

## Maine Section 319 Nonpoint Source Grant Program Quality Assurance Program Plan

December 20, 2017



### Approval Signatures:

DEP QAPP Review Coordinator:

\_\_\_\_\_  
Andy Johnson, Maine DEP      Date

Division Director, Div. of Environmental Assessment:

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Donald T. Witherill, Maine DEP      Date

Project Manager and QA Officer:

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USEPA, Region 1 NPS Program Coordinator:

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USEPA, Region 1 ME PPG Project Officer:

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## I. Distribution List

The approved Quality Assurance Program Plan (QAPP) will be distributed to the following staff from the Maine Department of Environmental Protection (DEP) and the U.S. Environmental Protection Agency (USEPA):

Greg Beane	Environmental Specialist III – DEP Bureau of Water Quality (BWQ) Division of Environmental Assessment (DEA)
Jeff Dennis	Biologist III – DEP BWQ DEA
Mary-Ellen Dennis	Biologist II – DEP BWQ DEA
Sandra Fancieullo	USEPA Region 1 Nonpoint Source Program Coordinator and Section 604(b) Grant Project Officer
Kristin Feindel	Environmental Specialist III - DEP BWQ DEA
Wendy Garland	Environmental Specialist IV/Nonpoint Source Program Coordinator – DEP BWQ DEA
Kathy Hoppe	Environmental Specialist IV– DEP BWQ DEA
Andrew Johnson	QAPP Review Coordinator – DEP Bureau of Air Quality
John Maclaine	Environmental Specialist III – DEP BWQ DEA
Karen McCarthy	USEPA Region 1 ME PPG Project Officer
Don Witherill	Director - DEP BWQ DEA

Other DEA staff may also receive a copy of the approved plan, when appropriate. The most up-to-date version of this QAPP will be available through DEA’s Nonpoint Source Program Coordinator.

## II. Introduction

The purpose of this document is to describe the process used to manage the Section 319 program in Maine and how quality assurance concerns are addressed in this process. This document will serve as an overall quality assurance program plan (QAPP) for most projects funded with Section 319 funds in Maine. Projects not covered by this QAPP are described in Section II, below. The QAPP will be reviewed by staff from the DEP’s Watershed Management Unit (WMU) on an annual basis, and any modifications to the QAPP or attachments will be incorporated and distributed as needed. In addition, the QAPP will be reviewed, updated and resubmitted to DEP’s QAPP Review Coordinator and the U.S. Environmental Protection Agency (EPA) for re-approval every five years to ensure that it is current.

## III. Program Objectives and QAPP Applicability

The overall objective of the Maine Nonpoint Source Management Program is to prevent, control, or abate nonpoint source pollution (NPS) to lakes, streams, rivers and coastal waters so that beneficial uses of those waters are maintained or improved. DEP uses Clean Water Act (CWA) Section 319 grant funds from the EPA as well as state funds, to support a variety of NPS projects to help achieve this objective. DEP manages use of 319 funds in accordance with EPA’s *Nonpoint Source Program and Grants Guidelines for States and Territories* (April 2013). Section 319 under the CWA allows for programs to include a variety of components, including technical and financial assistance, education, training, technology transfer, demonstration projects, and regulatory programs.

DEP administers a grants program to provide financial assistance (subgrants of Section 319 funds) to help subrecipients (may also be referred to in DEP documents as Grantees) conduct NPS Projects. NPS projects implement actions in a specific watershed to help restore or protect a lake, stream, or coastal water that is

impaired or considered threatened by polluted runoff. Subrecipients conducting NPS Pollution Control Projects (NPS Projects) are obligated to administer projects in accordance with the State of Maine 'Agreement to Purchase Services' (also referred to as a Grant Agreement or contract) as well as Maine DEP's *Nonpoint Source Grant Administrative Guidelines* (December 2016). See Appendix 3.

This program QAPP is intended to cover all NPS projects, except projects that include water quality monitoring. Projects involving the collection and analysis of water quality samples will require a Quality Assurance Project Plan or other Quality Plan (e.g., Sampling & Analysis Plan) developed in accordance with the *MDEP Quality Management Plan* (Section 7.3 or 7.4) and *EPA Requirements for Quality Assurance Project Plans, EPA QA/R-5* (2001).

#### IV. Program Organization

The Maine DEP staff operating under this QAPP are associated with the Watershed Management Unit, which is part of the Division of Environmental Assessment in the DEP's Bureau of Water Quality (Appendix 6). Assistance may also be provided by other DEA staff, interns, contractors or volunteers (Figure 1). WMU staff is responsible for managing and implementing the Clean Water Act 319 grant program. This includes issuing request for proposals (RFP), project selection, oversight of funded projects, review and approval of project deliverables, and coordinating with EPA.

The Nonpoint Source Program Coordinator is responsible for overall management of Maine's NPS Management Program. In addition, the NPS Program Coordinator works with the Agreement Administrators (AA) who work directly with subrecipients and monitor the project to help the Grantee successfully implement the project work plan and comply with the Grant Agreement. The Maine NPS Program Coordinator is in regular communication with EPA Region 1 NPS coordinator and DEA management.

Table 1. Agreement Administrator NPS Project Service Area.

Service Area	AA
Northern Maine Region	Kathy Hoppe
Eastern Maine Region	Greg Beane
Central Maine Region	Mary-Ellen Dennis Wendy Garland
Southern Maine Region	John Maclaine Kristin Feindel

#### Project Oversight and Subrecipient Monitoring

A WMU staff person is assigned as AA to guide each pass-through project and to monitor subrecipient performance under the Grant Agreement. AAs generally service projects in a defined service area (Table 1). The AA helps ensure that work is carried out according to the work plan and Maine's *NPS Grant Administrative Guidelines* (GAG) (Appendix 3) by conducting office and field site visits, reviewing deliverables and invoices, maintaining regular contact with subrecipients and providing assistance to resolve problems.

Agreement Administrators must be familiar with NPS pollution issues and a wide range of Best Management Practices (BMPs) as well as program documents including this program QAPP and GAG. To achieve quality goals experienced staff will train new staff. All training events will be documented in project files.

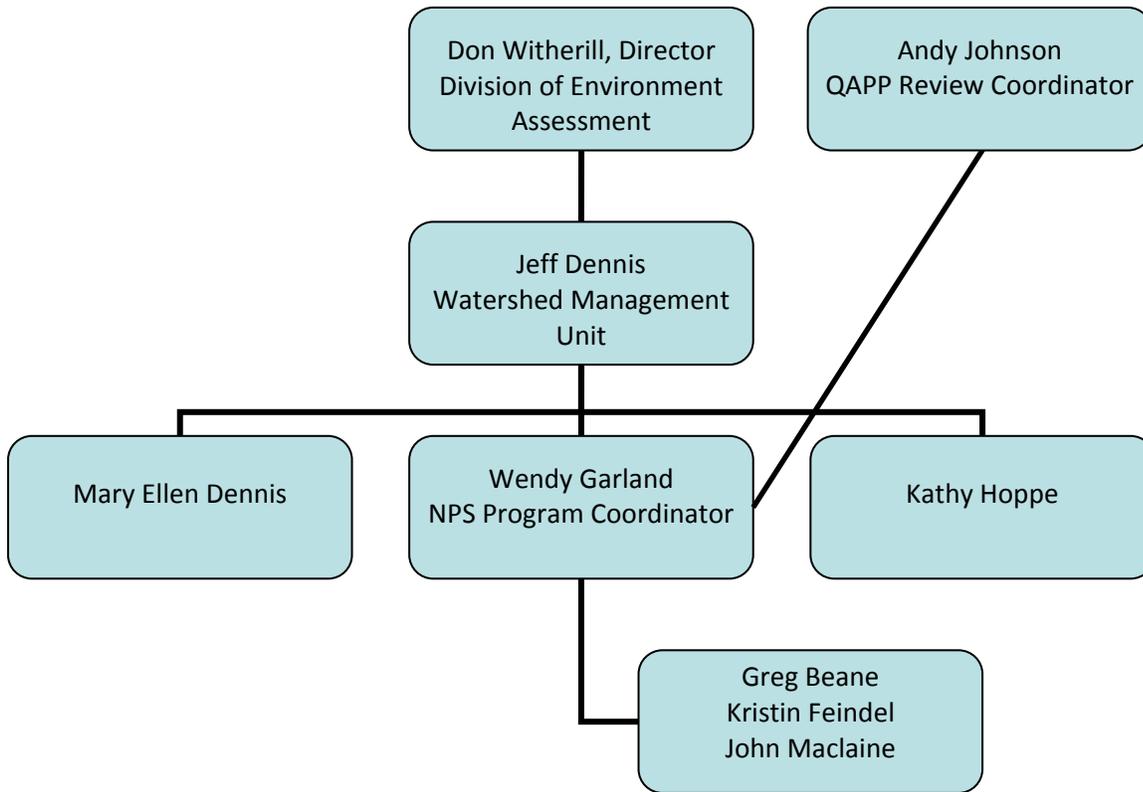


Figure 1. Section 319 NPS Grants Program Organizational Chart.

## V. Program Quality Objectives

The primary program goal is to protect and restore water quality in Maine’s lakes, rivers, streams and estuaries through the reduction of NPS pollution. To accomplish this goal in a particular watershed, DEP actively promotes the development of a locally-supported plan that will guide pollution control and prevention activities throughout the watershed. The EPA-required plan, known as a Watershed-based Plan (WBP), identifies and formally recognizes the roles of participating project sponsors and stakeholders, focuses implementation efforts throughout a watershed so that water quality will be protected or measurably improved, and recommends BMPs. Implementation projects install BMPs that will lead to significant reductions of NPS pollution to the waterbody. A DEP- accepted NPS WBP is necessary for all NPS grant projects.

