



Florida Department of Agriculture and Consumer Services
Bureau of Finance and Accounting

**NOTICE OF FEDERAL FINANCIAL ASSISTANCE FUNDING
OPPORTUNITY REQUEST FOR APPLICATIONS**

2 CFR 200

NICOLE "NIKKI" FRIED
COMMISSIONER

Funding Opportunity Number (DE-FOA_0000052)

I. Overview

Federal Funds Recipient:	Florida Department of Agriculture and Consumer Services Office of Energy (FDACS OOE)
Funding Opportunity Title:	Florida Wastewater Treatment Plant Energy Program
Announcement Type:	Request for Federal Financial Assistance Applications Initial Announcement
Funding Opportunity Number:	DE-FOA_0000052
Catalog of Federal Domestic Assistance (CFDA) Number:	81.041
Federal Agency Name:	U.S. Department of Energy (USDOE)

The information requested is pursuant to 2 CFR and the federal awarding agency statutory authority.

Specific Authorities:

Energy Policy and Conservation Act, as amended (42 USC Subsection 6321); American Recovery and Reinvestment Act of 2009 (Public Law III-5); 10 CFR 420, State Energy Program (SEP); and Section 377.703 (2)(b), Florida Statutes.

II. Key Dates

Action Item	Timeframe	Location
Notice of Federal Financial Assistance Funding Opportunity Advertisement	From 08/28/2020 To 10/30/2020	Posted electronically via: • Vendor Bid System, and • FDACS OOE website.
Application Submission Deadline	10/30/2020 at 5:00 PM EST	
Evaluation of Applications	From 10/30/2020 To 12/15/2020	Review and evaluation of applications begins
Award Notice	12/10/2020	
Subrecipient Agreement End Date	12/30/2022	
Submission of Questions	From 08/28/2020 To 10/26/2020	All questions must be submitted electronically to: Bids@FDACS.gov

Responses to Questions Posted	From 08/28/2020 To 10/26/2020	Posted electronically via: • Vendor Bid System, and • FDACS OOE website.
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III. Award Information

Total amount of funding available	\$2,000,000
Maximum grant award to a single applicant	\$500,000
Minimum grant award to a single applicant	\$15,000
Period of Performance	12/10/2020 through 12/30/2022

IV. Submission Dates, Times, and Location

The submission deadline is October 30, 2020 at 5:00 P.M. Eastern Standard Time.

An applicant is required to submit the original signed application packet and three (3) copies of the application package.

An application packet may be sent by U.S. Mail, courier, overnight or hand delivered to the FDACS Purchasing Office no later than the submission deadline.

Electronic application submissions will not be accepted.

Each applicant may submit only ONE (1) application. However, the applicant may propose multiple project activities and/or multiple project locations in the one application.

It is the applicant's responsibility to ensure its submittal at the proper place and time indicated in the notice of federal financial assistance funding opportunity notice. **No extensions. No exceptions.**

Hard copy applications must be received by FDACS by October 30, 2020, 5:00 P.M. Eastern Standard Time. Completed hard copy application packages shall be mailed or delivered to:

Florida Department of Agriculture and Consumer Services
Purchasing Office
407 South Calhoun Street
Mayo Building - Room SB-8
Tallahassee, FL 32399-0800

V. Eligibility Information

Eligible applications will come from publicly-owned wastewater treatment plants (WWTP). These WWTPs must be owned and operated by state or local governments within the State of Florida.

Projects must have been identified in an energy efficiency assessment within the previous five-year period. For purposes of this NOTICE, “energy efficiency assessment” means a review of wastewater treatment equipment and process conducted by someone other than facility staff that resulted in facility-specific, written recommendation(s) with the purpose of improving energy efficiency or reducing energy costs and includes the following information:

- a. a description of existing, relevant WWTP equipment or processes;
- b. information about energy consumption of existing, relevant WWTP equipment or processes;
- c. a description of new equipment or process(es) that would improve energy efficiency or reduce energy costs; and
- d. an estimate of energy savings and money savings resulting from the equipment or process change.

