

STATE OF NORTH CAROLINA
ATTORNEY GENERAL'S OFFICE
RALEIGH, N.C.

Environmental Enhancement Grant Program
Request for Proposals – Issued March 31, 2020

INTEREST MEETING	Wednesday, April 15, 2020 at 10am
LETTERS OF INTENT DUE:	Tuesday, April 21, 2020
INFORMATION MEETING:	Wednesday, April 29, 2020 at 10am
<u>PROPOSALS DUE:</u>	<u>11:00AM, Thursday, May 28, 2020</u>

I. INTRODUCTION

PURPOSE AND BACKGROUND

The Office of the North Carolina Attorney General has issued this Request for Proposals (RFP) to identify environmental enhancement projects contemplated by the Smithfield Agreement for reimbursement under the Environmental Enhancement Grant Program (“EEG Program”).

In 2000, the Attorney General and Smithfield Foods entered into a 25-year Agreement that, in part, provides \$2 million per year for environmental projects across the state. This money was used to establish the EEG Program that has awarded environmental grants since 2002. EEG Program grants have been used to preserve and enhance North Carolina’s natural resources with an emphasis on projects that are related to the swine industry or that are located in eastern North Carolina.

In the almost 20 years since the Agreement was signed, nearly \$24 million dollars in grant funds have been spent to improve North Carolina’s environment. EEG funds have been used for projects such as wetland restoration, land acquisition, storm-water remediation, stream stabilization, and buffer installations, among many others. EEG funds have been used to conserve over 23,000 acres, close 240 hog lagoons, and over one-fourth of the projects improved or added to public lands.

Please review each section carefully. This RFP explains the application process, including funding criteria, eligibility of participants, evaluation criteria, and deadlines. The Request also outlines some of the performance guidelines for grant recipients. The RFP is solely a request for expressions of interest and statements of qualification. It is not an invitation for tenders, an offer to contract or an invitation capable of acceptance to create a contract. The Attorney General may cancel this RFP at any time without liability for any loss, damage, cost, or expense incurred or suffered by any applicant as a result of that cancellation.

OBJECTIVES

The EEG Program offers reimbursement grants for projects that meet the goals of the Smithfield Agreement, including obtaining environmental easements, constructing or maintaining wetlands, restoring and protecting of impaired, degraded, or endangered surface waters, as well as conserving and protecting of targeted natural areas. When applying for a grant, please consider the purpose of the EEG Program, the program areas identified and their objectives, and the budget limitations for the project.

GEOGRAPHIC PREFERENCE

EEG proposals for project locations from across the state will be considered; however, consistent with the Smithfield Agreement, priority will be given to projects that directly improve the water quality in the Cape Fear, Lumber, Neuse, Tar–Pamlico, and White Oak River Basin.

MINIMUM APPLICANT ELIGIBILITY

The applicant must be a nonprofit organization or institution with documented 501(c) (3) status, whose charitable purpose includes the conservation, preservation, or restoration of North Carolina’s environmental and natural resources. Institutes of Higher Education (IHE) are likewise eligible to offer proposals. In addition, federal, state, and local governments are eligible to submit applications.

PROJECT ACTIVITY DURATION AND FUNDING

The EEG Program awards from \$5,000.00 to \$500,000.00 for projects. Projects are expected to be completed within three (3) years from the date of the grant award. Grant funds are provided on a reimbursement basis for project costs incurred after the execution of a memorandum of understanding (MOU). A minimum of 10% of the total award will be held until the project is completed and the final report has been approved by the EEG Program. Funds can be made available for real property acquisitions that require grant funds to close as long as all documentation has been submitted and all requirements are met.

The EEG Program encourages applicants to seek additional funding sources and partners for proposed projects. Favorable consideration will be given to proposals that include in the project's proposed budget sources of funding other than this program. Applicants must be in good financial standing and must demonstrate superior organizational capabilities to be selected for a grant.

INDIRECT COST RATE POLICY AND ELIGIBLE EXPENSES

Direct costs are expenses required to implement the grant program and that are directly connected and reasonably apportioned to the project. Examples of this include land acquisition costs, equipment, and program staff costs. These are costs that would not be incurred but for the grant project.

Indirect costs are routine operating and administrative expenses. These are expenses that would be incurred regardless of whether the proposal was implemented or not. Examples include overhead costs, rent and utility costs, technology expenses, and administrative staff salaries.

The indirect cost rate is defined as budgeted indirect costs divided by the budgeted total direct costs. The indirect cost rate proposed in the applicant's project budget should not exceed 15%. However, projects with lower or no indirect costs may be more competitive based on the evaluation criteria below.

