

City of Fayetteville Staff Review Form

2020-0473

Legistar File ID

6/16/2020

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Peter Nierengarten

6/8/2020

SUSTAINABILITY/RESILIENCE (631)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval to submit a USDA Community Compost and Food Waste Reduction Grant application for up to \$90,000 (City match portion up to \$22,500)

Budget Impact:

5500.750.5060-5342.00

Recycling and Trash Collection

Account Number

Fund

Promotional Activities

Project Number

Project Title

Budgeted Item? Yes

Current Budget \$ 121,367.00

Funds Obligated \$ -

Current Balance **\$ 121,367.00**

Does item have a cost? Yes

Item Cost \$ 22,500.00

Budget Adjustment Attached? No

Budget Adjustment

Remaining Budget **\$ 98,867.00**

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF JUNE 16, 2020

TO: Mayor and City Council

THRU: Susan Norton, Chief of Staff

FROM: Peter Nierengarten, Environmental Director

DATE: June 8, 2020

SUBJECT: **Approval to submit a USDA Community Compost and Food Waste Reduction Grant application for up to \$90,000 (City match portion up to \$22,500)**

RECOMMENDATION:

Staff recommends approval to submit a USDA Community Compost and Food Waste Reduction Grant application for up to \$90,000 (City match portion up to \$22,500). This item is recommended as a walk-on for the June 16th City Council meeting due to the short timeline between the grant informational call on June 4th and the grant submission deadline on June 26th. This short timeline did not allow staff to meet the legistar submission deadline for the June 16th City Council meeting and the next City Council Meeting is not until July 7th, which is after the grant submission deadline.

BACKGROUND:

Approximately 30% of the waste generated in the City of Fayetteville is organic matter, including food waste, yard waste, and biodegradable paper. While organics make up nearly a 1/3 of the total waste stream in Fayetteville, they also represent a great opportunity for waste diversion since organic matter can be turned into valuable products including compost and mulch.

In January 2016, the City began a four-month commercial food waste composting pilot project utilizing the Modified Static Aerobic Pile (MSAP) composting method as part of the City's Solid Waste Diversion and Recycling Master Plan. Results from that pilot were submitted to the Arkansas Department of Environmental Quality (ADEQ) as part of an organics compost permit modification application later that year. ADEQ granted the City's request for a permit modification from a Type Y (yard waste only) to a type O (organics - yard waste and food waste) in early 2017. Later that year, the City began greatly expanding the commercial food waste composting program with additional businesses, public schools and the University of Arkansas. Currently the City has 32 commercial food waste compost customers.

Commercial food waste is mixed with yard waste at the City's Compost Facility on Armstrong Rd. to generate a nutrient rich compost product that is sold to residents and businesses. The City also sells another yard waste only compost and mulch at the Armstrong Rd. facility.

In January 2020 the City began offering two residential drop-off locations for food waste compost one at the Marion Orton Recycling Center and the other at the Armstrong Rd. compost facility. In April 2020, as part of the Covid-19 pandemic response the City added a third residential food waste drop-off location at the Happy Hollow Recycling Center and launched home delivery of finished commercial food waste compost to residents. This compost delivery program has been very popular, providing over 110 deliveries in the first two months. The Recycling and Trash Collections Division has been experiencing shortages of finished compost due to high demand during the on-going pandemic.

DISCUSSION:

The USDA recently launched a new grant opportunity for community compost and food waste reduction for projects that:

- Anticipate or demonstrate economic benefits;
- Incorporate plans to make compost easily accessible to agricultural producers, including community gardeners;
- Integrate other food waste strategies, including food recovery efforts; and
- Collaborates with multiple partners.

Staff is working on a grant application to create a mobile food waste trailer for use with a bucket exchange program at the Fayetteville Farmers Market and other events. The trailer would be outfitted with interactive education about composting. This would add an additional drop off site where residents/farmers could bring their food waste, which will help increase feedstock into our compost program. Additionally, the grant would be used to fund a part time environmental educator to staff the trailer at events.