Only one application is allowed per applicant. However, multiple activities are allowed in an application.

The scope of work must be performed within the State of Florida.

VI. Federal Financial Assistance Funding Opportunity Description

In August 2020, FDACS OOE concluded a project entitled ‘Mapping the Energy Landscape of Water and Wastewater Treatment Plants in the State of Florida.’ The broad objective of the project was to establish a baseline on energy efficiency and renewable energy measures and practices at water and wastewater treatment plants WWTPs in Florida. The results of this project represent a tremendous opportunity for Florida WWTPs to reduce energy use and reduce greenhouse gases installing energy efficient equipment and implementing conservation strategies. The information contained in ‘Mapping the Energy Landscape of Water and Wastewater Treatment Plants in the State of Florida’ provides specific data and information on how WWTPs can lower their energy use and therefore operating costs. Reducing operating costs, which can be as high as 40 percent for energy in WWTPs, will become even more important post COVID-19 as resources have the potential to be diverted to other initiatives and projects.

This funding was allocated to the FDACS OOE from the U.S. Department of Energy (USDOE). FDACS OOE will use \$2,000,000 to create the Florida Wastewater Treatment Plant Energy Program to fund impactful energy projects at publicly-owned Wastewater Treatment Plants (WWTPs) throughout the State of Florida. The FDACS OOE is continuing its efforts to achieve energy equity by investing in projects across the state that aim to reduce energy burden for Florida consumers.

The intended outcome of this program is to reduce the total energy consumption and costs of wastewater treatment within the state. Performance will be measured for each project according to the following metrics:

- the net annual energy saved at the facility (kWh/year);
- energy saved per dollar funded (kWh/\$); and
- the amount of energy used to process one million gallons of wastewater (kWh/MG).

These metrics will be evaluated pre-award state of the facility, at the conclusion of each project, and one year after the conclusion of the project to verify the results of the project and the impact of the investment of award dollars.

Awards will be granted on a competitive basis. FDACS OOE will prioritize and select the most impactful projects, ranked according to multiple factors, including, but not limited to,

energy savings resulting from each award dollar funded (kWh/\$) and considerations such as the energy rate paid by the facility and the energy cost per million gallons of water treated.

Examples of eligible projects include, but are not limited to:

- Motors
- Belts
- Pumps
- Aerators
- Blowers
- Lighting
- Compressed air
- Occupancy sensors
- Disinfection systems
- Boilers
- CHP systems
- Biogas
- Insulation
- Heat recovery
- Photovoltaic systems
- Power generators
- Nutrient recovery
- Energy management systems

Up to ten percent (10%) of the total project cost may be used for administrative costs, including the cost of reporting requirements of the program.

See Section XXII. Selection Criteria as applicants are encouraged to use as much of the funding as possible for eligible projects and those applicants that use more funding for eligible projects are more likely to be funded.

VII. Statutes and Regulations

Recipients of grant funds must comply with the State of Florida and Federal regulations as applicable to this program and described in this NOTICE.

FDACS is dedicated to ensuring Floridians have a sustainable, diverse, and reliable energy portfolio that benefits Florida's economy. In focusing the government's policy and efforts to benefit and protect our state, its citizens, and its resources, all applicants shall adhere to the policy of the State of Florida, as stated in Section 377.601, Florida Statutes.

Section 377.601, Florida Statutes, states that:

- FDACS is responsible for performing or coordinating the functions of any federal energy programs delegated to the state, including energy supply, demand, conservation, or allocation.
- FDACS shall coordinate efforts to seek federal support or other support for state energy activities, including energy conservation, research, or development, and is responsible for the coordination of multiagency energy conservation programs and plans.
- FDACS shall promote energy efficiency and conservation in all energy use sectors throughout the state and be the state agency primarily responsible for this function.
- FDACS shall coordinate energy-related programs of state government. FDACS shall provide assistance to other state agencies, counties, municipalities, and regional planning agencies to further and promote their energy planning activities.
- FDACS shall promote the development and use of renewable energy resources, energy efficiency technologies, and conservation measures.

