

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

Environmental Enhancement Grant Program

Request for Proposals – Issued March 1, 2023

INTEREST MEETING:	March 23, 2023 at 10:00AM
LETTERS OF INTENT DUE:	March 30, 2023
INFORMATION MEETING:	April 13, 2023 at 10:00AM
<u>PROPOSALS DUE:</u>	<u>May 12, 2023</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.

In the 22 years since the Agreement was signed, more than \$37 million dollars in grant funds have been awarded 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 31,000 acres, rehabilitate 249 abandoned hog lagoons, and about one-third 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 RFP 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 improve the air, water, and land quality of North Carolina to address the goals of the Smithfield Agreement. 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.

FUNDING PREFERENCES

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.

In addition, the Attorney General has established a preference for proposed projects that take place in or focus on benefiting underserved or overburdened communities. For the purposes of this preference, and consistent with the definitions used by the U.S. Environmental Protection Agency (EPA), an “underserved community” includes those communities with environmental justice concerns or that have vulnerable populations. An “overburdened community” includes those communities with minority, low-income, tribal, or indigenous populations, or geographic locations in the State that potentially experience disproportionate environmental harms and risks.

MINIMUM APPLICANT ELIGIBILITY

The applicant must be a nonprofit organization or institution with documented 501(c)(3) status and either a charitable purpose that includes the conservation, preservation, or restoration of North Carolina's environmental and natural resources or which has a documented history of environmental work. Institutes of Higher Education (IHE), federal, state, and local governments are likewise 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. This is a reimbursement grant. Grant funds reimburse 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 have been met.

The EEG Program encourages applicants to seek additional funding sources and partners for proposed projects and favorable consideration will be given to proposals that include those components. 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 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 7% of the total grant and cannot exceed \$15,000. 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, publication costs, and conference costs including fees, travel and hotel. 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) research, planning, or education; and 3) construction, remediation, or restoration work. Applicants are asked to identify their proposed projects 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 that 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
- Acquired 2,991.58 acres along the Waccamaw River that were 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
- Analyzed chemical changes to precipitation to determine how to restore ground and surface waters
- Created a resiliency plan for a eastern North Carolina municipality

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:

- Rehabilitated over 240 abandoned 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 installed an oyster reef near Manteo

SMALL GRANTS (\$50,000 OR LESS)

There are many projects across the state that do not require more than \$50,000. For example, some are smaller projects that require fewer grant funds. Other projects require a small amount of funds to combine with already committed funds to complete the project.

Past Grant Award Examples:

- Collection of water quality data using macroinvertebrates as a bioindicator to determine impact of poultry farms
- Isolated streambank restorations
- Riverbank clean-up and riparian planting with education about indigenous culture

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. All documents must be sent together and concurrent with the application. Documents, including letters of support, submitted separately may not be accepted and no documents submitted after May 12, 2023 will be accepted.

A complete submission consists of the following documents:

Proposals requesting \$50,000 or less	Proposals requesting more than \$50,000
<ul style="list-style-type: none"> • Letter of Intent • Application • Proposal no longer than 5 pages • Organizational documents • Line item budget • Timeline • Letters of Support (maximum of 3) • OPTIONAL Map or photos 	<ul style="list-style-type: none"> • Letter of Intent • Application • Proposal no longer than 10 pages • Organizational documents • Line item budget • Timeline • Letters of Support (maximum of 3) • OPTIONAL Map or photos

The documents listed in the above chart are described below, including their substance and format.

LETTER OF INTENT

Prior to submitting a proposal, all applicants must submit a letter of intent form electronically through [this link](#). Letters of intent are due March 30, 2023. The following information must be included:

1. Contact information for applicant, including organization name, contact person, email, phone, mailing address;
2. Descriptive title of proposed project;
3. Identification of type of applicant;
4. Description of the proposed project;
5. Project location (county and/or river basin, or statewide);
6. Specific EEG program type; and
7. Estimated amount for the requested grant.

Applicants who fail to submit a Letter of Intent on or before March 30, 2023 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 with a grant application form. Applicants must complete and submit the grant application form as a complete submission packet.