There are currently two kinds of EPA-required watershed plans being used in Maine. The first is an EPA nine-element plan<sup>1</sup> that addresses NPS-impaired waters, and the second is an alternative watershed based plan for lake protection projects<sup>2</sup>. DEP maintains a list of all current and accepted plans on its website <http://www.maine.gov/dep/water/grants/319.html>.

<sup>1</sup> EPA guidance on nine-element plans is available at [https://www.epa.gov/sites/production/files/2015-09/documents/2008\\_04\\_18\\_nps\\_watershed\\_handbook\\_handbook-2.pdf](https://www.epa.gov/sites/production/files/2015-09/documents/2008_04_18_nps_watershed_handbook_handbook-2.pdf)

<sup>2</sup> DEP guidance on lake watershed-based protection plans is available at <http://www.maine.gov/dep/water/grants/319.html>

## A. Quality Assurance Requirements

The quality assurance requirements for NPS Projects are addressed through the following documents:

- DEP Request for Proposals FY Grants for Nonpoint Source Pollution Control Projects Watershed Plan Implementation. (see Appendix 2 for sample: RFP#201604086, June 2016). This document includes instructions for work plan content and format and the template for a Grant Agreement.
- Grant Agreement Template. Subrecipients are obliged to administer the project in accordance with the Grant Agreement. The Grant Agreement describes Subrecipient responsibilities in 7 riders: Rider A, Specifications of Work to be Performed (includes the Project Work Plan); Rider B, Payment and Other Provisions; Rider C, Exceptions to Rider B; Rider D, Debarment for Federal Funds; Rider E, USEPA Performance Partnership Grant Terms & Conditions; Rider F, None, and Rider G, Identification of Country in Which Contracted Work will be Performed.
- NPS Grant Administrative Guidelines Maine Nonpoint Source Grants Program. December 2016. (Appendix 3). Grant agreements for NPS Projects require subrecipients to use these Guidelines to comply with reporting requirements. The guidelines detail reporting requirements and provide other information to help Subrecipients and DEP staff administer NPS projects to comply with the Grant Agreement.
- Pollutants Controlled Report. Report form (See GAG Appendix 3) provides instructions to subrecipients for estimating and reporting pollutant load reduction and resource protection accomplished during NPS Projects for the EPA database - the Grant Records Tracking System (GRTS).
- Standard Operating Procedures for Regular Contact and Site Visits for Nonpoint Source Projects. December 2017. (Appendix 4). This Standard Operating Procedure (SOP) applies to all DEP staff assigned as Agreement Administrators for a NPS Project funded through the NPS Grants Program. DEP is responsible for monitoring Subrecipient use of federal awards through review of Subrecipient reports and deliverables, site visits and regular contact. The SOP describes procedures for regular contact and site visits (includes office and fieldwork site visits) to monitor Subrecipient compliance with the grant agreement.
- Standard Operating Procedures for Filing Documents and Records Pertaining to Nonpoint Source Projects for the Bureau of Water Quality. December 2017. (Appendix 5). This SOP applies to all DEP staff who develop or utilize NPS Project files funded through the NPS Grants Program. This SOP is to ensure that NPS Project files are properly created and maintained; contain pertinent documents and records; and DEP personnel can easily access NPS project files.
- Maine Lake and Stream Watershed Survey Generic Quality Assurance Project Plan. DEPLW1088. April 6, 2016. This plan specifies procedures and quality requirements for conducting watershed surveys of lakes and stream watersheds.
- Maine Stream Corridor Survey Quality Assurance Project Plan. January 4, 2013. This plan specifies procedures and quality requirements for conducting stream corridor surveys.

- State BMP Guidance Manuals are accessible from the DEP Nonpoint Source Training and Resource Center webpage <http://www.maine.gov/dep/land/erosion/escbmps/index.html>.
- Nonpoint Source Program and Grants Guidelines for States and Territories. April 13, 2013. USEPA Manual (<https://www.epa.gov/sites/production/files/2015-10/documents/319-guidelines-fy14.pdf>)

## **B. Use of Secondary Data**

NPS projects that involve compilation and use of pre-existing data (secondary data) about the watershed and water bodies will include a task in the work plan requiring the subrecipient to specify the methods used to evaluate the quality/validity of the data to determine if the data is acceptable for the purposes of the NPS project. All such secondary data must be available for review by DEP program staff on request.

# **VI. Program Design**

## **A. RFP Process**

Most Section 319 funded projects in Maine are selected through a competitive RFP process. DEP prepares and releases an RFP to the public once a year, usually in May. The RFP is drafted by the NPS Program Coordinator and AAs and then reviewed and approved by the EPA Nonpoint Source Coordinator for Maine. Both DEP priorities and EPA national NPS Guidelines are considered during RFP preparation. The RFP requirements, evaluation criteria, and project selection process are summarized below. DEP is obliged to comply with Chapter 110 - Rules for the Purchases of Services and Awards which outlines procedures for purchasing services and awarding grants pursuant to Maine law 5 M.R.S. § 1825-B. Prior to RFP issuance, DEP hosts workshops to provide information for interested parties regarding planning and implementing NPS projects. During the RFP process the NPS Program Coordinator provides a summary of all questions received and responses regarding the RFP to all who downloaded a copy of the RFP.

## **B. Proposal Requirements**

The RFP describes funding priorities, project eligibility, evaluation criteria, and program requirements. The RFP section titled "Proposal Submission Requirements" provides the recommended format and content of work plans/proposals submitted in response to the RFP. The document describes how the following sections should be addressed in project work plans: project title, subrecipient name, watershed information, problem/need, purpose, project duration, general project plan, tasks, schedules & estimated costs, deliverables, interagency coordination, environmental results, project coordinator, and budget information.

## **C. Proposal Selection Criteria**

As described in the RFP, the following evaluation criteria are used in the scoring of proposals:

1. Applicant Qualifications, Past Performance (max: 20 points)  
Consider the adequacy of bidder organization and project team qualifications (relevant experience, financial, administrative & technical qualifications, personnel and facilities) to carry out the project within the proposed timeframe, along with any known past performance on relevant projects.
2. Relative Value of the Waterbody (max: 10 points)  
Evaluate the degree to which the public currently uses and values the waterbody. Consider the availability (access), and extent of use. Consider uses including, but not limited to: drinking water

supply; public recreational opportunities; scenic and aesthetic benefits; aquatic and terrestrial habitat benefits, and commercial benefits; and potential for increased public use and improved habitat.

3. NPS Pollution Problem / Need (max: 10 points)

Evaluate the extent to which the work plan exhibits an informed understanding of the nonpoint sources of pollution that affect the waterbody(s) and actions needed to protect or restore the waterbody(s).

4. Feasibility for Success (max: 30 points)

Likelihood that the project will be successfully completed as proposed. Considerations: effective actions; well sequenced; contribution or participation by appropriate stakeholders and municipal government; leveraged with other previous or concurrent efforts; extent of community support to restore or protect the waterbody; and

Likelihood that the project work will make significant progress to help restore or protect the waterbody, if the project work is completed as proposed. Considerations: important NPS sites adequately identified (survey or other assessment); progress implementing Watershed-based Plan (WBP) (Appendix F of QAPP Appendix 2); extent of NPS sites to be treated and load reduction.

5. Cost Effectiveness (max: 25 points)

Regarding the grant funds requested and the proposed work, consider the degree to which the project represents a good return for the investment (money, time). Consider whether project work and cost estimates (tasks & budget) are reasonable for the expected outcomes, along with the amount and quality of proposed matching funds or services.

6. Comprehensive Plan (max: 5 points)

Extent to which towns in the watershed have an adopted Comprehensive Plan that the State has determined is consistent with Maine's Comprehensive Planning and Land Use Regulation Act.

**D. Proposal Review, Selection and Approval Process**

Proposals received under the RFP are evaluated by an evaluation team composed of WMU and other state agency staff. The evaluation team uses a consensus approach per Maine of Division of Purchases requirements to evaluate and score Sections 1-5 above. Members of the evaluation team will not score those sections individually; rather the team will arrive at a consensus for the point value for each section. DEP funds projects from highest to lowest scoring. Once the evaluation team has completed assessment of all the proposals, the NPS Program Coordinator prepares a written summary of the proposed award decision for review and approval by the DEA Division Director and EPA NPS Coordinator for Maine. The EPA NPS Coordinator reviews the proposals to ensure funding eligibility, as well as to provide comments on technical feasibility, cost effectiveness, and other aspects of the proposals. Upon acceptance, the award decision is then shared with the Maine Department of Administrative & Financial Services (DAFS) Division of Purchases and each RFP respondent.

For each project selected, DEP asks the applicant to submit a revised work plan, taking into account the comments received from the evaluation team, WMU and EPA. Following the submittal of a revised work plan, the DEP and EPA conduct a final review. DEP accepts the work plan for contract preparation after determination that the applicant has adequately addressed the review comments. DEP prepares an *Agreement to Purchase Services* (Grant Agreement) for each accepted project. All Grant Agreements go through a State of Maine and DEP contract approval process which includes a review by financial staff, the

DEA Director, and the Director of the BWQ; they are then signed by the subrecipient; and DEP Commissioner and Division of Purchases provides a final review and approval.

#### **E. Load Reduction Estimates**

The *National NPS Program and Grants Guidelines for States and Territories* (April 2013) require that load reduction estimates be developed for projects that will result in load reductions of either sediment or nutrients (nitrogen and phosphorus). EPA recognizes that due to variability in site and weather characteristics (among other factors), load reductions associated with BMP projects are extremely difficult to derive accurately. Accordingly, load reduction estimates for Maine Grants Program projects are developed using simple models or equations and calculated by the subgrant recipient. DEP and subrecipients use the methods described in the EPA "Region 5 Model" and/or the U.S. Forest Service Water Erosion Prediction Project - Road (WEPP - Road) computer model to estimate NPS load reductions. These models are described at websites <http://it.tetrattech-ffx.com/steplweb> and <http://forest.moscowfsl.wsu.edu/fswpepp>, respectively. Subrecipients are required to contact DEP for review and approval if they plan to use an alternate estimation method.