BUDGET/STAFF IMPACT:

The City's required matching funds (up to \$22,500) for this project are proposed to come from Recycling & Trash Collection Promotional Activities Budget.

Attachments:

Food Waste Compost Graphic

USDA Notice of Opportunity: Community Compost and Food Waste Reduction Project Grant



Items NOT Accepted:



- Raw Meats (fish, poultry, pork, seafood)
- Plastic bags, serveware, utensils, twist ties, rubberbands
- Wood, metal, glass or other non-food items
- Fats, oils, grease, non-consumable liquids, vegetable oil, lard

Please contact the City of Fayetteville Recycling and Trash Collection Division at 479.575.8398 or recyclingandtrash@fayetteville-ar.gov to learn more.

Notice of Funding Opportunity (NFO)

SUMMARY INFORMATION

Federal Awarding Agency Name: U.S. Department of Agriculture – Natural Resources Conservation Service

Funding Opportunity Title: Community Compost and Food Waste Reduction (CCFWR) Project

Funding Opportunity Number: USDA-NRCS-NHQ-CCFWR-20-NOFO0001018

Catalog of Federal Domestic Assistance (CFDA) Number (also known as Assistance Listing): 10.935

Funding Opportunity Announcement Summary:

The U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) is soliciting applications under the Office of Urban Agriculture and Innovative Production (OUAIP) from local governments to host a Community Compost and Food Waste Reduction (CCFWR) pilot project for fiscal year (FY) 2020. The anticipated amount available for CCFWR in FY 2020 is approximately \$900,000.

This announcement provides information regarding the eligibility criteria for projects and applicants, and the application forms and instructions needed to apply for the CCFWR cooperative agreement.

Applications will be accepted from eligible entities in any of the 50 States, the District of Columbia, the Caribbean Area (Puerto Rico and the U.S. Virgin Islands), and the Pacific Islands Area (Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands).

Key Dates

Applications must be received by 11:59 p.m. Eastern Time on June 26, 2020 through [Grants.gov](https://www.grants.gov). Applications received after this deadline will not be considered for funding.

A webinar will be held on Thursday, June 4, 2020, 2:00 - 4:00pm Eastern Standard Time to provide an overview of the CCFWR program purpose, project types, eligibility, and basic requirements for the submission of an application.

Event: Urban Cooperative Agreement Food Waste Reduction and Composting Webinar

When: Thursday 4 June 2020, 02:00 PM - 04:00 PM

Time Zone: (GMT-05:00) Eastern Time (US and Canada) (Please note that Daylight Saving Time (+01:00 hr) is in effect during this time)

To register now, please visit the following link:

<https://usdanrcs.adobeconnect.com/ezwshvub5tj8/event/registration.html>

To know more about the event, please visit our website:

https://usdanrcs.adobeconnect.com/ezwshvub5tj8/event/event_info.html

Federal Funding Floor and Ceiling Amounts

Approximately \$900,000 will be available to fund applications under this solicitation. In FY 2020, NRCS' CCFWR intends to solicit applications and fund pilot projects in no fewer than 10 states. The primary goal of CCFWR is to assist local governments with projects that develop and test strategies for planning and implementing municipal compost plans and food waste reduction plans.

The funding floor for this opportunity is \$45,000, and the funding ceiling is \$90,000. The funding floor means the minimum agreement funding amount for the Federal share per agreement awarded. The ceiling is the maximum agreement funding amount for the Federal share per agreement awarded.

A. PROGRAM DESCRIPTION

1. Legislative Authority

The authorizing statutes and regulations for this opportunity are under section 12302 of the Agriculture Improvement Act of 2018 (Public Law 115–334), ([7 USC 6923](#)).

2. Purpose and Priorities

The CCFWR Project is administered by NRCS' OUAIP. The mission of the office is to encourage and promote urban, indoor, and other emerging agricultural practices, including community composting and food waste reduction.