Grant activities funded under this NOTICE must meet the following conditions:

- Activities must be eligible under 42 U.S.C. Section 17154 regarding the use of federal funds.
- As defined in 40 U.S.C. 276a to a 7: When required by federal program legislation, all construction contracts awarded by the recipients and subrecipients of more than \$2,000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR part 5, "Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction").
- Applicants to this NOTICE are encouraged to review *A Desk Guide to the Davis Bacon Act* available on the USDOE website at <https://energy.gov/gc/downloads/desk-guide-davis-bacon-act-0>.
- Activities involving Public Buildings and Public Works are subject to the Buy American Provision.
- All activities must comply with the National Environmental Policy Act (NEPA) of 1969 – 42 U.S.C. Section 4321 et seq. **Therefore, only projects and activities that USDOE has determined will be excluded from NEPA review through a Categorical Exclusion (CE or sometimes CX) will be deemed eligible projects by FDACS under this solicitation.** Categorical Exclusion means a category of actions for which neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) is normally required.
- Activities that have limited potential to impact historic properties (any property 50 years or older and possessing "historical significance") will require review in accordance with National Historic Preservation Act (NHPA) of 1966, Section 106, as amended.
- See the Florida Department of Financial Services, *Reference Guide for State Expenditures* for state requirements.

Prohibited Use of Funds:

In accordance with federal regulations, applicants are prohibited from using financial assistance:

- For any casino or other gambling establishment, aquarium, zoos, golf course, or swimming pool;
- For any other activities prohibited by federal law.

Additionally, in accordance with federal regulations, applicants are **prohibited** from using SEP financial assistance:

- For construction, such as construction of mass transit systems and exclusive bus lanes or for the construction of buildings or structures; To purchase land, a building or structure or any interest therein;
- To subsidize fares for public transportation;
- To subsidize utility rate demonstrations or state tax credits for energy conservation or renewable energy measures;
- To conduct or purchase equipment to conduct research, development or demonstration of energy efficiency or renewable energy techniques and technologies not commercially available;
- For facilities that are federally owned or rented by the federal government (federal facilities are ineligible for assistance); and
- For any other activities prohibited by federal law.
- To supplant weatherization activities under the Weatherization Assistance Program for Low-Income Persons, under 10 CFR part 440.

In accordance with Section 216.347, Florida Statutes, applicants are prohibited from using funds provided by this agreement for the purpose of lobbying the Legislature, the judicial branch, or any state agency.

VIII. Definitions

For the purpose of this NOTICE, the following terms are defined:

Administrative Costs: Allowable, reasonable, and allocable direct and indirect costs related to overall management of the awarded grant. For this grant:

- Salaries and Fringe Benefits are considered Administrative Costs.
- The total amount of Administrative Costs cannot exceed ten percent (10%) of the total project cost.

Applicant: Entity that submits an application for federal financial assistance under this notice of funding opportunity.

Application Packet: Complete written response of the applicant to the notice of federal financial assistant funding opportunity including properly completed forms, supporting documents and attachments.

Business hours: 8 A.M. to 5 P.M. eastern standard time on business days.

Business days: Monday through Friday, excluding federal and state holidays.

Calendar days: All days, including weekends and holidays.

CFDA: Catalog of Federal Domestic Assistance.

CFR: Code of Federal Regulations.

Cost Reimbursement: A reimbursement payment to the grantee of reasonable costs previously expended in connection with the performance of work, not to exceed the amount set forth in the budget. See the Department of Financial Services, Reference Guide for State Expenditures.

Cost Sharing (Matching Funds): Actual cash outlays and non-cash contributions paid by the subrecipient for products and services related to this program.

Eligible Entity: Applicants to this program are restricted, to Florida state and local governments.

Energy efficient measures: energy efficiency improvements that reduce energy consumption by replacing older, less efficient items with more energy efficient equipment.

FDACS: Florida Department of Agriculture and Consumer Services, an agency of the State of Florida.

Grant: See Subrecipient Agreement.

Grant Manager: An employee of FDACS, who is designated to be responsible for the monitoring and management of the subrecipient agreement.