NPS Projects involve installing BMPs at numerous NPS sites within the project watershed. Pollutant load reduction estimates are developed and reported as follows:

1. During design and/or installation of BMPs at NPS sites, appropriate field measurements are recorded to enable preparation of written estimates of pollutant load reductions;
2. Estimates are prepared for all NPS sites, unless there is not an applicable estimation method for a given site;
3. Estimates are checked for proper application of the method(s) and the results are summarized on a standard form provided by DEP titled "Pollutants Controlled Report" (PCR) (see GAG Appendix 3);
4. The PCR and supporting documentation are submitted to the AA, by December 31 of each year, until project completion. If there were no load reductions or resources protected during the reporting period, the Subrecipient notifies the AA prior to December 31. Information required in the PCR includes: a brief description of the NPS sites; name of the model used for each NPS site; selection of BMPs used; and the model result for each NPS site. The PCR requires that Subrecipients sign the following statement: "The estimations in this report were determined using the appropriate estimation model(s) and applied according to the procedures prescribed for the model. To the best of my knowledge these are reasonable estimates using appropriate methods; documentation of the estimates is attached to this PCR for review by DEP/EPA";
5. Documentation of the estimation procedures used for each NPS site are retained in the subrecipient project files; and
6. Annually by the date required by EPA (usually February 15) DEP enters the load reduction estimates into EPA's national Grant Reporting & Tracking System (GRTS) according to EPA *Nonpoint Source Program and Grants Guidelines for States and Territories* April 2013.

#### **F. Selection and Installation of BMPs at NPS Sites**

The subrecipient exercises professional judgment in the selection, design and installation of the BMPs for NPS sites. Subrecipients are obliged to design and install BMPs at NPS sites according to design guidance described in Maine BMP Guidance Manuals or use other BMPs acceptable to the Department. Projects involving complex or relatively costly BMP installations require DEP review and acceptance of site designs prior to construction.

The AA visits NPS sites in the field observing conditions and BMPs installed to determine if the BMPs appear appropriate for the site and functional. Many NPS projects involve installation of BMPs at numerous NPS sites. BMP installations at NPS sites range widely from simple (e.g., buffer plantings, water bars, etc.) to more complicated (e.g., biofilters, manure management systems, etc.). BMP installation costs (including landowner contacts, permits, design, and construction, etc.) vary widely among different types of BMPs and NPS sites. The AA may not need to evaluate relatively simple, lower cost NPS sites; however, if the sites is complicated or high cost, the AA does a Fieldwork Site Visit before construction (see Appendix 4). The AA will use best professional judgment to determine if a site visit is needed to help ensure the Subrecipient uses appropriate BMPs. To decide whether a site visit is needed, the AA will consider (a) cost and complexity of the site; and (b) the knowledge, skills, and experience of the person(s) evaluating and designing BMPs for that site.

In all cases, if a NPS pollution site involves more than \$2,500 in construction costs paid by grant funds, the AA does a Fieldwork Site Visit during and/or after construction to observe the BMPs installed at a site to determine if the BMPs appear appropriate for the site and functional.

#### **G. Subrecipients Reports and Deliverables**

Under the grant agreement, DEP requires that subrecipients submit deliverables and semi-annual reports to document progress throughout the project period and a final project report upon completion of the project. Subrecipients provide a brief "NPS Site Report" with photographs to document BMP installation at each NPS site. The final project report includes a title page, project overview, task summary, deliverables summary, project outcomes, summary of total expenditures, nonfederal match documentation, match certification and applicable appendices. DEP provides project deliverables and progress and final project reports to EPA upon project completion.

### **VII. Documentation and Records Management**

DEP tracks all grant agreements (subgrants) and maintains a filing system for documents and records on each NPS project. All documents for each project are stored in the NPS Project File. DEP has *Standard Operating Procedures for Filing Documents and Records Pertaining to Nonpoint Source Projects for the Bureau of Water Quality* (Appendix 5). This SOP applies to all DEP staff that develop or utilize NPS project files funded through the NPS Grants Program. This helps to ensure that NPS Project files are properly created and maintained, contain pertinent documents and records, and are readily accessible by DEP personnel. DEP retains a NPS project file on each project for at least 5 years. Grant Agreements (subgrants) require that subrecipients retain all NPS project documents in a file for at least 5 years following project closeout.

DEP retains all documents pertaining to the EPA Section 319 grant award to Maine (included in the Performance Partnership Grant) for at least seven years in accordance with EPA regulations.

## VIII. Continuous Improvement of the Maine NPS Management Program

The Maine NPS Program is guided by the EPA-approved *Maine Nonpoint Source Management Program Plan 2015-2019* (September 15, 2014). Previous versions of the plan were completed in 1989, 1995 and 1999. Additional updates are planned for every five years, with the next plan to be completed in 2020. Through this update process, the state seeks to continually improve the program and maintain program relevancy to current challenges.

Several reports and planning processes provide opportunities for continuous program review and improvement. As required by EPA, DEP develops an annual NPS report that summarizes Maine's NPS program accomplishments, the status of NPS Management Program Plan milestones and water quality improvements. In addition, DEP participates in EPA's annual Satisfactory Progress Determination review, which helps EPA assess Maine's progress implementing its NPS program. Maine uses both the annual report and EPA feedback to help assess the overall performance of the program and develop work priorities for the upcoming years.

Maine's NPS program is also shaped and guided by interactions with partners across the state. Each November DEP holds a one-day "Watershed Managers Roundtable" meeting to share information regarding NPS projects and other related watershed or water quality work. DEP uses a 'Watershed Listserve' to help inform and communicate with watershed managers and other professionals involved in NPS work.

The Performance Partnership Agreement (PPA) between DEP and EPA, re-signed every three years and reviewed annually, describes in broad terms the tasks DEP will accomplish with EPA funding. The PPA includes descriptions of 319-related performance objectives and actions. DEP uses the biennial Section 305(b) and 303(d) assessments to help identify water quality restoration needs and water quality improvements, which can be highlighted as NPS Success Stories.

In addition to this programmatic review, DEP also evaluates the success of Section 319-funded projects individually to consider project effectiveness and to identify opportunities for improvement in program delivery. DEP and EPA jointly review the Section 319 RFP and the 319 work plan format every year for any needed changes or improvements. This review provides an opportunity to modify the focus of pass-through projects, adjust priorities, and identify any new requirements.

## IX. References

Maine DEP, Maine Department of Environmental Protection Quality Management Plan. May 2015.

Maine DEP, Maine Lake and Stream Watershed Survey Generic Quality Assurance Project Plan. DEPLW1088. April 6, 2016.

Maine DEP, Maine Nonpoint Source Management Program Plan 2015-2019. September 15, 2014.

Maine DEP, Maine Stream Corridor Survey Quality Assurance Project Plan. January 4, 2013.

Maine DEP, NPS Grant Administrative Guidelines Maine Nonpoint Source Grants Program. December 2016.

Maine DEP, Standard Operating Procedures for Regular Contact and Site Visits for Nonpoint Source Projects. SOP #DEPLW0854A. December 2017.

Maine DEP, Standard Operating Procedures for Filing Documents and Records Pertaining to Nonpoint Source Projects for the Bureau Water Quality, October 2017.

US EPA Region 5, EPA Requirements for Quality Assurance Project Plans (March 2001).

## **Appendix 1 - Definitions**

**Agreement to Purchase Services**– A legal contract between a Provider and the Maine Department of Environmental Protection. Also referred to as the Grant Agreement or contract.

**Alternative Watershed-based Plan** – Refers to a type of watershed plan that is accepted by EPA instead of a nine-element watershed-based plan. In Maine, lake watershed-based protection plans may be developed as alternative plans.

**Subrecipient** – An organization committed to completing an NPS Project by signing an Agreement to Purchase Services. May also be referred to as Provider or Grantee in Maine NPS program documents.

**NPS Grants Program** – Maine DEP’s pass-through grant program using Clean Water Act Section 319(h) and 604(b) nonpoint source funding from the USEPA. The Program is focused on working with subrecipients to reduce or eliminate NPS of pollution through the development and implementation of Watershed-based Plans.

**Maine NPS Management Program** – Encompasses all coordinated efforts from a variety of state agencies and organizations to address NPS issues. Includes NPS Grants Program but is not limited to only the Grants Program. Guided by the Maine NPS Management Program Plan, which is updated every five years.

**NPS Program Coordinator** – Maine DEP Environmental Specialist IV responsible for overseeing and coordinating the Maine Nonpoint Source Program.

**NPS Project** – A specific watershed focused grant funded effort to reduce NPS pollution based on an approved Watershed-based Plan.

**Watershed-based Plan (WBP)** – Refers to an approved nine-element plan as defined by EPA or an alternative plan as approved by DEP and EPA.

Appendix 2

STATE OF MAINE  
Department of Environmental Protection  
*Bureau of Water Quality*



**RFP#201604086**

**Grants for Nonpoint Source Pollution Control Projects**  
**Watershed Plan Implementation**

<b>RFP Coordinator</b>	<i>All communication regarding this RFP <u>must</u> be made through the RFP Coordinator identified below.</i> <b><u>Name:</u></b> Norman Marcotte <b><u>Title:</u></b> Environmental Specialist <b><u>Contact Information:</u></b> <a href="mailto:norm.g.marcotte@maine.gov">norm.g.marcotte@maine.gov</a>
<b>Submitted Questions Due</b>	<i>All questions <u>must</u> be submitted to the RFP Coordinator identified above by:</i> <b><u>Date:</u></b> June 13, 2016 <b><u>Time:</u></b> 2:00p.m., local time
<b>Proposal Submission</b>	<b><u>Submission Deadline:</u></b> June 28, 2016, no later than 2:00p.m., local time <b><u>Submission Address:</u></b> Division of Purchases, Burton M. Cross Building, 111 Sewall Street - 4 <sup>th</sup> Floor, Augusta, ME, 04330

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**PUBLIC NOTICE**

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**State of Maine  
Department of Environmental Protection  
Bureau of Water Quality**

**RFP#201604086  
Grants for Nonpoint Source Pollution Control Projects  
Watershed Plan Implementation**

The State of Maine Department of Environmental Protection is inviting proposals for projects to help communities implement a watershed-based plan to restore impaired water bodies or protect water bodies threatened by nonpoint source pollution. Grants for projects selected under this RFP will be funded with monies provided to the Department by the U. S. Environmental Protection Agency under Section 319(h) of the Clean Water Act.

