

Release Date: July 24, 2023

Lake Champlain Basin Program Announcement

Request for Proposals

External Review of VTDEC and NYSDEC Clean Water Project Tracking and Accounting Methodologies

The Lake Champlain Basin Program (LCBP), in coordination with NEIWPC, is pleased to announce a Request for Proposals (RFP) for the external review of published Vermont Department of Environmental Conservation (VTDEC) and New York State Department of Environmental Conservation (NYSDEC) clean water project tracking and accounting methodologies. This project will support the coordination and development of a comparison evaluation of clean water project tracking data and accounting. The Project will offer recommendations to align pollution reduction efficiencies for management practices, total phosphorus load reduction estimates, and Standard Operating Procedures for calculating this information for the entire U.S.-portion of the Lake Champlain watershed. The outputs of the external review will define and compare BMP tracking and accounting procedures, consider data collection and state-wide tracking responsibilities for New York and Vermont, and identify opportunities for building consistency into the existing programs over time. Ultimately, the project will recommend how pollution reduction tracking methodology for the Lake Champlain Phosphorus TMDL may be improved within each State and be better aligned between the two States.

The successful applicant will propose a project that completes the outputs described below according to the required project timeline. Up to \$100,000 is available to support this project, and it is anticipated that one application will be awarded.

This work will support the Clean Water goal of LCBP's long-term management plan, [*Opportunities for Action: An Evolving Plan for the Future of the Lake Champlain Basin*](#). This grant opportunity is supported by funds awarded to NEIWPC on behalf of the Lake Champlain Basin Program by the U.S. Environmental Protection Agency (EPA).

Applicants must submit their proposal via the online form [at this link](#) no later than 12 PM (noon) EST on Monday September 25, 2023.

Please see below for complete details and proposal format requirements. Project awards are subject to funding availability. The successful applicant will be notified in October 2023. This Request for Proposals is available on the LCBP website at lcbp.org/grants.

Questions about this RFP opportunity may be directed to:

Lauren Jenness, Environmental Analyst, (ljenness@lcbp.org or 802-372-0223).

0. Overview of the Lake Champlain Basin Program

Congress designated Lake Champlain as a resource of national significance with the Lake Champlain Special Designation Act of 1990. The Special Designation Act also established the Lake Champlain Basin Program (LCBP) and authorized it to receive direct support from EPA under the Clean Water Act. LCBP works in partnership with government agencies from New York, Vermont, and Québec, private organizations, local communities, and individuals to coordinate and fund efforts that benefit the Lake Champlain Basin's water quality, fisheries, wetlands, wildlife, recreation, and cultural resources. These efforts are guided by the comprehensive management plan, *Opportunities for Action* (plan.lcbp.org).

NEIWPC has served as the primary program administrator of LCBP at the request of the Lake Champlain Steering Committee since 1992 and administers the program's personnel and finances. LCBP is a program partner of NEIWPC. NEIWPC is a regional commission that helps the states of the Northeast preserve and advance water quality. NEIWPC engages and convenes water quality professionals and other interested parties from New England and New York to collaborate on water, wastewater, and environmental science challenges across shared regions, ecosystems, and areas of expertise.

I. Project Background

The states of Vermont and New York are both collecting pollution reduction tracking data. Under the Clean Water Service Delivery Act (Act 76 of 2019), Vermont was required to publish methods to estimate phosphorus reduction efficiencies for all clean water project types in the Lake Champlain and Lake Memphremagog basins by November 1, 2021. To meet Act 76 requirements and centralize all of Vermont's TMDL tracking and accounting methods, VTDEC's Clean Water Initiative Program (CWIP) has been developing TMDL Tracking and Accounting Standard Operating Procedures (SOPs) for each land use sector (developed lands, agriculture, wastewater, and natural resources). After the initial publication of Tracking and Accounting SOPs in late 2021, the State is required to periodically review accounting methods at least every five years to determine the adequacy or accuracy of pollutant reduction values and the design life of management practices.

NYSDEC is concurrently developing a statewide BMP tracking database with SOPs that will account for project implementation in the Lake Champlain basin. The NYDEC Division of Water's Nonpoint Source Database tracks pollution reducing projects implemented throughout New York State. The database contains project descriptions, location, amount of best management practices installed, funding source, and estimated pollution reductions (nitrogen, phosphorus, and sediment) associated with the projects. NYDEC Division of Water (DOW) is currently required to report nonpoint source project data to EPA for two different programs. As part of EPA's Section 319 Nonpoint Source Program, projects that occur through DOW's Water Quality Improvement Project program and the Department of Agriculture and Markets Agricultural Non-Point Source Abatement and Control program are reported to EPA annually through the Grant Reporting and Tracking System. Under EPA's Chesapeake Bay Program, all nonpoint source BMP projects occurring within the Susquehanna and Chemung must also be reported.