EEG grant funds cannot be used for tuition, memberships, and conference fees. Grant funds also cannot be used for loan payments. The applicant's proposed mileage reimbursement rate cannot be greater than the rate established by the Internal Revenue Service.

PROGRAM CONTACT

Applicants should direct all questions regarding this RFP or the EEG Program to:

Sarah G. Zambon
Assistant Attorney General
(919) 716-6600
EEG@ncdoj.gov

II. EEG PROGRAM AREAS

The EEG Program funds a wide variety of projects. In order to better compare similar types of proposals, applicants should identify their projects within the following categories 1) land acquisitions including conservation easements; 2) data collection, research, planning or education; and 3) construction, remediation or restoration work. Applicants are asked to identify their proposed projects as based on the proposed project's primary activities. If the projects include multiple types of work, the identification of the proposed project should be based on which of the primary activities will require the most time or money.

LAND ACQUISITIONS AND CONSERVATION EASEMENTS

Long-term benefits to the environment of North Carolina can be achieved through concerted efforts to protect environmentally significant areas. The Smithfield Agreement identifies conservation easements as an effective method for improving the environment and providing long-term protection of North Carolina's natural resources.

Past Grant Award Examples:

- Obtained over 900 acres along Salmon Creek and Albemarle Sound with significant ecological and archaeological importance which were transferred to the State to create the Salmon Creek State Natural Area
- Acquired a 1,789.64 acre tract near Black River, which was home to a bald cypress tree that was determined to be over 2,613 years old
- Permanently protected 1,896 acres in Western North Carolina including more than twenty miles of stream and river frontage
- Acquired 2,991.58 acres along the Waccamaw River that was transferred, in part, to the State as public game lands as well as retaining a portion of the land for a nature preserve

RESEARCH, PLANNING AND EDUCATION

Research, planning, and education are crucial to identifying challenges facing North Carolina's environment and creating solutions to address those challenges. EEG funds allow researchers to identify and investigate environmental changes, inform organizations on where future environmental efforts should be focused, and deepen the public's interest in their role in protecting North Carolina's natural resources.

Past Grant Award Examples:

- Identified community college campuses for future implementation of stormwater best management practices
- Monitored water quality along the middle and upper Tar River basin for over 3 years
- Developed an online teacher training course about protecting water resources
- Analyzed chemical changes to precipitation to determine how to restore ground and surface waters

CONSTRUCTION, REMEDIATION, AND RESTORATION

The EEG Programs supports remediation to improve impaired waters and address problems for communities affected by adverse water quality. Grants from the EEG program fund the construction and maintenance of wetlands and the stream restorations. Awards can also be given for the construction and installation of stormwater best management practices.

Past Grant Award Examples:

- Installed field borders to improve water quality and restore wildlife habitats
- Closed over 240 inactive hog lagoons

- Restored 71 acres of wetland habitat on agricultural lands and improved water quality on hundreds of acres by reducing nutrient and sediment runoff removal and increasing flood retention on adjacent parcels
- Stabilized part of the shoreline in Holden Beach on the Intercoastal Waterway and installation of an oyster reef near Manteo

III. APPLICATION PROCESS

Organizations submitting a proposal in response to this RFP must submit a letter of intent, an application, a written proposal and all the relevant attachments described below in order to qualify for consideration. Applicants must adhere to the page limits and format guidelines. Applicants may submit more than one proposal.

LETTER OF INTENT

Prior to submitting a proposal, all applicants must submit a letter of intent electronically to EEG@ncdoj.gov. Letters of intent are due **Tuesday, April 21, 2020**. The letter should be no more than one page in length and include the following:

1. Contact information for applicant, including a contact person, email, phone, mailing address;
2. Descriptive title of proposed project;
3. Brief statement of applicant's eligibility;
4. Description of the proposed project including the environmental need and anticipated project activity;
5. Project location (county and/or river basin);
6. Specific EEG program type; and
7. Anticipated amount for the requested grant.

The contents of the letter of intent are not binding on the applicant. **Applicants who fail to submit a Letter of Intent on or before Tuesday, April 21, 2020 will be ineligible to submit a grant proposal.** All applicants who submit a Letter of Intent will be eligible to submit a complete proposal and will be sent the grant application.

GRANT APPLICATION FORM

The EEG Program will provide all applicants who submit a Letter of Intent on or before the deadline with a grant application form. Applicants must complete and submit the grant application form as part of their application packet.

PROPOSAL FORMAT

All proposal materials must be submitted electronically to EEG@ncdoj.gov on or before **11:00 AM Thursday, May 28, 2020**. Late materials cannot be considered. Applications must be submitted electronically and comply with the following format guidelines:

- All proposal documents, including attachments, must be in PDF format.
- Proposals must have margins of at least 1" and must use a typeface of at least 12-point that is easy to read.