A copy of the RFP can be obtained at <http://www.maine.gov/dep/rfp> or by contacting the Department's RFP Coordinator for this project: Norman Marcotte. The RFP Coordinator can be reached at the following email address: [norm.g.marcotte@maine.gov](mailto:norm.g.marcotte@maine.gov) or at the following mailing address: State House Station #17, 28 Tyson Drive, Augusta, ME 04333.

Proposals must be submitted to the State of Maine Division of Purchases, located at the Burton M. Cross Office Building, 111 Sewall Street - 4<sup>th</sup> Floor, Augusta, Maine, 04330. Proposals must be submitted by 2:00 pm, local time, on June 28, 2016, when they will be opened. Proposals not received at the Division of Purchases' aforementioned address by the aforementioned deadline will not be considered for contract award.

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## **RFP ACRONYMS**

The following terms and acronyms shall have the meaning indicated below as referenced in RFP#201604086.

1. BMPs: Best Management Practices
2. CWA: Federal Clean Water Act
3. Department: Department of Environmental Protection
4. EPA: U. S. Environmental Protection Agency
5. NPS: Nonpoint Source
6. RFP: Request for Proposals
7. State: State of Maine
8. WBP: Watershed-based Management Plan

**State of Maine Department of Environmental Protection**

***Bureau of Water Quality***

**RFP#201604086**

**Grants for Nonpoint Source Pollution Control Projects**

**Watershed Plan Implementation**

**PART I INTRODUCTION**

**A. Purpose and Background**

The Department of Environmental Protection (“Department”) is seeking proposals for projects to help communities implement a watershed management plan to restore impaired waterbodies or protect threatened waterbodies, as defined in this Request for Proposals (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the Provider(s) will be selected, and the contractual terms which will govern the relationship between the State of Maine (“State”) and the awarded Bidder(s).

Pursuant to Maine statutes (38 M.R.S.A. Article 1-F) the Department is charged with coordinating Maine’s Nonpoint Source Pollution (NPS) Program to prevent or reduce NPS water pollution so that lakes, streams, rivers and coastal waters are protected and attain their clean water quality standards. Since 1990, the Department has implemented the NPS Management Program including administering a NPS grants program and in accordance with, and using funding provided under Sections 319(h) of the Federal Clean Water Act (CWA). The Maine Nonpoint Source Management Program Plan 2015 - 2019 describes NPS water pollution control programs, strategies, and actions needed to make progress controlling and preventing NPS pollution. <http://www.maine.gov/dep/land/watershed/nps-program-plan.html> The NPS Program and Grants Guidelines issued by the U.S. Environmental Protection Agency (EPA) requires states to use at least 50% of Section 319 funds to implement projects to restore impaired water bodies or to protect water bodies threatened by NPS pollution.

Implementation projects must be guided by a Watershed-based Management Plan (WBP) that is accepted by the Department. A WBP provides assessment and management information and describes actions needed to restore NPS-impaired water bodies, or to protect water bodies threatened by NPS pollution.

Grants for projects selected under this RFP will be funded with monies provided to the Department by the EPA under Section 319(h) of the CWA. Funding awarded to a grantee is considered a sub-award of federal funds. The Department will provide a draft of the award decision and work plan proposals to EPA for review and approval, and will then submit the proposed award decision to the State of Maine, Division of Purchases for approval.

For more information on the NPS Grants Program, including annual reports and guidelines for grant recipients, refer to the NPS Grants web page. <http://www.maine.gov/dep/water/grants/319.html>

**B. General Provisions**

1. From the time this RFP is issued until award notification is made, all contact with the State regarding this RFP must be made through the aforementioned RFP Coordinator. No other person/ State employee is empowered to make binding statements regarding this RFP. Violation of this provision may lead to disqualification from the bidding process, at the State’s discretion.

2. Issuance of this RFP does not commit the Department to issue an award or to pay expenses incurred by a Bidder in the preparation of a response to this RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
3. All proposals should adhere to the instructions and format requirements outlined in this RFP and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the Department. Proposals are to follow the format and respond to all questions and instructions specified below in the “Proposal Submission Requirements” section of this RFP.
4. Bidders shall take careful note that in evaluating a proposal submitted in response to this RFP, the Department will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Bidder (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating a Bidder’s experience and capabilities.
5. The proposal shall be signed by a person authorized to legally bind the Bidder and shall contain a statement that the proposal and the pricing contained therein will remain valid and binding for a period of 180 days from the date and time of the bid opening.
6. The RFP and the selected Bidder’s proposal, including all appendices or attachments, shall be the basis for the final contract, as determined by the Department.
7. Following announcement of an award decision, all submissions in response to this RFP will be considered public records available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) (1 M.R.S. §§ 401 et seq.).  
<http://www.mainelegislature.org/legis/statutes/1/title1sec401.html>
8. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to this RFP.
9. The State of Maine Division of Purchases reserves the right to authorize other Departments to use the contract(s) resulting from this RFP, if it is deemed to be beneficial for the State to do so.
10. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be Proposer’s/Vendor’s responsibility to determine the applicability and requirements of any such laws and to abide by them.

**C. Eligibility to Submit Proposals**

Eligible recipients for Section 319 grants are public organizations such as state agencies, soil and water conservation districts, regional planning commissions, watershed districts, municipalities, and incorporated nonprofit organizations with federal tax exempt status [501(c)(3)].

A watershed-based plan (WBP) accepted by the Department for a NPS priority watershed is a prerequisite to be eligible to submit a proposal for a WBP implementation grant. Refer to Appendix G for a table listing WBPs accepted by the Department.

**D. Contract Term**

The Department is seeking cost-efficient proposals to provide services, as defined in this RFP, for the anticipated contract period defined in the table below. Please note that the dates below are estimated and may be adjusted as necessary in order to comply with all procedural requirements associated with this RFP and the contracting process. The actual contract start date will be established by a completed and approved contract.

<b>Project Start Date</b>	<b>Project Completion Date</b>
January 1, 2017	December 31, 2018

## **E. Grant Funds Available and Number of Awards**

The Department anticipates making multiple awards as a result of this RFP process. Funds for grants will be from the U.S. Environmental Protection Agency under Section 319 of the Clean Water Act.

1. Approximately \$780,000 will be available for implementation projects, pending EPA and State approvals and federal budget appropriation.
2. The Department expects to award grants in the range of \$50,000 to \$150,000. The Department expects to award 8 to 14 grants and reserves the right to make fewer awards.
3. In accordance with the Maine NPS Management Program Plan, funds will be used for grants to restore impaired waters or protect unimpaired but threatened waters:
  - a. At least 50% of the Section 319 funds (\$390,000) will be for grants to help restore impaired waters; and
  - b. No more than 50% of the Section 319 funds (\$390,000) will for grants to protect unimpaired waters.

## **PART II SCOPE OF SERVICES TO BE PROVIDED**

### **A Purpose of Watershed-based Plan Implementation Grant**

The Department is inviting proposals for projects to help communities implement their watershed-based management plan (WBP) to make progress:

- Restoring water bodies that are considered impaired due to NPS pollution, or
- Protecting water bodies that are considered threatened by NPS pollution.

### **B. Prerequisite – Watershed-based Plan Accepted by DEP**

Implementation projects must be guided by a WBP that has been previously accepted by the Department. A WBP accepted by the Department for a NPS priority watershed is a prerequisite to be eligible to submit a proposal for a WBP implementation grant. Refer to Appendix G for the list of waterbodies with a WBP accepted by the Department.

### **C. Non-federal Match Requirements**

Grantees must provide non-federal match of at least 40% of the total project cost.

To determine the amount of non-federal match required, multiply the amount of grant funds requested times 0.667. Example: if the proposal requests \$81,000 of grant funds, then at least \$54,027 of non-federal match is required.  $(\$81,000) \times (0.667) = \$54,027$ . For more information, refer to the Cost Proposal Form (Appendix D).

### **D. Eligible Implementation Work and Requirements**

The proposed work under this grant should be designed to help make progress implementing NPS management measures (actions) that are described in a WBP accepted by the Department. Eligible activities and grant requirements include the following:

1. WBP Timeline and Phasing. Effective implementation of a WBP usually requires many years of sustained effort. The work plan should exhibit intent to make substantial progress implementing the WBP.
2. Progress Implementing the WBP. Bidders are asked to provide a brief summary of progress accomplished to date implementing the WBP (Progress Implementing Watershed-based Plan Form, Appendix F).
3. Widespread Implementation of BMPs. A project must implement measures that prevent, control, or abate NPS pollution. Projects should encourage, require, or achieve structural or non-structural best management practices (BMPs) implementation on a watershed scale to abate existing nonpoint sources and prevent NPS pollution through better land use management. A proposal to use most of the grant funds for on-the-ground construction of BMPs (including design services) will be considered more cost effective than projects that include disproportionate amounts of personnel, overhead and grant administration costs.