More information about the New York and Vermont programs may be accessed through these links:

New York:

- NYS DEC webpage for Lake Champlain: <https://www.dec.ny.gov/lands/124146.html>
- NYS DEC Nonpoint Source Program: <https://www.dec.ny.gov/chemical/94150.html>

Vermont:

- VTDEC's page on Lake Champlain: <https://dec.vermont.gov/watershed/restoring/champlain>
- CWIP's homepage: <https://dec.vermont.gov/water-investment/cwi>
- Subpage on Tracking & Accounting: <https://dec.vermont.gov/water-investment/cwi/projects/tracking-accounting>

This project will complete an external review of the published tracking and accounting SOPs to assess the accuracy of pollutant reduction methods. An analysis and comparison between NYSDEC and VTDEC's Tracking and Accounting SOPs will offer recommendations for how the States might collect and report more data with basin-wide consistency. The States may use this external review to inform future revisions to their SOPs and improve TMDL tracking and accounting methods for Lake Champlain data. This project will build from existing efforts and collaborative initiatives including LCBP projects that address accounting of soil and sediment phosphorus reductions, agricultural BMPs, as well as broader collaborative efforts such as the work of the NEIWPC Tracking and Accounting Collaborative, to establish consistent methodologies within the region. The ultimate goal of the project is to align New York and Vermont assumptions and calculations for phosphorus reduction efforts in the Lake Champlain basin.

II. RFP details and requested project tasks

Summary:

The primary goal of this project is the completion of an external review of published Vermont Department of Environmental Conservation (VTDEC) and New York State Department of Environmental Conservation (NYSDEC) clean water project tracking and accounting methodologies for Lake Champlain to support the coordination and development of recommendations for a basin-wide approach that establishes consistent pollution reduction efficiencies for management practices, total phosphorus load reduction estimates, as well as improved harmonization of Standard Operating Procedures for the entire Lake Champlain watershed. The outputs of the external review will define and compare BMP tracking and accounting procedures, consider data collection and state-wide tracking responsibilities, and identify opportunities for building consistency into the existing programs over time. A final report with recommendations will identify where BMP tracking and accounting procedures could be improved within each State and also better aligned between the two States to ensure that phosphorus reduction estimates and progress reporting for the Lake Champlain TMDL employ the strongest current methodology.

Tasks:

1. Convene a project advisory committee in consultation with LCBP throughout the project as appropriate to gather feedback and inform the project methods and outputs.
2. Develop a Quality Assurance Project Plan (QAPP) to be approved by NEIWPC, LCBP, and EPA representatives. The QAPP must be approved before data collection and review begins.
3. Develop a comprehensive understanding and method of analysis to evaluate and compare published Vermont Department of Environmental Conservation (VTDEC) and New York State Department of Environmental Conservation (NYSDEC) clean water project tracking and accounting methodologies for Lake Champlain, based on available data and resources. A comparison report will include commonalities, differences, optimization recommendations, and opportunities for alignment of pollution reduction tracking and reporting for consideration by the project advisory committee. The report should also consider timelines and requirements of existing state accounting programs and consider State-specific administrative processes and capacity to stage in recommendations over time.
4. Convene project stakeholder meeting to review pollution reduction tracking and reporting comparison and recommendations for optimization and harmonization and incorporate feedback into final recommendations report.
5. Final report and presentations to LCBP committees.

Outputs:

1. Number of project advisory committee meetings
2. An approved project QAPP.
3. Create a comparison and recommendations document that provides information including crosswalks of best management practices names and definitions, best management practice efficiency and reductions, land use loadings, and best management practice lifespans.
4. Revised recommendations based on project stakeholder feedback.
5. Final report and presentation for LCBP committees.

Outcomes:

1. Regional coordination will improve and make recommendations for consistent tracking and accounting methodologies to support informed decision-making, comparison, and progress in meeting clean water targets for Lake Champlain.