CCFWR specifically provides assistance through a cooperative agreement to municipalities, counties, local governments, or city planners to develop and test strategies for planning and implementation that will 1) generate compost; 2) increase access to compost for agricultural producers; 3) reduce reliance on, and limit the use of, fertilizer; 4) improve soil quality; 5) encourage waste management and permaculture business development; 6) increase rainwater absorption; 7) reduce municipal food waste; and 8) divert food waste from landfills.

NRCS will enter into cooperative agreements with local or municipal governments in no fewer than 10 states.

3. Project Type Descriptions

Only CCFWR Project cooperative agreement proposals will be accepted. No single cooperative agreement proposal award will exceed \$90,000.

Priority will be given to an application for a CCFWR pilot project that:

- Anticipates or demonstrates economic benefits;
- Incorporates plans to make compost easily accessible to agricultural producers, including community gardeners;
- Integrates other food waste strategies, including food recovery efforts; and
- Collaborates with multiple partners.

B. FEDERAL AWARD INFORMATION

1. Estimated Funding

The total amount of Federal funding the agency expects to award through this opportunity is approximately \$900,000.

2. Start Dates and Performance Periods

NRCS expects applicants to complete their projects within the required timeframe. Projects should be 2 years in duration. Applicants should plan their projects based on a project start date of September 15, 2020, and completion date of September 30, 2022.

3. Type of Federal Award

NRCS plans to award cooperative agreement(s) pursuant to this opportunity.

The agency and its Federal partners will be substantially involved in the work performed under the agreement and will undertake activities such as the following:

- NRCS will connect pilot projects with other USDA agencies such as, and not limited to, the Economic Research Service (ERS), National Institute of Food and Agriculture (NIFA), the Office of the Chief Economist (OCE), and Federal partners like the United States Environmental Protection Agency (EPA) to collaborate on project activities and outcomes that contribute to the [U.S. Food Loss and Waste 2030 goal](#).

- NRCS will coordinate and convene the CCFWR pilot project team(s) and other Federal government, regional, institution, state, and local experts to share information and strategies related to CCFWR with the goal of enhancing the locally driven process to better address nationally and regionally important composting and food waste reduction goals that transcend localities.
- Further, NRCS will gather the methods, results, and benefits derived from the project to evaluate and disseminate different solutions for increasing access to compost and reducing municipal food waste across the United States.

4. Number of Awards

The agency expects to make no more than 20 awards.

5. Procurement Contracts

The agency does not expect to award procurement contracts associated with this opportunity.

6. Eligibility of Renewal or Supplemental Project Applications

This is a new program in FY 2020, therefore all applications must be submitted as “new.”

Applications for renewal or supplementation of existing projects are not eligible to compete with applications for new Federal awards. An application for renewal means an application submitted to continue an existing agreement that meets the objectives and requirements of this NFO. An application for supplementation of an existing project means an application to add components to an existing agreement so that it would meet the objectives and requirements in this NFO.

C. ELIGIBILITY INFORMATION

1. Eligible Applicants

Applicants and applications must meet eligibility criteria by the application deadline to be considered for award. Eligible applicant “type” is determined by the implementing program statute. Applicant entities identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or excluded from receiving Federal contracts and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program (2 CFR 200.205(d)).

Eligibility for this opportunity is limited to the following entity “types”:

Local governments are defined as any unit of government within a state, including a county; borough; municipality; city; town; township; parish; local public authority, including any public housing agency under the United States Housing Act of 1937 (50 Stat. 888) (P.L. 75–412); special district; school district; intrastate district; council of governments, whether or not incorporated as a nonprofit corporation under State law; and any other agency or instrumentality of a multi-state, regional, or intra-state or local government.

Refer to section D of this opportunity announcement for required documentation supporting eligibility status.