4. Construction at NPS Sites. Activities must be directed towards accomplishing on-the-ground implementation of BMPs at NPS sites and other actions needed to effectively implement the WBP. The proposal should describe NPS sites that will be addressed by the proposed project.
  - If the project involves recruiting landowners and construction at numerous NPS sites, then list concise descriptions of NPS sites, BMPs needed to be installed and cost estimates in the Candidate NPS Site Form (Appendix E).
  - If the project will install BMPs at a few specific NPS sites, then for each site submit a sketch, preliminary design and/or photos and cost estimates to describe site conditions and proposed BMPs to be installed.

5. Cost Sharing for BMP Construction. Often, a grantee recruits landowners and provides technical assistance to help landowners install BMPs on their properties using their own funds. Also, a grantee may choose to use a cost sharing program as incentive to help ensure that landowners install BMPs at priority NPS sites. Under cost sharing, a grantee provides a cost share payment to a town or individual to share the cost of acceptable BMP installations at NPS sites. To administer cost sharing, a grantee: determines NPS sites to be targeted for cost sharing; determines the eligible BMPs; sets a uniform cost share percentage rate (example: a 50:50 cost share = 50% paid by grant and 50% by owner); provides information about availability of cost sharing; and uses an appropriate cost sharing agreement. Recipients of 319 cost sharing funds agree to properly operate and maintain their BMPs for the service life of the BMP. The cost share amount of grant funds to an individual cannot exceed 75% of the total cost.

Project funds (grant or match) may be used to help pay for construction of BMPs at road-related NPS sites to reduce sediment delivery to surface waters. Project funds cannot be used for normal maintenance and repair. Refer to the Department guidance on how to evaluate road-related NPS sites to determine if NPS project funds may be used cost share construction of BMPs. Using Project Funds for Construction of BMPs at Road-related Sites: Guidance for NPS Watershed Projects, April 2012 <http://www.maine.gov/dep/water/grants/319.html>

6. Eligible Activities. Eligible activities in projects may include, but are not limited to: BMP design; BMP construction; technical assistance; cost sharing construction of BMPs; training and technology transfer; information outreach; project management; and monitoring to evaluate the outcome of the project. Do not assume all activities called for in a WBP are eligible for grant funds. Proposed activities must be considered eligible under EPA Section 319(h) guidelines. For more information regarding eligible activities refer to EPA Nonpoint Source Program and Grants Guidelines for States and Territories, pages 37-38. <http://water.epa.gov/polwaste/nps/cwact.cfm>
7. Ineligible Activities. Grant funds under this RFP may not be used:
  - a. To conduct erosion or storm water control work required by existing permits or orders (Examples: Maine Pollutant Discharge Elimination System Stormwater Permit; Site Location of Development Permit; Stormwater Law Permit); or
  - b. To replace malfunctioning septic systems. The Department Small Community Grant Program offers grants to towns to help replace malfunctioning septic systems that are polluting a waterbody or causing a public nuisance.

8. Procurement of Services and Subgrants

- a. Procurement of Services – For a project, a grantee may need to purchase goods or services to complete project activities that are beyond the capacity of the grantee organization.

Procurement means acquisition of supplies, equipment, construction or services. Procurement with federal funds must follow applicable requirements and restrictions. Procurement need to be a competitive basis to ensure that fair and reasonable prices are obtained for goods and services. Grant recipients may use their own procurement procedures provided that the procedures conform to applicable federal requirements. FMI: refer to the Department's NPS Grant Administrative Guidelines.  
<http://www.maine.gov/dep/water/grants/319.html>

- b. Subgrants – For a project, grantee may plan to issue a subgrant to pass-thru a portion of the grant funds to an eligible subgrantee (aka lower tier subrecipient) if project activities are beyond the capacity of the grantee organization, provided the work to be performed is aligned with the public purpose or mission of the subgrantee. If the applicant plans to pass-thru funds to an eligible subgrantee to accomplish a significant part of the project, then the applicant should identify the proposed subgrantee, their qualifications, and a brief description of the work to be conducted. For example, a municipality (grantee) may plan to issue a subgrant to a soil and water conservation district (subgrantee) to coordinate the project or perform certain tasks. A subgrantee could be a Maine public organizations such as a soil and water conservation district, a regional planning commission, watershed district, municipality, or an incorporated nonprofit organizations with federal tax exempt status [501(c)(3)].
9. Environmental Data Quality Assurance. Project activities will need to be conducted according to applicable quality assurance procedures for NPS projects as described in the DEP document *Maine Section 319 Management Program Quality Assurance Program Plan (12/01/11)*  
<http://www.maine.gov/dep/water/grants/319.html>. If the project includes water quality monitoring to evaluate the outcome of the project, the monitoring must be conducted in accordance with a quality assurance project plan.
  10. Environmental Outcome. The work plan should provide a statement of the expected environmental outcome this phase of the project will accomplish.

Examples of Environmental Outcome Statements:

- a. This project will help restore the lake to attain Class GPA water quality standards. The long term goal is to reduce phosphorus loading to eliminate nuisance algal blooms to improve water clarity. The in-lake phosphorus concentration goal is 15 parts per billion. The total phosphorus load reduction needed is 450 lbs phosphorus. The project will reduce phosphorus loading by an estimated 45 lbs.
  - b. This project will help to maintain Class GPA standards. Preliminary estimates indicate this project will reduce pollutant loading to the lake by [#] tons of sediment and [#] pounds of phosphorus; or
  - c. Ambient fecal coliform bacterial levels will be reduced to enable reopening of a closed shellfish harvest area.
11. Estimating NPS Pollutant Load Reductions. Projects must be designed to include a means to estimate pollutant load reductions from the installed BMPs. The EPA NPS Program Guidelines require load reduction estimates for all BMPs that are intended to control sediments (in tons/year)

and/or nutrients (phosphorus or nitrogen in pounds per year). Bidders should identify the method/model they intend to use to estimate NPS load reductions. The Department accepts use of the EPA Region 5 Load Estimation Model <http://it.tetrattech-ffx.com/steplweb/default.htm> or the USDA Forest Service WEPP Road model. <http://forest.moscowfsl.wsu.edu/fswepp/> A bidder may propose use of other estimation methods.

## PART III KEY RFP EVENTS

### A. Questions

#### 1. General Instructions

- a. It is the responsibility of each Bidder to examine the entire RFP and to seek clarification, in writing, if the Bidder does not understand any information or instructions.
- b. Submitted Questions must be submitted by e-mail and received by the RFP Coordinator, identified on the cover page of this RFP, as soon as possible but no later than the dates and times specified on the RFP cover page.
- c. Submitted Questions should include the RFP Number and Title in the subject line. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.
- d. Be sure to refer to the page number and paragraph within this RFP relevant to the question presented for clarification, if applicable.

2. **Summary of Questions and Answers:** Responses to all substantive and relevant questions will be compiled in writing and distributed to all registered, interested persons by e-mail no later than seven (7) calendar days prior to the proposal due date. Only those answers issued in writing by the RFP Coordinator will be considered binding. The Department reserves the right to answer or not answer any question received.

### B. Submitting the Proposal

1. **Proposals Due:** Proposals must be received no later than 2:00 p.m. local time, on the date listed on the cover page of this RFP, at which point they will be opened. Proposals received **after** the 2:00 p.m. deadline will be **rejected** without exception.
2. **Mailing/Delivery Instructions:** The official delivery site is the State of Maine, Division of Purchases (Please refer to the RFP cover page for submission address).
  - a. Only proposals received at the official delivery site prior to the stated deadline will be considered. Bidders submitting proposals are responsible for allowing adequate time for delivery. Postmarks do not count and fax or electronic mail transmissions of proposals are not permitted. Any method of hardcopy delivery is acceptable, such as US Mail, in-person delivery by Bidder, or use of private courier services.
  - b. The Bidder must send its proposal submission in a sealed package and must include the complete proposal: **one original signed copy; 6 copies; and 1 electronic copy**. The electronic copy of the proposal must be provided on USB flash drive with the complete narrative and attachments in MS Word format. Any attachments that cannot be submitted in MS Word format may be submitted as Adobe (.pdf) files.
  - c. Bidders' submission packages are to be clearly labeled and contain the following information:
    - Proposal submission address provided on the RFP cover page
    - The Bidder's full business name and address
    - The RFP Number and Title

## **PART IV PROPOSAL SUBMISSION REQUIREMENTS**

This section contains instructions for Bidders to use in preparing their proposals. The Bidder's proposal must follow the outline used below, including the numbering and section and sub-section headings as they appear here. Failure to use the outline specified in this section, or to respond to all questions and instructions throughout this document, may result in the proposal being disqualified as non-responsive or receiving a reduced score. The Department, and its evaluation team for this RFP, has sole discretion to determine whether a variance from the RFP specifications should result in either disqualification or reduction in scoring of a proposal. Rephrasing of the content provided in this RFP will, at best, be considered minimally responsive.

### **A. Proposal Format**

1. For clarity, the proposal should be typed. Proposals should be single-spaced with 1" margins on white 8 1/2" x 11" paper using a font no smaller than 12 point Times New Roman or similar.
2. All pages of a Bidder's proposal should be numbered consecutively beginning with number 1 on the first page of the narrative (this does not include the cover page or table of contents pages) through to the end, including all forms and attachments.
3. Bidders are asked to be brief and concise in responding to the RFP questions and instructions.
4. The proposal should be limited to a maximum total of 29 pages. Pages provided beyond the aforementioned maximum amount will not be considered during evaluation.
5. Include any forms provided in the application package or reproduce those forms as closely as possible. All information should be presented in the same order and format as described in the RFP.
6. It is the responsibility of the Bidder to provide all information requested in the RFP package at the time of submission. Failure to provide information requested in this RFP may, at the discretion of the Department's evaluation review team, result in a lower rating for the incomplete sections and may result in the proposal being disqualified for consideration.
7. Bidders should complete and submit the "Proposal Cover Page" provided in **Appendix A** of this RFP and provide it with the Bidder's proposal. The cover page must be the first page of the proposal package. It is important that the cover page show the specific information requested, including Bidder address(es) and other details listed. The proposal cover page shall be dated and signed by a person authorized to enter into contracts on behalf of the Bidder.
8. Bidders should complete and submit the "Debarment, Performance and Non-Collusion Certification Form" provided in **Appendix B** of this RFP. Failure to provide this certification may result in the disqualification of the Bidder's proposal, at the discretion of the Department.

