

# Region 8 EJ Thriving Communities Technical Assistance Centers Program (EJ TCTAC)

## Frequently Asked Questions

September 2023

EPA Region 8 – Children’s Health,  
Environmental Justice and Equity Branch

### 1) How much funding is available? How many grants will be awarded?

Currently, up to \$10 million in grant funding is available for the establishment of one EJ TCTAC to serve EPA Region 8. EPA expects to make one incrementally funded award with a period of performance of up to five years depending on funding availability, the quality of applications, satisfactory progress, and other applicable considerations. For application submission purposes, the applicants should prepare budgets for up to approximately \$10 million over five years with up to approximately \$2 million budgeted for each year. The amount of incremental funding available in subsequent years will depend on funding availability, satisfactory progress, and other applicable considerations with the understanding that EPA’s Project Officer will negotiate the amount of the final budget based on these considerations. Applicants should plan for a project period start date of February 1, 2024 (revised per the RFA amendment in September 2023).

### 2) Who is eligible to apply?

Except as noted in the RFA, consistent with Assistance Listing 66.309, the following are the eligible entities who may apply under this RFA:

- Public and private universities and colleges and other nonprofit institutions of higher education such as community colleges
- Public and private nonprofit institutions/organizations (including philanthropic organizations)
- Intertribal Consortia - *a coalition between two or more Indian tribal governments authorized by the governing bodies of those tribes to apply for and receive assistance and participate in self-governance.*

Entities who received an award under the national competition (**EPA-I-OP-OEJ-22-02**) are not eligible to submit an application under this RFA.

### 3) Are individual tribes eligible to apply?

An individual tribe (federal and/or state-recognized) must partner with at least one other tribal government to qualify as an eligible intertribal consortium. If an individual tribe submits an application that describes partnerships with multiple other eligible entities (e.g., nonprofits and universities) but does not also partner with at least one other individual tribal government, then the application will have been submitted by an individual tribe rather than an intertribal consortium (i.e., 2 or more tribal governments) and will be considered ineligible.

### 4) Are States, local governments, or municipalities eligible to apply?

No, these entities are not eligible to apply to be an EJ TCTAC. Due to jurisdictional issues, many of these entities may not legally be authorized to provide support to communities outside of their jurisdictions. Therefore, these entities are ineligible to apply to be an EJ TCTAC. However, municipalities can partner with an eligible entity to help provide technical assistance to

underserved communities in a certain portion of an entire regional geographic area. For example, a municipality could receive a subaward of the funds from an eligible organization applying for EJ TCTAC to provide technical assistance to underserved communities within their legal jurisdiction.

### **5) What activities will the EJ TCTAC provide?**

The Region 8 EJ TCTAC will provide Eligible Services (e.g., technical assistance, training, and other forms of eligible support) to program participants including underserved communities and rural and remote communities within EPA Region 8. Examples of the eligible services to be provided by the EJ TCTAC should be based on accomplishing the following objectives to assist program participants including underserved communities and rural and remote communities, with information, tools, and assistance (**this is not an exhaustive list**):

- Identifying potential grant, subaward, and procurement opportunities (e.g., federal, state, local, or private) related to environmental protection, health, and justice, and energy justice
- On applying for grants related to environmental protection, health, and justice, and energy justice, preparing applications responsive to competitive solicitations, effectively managing grants, and navigating federal government systems (e.g., Grants.gov and SAM.gov)
- For capacity-building support to effectively engage with decisionmakers at all levels of government and private sector entities (e.g., project developers and electric or gas utilities) to ensure that their perspectives, experiences, and expertise inform policy decisions, as well as project design and implementation
- To identify, analyze, and understand financing options for pursuing projects, including partnership opportunities, that support environmental and energy justice objectives in coordination with other technical assistance providers to minimize the potential for duplication of effort
- Community meeting facilitation and interpretation services

### **6) Who can receive technical assistance from the Region 8 EJ TCTAC?**

Program participants (i.e., those who can receive support from the Region 8 EJ TCTAC) include (**this is not an exhaustive list**):

- Nonprofit organizations
- Community-based and grassroots organizations
- Philanthropic and civic organizations
- Underserved communities and organizations
- Rural and Remote communities and organizations
- Faith-based organizations and houses of worship
- Educational institutions (e.g., schools, colleges, and universities), including Minority Serving Institutions
- Individuals of underserved communities
- Disadvantaged Businesses
- Local, tribal, and state governmental units
- US Territories
- Utility providers

- Health care providers and clinics

**7) What is the geographic area that the Region 8 EJ TCTAC will service?**

The EJ TCTAC to be created under this competition will serve EPA Region 8, consisting of Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming, and 28 Tribal Nations.

**8) Does the Region 8 EJ TCTAC have to provide technical assistance and eligible services to program participants in all States in the regional geographic area? Or can they only focus on one or two States in the regional geographic area?**

Applicants should propose to provide technical assistance and eligible services to program participants in all states in the geographic area for EPA Region 8 in order to submit a responsive application. In order to fulfill the objectives of this program, the EJ TCTAC needs to have the ability, by itself or with partners (e.g., subrecipients and/or properly procured contractors), to provide for the delivery of the technical assistance and eligible services in the RFA to all States and/or tribal lands within EPA Region 8 as specified in the RFA. Please refer to Sections IV and V of the RFA on Partnerships for additional information.

**9) Can I submit multiple applications?**

No, applicants may not submit multiple applications under this RFA. If an applicant submits more than one application, EPA will contact the applicant to determine which one to review.