Grantee: See Subrecipient.

Local Government: A county government, a municipality (an incorporated city, town, or village), a school board district or an independent special district.

Non-profit Organization: An organization which has filed an application with Florida's Secretary of State for nonprofit corporate status pursuant to Section 617, Florida Statutes, and has been issued a federal employer identification number by the Internal Revenue Service.

Recipient: The prime entity receiving federal financial assistance from a federal agency. In this NOTICE, recipient is interchangeable with FDACS.

Subrecipient: The entity (successful applicant) receiving federal financial assistance via the recipient. In this NOTICE, the term subrecipient is interchangeable with the term grantee.

Subrecipient Agreement: Formal agreement that will be awarded to the successful applicant under this notice of federal financial assistance funding opportunity.

Total Project Cost: The combined total of grant and match resources contributed to this project.

Vendor Bid System (VBS): State of Florida internet-based vendor information system.

IX. Cost Sharing (Matching) Requirements

Applicants are required to provide a minimum fifteen percent (15%) cost share/match of the total project cost for this program.

Total project cost is the combined total of grant and match resources contributed to this project.

Applicants will be required to submit documentation for all cost sharing. Cost share may either be in the form of cash contribution, donated services, donated equipment or donated property. Cost share used in previous subrecipient awards or in other current subrecipient awards cannot be used for this subrecipient award.

Third party cost share must be supported by a commitment letter, including the commitment amount, to be considered under the cost share percentage criteria. The commitment letter must be on letterhead and signed by an authorized signatory of the third party. If third party cost share will be provided by the beneficiary, please state in the application how much and what mechanism the applicant will utilize to obtain the commitment from the beneficiary.

Matching funds will be verified by FDACS staff prior to execution of the grant agreement.

Expenses related to a proposed project incurred prior to the award announcement are NOT eligible as matching funds or in-kind contributions.

Matching funds must be documented by supporting documentation in the same manner as request for cost reimbursement.

Matching funds must be expended in concurrence with grant funds.

X. Funding Source and/or Restrictions

Funding is available for project work initiated and completed during the award period.

Funding is subject to the amount of spending authority allocated by the Florida Legislature.

If funds are not available to award the total amount requested by an applicant due to awards of grants to previously submitted, eligible applications, FDACS may award partial grants to applicants up to the amount of the fiscal appropriation. FDACS shall award grants based on the process laid out under Part XXIV of this NOTICE.

The allowability of costs shall be in accordance with the federal financial assistance cost principles applicable to the subrecipient.

In accordance with federal regulations, applicants are prohibited from using financial assistance:

- For gambling establishments, aquariums, zoos, golf courses or swimming pools
- For any other activities prohibited by federal law.

In accordance with Section 216.347, Florida Statutes, the subrecipient is hereby prohibited from using funds for the purpose of lobbying the Legislature, the judicial branch or a State agency.

XI. Cost of Preparation

FDACS is not liable for any costs incurred by the applicant in response to the notice of federal financial assistance funding opportunity.

XII. Public Records

Article 1, section 24, Florida Constitution, guarantees every person access to all public records, and Section 119.011, Florida Statutes, provides a broad definition of public record. As such, all responses to a federal financial assistance funding opportunity are public records unless exempt by law. Any applicant claiming that its response contains information that is exempt from the public records law shall clearly segregate and mark that information and provide the specific statutory citation for such exemption.

XIII. Request Application Packet

The application packet FDACS-02032 available online at: <http://forms.fdacs.gov/02032.pdf>. Also available at: <https://www.fdacs.gov/Divisions-Offices/Energy>.

If you are unable to access the internet, a written request for the application packet should be submitted to:

Reflacher Maddox, Purchasing Agent III
Florida Department of Agriculture and Consumer Services
Purchasing Office
407 South Calhoun Street
Mayo Building – Room SB-8
Tallahassee, FL 32399-0800

XIV. General Instructions for Application Packet

Applications submitted in response to this NOTICE shall become the property of FDACS and are subject to public record disclosure pursuant to Florida Law. All proposals received shall remain confidential until agreements are fully executed.