### **B. Proposal Contents**

The complete proposal should include the proposal cover page and 9 sections in the following order.

#### **Section I Organization Qualifications and Experience** (2 pages max)

Present a brief summary of bidder's qualifications to carry out the project and manage the grant. Summarize technical, administrative and financial qualifications of the organization. Summarize relevant experience, especially experience with NPS projects. Summarize relevant experience of the person to be assigned to manage the project.

- If you plan to issue a sub-grant to an eligible recipient, provide their name, qualifications and contact information.
- If you plan to acquire consultant services, list key qualifications and experience that you will request in your solicitation for services.

**Section II Location Map**

(1 page max)

Provide a location map of the project’s watershed area on one page of 8.5" by 11" paper, clearly showing the waterbody(s), town(s), and the watershed boundary.

**Section III Progress Implementing Watershed-based Plan.**

(2 pages max)

Complete the form in **Appendix F**.

**Section IV Work Plan**

(7 pages max)

Prepare a work plan for your project by providing information requested under each heading as described below. Prepare the work plan in a direct, concise style.

*1. Project Title & Grantee Name:*

Provide a project title and name of the Grantee. The title should start with the name of the watershed and include a phase number. Example: Orion Stream Watershed Restoration-Phase II, Town of Rossland

<p><u>Work Plan</u>  <i>For an example of the typical content &amp; format of a work plan, refer to DEP’s NPS Grants webpage. <a href="http://www.maine.gov/dep/water/grants/319.html">http://www.maine.gov/dep/water/grants/319.html</a></i></p>
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*2. Watershed & Water Quality Information:*

a. Provide a brief summary of the physical characteristics of the watershed and waterbody. Provide the area of the watershed in acres or square miles. Summarize water quality assessment information for the waterbody. Is the waterbody impaired or does it attain its water quality classification? To obtain that information, refer to the WBP or the 2012 Integrated Water Quality Monitoring and Assessment Report. <http://www.maine.gov/dep/water/monitoring/305b/index.htm>

Summarize the extent of uses of the waterbody by the public. Consider uses including, but not limited to: drinking water supply; public recreational opportunities; scenic and aesthetic benefits; aquatic and terrestrial habitat benefits, and commercial benefits; and potential for increased public use and improved wildlife habitat. Describe public access to the waterbody. Consider regional or local values associated with the resource (e.g., high local value since it’s the only pond with public access in the area).

Provide the name and date of the WBP. Summarize recent activity in the watershed indicating the proposed project is appropriate and likely to be successful.

b. Advise whether the town(s) in the watershed have adopted a Comprehensive Plan that the State has determined is consistent with Maine's Comprehensive Planning and Land Use Regulation Act (Yes or No). Contact the town or the Municipal Planning Assistance Program in the Maine Department of Agriculture, Conservation, and Forestry to determine this (207-287-3200).

*3. NPS Problem / Need:*

What are the most important nonpoint sources? Summarize findings of NPS watershed survey(s), other assessments of nonpoint sources (critical source areas). Summarize NPS pollution control actions needed to restore water quality to attain water quality standards or reduce threats to water quality.

*4. Purpose:*

Concisely state in 3 to 6 sentences: the overall goal of the WBP; the specific purpose of this project; and the anticipated primary outputs and outcomes or of this project.

5. *Project Duration:*

The project duration may be for up to 24 months. List the proposed: project start date and the project completion date (month & year).

6. *General Project Plan:*

Provide an abstract-like summary broadly describing how the grantee will accomplish the proposed project. Avoid redundant information, provide detailed descriptions of the work activities under “Tasks, Schedules & Estimated Costs”, below.

- a. If the grantee plans to pass-thru funds to an eligible sub-grantee to accomplish a significant part of the project, then provide a brief description of the work and sub-grantee.
- b. If the grantee plans to purchase services, provide a brief description of the service and indicate that the grantee will use appropriate competitive procurement procedures. For information about procurement, refer to Section 4 in NPS Grant Administrative Guidelines. <http://www.maine.gov/dep/water/grants/319-documents/2010/guidelines.pdf>
- c. If a partnering entity will contribute significant services for the project, provide a brief description of that here. You may (optional) provide letters of commitment from a partner as an Attachment (PART IV B. Section 7). If you provide a letter from a project partner, the letter should clearly describe the work activity, services or funds that will be committed for the project.
- d. Effective implementation of a WBP may require many years of sustained effort. The work plan should exhibit intent to make substantial progress implementing the WBP. If additional implementation work will be needed to fully implement the WBP after completion of work under this proposal, then briefly summarize anticipated work needed in future phases.
- e. Proposals should include the following statement: “The (grantee name) will not use 319 project funds to undertake, complete or maintain work required by existing permits, consent decrees or other orders.”

7. *Tasks, Schedules & Estimated Costs:*

List project tasks in numbered sequence. Generally there should be 5 to 8 tasks. Subtasks may be used to organize information, within a task there may be a subtask 5a, 5b, etc. For each task identify who will do the task and what will be done. Describe the work in quantifiable terms. If a task cannot be readily quantified then the actions should be explained in specific terms so that the work and the expected output is clear. The task description should provide information sufficient to support the estimate of total cost. Provide an estimate of the total cost to complete the task. For grant cost, provide an estimate of personnel costs and other key costs associated with the task, such as construction or contractual.

Example: Grant Cost: \$45,990      Match: \$26,340      Total: \$72,330

    ↳ Grant cost includes: personnel services: \$6,480; construction cost: \$39,510

Provide a schedule (month/year) for the start and completion of the task (Ex. June 2017 to October 2017). For examples of task descriptions, refer an example work plan at the NPS grants webpage <http://www.maine.gov/dep/water/grants/319.html>

Label Task 1 "Project Management". Task 1 should describe work and costs to manage and administer the project, such as: collaboration with key partners to manage the project, subgrants or subcontracts, reporting (progress reports, final project report), account management, etc. Identify subcontracts (for procurement/purchase of goods or services), and include language indicating that your vendor selections will follow established procurement or purchasing procedures. For most

projects, indicate the NPS Site Tracker will be used to efficiently accumulate information about NPS sites as part of ongoing watershed stewardship activities.

The NPS Site Tracker is available at <http://www.maine.gov/dep/water/grants/319.html>

8. *Deliverables:*

Project "deliverables" are 4 to 6 major products or outputs of the project work that must be provided to DEP for review and approval. Progress Reports and a Final Project Report are required deliverables for all projects. Example listing of deliverables:

- a. Subagreements, progress reports, final project report, NPS Site Tracker Summary (Task 1)
- b. Intercept survey results (pre and post); project brochure; press releases (Task 3)
- c. NPS Site Report for each NPS site (Task 4)
- d. Summary table listing outcome of staff work to prompt landowners to install BMPs using their own funds: NPS site, landowner name, brief description of problem, BMPs recommended, and BMPs implemented. (Task 5)
- e. Pollutants Controlled Report each year until project completion (Task 7)

9. *Environmental Outcome:* Provide a concise statement of the expected environmental result, outcome, or end-state that this proposed work would likely achieve. If the environmental outcome is not expected to be achieved before this project ends, describe the progress to be made towards the outcome. (See Part II.D.9)

10. *Project Coordinator:* Provide the name, organization, mailing address, telephone number, and email address of the contact person for the Grantee.

**Section V Construction at NPS Sites**

(5 pages max)

Activities must be directed towards accomplishing on-the-ground implementation of BMPs at NPS sites, and other actions needed to effectively help implement the WBP. Describe NPS sites that will be addressed by the proposed project

- If the project involves recruiting landowners and construction at numerous NPS sites, then list concise descriptions of NPS sites, BMPs needed to be installed and cost estimates in the Candidate NPS Site Form (**Appendix E**). Insert photos if it helps describe site conditions.
- If the project will install BMPs at a few specific NPS sites, then for each site submit a sketch, preliminary design, and cost estimates to describe site conditions and proposed BMPs to be installed. Insert photos if it helps describe site conditions.

**Section VI Cost Proposal**

(2 pages max)

The Bidder should fill out **Appendix D** (Cost Proposal Form), following the instructions detailed in the form. Failure to provide the requested information, and to follow the required cost proposal format provided, may result in the exclusion of the proposal from consideration, at the discretion of the Department.

**Section VII Attachments**

(7 pages max)

Provide attachments if you want to provide additional information. List attachments on a page labeled "Section VII Attachments". The page count includes the page listing the attachments.

**Section VIII Debarment, Performance and Non-Collusion Certification**

(1 page)

Using the form in **Appendix B**, the Bidder identified on the "Proposal Cover Page" of their proposal is required to sign this certification form.

**Section IX Economic Impact within the State of Maine**

(2 pages)

Using the form in **Appendix C** (Economic Impact Form), the Bidder identified on the “Proposal Cover Page” of their proposal is required to describe the Bidder’s recent and anticipated economic impact upon and within the State of Maine. The use of economic impact in making contract award decisions is required in accordance with Executive Order 2012-004, which states that certain service contracts “...advertised for competitive bid shall include scoring criteria evaluating the responding Bidder’s economic impact on the Maine economy and State revenues.”