2. Cost Sharing or Matching

This opportunity requires applicants to match 25 percent of total project costs. Applications that do not include matching will be ineligible for an award. Matching may be achieved with contributions of cash, supplies, services, third party in-kind contributions, or a combination of both from sources other than funds provided through the grant. There is no competitive advantage for an applicant to provide a match that exceeds the required amount. If the project is selected for funding, any exceeding amount will be considered voluntary and must be documented and secured at the time of the award. Refer to section D., Item e., Bullet ii., of this opportunity for required letters and other documentation related to the match requirement.

Additional details about matching funds/contributions is located at 2 CFR 200.306. Applicants cannot use program income (as defined in 2 CFR 200.80) or any other Federal funds as a match.

3. Other

Applicants are required to collaborate on the pilot project with multiple partners, such as public or private, nonprofit or for-profit entities, academic institutions (including minority-serving colleges and universities), and/or other appropriate professionals, community-based organizations, and local government entities. *Only the applicant must meet the eligibility requirements.* Refer to section D, Item g., of this opportunity for required letters related to the collaborator requirement.

Any individual award made pursuant to this opportunity will be made to a single entity. Applicants that apply as “partnerships” or other similar groupings must clearly describe the relationship between the applicant and the “partner” parties. In all but exceptional cases, it must be reflected in the award as an awardee/subawardee relationship.

D. APPLICATION AND SUBMISSION INFORMATION

For technical issues with Grants.gov, please contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov. Awarding agency staff cannot support applicants regarding Grants.gov accounts.

1. Address to Request Application Package

All standard forms and instructions necessary for this opportunity announcement are included in the [Grants.gov](#) opportunity.

2. Content and Form of Application Submission

To be considered for funding under this opportunity, an application must contain:

a. Project Summary/Abstract

Present a statement of need or assessment of the problem. Define the target audience and end users of this project. Define the composting and food waste reduction goals in your area. Describe how this project will initiate or build upon or expand related work or programs. The summary should also include the relevance of the project to the purpose and priorities of CCFWR defined in A.2.

b. Proposal

The pilot project proposal must include the below headings followed by a narrative that includes a response for each of the points noted below.

- **Introduction.**

Describe the applicant organization in terms of its location and demographics. Describe past and current involvement with developing and testing strategies for planning and implementing municipal compost plans and food waste reduction plans. Present a statement of need or assessment of the problem in your region of the United States. Describe your approach to solving existing problems and concerns related to increasing community compost and reducing food waste.

- **Objectives and Procedures.**

Discuss planned procedures and activities for achieving project goals and providing project deliverables. Describe your plans to make compost easily accessible to agricultural producers, including community gardeners. Describe food waste strategies, methods and plans including food recovery efforts to be utilized. For each task

identify key personnel involved, and timelines for achieving milestones.

- **Collaborators.**

List partner institutions and contact names, addresses, phone numbers, and e-mail addresses (if applicable). Explain why the applicant and its partners selected the activities proposed in the application. Include how your project will impact any existing food waste recovery and disposal by commercial, marketing, or business relationships in your area.

- **Evaluation.**

Provide a plan for evaluating accomplishments and outcomes, matching to project deliverables. Include a timeline of activities with milestones and verifiable indicators to demonstrate how progress will be measured and achieved. Include any anticipated or demonstrated economic benefits. Discuss if strategies to better address composting and food waste reduction goals have the potential to be replicated.

- **Self-Sustainability.**

Describe which aspects or components of the project will continue beyond the end of the project period. Discuss how a one-time infusion of Federal funds will be sufficient for the proposed pilot project to advance CCFWR goals and achieve sustainability. Projects should identify actual or potential funding sources for continuation of the project after Federal funding has ended.

- c. The text of the proposal must be single spaced and typed in New Times Roman, no smaller than 12-point font and must not exceed 15 pages. The proposal shall not exceed 10 pages of written text, and up to 5 additional pages for figures and tables. We have established this maximum (15 pages) to ensure fair and equitable competition. Letters documenting collaboration or match are not included in the 15-page limit.

Proposals that fail to comply with the required content and format will not be considered for funding. **Material exceeding stated page limits and/or formatting structure will not be considered.** Incomplete and/or noncompliant proposals will not be considered.