Applicants are prohibited from contacting any and all reviewers selected by FDACS, during the application review period. Contacting any reviewer will result in disqualification.

FDACS staff will perform an Eligibility Review on all grant applications. Once an application is deemed eligible, the application will be scored on the evaluation criteria listed in Part XXI of this NOTICE.

Carefully review all materials and prepare the responses accordingly.

The application packet must be complete and provide all the required information by the submission deadline to be considered. Application packets that fail to provide all the required forms and signatures will be considered non-responsive and consequently will be removed from the evaluation process.

Ensure that all application documents reflect the applicant's name and funding opportunity number.

Unless otherwise noted, application packets must be submitted on 8 ½" by 11" plain white paper with 1" margins, using 12-point font and one-sided, single-spaced pages. Pages must be consecutively numbered for ease of reading.

All fields in the application package should be filled out. **If a field does not apply, indicate N/A in the field.**

Pages, including attachments (such as copies of proof of required registrations, signature authority, letters of support, as applicable), should be numbered sequentially.

Pages submitted beyond the page limits will NOT be reviewed. Any content that exceeds the page limits or allocated space for each section of the application will not be reviewed. See application package (FDACS 02031) for specific page limits.

An eligible applicant can submit only one application for funding under this program. If multiple applications are submitted by an entity, only the first date/time stamped application will be considered. If multiple applications are submitted in the same package, the entire package will be rejected. Rejected applications will not be returned to the applicant.

XV. Application Package Components

FDACS forms must be used. Substitute forms will not be reviewed. Do not alter the pages unless the page indicates that it can be modified. Applications that do not include all required pages will be removed from the evaluation process. Removed applications will not be returned to the applicant.

A complete application package (FDACS 02031) consists of the following pages:

- Coversheet
- Key Contact
- Project Narrative
- Scope of Work
- Budget Plan Narrative (For Each Project Proposed the Following Information Must be Provided)
 - Electric utility or electricity service provider with applicable account numbers;
 - Type of project (for example, the part of wastewater treatment process affected, description of current equipment to be replaced, description of proposed replacement equipment, etc.);
 - Rationale for the proposed project;
 - Energy Savings (kwh/yr) for each proposed eligible project;
 - Requested funding for each proposed eligible project;
 - Average electricity rate paid (\$/kWh) for the previous 12 months;
 - The total amount of electricity (kWh) expended at the WWTP for the previous 12 months;
 - The total cost (\$) of electricity for the WWTP for the previous 12 months;
 - Current energy cost of treating one million gallons of wastewater (\$/MG); and
 - Estimated energy cost of treating one million gallons of wastewater after proposed project is complete.
- Budget Plan
- Key Person/Staff
- Performance Site/Locations
- Assurances
- Lobbying Form
- Debarments, Suspension, Ineligibility
- Certification Statement

XVI. Clarifications/Revisions

Before award, FDACS reserves the right to seek clarifications or request any information deemed necessary for proper evaluation of submissions from all applicants deemed eligible for the subrecipient agreement. Failure to provide requested information may result in rejection of the application.

XVII. Application Eligibility Review

FDACS reserves the right to reject any and all applications or waive any minor deficiencies when to do so would be in the best interest of the State of Florida, and to reject the proposal of an applicant whom FDACS determines is not in a position to perform the scope of work. Minor deficiencies are those which will not have a significant or adverse effect on overall completion or performance.

Minor Application Deficiencies

Application minor deficiencies include:

1. The application did not include, if applicable, support letters or signature delegation authority.

2. FDACS staff was unable to confirm match commitment through documentation provided in the application.

Applications with minor deficiencies will be notified, in writing, and provided 10 business days from receipt of the deficiency letter to correct minor deficiencies and resubmit their corrected application. FDACS staff must receive corrected application packages by 5:00 P.M. Eastern Time on the 10th business day from the date that the applicant received their deficiency letter. The deficiency letter will be sent using United States Post Office certified mail, and the date of receipt will be based on the date of the certified mail receipt.