## PART V PROPOSAL EVALUATION AND SELECTION

Evaluation of the submitted proposals shall be accomplished as follows:

### A. Evaluation Process - General Information

1. An evaluation team, comprised of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP, and in accordance with the most advantageous financial and economic impact considerations (where applicable) for the State.
2. Officials responsible for making decisions on the selection of a contractor shall ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the Bidder whose proposal provides the best value to the State of Maine.
3. The Department reserves the right to communicate and/or schedule interviews/presentations with Bidders if needed to obtain clarification of information contained in the proposals received, and the Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations. Interviews/presentations are not required, and changes to proposals will not be permitted during any interview/presentation process. Therefore, Bidders should submit proposals that present their rates and other requested information as clearly and completely as possible.

### B. Scoring Weights and Process

1. **Scoring Weights:** Proposal scoring will be based on a 100 point scale and will measure the degree to which each proposal meets the following criteria:
  - I. **Applicant Qualifications, Past Performance** (max: 15 points)  
Consider the *adequacy* of bidder organization and project team qualifications (relevant experience, financial, administrative & technical qualifications, personnel and facilities) to carry out the project within the proposed timeframe, along with any known past performance on relevant projects.  
Relevant section: Section I Organization Qualifications and Experience
  - II. **Relative Value of the Waterbody** (max: 10 points)  
Evaluate the degree to which the public currently uses and values the waterbody. Consider the availability (access), and extent of use. Consider uses including, but not limited to: drinking water supply; public recreational opportunities; scenic and aesthetic benefits; aquatic and terrestrial habitat benefits, and commercial benefits; and potential for increased public use and improved habitat.  
Relevant section: Section IV (2a)
  - III. **NPS Pollution Problem / Need** (max: 10 points)  
Evaluate the extent to which the work plan exhibits an informed understanding of the nonpoint sources of pollution that affect the waterbody(s) and actions needed to protect or restore the waterbody(s).  
Relevant section: Section IV (3)
  - IV. **Feasibility for Success** (max: 25 points)  
Likelihood that the project will be successfully completed as proposed. Considerations: effective actions; well sequenced; contribution or participation by appropriate stakeholders

and municipal government; leveraged with other previous or concurrent efforts; extent of community support to restore or protect the waterbody; and Likelihood that the project work will make significant progress to help restore or protect the waterbody, if the project work is completed as proposed. Considerations: important NPS sites adequately identified (survey or other assessment); progress implementing WBP (Appendix F); extent of NPS sites to be treated and load reduction.  
Relevant sections: Section III; Section IV (4, 5, 6, 7, 8 & 9); Section V

V. **Cost Effectiveness.** (max: 25 points)

Regarding the grant funds requested and the proposed work, consider the degree to which the project represents a good return for the investment (money, time). Consider whether project work and cost estimates (tasks & budget) are reasonable for the expected outcomes, along with the amount and quality of proposed matching funds or services.

Relevant sections: Section IV (4, 5, 6, 7, 8 & 9) and Section VI

VI. **Comprehensive Plan** (max: 5 points)

Extent to which towns in the watershed have an adopted Comprehensive Plan that the State has determined is consistent with Maine's Comprehensive Planning and Land Use Regulation Act?

Relevant section: Section IV (2b)

VII. **Economic Impact within the State of Maine** (max: 10 points)

Evaluate economic impact information provided in Section IX

- 1. Scoring Process:** The evaluation team will use a consensus approach to evaluate and score Sections I thru VI above. Members of the review team will not score those sections individually but, instead, will arrive at a consensus as to assignment of points for each of those sections. The Cost and Economic Impact sections will be scored as described below. The contract award(s) will be made to the Bidder(s) receiving the highest number of evaluation points based upon the proposals' satisfaction of the criteria established in the RFP.
- 2. Scoring the Cost Proposal:** Regarding the grant funds requested and the proposed work, the review team will consider the degree to which the project represents a *good return for the investment* (money, time, etc.) as well as whether the project work and cost estimates (tasks & budget) are reasonable for the expected outcomes, along with the amount and quality of proposed matching funds or services.

No Best and Final Offers: The State of Maine will not seek a best and final offer (BAFO) from any Bidder in this procurement process. All Bidders are expected to provide their best value pricing with the submission of their proposal.

- 3. Scoring the Economic Impact:** The Economic Impact for this RFP will be assigned a score according to a mathematical formula.

Recent Economic Impact: The highest recent economic impact will be awarded **5 points**. Proposals with lower recent economic impact will be awarded proportionately fewer points calculated in comparison with the highest impact.

The Recent Economic Impact scoring formula is:

(Recent Economic Impact proposal being scored / Highest submitted recent Economic Impact proposal) x 5 = pro-rated score

Projected Economic Impact\*: The highest projected economic impact will be awarded **5 points**. Proposals with lower projected economic impact will be awarded proportionately fewer points calculated in comparison with the highest projected economic impact.

The Projected Economic Impact scoring formula is:

(Projected Economic Impact proposal being scored / Highest submitted projected Economic Impact proposal) x 5 = pro-rated score

*\*Projected Economic Impact is to be based **solely** on the resulting contract should the Bidder be awarded the contract for these services (See **Appendix C** for a more detailed explanation).*

Please note: If the State determines that the Bidder's recent and/or projected economic impact information is deemed to be substantially inaccurate, then the State may determine to not award any points for economic impact to that Bidder for the applicable section(s).

- 4. Negotiations:** The Department reserves the right to negotiate with the successful Bidder to finalize a contract at the same rate or cost of service as presented in the selected proposal. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department's Request for Proposals to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with a selected respondent who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

### **C. Selection and Award**

1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.
2. Notification of contractor selection or non-selection will be made in writing by the Department.
3. Issuance of this RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to this request, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Bidder.
4. The Department reserves the right to reject any and all proposals or to make multiple awards.

### **D. Appeal of Contract Awards**

Any person aggrieved by the award decision that results from this RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 MRSA § 1825-E and 18-554 Code of Maine Rules, Chapter 120 (found here: <http://www.maine.gov/purchases/policies/120.shtml>). The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine, 04333-0009 within 15 calendar days of receipt of notification of contract award.

## PART VI CONTRACT ADMINISTRATION AND CONDITIONS

### A. Contract Document

1. The successful Bidder will be required to execute a contract in the form of a State of Maine Agreement to Purchase Services (BP54). A list of applicable Riders is as follows:

Rider A: Specification of Work to be Performed

Rider B: Method of Payment and Other Provisions

Rider C: Exceptions to Rider B

Rider D: Debarment for Federal Funds

Rider E: EPA Performance Partnership Grant Terms and Conditions

Rider F: Trafficking Victims Protection Act of 2000

Rider G: Identification of Country in Which Contracted Work Will Be Performed

The complete set of standard BP54 contract documents may be found on the Division of Purchases website at the following link: <http://www.maine.gov/purchases/info/forms/BP54.doc>

Other forms and contract documents commonly used by the State can be found on the Division of Purchases website at the following link: <http://www.maine.gov/purchases/info/forms.html>

2. Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Procurement Review Committee. Contracts are not considered fully executed and valid until approved by the State Procurement Review Committee and funds are encumbered. No contract will be approved based on an RFP which has an effective date less than fourteen (14) calendar days after award notification to Bidders. (Referenced in the regulations of the Department of Administrative and Financial Services, Chapter 110, § 3(B)(i): <http://www.maine.gov/purchases/policies/110.shtml>

This provision means that a contract cannot be effective until at least 14 days after award notification.

3. The State recognizes that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation, and preparation and approval by the State Procurement Review Committee. Any appeals to the Department's award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date listed in this RFP may need to be adjusted, if necessary, to comply with mandated requirements.
4. In providing services and performing under the contract, the successful Bidder(s) shall act as an independent contractor and not as an agent of the State of Maine.

### B. Standard State Agreement Provisions

#### 1. Agreement Administration

- a. Following the award, an Agreement Administrator from the Department will be appointed to assist with the development and administration of the contract and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the successful Bidder in the finalization of the contract.
- b. In the event that an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next-highest ranked Bidder,

and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

**2. Payments and Other Provisions**

The State anticipates paying the Contractor on the basis of net 30 payment terms, upon the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from this RFP.

## **PART VII LIST OF RFP APPENDICES AND RELATED DOCUMENTS**

1. Appendix A – Proposal Cover Page
2. Appendix B – Debarment, Performance and Non-Collusion Certification
3. Appendix C – Economic Impact Form
4. Appendix D – Cost Proposal Form
5. Appendix E – Candidate NPS Sites Form
6. Appendix F – Progress Implementing a Watershed-based Plan Form
7. Appendix G - NPS Priority Watersheds with Watershed-based Plan Accepted by DEP

APPENDIX A

**State of Maine**  
**Department of Department of Environmental Protection**  
**Bureau of Water Quality**  
**PROPOSAL COVER PAGE**  
**RFP#201604086**  
**Grants for Nonpoint Source Pollution Control Projects**  
**Watershed Plan Implementation**

Bidder's Organization Name:		
Chief Executive - Name/Title:		
Tel:	Fax:	E-mail:
Headquarters Street Address:		
Headquarters City/State/Zip:		
<i>(provide information requested below if different from above)</i>		
Lead Point of Contact for Proposal - Name/Title:		
Tel:	Fax:	E-mail:
Street Address:		
City/State/Zip:		

Proposed Cost:	\$	
<i>The proposed cost listed above is for reference purposes only, not evaluation purposes. In the event that the cost noted above does not match the Bidder's detailed cost proposal documents, then the information on the cost proposal documents will take precedence.</i>		

- This proposal and the pricing structure contained herein will remain firm for a period of 180 days from the date and time of the bid opening.
- No personnel currently employed by the Department or any other State agency participated, either directly or indirectly, in any activities relating to the preparation of the Bidder's proposal.
- No attempt has been made or will be made by the Bidder to induce any other person or firm to submit or not to submit a proposal.
- The undersigned is authorized to enter into contractual obligations on behalf of the above-named organization.