- d. **Application Form:** (Standard Form 424 Application for Federal Assistance) See Instructions for Completing SF 424 located in the Related Documents tab of this opportunity on Grants.gov.

- e. **Standard Form (SF) 424A, Budget Information - Non-Construction Programs.** Fill in all spaces as appropriate. Section B, Item 6, Column 1 should reflect the agency funds, and Column 2 should reflect the applicant's matching funds. This form is the summary budget for the project and should include the full project totals on pages one and two. See Instructions for Completing SF 424A located in the Related Documents tab of this opportunity on Grants.gov.
- f. **Budget Narrative.** In a separate narrative titled "Budget Narrative", explain and justify all requested budget items/costs. Detail how the totals on the SF-424A were determined and demonstrate a clear connection between costs and the proposed project activities. For personnel salary costs, include the base-line salary figures and the estimates of time (as percentages) to be directly charged to the project. Describe any item that under the applicable Federal cost principles requires the agency's approval and estimate its cost. See Instructions for Completing Budget Narrative located in the Related Documents tab of this opportunity on Grants.gov.
- i. As required in Title 2 of the Code of Federal Regulations Part 200, Subpart F Audit Requirements, 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 a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System.
 - ii. **Matching/Cost Share** must be committed or secured at the time of application submission. Applications must include written documentation showing the amounts and sources of match (including both cash and in-kind contributions). Signed letters verifying matching funds for each cash and/or in-kind resource is required. For third-party contributions, a separate letter of support is required for each contribution, signed by the authorized organizational representative of the contributing organization and the applicant organization, which must include: (1) the name, address, and telephone number of the contributor, (2) the name of the applicant organization, (3) the title of the project for which the contribution is made, (4) the dollar amount of the contribution, and (5) a statement that the contributor will pay the contribution no later than the end of the award period. The agency may conduct reference checks to ensure that organizations identified are supportive and involved with the project. Letters documenting match are not included in the 15-page limit.

- iii. All applicants are hereby notified of the following:
- Recipients without an approved indirect cost rate are prohibited from charging indirect costs to a Federal award. (Accepting the 10% de minimis rate as a condition of award constitutes establishing an approved rate.)
 - Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award.
 - Recipients are prohibited from shifting unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.
- g. **Negotiated Indirect Cost Rate Agreement (NICRA).** Required if applicant is requesting indirect costs. See Part D.6.. The NICRA must be in PDF format and attached to the Grants.gov application package. Indirect costs may not be recovered under an expired NICRA as described in Part D.6.a. See Part D.6. for use of the De Minimis rate.
- h. **Collaborator Letter(s).** Documentation verifying support from collaborators is required, such documentation may include a separate letter of support for each partner that is signed by the authorized representative of the organization, including: (1) the name, address, and telephone number of the collaborator, (2) the name of the applicant organization, (3) the title of the project for which the collaborator will participate, and (4) a statement verifying the role of the collaborator during the project period. The agency may conduct reference checks to ensure that organization(s) identified are supportive and involved with the project. Letters documenting collaboration are not included in the 15-page limit.
- i. **Certification and Disclosure of Lobbying Activities.** Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any Federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents the applicant's certification of the statements in 2 CFR Part 418, Appendix A-Certification Regarding Lobbying. If you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying in connection with this application AND the Federal share exceeds \$100,000, you must also complete and submit the SF LLL, Disclosure of Lobbying Activities located at 2 CFR 418, Appendix B. See 2 CFR, Subpart 418.110 for more information on when additional submission of this form is required.

j. **Post Award Documentation.** None required.

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

Each applicant (unless the applicant is an individual excepted from those requirements under 2 CFR §25.110(b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR §25.110(d)) is required to: (i) Be registered in SAM before submitting its application; (ii) provide a valid unique entity identifier (Data Universal Numbering System (DUNS) number) in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. The agency may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the agency is ready to make an award, it may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

Entities must obtain a DUNS and register in SAM prior to registering with Grants.gov. A description of each is below. Entities are strongly encouraged to apply early for their DUNS number and SAM registration.