Failure to rectify the deficiencies within the allotted time will result in the rejection of the application.

An initial review of all applications will be completed and applications failing to submit all required information will be removed from consideration.

Eligibility Review

All applications will be reviewed for eligibility. Applications will be deemed ineligible for the following reasons:

- a. The applicant is not eligible. Eligible applicants for this program include: WWTPs owned and operated by Florida state and local governments.
- b. The applicant did not use Application form FDACS-02032 (rev. 06/16);
- c. Any fields in the Application form FDACS-02032 (rev. 06/16), are incomplete;
- d. The applicant did not sign;
- e. The applicant's application was not received by FDACS by the date and time specified in this NOTICE.
- f. FDACS has a pending civil or administrative action against the applicant;
- g. The applicant has entered into a consent order with FDACS, unless the applicant has satisfied all requirements for corrective actions and has paid all costs, civil penalties, damages, and other financial assessments required by the consent order;
- h. The applicant submitted more than one application.

If FDACS staff determines that an application is ineligible, it will be removed from further consideration. Determination of eligibility is at the sole discretion of FDACS staff. An application that includes several activities, some of which are determined ineligible, may be considered after the ineligible activities are removed. The application will be evaluated based on the remaining eligible activities. FDACS reserves the right to waive minor deficiencies in applications submitted.

XVIII. Rejection of Applications

FDACS reserves the right to reject any and all applications or waive any minor irregularities when to do so would be in the best interest of the State of Florida, and to reject the proposal of an applicant whom FDACS determines is not in a position to perform the scope of work. Minor irregularities are those which will not have a significant or adverse effect on overall completion or performance.

XIX. DUNS

Applicants are required to provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number on the application.

XX. System for Award Management (SAM) Registration

The applicant must be registered in the System of Award Management (SAM) <https://www.sam.gov/portal/SAM#1>. The applicant will be required to maintain a registration for the duration of the award.

XXI. Late Applications

Applications received by FDACS after the application submission deadline will be rejected as untimely and will be returned to the applicant.

XXII. Evaluation Criteria

An initial review of all applications will be completed and applications failing to submit all required information will be removed from consideration.

Each application will be ranked based on the weighted criteria listed below. An applicant will receive a numerical score in each of the three categories. The three scores from each category will be added together for an overall total score. The highest numerical score will be associated with the winning project, the second highest score will be associated with the second winning project and so on until funds have been exhausted.

Energy Savings per Dollar Funded (70 percent): Proposed projects will be ranked primarily based upon the amount of proposed energy savings per year (kWh/year) per dollar funded toward the project. Projects with the highest percent of funding associated with eligible projects are more likely to receive a higher score and are encouraged.

Projects with the highest amount of energy savings per dollar funded will be ranked highest (most likely to receive an award). Projects with the lowest amount of energy savings per dollar funded will be ranked lowest (least likely to receive an award).

Below is an example of how eligible projects will be scored for Energy Savings per Dollar Funded. If an applicant proposes multiple projects in their application, the scores for each individual project will added together and then divided by the total number of projects to get the final score for the Energy Savings per Dollar Funded.

Example Project	Energy Savings (kwh/yr)	Divided by	Requested Funds	70% Weight	Score for Energy Savings
Install high efficiency motors	376,000	/	23,700	X .70	11.1
Install high efficiency lighting	76,000	/	2,900	X .70	18.3
Install an energy management system	360,000	/	25,600	X .70	9.9

Energy Cost Impact (15 percent): Projects with the highest electricity rate (kWh/\$) over the previous 12 months will be ranked highest (most likely to receive an award). Projects with the lowest electricity rate will be ranked lowest. The score will be obtained by multiplying each applicant's electricity rate (kWh/\$) over the previous 12 months by 15 percent. The objective of this criterion is to reduce the energy cost burden for those projects that pay the highest energy rates for wastewater treatment.

Below is an example of how eligible applicants will be scored Energy Cost Impact.

