real Property Disposition: Either “n/a”, or “when the original ownership or lease arrangements for the real property improvements change, or when the real property improvements are no longer needed for the originally authorized purpose, _____ (Recipient) must contact the Commission for approvals and/or disposition instructions in accordance with 2 CFR 200.311.”

Real Property Reporting: Either “n/a” or “Applies per 2 CFR 200.329. Reporting will be once every five years, to begin at the end of the performance period and continue through the useful life of the facilities. Refer to Section IX of the Recipient Guidelines and Requirements document for instructions on how to submit the required reports.”

Exhibit 2. Example Budget and Funding Summary

BUDGET EXAMPLE

Line	Cost Category	YEAR ONE		YEAR TWO		YEAR THREE		TOTAL
		Denali Commission	Cash Match/In-Kind	Denali Commission	Cash Match/In-Kind	Denali Commission	Cash Match/In-Kind	
1	Personnel/Labor							
2	Travel							
3	Equipment							
4	Supplies							
5	Contracts							
6	Other Direct Costs							
7	Indirect Costs (unless waived)							
8	Total Direct Costs							
9	Indirect Costs (unless waived)							
10	TOTAL							