**10) Are partnerships required in order to get an award?**

No, however, because EPA believes that partnerships are important to accomplish program objectives, there are a significant number of points allocated for partnerships in the evaluation criteria and failure to address them sufficiently will affect the scoring of the application. So, while your application will not be ineligible solely because you don't have partnerships, you most likely won't score as well on the relevant evaluation criterion. Also, if you (as an eligible applicant) do not have the capacity to provide technical assistance and eligible services to program participants and underserved communities throughout an entire regional geographic area, then partnering with other organizations to help you provide that coverage is a viable alternative. Therefore, partnerships are strongly encouraged in order to achieve program objectives. Letters of Support or Commitment also need to be submitted so EPA can verify proposed partnerships. NOTE - Any financial transactions with partners must comply with applicable regulatory requirements as described below.

**11) What procedures must I follow when it comes to naming partners who will receive subawards or contracts?**

Prior to naming a contractor (including consultants) or subrecipient in your application as a "partner", please carefully review [Section IV.d, "Contracts and Subawards"](#), of EPA's Announcement Clauses. EPA expects recipients of funding to comply with competitive procurement contracting requirements as well as EPA's rule on Participation by Disadvantaged Business Enterprises in EPA Programs in 40 CFR Part 33 when procuring contractors (including consultants) before or after submission of a successful application. The Agency does not accept justifications for sole source contracts for services or products available in the commercial marketplace based on a contractor's role in preparing an application.

EPA will only consider named contractors (including consultants), and/or subrecipients in your application if the applicant demonstrates in its application that the contractor(s) was selected in compliance with the competitive procurement requirements in 2 CFR 200.319 and 2 CFR 200.320. For example, an applicant must demonstrate that it selected the contractor(s) competitively or that a proper non-competitive sole-source award consistent with the regulations will be made to the contractor(s), that efforts were made to provide small and disadvantaged businesses with opportunities to compete as provided in 40 CFR 33.301, and that some form of cost or price analysis was conducted. EPA may not accept sole source justifications for contracts for services or products that are otherwise readily available in the commercial marketplace. Again, these requirements apply even if a successful applicant does not name the contractor or subrecipient in the application as a partner or otherwise.

Applicants may name subrecipients in their applications without competition depending on their own policies. Neither the Uniform Grant Guidance nor EPA's Subaward Policy requires that recipients compete subawards although recipients may choose to do so based on their own policies. However, successful applicants cannot use subawards to avoid requirements in EPA grant regulations for competitive procurement by using these instruments to acquire commercial services or products from for-profit organizations to carry out its assistance agreement. The nature of the transaction between the recipient and the subrecipient must be consistent with the standards for distinguishing between vendor transactions and subrecipient assistance found at 2 CFR 200.331, the definitions of Subaward and Subrecipient at 2 CFR 200.1, and Appendix A to EPA's Subaward Policy. EPA will not be a party to these transactions. Applicants acquiring commercial goods or services must comply with the competitive procurement requirements in 2 CFR 200.319 and 2 CFR 200.320 and cannot use a subaward as the funding mechanism for these transactions.

**12) What is the procedure for modifying an application that I submitted?**

If you submitted an application and wish to modify it before the application submission deadline, you must resubmit a new application in accordance with all the guidelines and requirements as stated in the RFA. Applicants should include a cover memo acknowledging the revised submission and a request to disregard any previously submitted application. All applications/submissions, including any revised submissions, must be received by the published submission deadline, which has been extended to **October 11, 2023** (revised per the RFA amendment in September 2023).

**13) My workplan exceeds the 20-page limit. Will this affect my eligibility to be considered for an award?**

The workplan must not exceed twenty (20), single-spaced, typewritten pages. Anything over twenty (20) pages will not be read by the Review Panel. The pages of the workplan should be letter-size (8 1/2 X 11 inches) and the text should be at least single-spaced. It is recommended that applicants use a standard 12-point type and font with 1-inch margins.

**14) CONFLICTS OF INTEREST - Can the Region 8 EJ TCTAC grant recipient (and/or its partners and subawardees) provide technical assistance to potential applicants on a funding competition (Federal, state, local or private foundation) and also apply for funding**

**under THAT competition or be identified as a funded partner on another organization's application for funding under that same competition?**

Generally, no, absent an approved Conflict of Interest mitigation Plan or measures that neutralize conflicts of interest. Such situations would be a conflict of interest (COI), or at a minimum create the appearance of a COI, and also create unfair competitive advantage concerns. EPA intends to add terms and conditions to the Region 8 EJ TCTAC grant requiring the grantee to provide, for EPA approval, a COI Management/Mitigation Plan within a specified period after the award addressing certain conflict of interest situations and how the grantee will respond to them and proposed mitigation strategies for potential situations. EPA believes that there may be possible mitigation measures for specific situations and that is something that will be addressed post-award.

The term and condition will also indicate that to the extent the grantee's Conflict of Interest Management/Mitigation Plan does not address specific cases that may arise during grant performance, the grantee will notify the EPA Project Officer of the issue and propose a mitigation strategy for resolving it subject to EPA Project Officer approval. It is understood that the Region 8 EJ TCTAC will likely operate as a hub and spoke with multiple organizations playing key roles in the EJ TCTAC to deliver Eligible Services to program participants. The key point is that no organization should be competing for funds under a competition or otherwise for which they provided technical assistance to another entity competing under that same competition absent some mitigation plan or measures that would effectively neutralize the actual and/or potential conflicts of interest this situation creates. Notwithstanding this, as a general matter, if an organization within the EJ TCTAC did not provide **direct** technical assistance to another organization competing under a competition, then that member of the EJ TCTAC would likely be allowed to apply under that competition.

**15) Will EPA be using contractor support during the proposal evaluation process?**

As necessary and appropriate, EPA will use contractor support to assist with the proposal evaluation process.