Electricity (kWh/year)	Divided by	Total Cost (\$/year)	Equals	Utility Rate	15% Weight	Score for Cost Impact
7,100,000	/	510,000	=	13.92	X .15	2.09
9,890,000	/	620,750	=	15.93	X .15	2.39
12,320,000	/	1,350,000	=	9.13	X .15	1.37

Energy Intensity Impact: Projects at facilities that use the greatest amount of energy to treat one million gallons (MG) of wastewater will receive the highest score (most likely to receive an award). Projects that use the least amount of energy to treat one million gallons of wastewater will receive the lowest score. For this criterion, energy usage at the time of application, not post-project, is the relevant energy usage. The objective of this criterion is to award grant funds to projects that have a higher energy usage for each million gallons of water processed.

Applicants will be ranked; the top third applicants that use the most energy per MG of wastewater will receive three (3) points. The second third of applicants that use the most energy per MG of wastewater will receive two (2) points. The final third of applicants that use the least amount of energy will receive one (1) point. When dividing the applicants in to thirds, if there is not an equal number of applicants, FDACS will move the applicant on the borderline to the higher scoring tier. For example, if there are 40 eligible applications, there will be 14 in the first tier (3 points), 13 in the second third (2 points), and 13 in the final third (1 point).

In the instance of a ranking tie between two or more applications, the application proposing the higher percentage of matching funds shall be ranked higher. In the instance of a ranking tie between two or more applications, and those applications propose the same percentage of match, the application submitted earlier in date shall be ranked higher.

The final list for funding will be approved by the Director of the FDACS OOE and posted on FDACS' webpage. FDACS reserves the right to recommend partial funding of applications.

XXIII. Evaluator(s)

FDACS' evaluator(s) will consist of individuals who FDACS determines have experience and knowledge in the program areas. The evaluator(s) will conduct a fair, impartial, and comprehensive evaluation of applications received in response to this notice of federal financial assistance funding opportunity.

Each complete, eligible proposal will be scored by FDACS evaluators and staff, utilizing whole numbers only, using the above point structure.

XXIV. Anticipated Announcement and Award Dates

The evaluation and selection process is expected to be no longer than 45 days after the submission deadline. The announcement of the awards will be within 50 days after the submission deadline.

XXV. Award Notice

Upon the completion of FDACS' evaluation of applications, all applicants will be notified regarding their status.

FDACS reserves the right to negotiate and/or adjust the final award amount and scope of work prior to award.

The successful applicants will have thirty (30) days to fully execute the Subrecipient Agreement. Failure by the subrecipient to sign and return the Subrecipient Agreement, within 30 days upon receipt of the agreement, shall constitute forfeiture of the award.

Although it is the intent of FDACS to expedite the subrecipient grant award process as much as possible, applicants should be aware that execution of a Subrecipient Agreement could be delayed for some time until federal funding is received. Projects should be scheduled accordingly. No costs to be charged against the subrecipient award or counted as match can be incurred before the Subrecipient Agreement is executed.

XXVI. Programmatic, Administrative and National Policy Requirements

The applicant shall be in compliance with all laws, rules, and regulations applicable to the federal funds provided by the federal financial assistance funding opportunity.

The applicant shall maintain an accounting system and a set of accounting records which allow for the identification of revenues and expenditures related to this funding opportunity.

Tracking and reporting of grant funding must be separate from other applicant funds to meet state and federal reporting requirements. The terms and conditions of the funding award agreement will specify the format, tools, and information required for reporting programmatic and energy metrics as specified by the state government.

FDACS may request additional reporting information for one year after the project work is completed.

Recipients should review the Department of Financial Services, Reference Guide to State Expenditures and, as applicable, Chapter 287, Florida Statutes, and 2 CFR 200 (as applicable). Pursuant to Executive Order 96-236, effective October 1, 1996, the following standard provision shall apply to any contract awarded as a result of this NOTICE:

The employment of unauthorized aliens by any contractor is considered a violation of section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the contract.

All projects receiving funding from the USDOE through the SEP program must comply with the National Environmental Policy Act (NEPA) of 1969 – 42 U.S.C. Section 4321 et seq. Therefore, only projects and activities that USDOE has determined will be excluded from NEPA review through a Categorical Exclusion (CE or sometimes CX) will be deemed eligible projects by FDACS under this solicitation. Categorical Exclusion means a category of actions for which neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) is normally required.