Data Universal Numbering System (DUNS) Number: A Dun and Bradstreet DUNS number is a unique, nine-digit sequence recognized as the universal standard for identifying and keeping track of over 70 million businesses worldwide. Applicants must obtain a DUNS number. Information on how to obtain a DUNS number can be found at <http://fedgov.dnb.com/webform> or by calling 1-866-705-5711.

System for Award Management (SAM) Registration: SAM is the official Federal system that consolidated the capabilities of Central Contractor Registry, Federal Agency Registration, Online Representations and Certifications Application, and Excluded Parties List System. To register, go to: <https://www.sam.gov>. The Federal Service Desk is available for registration assistance and can be contacted via the Help tab at the website listed above.

Awarding agency staff cannot support applicants regarding DUNS or SAM issues.

4. Submission Dates and Times

Applicants must submit applications via Grants.gov. Applications must be received by 11:59 pm Eastern Time on June 26, 2020. Late submissions will not be reviewed or considered. The agency will rely on system generated date and time receipt documentation to determine whether applications meet the

submission deadline. Grants.gov provides an automatic acknowledgement when applications are received.

5. Intergovernmental Review

This funding opportunity is not subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.”

6. Funding Restrictions

Funds may not be used to pay any of the following costs unless otherwise permitted by law, or approved in writing by the Authorized Departmental Officer in advance of incurring such costs:

- Costs above the amount of funds authorized for the project;
- Costs incurred prior to the effective date of the grant;
- Costs which lie outside the scope of the approved project and amendments thereto;
- Entertainment costs, regardless of their apparent relationship to project objectives;
- Compensation for injuries to persons, or damage to property arising out of project activities;
- Meals for business, meals when individuals decide to go to lunch or dinner together when no need exists for continuity of a meeting. Such activity is considered an entertainment cost;
- Alcoholic beverages, regardless of their apparent relationship to project objectives;
- Contributions or donations, including cash, property, and services, from the recipient to other entities;
- Compensation for injuries to persons, or damage to property arising out of project activities;
- Fines, penalties, damages and other settlements resulting from violations of, alleged violations of, or failure to comply with, Federal, state, tribal, local or foreign laws and regulations;
- Fundraising for organized fundraising, including financial campaigns, solicitation of gifts and bequests, and similar expenses incurred to raise capital or obtain contributions, regardless of the purpose for which the funds will be used;
- Goods or Services for Personal Use of the recipient’s employees regardless of whether the cost is reported as taxable income to the employees;
- Political Activities for development or participation in political activities in accordance with provisions of the Hatch Act ([5 U.S.C. 1501-1508](#) and [7324-7326](#));
- Consulting services performed by a Federal employee during official duty hours when such consulting services result in the payment of additional compensation to the employee; and

- Management fees and profit.

This list is not exhaustive. Questions regarding the allowances of particular items of cost should be directed to the administrative contact person listed in this opportunity announcement.

Indirect costs limitations:

- a. To be eligible to recover any indirect cost under a Federal award, recipients must either 1) have a current negotiated indirect cost rate agreement (NICRA) with a Federal agency that has not expired; or 2) qualify for use of the de minimis rate authorized by 2 CFR 200.414(f). In order to qualify for the de minimis rate, the recipient must have never had a NICRA. A State, local, or tribal governmental department or agency unit that receives more than \$35 million in direct Federal funding is not eligible for the de minimis rate.
- b. Applicants which have a current NICRA must calculate indirect costs using the rate and base specified in their NICRA. A recipient may voluntarily reduce or waive recovery of indirect costs at its sole discretion and must not be encouraged or coerced in any way to do so by the agency. Unrecovered indirect costs may not be applied as part of cost share/match. Unrecovered indirect costs means the difference between the amount charged to the Federal award and the amount which could have been charged to the Federal award under the recipient's approved negotiated indirect cost rate (2 CFR 200.306(c)). A copy of the applicant's current NICRA must be provided with the application. Indirect costs may not be recovered under an expired NICRA.
- c. Entities that are eligible for the de minimis rate who already have a de minimis rate agreement must use the rate and base specified in the agreement, which is modified total direct costs (MTDC) as defined by 2 CFR 200.68 and also excluding the amount of each subaward exceeding \$25,000. Note that MTDC excludes certain costs from the base to which the rate is applied. A copy of the applicant's de minimis rate agreement must be provided with the application. If a recipient is eligible to use the de minimis rate, but does not have a de minimis rate agreement, use an indirect cost rate of no more than 10% of MTDC when preparing the budget. If selected for award, a de minimis rate agreement will be executed along with the award.