III. Summary of other requirements for selected applicants

The selected applicants will be required to complete the following additional tasks:

1. Within thirty days of LCBP grant award notification, applicants must submit a detailed project workplan that will be subject to the LCBP approval process before a contract will be issued. The workplan describes the project methods, tasks, timeline, outputs, and task-based budget. Selected contractors will be responsible for the completion of all project tasks. **Payments will only be made for fully completed tasks; please keep this in mind when developing your task-based budget.** If a project is selected for funding, LCBP staff will provide the grant recipient with workplan guidance. We strongly encourage all applicants to use the LCBP grant application and reporting templates and to visit the LCBP website for more information on the LCBP grant process and reporting templates [at this link](#).
2. Once the grant agreement has been executed, the contractor must develop a Quality Assurance Project Plan (QAPP) to be approved by the LCBP, NEIWPC, and EPA before initiating any data collection or secondary data analyses. More information about LCBP Quality Assurance Plans can be found at: <http://www.lcbp.org/about-us/grants-rfps/grant-toolkit/qapp/>. The project timeline should be scheduled with an expected QAPP approval date no earlier than 6 weeks following contract execution. No primary or secondary data may be collected or analyzed with LCBP funding prior to QAPP approval.
3. Successful applicants will prepare and submit brief quarterly reports documenting progress on each objective and task in the project (see below Proposal Format Requirements). A final report fully documenting the project outputs/results will be required at project completion.
4. When approved, the final report will be edited for content and style in consultation with the successful applicant and may be published as part of the Lake Champlain Basin Program's Technical Report Series [at this link](#). Some content of this report may also be used for future LCBP and/or NEIWPC public outreach materials.
5. Successful applicants will complete projects according to the following schedule (subject to change):

Proposals due to LCBP	12 PM (noon) EST September 25, 2023
Applicants notified of funding decisions	Late-November, 2023
Detailed project workplan due	February 2024
Project start	March 2024
Project deliverables and final report due on or before	May 2025

6. All materials and work products, regardless of physical form or characteristics, produced as a result of this project shall be made available to LCBP, NEIWPC, and EPA in a suitable file format. LCBP, NEIWPC, and EPA shall have an unrestricted right to use any materials, software, maps, studies, reports, and other products or data generated using assistance funds or specified to be delivered. The contractor shall not obtain, attempt to obtain, or file for a patent, copyright, trademark or any other interest in any such materials, or work products without the expressed, written consent of LCBP and NEIWPC, and subject to any other approvals required by state or federal law. Reports and other deliverables will credit LCBP, NEIWPC, and EPA as funding partners for any work completed under the project contract.
7. GIS data produced under this project must adhere to the requirements of EPA's National Geospatial Data Policy (see <https://www.epa.gov/geospatial/epa-national-geospatial-data-policy>). Specifically, the selected contractor must provide documentation for all produced data, including source information for each digital data layer (i.e., scale and accuracy, map projection, coordinate system, etc.), and specific information about the data layer itself (i.e., method used, geographic extent of data layer, file format, date of creation, staff contact, description and definition of data fields and their contents, related files, if any, and description of data quality and quality assurance methods used). The EPA Metadata Editor (EME) was developed to simplify and standardize metadata development and is a recommended tool for streamlining production of required metadata. The EME and related training materials can be downloaded from <https://edg.epa.gov/EME/>. Specific technical guidance on geospatial deliverables and acceptable formats can be found at <https://www.epa.gov/geospatial/epa-region-2-gis-deliverables-guidance>. GIS data produced under this project will be submitted to LCBP as a deliverable.
8. NEIWPC requires its contractors to maintain workers compensation and liability insurance. Contractors must submit proof of adequate insurance coverage on an annual basis for the duration of the project. The Contractor shall, at its sole expense, obtain and maintain in force, and shall require any subcontractor or assignee to obtain and maintain in force, both for the benefit of NEIWPC, the following kinds and amounts of insurance:
 - Workers' Compensation Insurance. The policy shall cover the obligations of the Contractor in accordance with the Workers' Compensations Law and Disability Benefits Law covering all operations under the Contract, whether performed by it, or by its subcontractor.
 - Liability and Property Damage Insurance. Unless otherwise specified, each policy shall have limits not less than: \$2,000,000 combined (Bodily Injury & Property Damage); \$3,000,000 aggregate, single limit per occurrence.
9. Subawardees must comply with all requirements and responsibilities of this subaward and with all U.S. EPA General Terms and Conditions under the prime agreement as outlined [at this website](#). If awarded, subawardees are required to submit a [Subrecipient Risk Assessment Form](#) with their workplan, which includes a requirement to attach an audit in some cases.

10. NEIWPCCOVID-19 Vaccination Policy (Updated May 2023)

NEIWPCCO is committed to providing events that keep all participants as safe as possible and promote the well-being of our community. NEIWPCCO recommends all individuals who participate in NEIWPCCO-funded events to be fully vaccinated to attend the event.