PROPOSAL CONTENTS AND FORMAT

Applicants submitting proposals for \$50,000 or less can submit a proposal of no more than 5 pages. Applicants submitting proposals for greater than \$50,000 can submit a proposal of no more than 10 pages. The 10-page proposals may include an optional table of contents and references or endnotes that will not count against the page limit.

Applicants should refer to the evaluation criteria detailed in this RFP for further information on what the proposals should include.

All proposal materials must be submitted electronically through our web-based platform on or before May 12, 2023. Late materials cannot be considered. Applications must be submitted electronically and comply with the following format guidelines:

- All proposal documents, including attachments, must be labelled with designated grant code and the document name.
- Proposals must have margins of at least 1" and must use an easy-to-read typeface of at least 12-point.
- Applicants may submit more than one proposal. Each project must have its own letter of intent, and applicants must submit a complete proposal for each application.

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.

Proposed Budget:

- The project budget includes where EEG funds would be spent, other sources of funding for the project, in-kind donations, and volunteer assistance. Please delineate which funds are committed and which have been requested. Examples include staff costs, anticipated travel, closing costs, and technical equipment.

Proposed Timeline:

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

Organizational Materials:

Required Organizational Documentation		
Nonprofit Organization	Local Government	State Agency or University
<ul style="list-style-type: none"> • Letter of Commitment by Executive Director, Board Chair, or other appropriate officials • IRS letter showing tax-exempt status • Organizational budget for current year 	<ul style="list-style-type: none"> • Letter of Commitment by Mayor, Manager, Board Chair, or other appropriate official • Organizational budget for current year 	<ul style="list-style-type: none"> • Letter of Commitment by Authorized Organizational Representative • List of staff working on project and/or biography or curriculum vitae for Lead Researcher

Letters of Support:

- A minimum of one letter and maximum of three letters of support from project sponsors, participants, or supporters. These letters are not from employees or volunteers of the applicant and should address both why the project is important and why the applicant is the appropriate party to implement the project.

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. 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 30%
 - 1.1. Whether project addresses the EEG objectives, as described on page 2 of this RFP.
 - 1.2. Extent of environmental impact of the project- How big an effect will the project have on the environmental issue being addressed?
 - 1.3. Significance or urgency of the environmental problem addressed- How important or time-sensitive is the subject environmental issue?
 - 1.4. Replicability of project in other parts of North Carolina- Whether the project could be re-created in other locations in the state?
 - 1.5. Public benefit of project- Is there a public benefit to the project beyond the environmental impact, for example public education, public access or public recreation?
 - 1.6. Whether project addresses EEG funding preferences- Does the project either improve eastern North Carolina or benefit underserved or overburdened communities as described on page 2 of this RFP?

2. EFFECTIVENESS OF MANAGEMENT ORGANIZATION 10%
 - 2.1. Qualifications of applicant for the proposed project- What experiences and credentials does the applicant have to perform the work described in the project?
 - 2.2. Demonstrated ability of the applicant to manage and complete the project- Has the applicant successfully completed projects similar to the one proposed? Has the applicant had past grant-funded successful projects?
 - 2.3. Participation of multiple partner organizations in project- Are there partner organizations or organizations supporting or benefitting from the project?

3. QUALITY OF PROJECT DESIGN 25%
 - 3.1. Appropriateness of the methodology or approach to the problem presented- Do the strategies outlined make sense to address the environmental issue?
 - 3.2. Thoroughness of project design and engineering- How detailed is the project description?
 - 3.3. Feasibility of proposed project- How likely is the project to have the desired outcome?
 - 3.4. Sustainability of project after grant closed- Will the benefits of the project continue after the grant funds are expended or will the project only last while the grant is open?

4. MEASURABILITY OF PROJECT PROGRESS 15%
 - 4.1. Identification of project benchmarks or milestones- Has the applicant outlined the steps to be taken for the project over the length of the grant?