- Proposal can be in a single PDF if possible. If file is too big, the attachments can be sent as one document and the proposal as a separate document.

SUBMISSION OF MULTIPLE PROJECTS

Applicants may submit more than one proposal. Applicants can send multiple proposals in one email to EEG@ncdoj.gov. All proposals must include their own application, proposal, budget and optional letters of support. Applicants only need to submit organizational documentation once as long as it is the same for all proposals submitted. Applicants submitting multiple proposals may include a memorandum detailing their project prioritization for funding.

REQUIRED ATTACHMENTS

The following materials are required attachments to all proposals and do not count against the proposal page limit. The pages of the attachments do not need to be numbered.

Attachment 1 | Proposed Budget and Budget Narrative:

- The Line-item project budget includes other sources of funding for the project, in-kind donations, and volunteer assistance. Please delineate which funds are committed and which have been requested. The Budget Narrative includes a description of the items requiring fund with as much specificity as is available at the time of submission. Examples include staff costs, anticipated travel, closing costs, and description of technical equipment.

Attachment 2 | Proposed Timeline & Benchmarks:

- A project timeline for the entire period of the project that identifies tasks/benchmarks the grantee will accomplish.

Attachment 3 | Organizational Materials:

Required Organizational Documentation		
Nonprofit Organization	Local Government	State Agency or University
<ul style="list-style-type: none"> • Letter of support by Executive Director, Board Chair or Other appropriate officials • Executive Summary of most recent annual independent audit (website link is acceptable) • IRS letter showing tax-exempt status • Organizational budget for current year 	<ul style="list-style-type: none"> • Letter of support by Mayor, manager, Board Chair or other appropriate official • Executive Summary of most recent annual independent audit (website link is acceptable) • Organizational budget for current year 	<ul style="list-style-type: none"> • Letter of support by Authorized Organizational Representative • List of staff working on project and/or biography or curriculum vitae for Lead Researcher

Attachment 4 | Letters of Support (Optional):

- A maximum of three letters of support and/or testimonials from project sponsors, participants, or supporters. These letters are not from people within the applicant organization

and should address both why the project is important and why the applicant is the appropriate party to implement the project.

Attachment 5 | Descriptive Documentation (Optional):

- Map of project area
- Relevant photographs

***Please note: Additional documentation including proof of insurance, conflict of interest policy, list of staff working on the project, and non-profit certificate of incorporation and bylaws, as applicable will be required if the project is awarded a grant.

IV. PROPOSAL REQUIREMENTS FOR GRANT AWARDS \$50,000 OR LESS

For proposals with requested budgets of \$50,000 or less, Applicants must provide the following:

- Letter of Intent submitted by April 21, 2020
- Application
- Proposal that is no longer than 5 pages excluding attachments. No table of contents page is required.
- Required attachments as described above

PROPOSAL CONTENTS

Proposal must include the following information:

1. Project description including need for project, project location, project methodology and anticipated outcomes
2. Relevance to the EEG program and environmental impact
3. Qualifications and experience of applicant
4. Project costs, budget and sources of funding in addition to EEG funds, if applicable

V. PROPOSAL REQUIREMENTS FOR GRANT AWARDS \$50,001 TO \$500,000

For proposals requesting budgets from \$50,001 to \$500,000, Applicants must submit the following:

- Letter of Intent submitted by April 21, 2020
- Application
- Proposal that is no longer than 10 pages excluding attachments. A table of contents page is optional and does not count against the page limit.
- Required attachments

PROPOSAL CONTENT

Each proposal must address four content areas:

- (1) Project description and technical specifications
- (2) Results measurement process
- (3) Project costs and estimated budget

(4) Organizational structure and management information

Applicants should address each of the items below within the proposal but should not feel limited to discuss only the items included in this list or to follow the same organization used below. The percentages listed for each item below is intended to be a recommended estimate of how much space the application should devote to each category.