XXVII. Acknowledgment of Funding

The subrecipient shall have an acknowledgement of the U.S. Department of Energy support placed on any publication written or published or audiovisual produced with grant support and, if feasible, on any publication reporting the results of, or describing, a grant-supported activity, or audiovisuals produced with grant support. This requirement does not apply to audiovisuals produced as research instruments or for documenting experimentations or findings and not intended for presentation or distribution to the public.

XXVIII. Performance Report

All grant recipients will be required to submit monthly progress reports, annual program reports (if the project period exceeds one year), and a final report to FDACS as specified in funding award Grant Agreement using the format and content shown on FDACS' performance progress report. The performance progress report is downloadable: Subrecipient Quarterly Performance Progress Report (FDACS 02018). A modified form may be provided to the subrecipient to allow for monthly reporting.

Failure to submit a required report or submission of an unsatisfactory report is sufficient grounds for termination of the grant agreement.

XXIX. Reimbursement Requests

FDACS shall pay the recipient on a cost reimbursement basis, not to exceed the awarded amount.

FDACS will not reimburse costs incurred prior to execution of the Grant Agreement.

Grantees must first expend the funds and then submit source documentation to FDACS for reimbursement from grant funds. FDACS will issue payment(s) upon acceptance and approval of required reports, services and invoices by the assigned FDACS Grant Manager in compliance with applicable Florida Statutes, Florida Department of Financial Services rules and/or U.S. government requirements, subject to limitations described in this NOTICE document. Please keep these cost reimbursement requirements in mind when planning cash-flow needs for your proposed project.

All reimbursement requests must be submitted using FDACS' standard payment request packet, unless otherwise noted in the special conditions of the subrecipient agreement and provide supporting documentation for each cost. The subrecipient shall submit the payment request packet to the recipient's grant manager not more often than monthly, but not less often than quarterly. To be eligible for reimbursement, costs shall be allowable, necessary, and reasonable, and must be submitted by budget category consistent with the budget plan submitted with applicant's application. The payment request packet is downloadable [Subrecipient Payment Request Form \(FDACS 02019\)](#).

Bills for any authorized travel expenses shall be submitted and paid in accordance with the rates specified in Section 112.061, Florida Statutes, governing payments by the State for travel expenses. Any travel expenses must be specified in the budget plan and scope of work.

The FDACS agreement with the federal agency is a cost reimbursement format; therefore, no advance payments will be provided.

Any work performed on the project and/or any expenditure made prior to a fully executed subrecipient agreement and written authorization from FDACS is ineligible for reimbursement.

XXX. Disclaimer

The receipt of applications in response to NOTICE does not imply or guarantee that any one or all qualified applications will result in a subrecipient agreement with FDACS.

FDACS is the only entity who can award Florida Wastewater Treatment Plant Energy Program grants under this program or commit the State of Florida to the expenditure of public funds appropriated for these grants. A commitment by any entity other than FDACS, either explicit or implied, is invalid. The commitment of State funds is contingent upon budget authority from the State Legislature.

XXXI. Questions

Applicants shall address all programmatic questions regarding this NOTICE to the FDACS OOE Compliance Administrator. All questions submitted shall be published and answered in a manner that all applicants will be able to view. Each applicant is responsible for monitoring the grant website for new or changing information.

Questions must be submitted to:

Florida Department of Agriculture and Consumer Services
Purchasing Office
407 S. Calhoun Street
Mayo Building, Room SB-8
Tallahassee, FL 32399-0800
Telephone: (850) 617-7180
FAX: (850) 617-7190
Email: Bids@fdacs.gov

Any appeals related to an FDACS decision pursuant to this grant program shall be in accordance with Chapter 120, Florida Statutes.

The Florida Department of Agriculture and Consumer Services offers its programs to all eligible persons regardless of race, color, national origin, religion, gender, age, disability, marital or veteran status, or any other legally protected status.