11. **UEI Number:** The official entity identifier for doing business with the U.S. Government and NEIWPCCO has changed from a DUNS number to a SAM.gov created Unique Entity Identifier (“UEI”) number. The DUNS number is no longer acceptable. Instead, Contractors must register for a UEI through the System for Award Management (SAM) at <https://www.sam.gov/portal/SAM>. This SAM-generated number is required for all NEIWPCCO Contractors as part of the agreement process. Existing NEIWPCCO Contractors that have already registered in SAM.gov will be automatically assigned a UEI which will be displayed in Sam.gov. No further action is required.

IV. Eligibility

Eligible organizations include colleges, universities, nonprofit organizations, for-profit companies, and non-federal and non-state government agencies. The selected contractor will be responsible for the completion of all project tasks.

Individuals and representatives from organizations that participated in the development or review of this RFP and its contents are ineligible to apply.

Applicants with current LCBP contracts must be in good standing (i.e., all deliverables that are due have been received by LCBP) to be eligible to apply for additional funds. New project work must be distinct from currently contracted work in both objectives and deliverables. Extensions of ongoing projects with new tasks and deliverables will be considered if groups demonstrate satisfactory progress on the current grant.

V. Proposal evaluation and selection criteria

Proposals received in response to this RFP will undergo a confidential external peer review, and will be judged according to the following criteria:

1. Demonstrated technical knowledge of clean water tracking and accounting SOPs necessary to complete the project tasks (20 points).
2. Demonstrated ability to facilitate and collaborate with stakeholder groups (10 points).
3. Demonstrated ability to accomplish the tasks described in Section II above (20 points).
4. Described approach to developing project findings that will support the coordination and development of recommendations for a basin-wide and consistent approach to calculate pollution reduction efficiencies, total phosphorus load reduction estimates, as well as Standard Operating Procedures (30 points).

5. Clarity, conciseness, and adherence to the proposal guidelines (10 points).
6. Appropriateness of budget and budget justification, describing how the awarded funds will be used to produce the set of deliverables, outputs, and outcomes described above (10 points).

VI. Available funds and match requirements

A total of approximately \$100,000 may be available for a project to be supported under this RFP. No in-kind or cash match is required, though match will be considered favorably during budget review and may make the proposal more competitive. Federal funds may not be used as match. If matching funds are from a Vermont or New York State agency, please provide a letter certifying those funds are eligible for match against LCBP funding and confirm they are not already dedicated to EPA Section 120 LCBP program match.

The Lake Champlain Steering Committee will ultimately decide the final distribution of available funds. Proposals that request amounts greater than the applicable allowable limit (\$100,000) will not be considered.

Applicants may budget costs that are associated with the project as direct expenses, including personnel costs, travel, project supplies, meeting expenses, and subcontracts. Some allocation of project funds for indirect costs also is acceptable (see Direct and Indirect Costs, below).

VII. Appropriate use of funds

- LCBP grant funds **cannot be used** to produce for-profit products or to cover costs associated with regulatory compliance or direct fundraising efforts. LCBP grant funds also cannot be used for endowment funds or legislative advocacy of any kind.
- Grant award funding may not be used for the purchase of food or beverage.
- Grant applicants are required to follow the small purchase method which is a relatively simple and informal method (procurement procedure) for purchasing supplies, equipment, and services that cost more than \$10,000 and less than \$250,000. This procurement procedure is applicable to proposals submitted in response to this RFP if the primary applicant is not a for-profit organization. The purpose is to ensure fair and open competition for purchases supported by LCBP/federal funding. If the applicant plans to use LCBP funding to obtain supplies, equipment, or contractual services to complete its proposed workplan, then it must follow federal procurement regulations:
 - Procurement of supplies and services that do not exceed \$10,000 may be made without soliciting competitive quotes if the price is considered reasonable.
 - Procurement of supplies, equipment and services that are greater than \$10,000 and do not cost more than \$250,000 require that the recipient obtain multiple price quotes through a documented competitive process. Good faith efforts to obtain services from disadvantaged business enterprises should also be made, including contacting the small business administration and minority business development agency to inform them

about the opportunity for businesses to submit price quotes as part of the competitive process. At least three price quotes for professional services or subcontracted work must be secured. The selected item or service does not need to be the lowest cost if it does not meet your requirements or you can otherwise demonstrate that the higher price offers the “best value.” Justification must be provided for the outcome of the bid process. This process may take place prior to the submission of a proposal for LCBP funds.

- “Equipment” is defined as tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. Equipment purchases may require additional information at the time of purchase, an LCBP staff person taking inventory on an annual basis, and disposition instructions from funding source following the completion of the project.