- 4.2. Demonstrated ability to measure the results of the project- Has the applicant provided a way to evaluate the results of the project?
 - 4.3. Impacts and benefits expected from successful project- If the project goes as planned, what are the outcomes of the project?
 - 4.4. Readiness to begin project – For example, has any design work been completed, have permits been acquired, if land is to be purchased has a purchase contract been prepared?
5. ADEQUACY OF PROPOSED BUDGET TO COMPLETE THE PROJECT 20%
- 5.1. Availability of additional funds and status of matching funds- Are there other funds or matching funds for the project or are EEG funds the only source of funding?
 - 5.2. Total cost of the project relative to the benefits of a successful project- Is the cost of the project reasonable given the expected outcome of the project?
 - 5.3. Appropriateness of budget- What are the costs in the budget and are the costs economical? How much of the money is going for direct and indirect expenses?

V. **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 the goals of the project were met, 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 a remote interest meeting on March 23, 2023. The interest meeting is strictly voluntary and will introduce the EEG program, explain the grant application process, provide information about past grant awards and address any questions that might arise. To register for the interest meeting, please register at this [link](#) to receive the remote meeting information. 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 a remote informational meeting on April 13, 2023. The informational meeting is strictly voluntary and will first 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 13th informational meeting. Information about how to participate in the informational meeting will be provided to all applicants who submit a Letter of Intent. After awards are announced, all awardees must attend a mandatory orientation meeting for new grantees.

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-mails, are public records subject to the North Carolina Public Records Act.

ATTACHMENT 1 CHECKLIST FOR SUBMISSIONS

If you are a NONPROFIT submitting a SMALL GRANT (>\$50,000) proposal

- Letter of Intent
- Proposal that is 5 pages or less
- Application
- Line-item budget and budget narrative
- Timeline
- IRS letter showing tax-exempt status
- Letter of Commitment from Executive Director or Board Chair
- Current Organizational Budget
- 1 to 3 Letters of Support
- OPTIONAL -Photos, Map

If you are an IHG submitting a SMALL GRANT (>\$50,000) proposal

- Letter of Intent
- Proposal that is 5 pages or less
- Application
- Line-item budget and budget narrative
- Timeline
- Letter of Commitment from Authorized Representative
- List of Staff or Principal Investigators with biography information or curriculum vitae
- 1 to 3 Letters of Support
- OPTIONAL - Photos, Map

If you are a LOCAL GOVERNMENT submitting a SMALL GRANT (>\$50,000) proposal

- Letter of Intent
- Proposal that is 5 pages or less
- Application
- Line-item budget and budget narrative
- Timeline
- Letter of Commitment from Mayor, Manager, or Council or Board Chair or other appropriate official
- Current organization Budget
- 1 to 3 Letters of Support
- OPTIONAL - Photos, Map

If you are a NONPROFIT submitting a LAND ACQUISITION/CONSTRUCTION/RESEARCH proposal greater than \$50,000

- Letter of Intent
- Proposal that is 10 pages or less
- Application
- Line-item budget and budget narrative
- Timeline
- IRS letter showing tax-exempt status
- Letter of Commitment from Executive Director or Board Chair
- Current Organizational Budget
- 1 to 3 Letters of Support
- OPTIONAL - Photos, Map

If you are an IHG submitting a LAND ACQUISITION/CONSTRUCTION/RESEARCH proposal greater than \$50,000

- Letter of Intent
- Proposal that is 10 pages or less
- Application
- Line-item budget and budget narrative
- Timeline
- Letter of Commitment from Authorized Representative
- List of Staff or Principal Investigators with biography information or curriculum vitae
- 1 to 3 Letters of Support
- OPTIONAL - Photos, Map

If you are a GOVERNMENTAL BODY submitting a LAND ACQUISITION/CONSTRUCTION/RESEARCH proposal greater than \$50,000

- Letter of Intent
- Proposal that is 10 pages or less
- Application
- Line-item budget and budget narrative
- Timeline
- Letter of Commitment from Mayor, Manager, Council or Board Chair, or other appropriate official
- Current Organization Budget
- 1 to 3 Letters of Support
- OPTIONAL - Photos, Map