E. APPLICATION REVIEW INFORMATION

1. Merit/Technical Criteria

A. Review and Selection Process

Applications will be evaluated in a 2-part process. First, each application will be screened to ensure that it meets the administrative requirements as set forth in this

NFO. Second, applications that meet these requirements will be technically evaluated by a review panel. Appropriate members of NRCS and other USDA agencies will review all applications submitted, and where necessary, also may seek the opinions of others who are qualified to render expert advice in the area to be supported. Risk reviews will be conducted by the FPAC Business Center, Grants and Agreements Division. After reviews have been completed, pilot projects recommended for funding will be submitted to the approving official. The approving official will make the final award decisions. The approving official for this opportunity is the Chief of NRCS.

B. Evaluation Criteria

The weights and evaluation criteria below will be used in reviewing applications submitted in response to this NFO:

- 1) Consistency with the CCFWR's purpose and priorities presented herein (20%);
- 2) Potential for significant positive impact on existing food waste recovery and disposal by commercial, marketing, or business relationships (20%);
- 3) Quality of the plan presented to integrate innovative food waste strategies and methods such as food recovery and ability to make compost easily accessible to agricultural producers, including community gardeners (20%);
- 4) Anticipated or demonstrated economic efficiency of the project, which includes evaluating the amount of Federal funds requested and the cost-effectiveness of the budget (including analysis of such items as the rental of equipment, vehicles, land, and building space during the length of the cooperative agreement instead of purchase thereof) in relation to the expected measurable outcomes and project impact (20%); and
- 5) Quality of the plan for collaborating with multiple partners, including public or private entities, nonprofit or for-profit entities, academic institutions (including minority-serving colleges and universities), and/or other appropriate professionals, community-based organizations, and local government entities to achieve project objectives and outcomes (20%).

2. Risk Criteria

The awarding agency will check SAM to ensure the applicant is not suspended or debarred, which would preclude receiving an award. In addition, prior to making a Federal award with a total Federal share greater than the simplified acquisition threshold (\$250,000), the agency must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (the Federal Awardee Performance Integrity Information System, FAPIIS) (see 41 U.S.C. 2313 and 2 CFR 200.205(a)).

To further comply with the requirements at 2 CFR 200.205, the agency has established the following risk review process and related standards that an applicant must meet to be considered for award:

- a. **Financial Stability.** The applicant certifies that it maintains adequate financial resources or cash flow to meet its financial obligations on a routine basis and successfully complete any agreement it may be awarded.
- b. **Quality of Management Systems and Ability to meet Management Standards** prescribed in 2 CFR Part 200. The applicant certifies it has a financial management system adequate to segregate and track Federal funds. It further certifies is has adequate systems in place for proper agreement administration; compliance with the standards outlined in 2 CFR Part 200 Section D for procurement, property, and records management; and required financial and performance reporting.
- c. **History of Performance.** If the applicant has previously obtained Federal financial assistance award, it certifies that it has never failed to materially comply with the Federal award terms and conditions and further that it has never had an award terminated on that basis.

Submission of an application constitutes certification that an applicant meets these standards.