[Build America, Buy America requirements](#) (does not apply to Quebec-based projects)

When applicable, projects will be required to comply with EPA's implementation guidance on Build America, Buy America (BABA). This guidance is not yet available; however, LCBP anticipates these requirements will cover projects related to the construction, alteration, maintenance, or repair of infrastructure in the U.S. LCBP will provide additional information as it becomes available.

Direct and Indirect Costs:

Applicants should budget costs that are associated with the project as direct expenses, including personnel costs, travel, project supplies (mailings, phone costs, office supplies) etc. Necessary indirect costs that are not directly attributable to funded activities are subject to the following policy:

- Applicants that do not have a Negotiated Indirect Cost Rate Agreement (NICRA) may charge a maximum indirect rate of 10 percent of direct costs (de minimis rate)
- Applicants (including academic institutions) with a valid NICRA with their cognizant federal agency can charge indirect costs to projects based on their negotiated indirect cost rate and must enclose a current copy with their proposed work plan.
 - A valid NICRA is one in which the effective period has not expired. Applicants must provide a copy of their valid NICRA with their application in order for indirect cost reimbursement to be considered. If the effective period of the NICRA has expired but the grantee has documented evidence (via an indirect cost rate proposal) that they have reapplied for a new rate, the expired rate may be accepted.

VIII. Schedule and requirements for proposal submission

Proposals must follow the format requirements below.

Only Microsoft Word-compatible submissions using the below proposal form will be accepted and must be submitted no later than 12 PM (noon) EST on Monday

September 25, 2023, via the online form [at this link](#). You should receive a confirmation email once your proposal is successfully submitted (please check your spam folder).

IX. Proposal format and content requirements

Proposals should not exceed 5 pages in length, NOT including budget information, bibliography of references cited, letters of support or participation, or project team resumes.

Please use 12-point Times New Roman (or equivalent) font or larger, minimum 1-inch margin on all sides. Single-spaced text is acceptable.

Additional pages, with the exception of partner commitment letters or letters of support identifying a specific need for this project (3 maximum), will NOT be reviewed.

Description of the required proposal format begins on the next page.

Proposal format requirements

Proposals should adhere to the following format and should not exceed a 5-page maximum length (font size 12), NOT including budget information, references cited, and investigator resumes, and letters of participation or support.

TITLE: Concise and descriptive.

POINT OF CONTACT: Name, position, organization, address, county where the organization/business is located, telephone, fax, and email of the person who will be the point of contact.

AUTHORIZED REPRESENTATIVE: Name, position, organization address, telephone, fax and email of the person who is authorized to sign the contract.

TRACKING INFORMATION: Federal Tax Identification Number (EIN), UEI (SAM.gov) Number, and Certified Disadvantaged Business Enterprise (DBE): (Yes or No)

TOTAL REQUEST AMOUNT: Total proposal request amount in US dollars.

NON-FEDERAL MATCH AMOUNT: Total proposed non-federal match amount. While matching funds are not required, they make projects more competitive.

ABSTRACT: Brief description of proposed work.

INTRODUCTION: Overview of the project and what it will accomplish in relation to the RFP.

TASKS: Describe in detail the tasks that will be performed, including methods and approaches.

DELIVERABLES AND OUTPUTS: Detailed description of the items that will be sent to LCBP as documentation of work completed through the award, and the elements of the projects that are not delivered to LCBP, such as outreach efforts. Quarterly progress reports and a final report (including GIS data) are required deliverables.

OUTCOMES: Provide a description of the anticipated impact or change in condition (i.e. behavior or environment) that you are trying to achieve through this award. Outcomes may be short-term or long-term.

SCHEDULE: Timeline showing anticipated dates for completion of the major tasks and deliverables and outputs. Quarterly progress reports are due on the last day of December, March, June, and September. Work is to be completed within the specified performance period in the RFP.

DETAILED BUDGET JUSTIFICATION: Cost breakdown by major tasks and budget categories (e.g., personnel, equipment), linking costs to specific tasks/deliverables wherever possible. Breakdown should show costs to be covered by the LCBP award and other sources (if applicable), as well as any match amounts and totals.

Example budget table:

Task number	Task title	Personnel	Fringe	Travel	Supplies	Prof. services	Indirect costs	Total budget
1		\$	\$	\$	\$	\$	\$	\$
2		\$	\$	\$	\$	\$	\$	\$
3		\$	\$	\$	\$	\$	\$	\$
4		\$	\$	\$	\$	\$	\$	\$
5		\$	\$	\$	\$	\$	\$	\$
All tasks		\$	\$	\$	\$	\$	\$	\$

Example match table:

Personnel	\$
Fringe	\$
Volunteer time	\$
Travel	\$
Supplies	\$
Professional services	\$
Indirect	\$
Total match	\$