Project Description and Technical Specifications..... 55%

- Project goals and objectives
- Environmental benefits from the project
- Description of project activities in detail, including individuals, organizations, or contractors responsible for project completion
- Geographic location of the project, including the county and the area or communities to be served by the proposed project
- How the proposal meets the objectives of the EEG Program
- Identification of any monetary or nonmonetary partners or community involvement
- Description of how the proposal addresses North Carolina's current environmental needs

Results Measurement 20%

- Performance measurements to be used upon completion
- Expected outcomes of the project, include benchmarks and milestones
- Whether the project is sustainable or replicable in other parts of North Carolina and if so, how
- Whether the project will be maintained after the grant is completed and if so, how
- Whether there is any additional public benefit to the project such as educational or recreational opportunities

Project Costs and Budget..... 15%

- Amount of funding requested
- Define or describe how the project may be leveraged with other projects or funding
- Prospective budget (Successful applicants are required to submit an itemized budget before grant funds disbursement)

Organizational Structure and Management..... 10%

- Brief history of the organization (250-word maximum)
- Current projects
- Mission statement, goals, and objectives
- Qualifications for the proposed project
- Previous similar projects

VI. EVALUATION CRITERIA

Applications are evaluated according to the following criteria. The scores indicate the relative importance of each criterion category; however, successful applicants will have strong scores in each category.

1. RELEVANCE OF PROPOSAL TO THE EEG PROGRAM 35%
 - 1.1. Whether project addresses the EEG objectives
 - 1.2. Environmental impact of the project
 - 1.3. Significance or urgency of problem addressed
 - 1.4. Replicability of project in other parts of North Carolina
 - 1.5. Public benefit of project
2. EFFECTIVENESS OF MANAGEMENT ORGANIZATION 20%
 - 2.1. Qualifications of applicant for the proposed project
 - 2.2. Demonstrated ability of the applicant to manage and complete the project
 - 2.3. Participation of multiple partner organizations in project
3. QUALITY OF PROJECT DESIGN 20%
 - 3.1. Appropriateness of the methodology or approach to the problem presented
 - 3.2. Thoroughness of project design and engineering
 - 3.3. Feasibility of proposed project
 - 3.4. Sustainability of project after grant closed
4. MEASURABILITY OF PROJECT PROGRESS 15%
 - 4.1. Identification of project benchmarks or milestones
 - 4.2. Demonstrated ability to measure the results of the project
 - 4.3. Impacts and benefits expected from successful project
 - 4.4. Readiness to begin project- i.e. permitting, purchase or option contract for land acquisition
5. ADEQUACY OF PROPOSED BUDGET TO COMPLETE THE PROJECT 10%
 - 5.1. Availability of additional funds and status of matching funds
 - 5.2. Total cost of the project relative to the benefits of a successful project
 - 5.3. Appropriateness of budget

VII. ADDITIONAL INFORMATION

ATTORNEY GENERAL'S DISCRETION

For each proposal submitted, the Attorney General has absolute discretion to:

- Accept or reject any proposal
- Accept a proposal on the condition that certain modifications be made
- Assess proposals as he sees fit, without in any way being obligated to select any proposal
- Determine whether any proposal or proposals satisfactorily meet the evaluation criteria set out in this RFP
- Reject all proposals with or without cause, whether based on the evaluation criteria set out above or otherwise

Note that this RFP does not create any right to protest or challenge the organizations that are selected in the RFP. In addition, note that the State, its agencies (including but not limited to the Attorney General's Office), and its officers and employees shall not be responsible for any costs incurred by the proposer to respond to this RFP or participate in the evaluation process.

PERFORMANCE GUIDELINES

The EEG Program requires several accountability measures from grant recipients. These measures will include: quarterly reports; independent audits; and an adequate system of accounting and internal controls. The last payment under the grant will not be made until submission by grantee of a final report, which at a minimum must include a narrative evaluation and summary of the project, appropriate documentation of the completion of the project and how it met the goals of the project, and a full financial report on the project. Grant recipients are expected to make provision for public distribution of information regarding their activities and to provide promptly to the Attorney General any published news, journal, or newsletter articles regarding the project.

INTEREST AND INFORMATIONAL MEETINGS

The Attorney General's Office will hold an interest meeting on Wednesday, April 15, 2020. The interest meeting is strictly voluntary and will introduce the EEG program, provide information about past grant awards and address any questions that might arise, including those with regard to the Letter of Intent. To register for the interest meeting, please send an e-mail with your name, organization and a contact phone number to **EEG@ncdoj.gov**. Those who register will be sent follow-up information on how to participate in the meeting.

In addition, the Attorney General's Office will hold an informational meeting on Wednesday, April 29, 2020. The informational meeting is strictly voluntary and will cover the RFP and the application process, then address any questions that might arise. Only those who have submitted a Letter of Intent may attend the April 29th informational meeting. Information about how to participate in the information meeting will be provided to all applicants who submit a Letter of Intent.

PUBLIC RECORDS NOTICE

By submitting a proposal, each applicant represents and warrants to the Attorney General that the information in the proposal is accurate and complete. All proposals submitted to the Attorney General under this RFP and any written communications with Department of Justice staff, including e-mail, are public records subject to the North Carolina Public Records Act.