3. Awards Over the Simplified Acquisition Threshold

Notice to applicants:

- a. Prior to making a Federal award with a total Federal share greater than the simplified acquisition threshold (\$250,000), the agency must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (the Federal Awardee Performance Integrity Information System, FAPIIS) (see 41 U.S.C. 2313 and 2 CFR 200.205(a));
- b. An applicant may review information in FAPIIS accessible through SAM and comment on any information about it that a Federal awarding agency previously entered;
- c. The agency will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.205, Federal awarding agency review of risk posed by applicants.

4. Anticipated Selection Announcement and Federal Award Dates

The agency anticipates announcing or notifying successful and unsuccessful applicants by August 31, 2020 and expects to have Federal awards in place by September 30, 2020.

F. FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

The agency will provide notice that an application has been selected before it makes the Federal award. As such, the selection notification is not an authorization to begin performance. Any pre-award costs incurred by the awardee will not be reimbursed. The Notice of Grant and Agreement Award (ADS-093) signed by the authorized agency representative is the only authorizing document and will be provided electronically to the entity's authorized representative for signature.

Both successful and unsuccessful applicants will be notified of the award decision via letter.

2. Administrative and National Policy Requirements

All project funds will be used in accordance with 2 CFR 200 and the General Terms and Conditions; a copy of the General Terms and Conditions may be obtained by contacting the Federal Awarding Agency Contacts listed in this opportunity announcement.

3. Reporting

Reporting will follow the guidelines included in the General Terms and Conditions but will generally include electronic submission of semiannual progress reports, quarterly financial status reports, and final reports.

Applicants that receive awards pursuant to this opportunity and any sub awardees must comply with the reporting requirements described at 2 CFR Part 170, unless an exception applies. Applicants must ensure they have the necessary processes and systems in place to comply with those requirements. A list of exceptions can be found at 2 CFR 170.110(b).

G. FEDERAL AWARDING AGENCY CONTACT(S)

For questions regarding this opportunity, please contact:

Administrative Contact
Name: Michele Devaney
Grants Management Specialist
FPAC Business Center
Email: Michele.Devaney@usda.gov

Program Contact
Name: Annie Ceccarini
USDA Awarding Agency
Email: Annie.Ceccarini@usda.gov

H. OTHER INFORMATION

1. Stakeholder Input

NRCS welcomes your comments about this Notice of Funding Opportunity (NFO). We will consider the comments in developing the next NFO. Email written stakeholder comments within 90 days of the announcement of the publication date of this NFO to: urbanagriculture@usda.gov (This e-mail address is intended only for receiving comments regarding this NFO and not requesting proposals or forms.) In your comments, please include the following words on the subject line of your email “Community Compost and Food Waste Reduction Project” and indicate in the body of your message that you are providing comments on the NRCS Notice of Funding Opportunity.

2. Questions

Questions regarding this opportunity must be submitted to the Administrative Contact identified above via email with the Opportunity Number in the subject line. Questions must be submitted by June 05, 2020. A questions and answers document addressing all questions will be posted to the Related Documents tab of this opportunity in Grants.gov by June 11, 2020.

3. Technical Issues

For technical issues with Grants.gov, please contact Grants.gov Applicant Support at 1-800-518-4726 or support@grants.gov. Awarding agency staff cannot support applicants regarding Grants.gov accounts.

4. Freedom of Information Act (FOIA)

Applications are considered confidential information. Applications are not shared with individuals or entities seeking public disclosure through the Freedom of Information Act (FOIA) without the consent of the applicant. More specifically, Executive Order 12600 and USDA FOIA regulation 7 CFR Part 1, Subpart A requires the awarding agency to provide notice to applicants that a third party has requested copies of their business information and requires the awarding agency to consult with applicants regarding the releasing their records.

5. Government Obligation

The Federal Government is not obligated to make any Federal award as a result of this opportunity. Only authorized Federal officials can bind the Federal Government to the expenditure of funds.

U.S. Department of Agriculture Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://www.ascr.usda.gov/filing-program-discrimination-complaint-usda-customer> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call

(866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, SW

Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.