*To the best of my knowledge, all information provided in the enclosed proposal, both programmatic and financial, is complete and accurate at the time of submission.*

Name (Print):	Title:
Authorized Signature:	Date:

APPENDIX B

State of Maine  
Department of Environmental Protection  
Bureau of Water Quality

DEBARMENT, PERFORMANCE and NON-COLLUSION CERTIFICATION  
RFP#201604086  
Grants for Nonpoint Source Pollution Control Projects  
Watershed Plan Implementation

By signing this document, I certify to the best of my knowledge and belief that the aforementioned organization, its principals and any subcontractors named in this proposal:

- a. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.
- b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:
  - i. Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.
  - ii. Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - iii. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
  - iv. Have not within a three (3) year period preceding this proposal had one or more federal, state or local government transactions terminated for cause or default.
- c. Have not entered into a prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and this proposal is in all respects fair and without collusion or fraud. The above mentioned entities understand and agree that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.

**Failure to provide this certification may result in the disqualification of the Bidder's proposal, at the discretion of the Department.**

Name (Print):	Title:
Authorized Signature:	Date:

APPENDIX C

State of Maine Department of Environmental Protection  
*Bureau of Water Quality*

**ECONOMIC IMPACT FORM**  
**RFP#201604086**  
**Grants for Nonpoint Source Pollution Control Projects**  
**Watershed Plan Implementation**

**Instructions**

In addition to all other information requested within this RFP, each Bidder should complete the tables below to quantify the Bidder’s economic impact upon and within the State of Maine. The use of economic impact in making contract award decisions is outlined in Executive Order 2012-004, which states that certain contracts “...advertised for competitive bid shall include scoring criteria evaluating the responding Bidder’s economic impact on the Maine economy and State revenues.”

For the purposes of this RFP, the term “economic impact” shall be defined as the “Economic Impact Factors” listed in the table below. To complete the “economic impact” section of the Bidder’s response, the Bidder shall provide the information requested, describing the Bidder’s **overall** recent economic impact with the State of Maine and, separately, the projected economic impact with the State of Maine that would **specifically result from the awarded contract only**, should the Bidder be selected.

**Recent Economic Impact (Bidder’s overall Economic Impact over the past 24-month period)**

<b>Economic Impact Factors</b>	<b>Factors Expressed in Dollars</b>
Salaries paid to Maine residents in past 24-month period	\$
Payments made to Maine-based subcontractors in past 24-month period	\$
Payments of State and local taxes in Maine within past 24-month period	\$
Payments of State licensing fees in Maine within past 24-month period	\$
<b>Total <u>overall</u> Recent Economic Impact</b>	<b>\$</b>

**Projected Economic Impact (Future 24-month economic impact resulting from the awarded contract)**

<b>Economic Impact Factors</b>	<b>Factors Expressed in Dollars</b>
Salaries to be paid to Maine residents in future 24-month period as a result of the awarded contract	\$
Payments to be made to Maine-based subcontractors in future 24-month period as a result of the awarded contract	\$
Payments of State and local taxes in Maine to be made in future 24-month period as a result of the awarded contract	\$
Payments of State licensing fees in Maine to be made in future 24-month period as a result of the awarded contract	\$
<b>Total <u>Projected Economic Impact <u>only</u></u> from awarded contract, if selected</b>	<b>\$</b>

**APPENDIX C - (continued)**

For the tables above, the following definitions are provided:

- “Bidder”: Organization identified on the Proposal Cover Page under “Bidder’s Organization Name”.
- “Maine resident”: Any person whose primary residence is located within the State of Maine.
- “Maine-based”: Any organization whose primary operations are located within the State of Maine.
- “Past 24-month period”: The past 24-months, starting on the date that the RFP was publicly released.
- “Future 24-month period”: A projection for the future 24-month period, starting upon the “Initial Period of Performance” start date (PART I, D. of RFP).

**Certification Statement**

*To the best of my knowledge, all information provided in the State of Maine Economic Impact Form is complete and accurate at the time of submission and I confirm that I am authorized to make such a determination on behalf of my organization.*

Name (Print):	Title:
Authorized Signature:	Date:

APPENDIX D

State of Maine Department of Environmental Protection  
*Bureau of Water Quality*

COST PROPOSAL FORM  
RFP#201604086

Grants for Nonpoint Source Pollution Control Projects  
Watershed Plan Implementation

**INSTRUCTIONS**

**Budget Information:**

Provide estimated project costs in three parts:

- Part 1 Estimated Personnel Expenses;
- Part 2 Budget Estimates by Cost Category; and
- Part 3 Sources of Non-federal Match and Estimated Amount.

Cost estimates listed in the work plan tasks should sum to the total cost in the Part 2, Budget Estimates by Cost Category, excluding indirect costs. Under Part 2, bidders should add notes if needed to adequately identify the basis for the budget estimates within a cost category.

**Descriptions of Cost Categories:**

Salary & Fringe: Salaries and fringe benefits to be paid for work on the project by grantee staff, as reflected in Part 1. "Totals" in Part 1 are used to complete the "Salary and Fringe" category under Part 2. Salary & Fringe should reflect only costs for personnel employed by the grantee.

Construction: Construction costs for design, materials, labor, and equipment rental for BMPs at NPS Sites. If applicable, include the value of volunteer services associated with construction on this line in the column for match.

Contractual: Cost for a contract for the purchase of services (such as engineering, water quality, management services, etc.) that will be provided to the grant recipient. The type of services, cost per hour, number of hours should be described in a note under Part 2.

Subgrant: Costs for subgrant to pass-thru a portion of the NPS grant funds to an eligible subgrantee (also known as a lower tier subrecipient) for project work.

Donated Services - Labor: Value of volunteer personnel services (exclude construction) to be used to meet match requirements. Includes the total value of labor (based on hours of work) donated to help accomplish the project. Note: place value of volunteer labor associated with construction in the cost category for construction.

Supplies: Office/field/lab supplies, data processing materials, books, paper and other office supplies, etc. If supply costs are greater than 2% of the grant award, then the grantee must itemize the costs in a note under Part 2.

Travel: Project related charges for travel activities (travel, tolls, and auto rental charges). Vehicle

## APPENDIX D - continued

costs should be shown as the number of miles times the mileage rate being applied. Mileage rate cannot exceed the State of Maine rate in effect during the travel (currently \$0.44/mile).

Equipment: Any single article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost of more than \$5000.

Other: Any direct costs not included in one of the above categories.....May include costs for postage, publication and printing, license fees, equipment maintenance and repair, computer software, or other eligible costs.

Indirect Costs: If the organization intends to claim indirect costs, specify the current applicable indirect cost rate and the estimated total amount.

- If your organization has a federally “Negotiated Indirect Cost Rate Agreement” (NICRA) you must use this rate to determine indirect costs. DEP will require an organization to verify they have an effective NICRA before execution of the contract for the grant.
- If your organization does not have a federally NICRA, the organization may use the de minimis rate of 10% of modified direct costs.

FMI, see Code of Federal Regulation Title 2 Part §200.414 Indirect (F&A) costs, paragraph (f).  
[http://www.ecfr.gov/cgi-bin/text-idx?SID=b24c83fa40382277cf3249c3bfc718e1&mc=true&node=se2.1.200\\_1414&rgn=div8](http://www.ecfr.gov/cgi-bin/text-idx?SID=b24c83fa40382277cf3249c3bfc718e1&mc=true&node=se2.1.200_1414&rgn=div8)

### Non-Federal Match Requirements.

1. Minimum Amount. Grantees must provide Non-Federal Match of at least 40% of the total project cost. To calculate the amount of non-federal match required, multiply the amount of grant funds requested times 0.667. Example: if the proposal requests \$81,000 of grant funds, then at least \$54,027 of non-federal match is required.  $(\$81,000) \times (0.667) = \$54,027$ .

2. Description of Non-federal Match. Grantees are obliged to document non-federal matching funds or services contributed to the project. Non-federal matching funds are the portion of allowable project costs contributed to a federally-funded project that do not come from federal sources. Non-federal match includes, but is not limited to, allowable costs borne by the grantee and contributions of cash or services from individuals, organizations, municipalities or non-federal public agencies. Non-federal match contributions may include:

- a. Cash contributions, and/or
- b. In-kind contributions. An in-kind contribution is the value of a non-cash contribution to meet cost sharing requirements. An in-kind contribution may consist of the value of goods or services, property, and equipment directly benefitting the project.

3. Volunteer Services. Unpaid volunteer time/services donated to the project by individuals as project match must be valued at rates consistent with those ordinarily paid for similar work/services in the grantee’s organization. For example, when documenting donated personnel time as match, use the amount you would pay the person to do the job for which they are volunteering. Two methods for estimating the value of unpaid volunteer services:

## APPENDIX D - continued

a. The organization “Independent Sector” provides average rates for volunteers. DEP will accept the most recent rate applicable to Maine.

[http://www.independentsector.org/programs/research/volunteer\\_time.html](http://www.independentsector.org/programs/research/volunteer_time.html)

b. Use the appropriate occupation and Maine wage estimates provided by the Bureau of Labor Statistics, the U. S. Department of Labor. For example, in 2014 the mean hourly wage rate for Environmental Scientists was \$34.64; and Environmental Science Technicians, \$21.82 based on “Maine May 2014 State Occupational Employment and Wage Estimates”.

[http://www.bls.gov/oes/current/oes\\_me.htm](http://www.bls.gov/oes/current/oes_me.htm)



**APPENDIX D - continued**

**Part 3. Sources of Non-federal Match and Estimated Amounts**

Sources of Non-federal Match	Amounts
Total	

**APPENDIX E**

**CANDIDATE NPS SITES LIST**

**Name of Project:** \_\_\_\_\_ **Date:** \_\_\_\_\_

List & describe NPS sites where best management practices (BMPs) are likely to be installed under this proposal. Describe site conditions that cause polluted runoff to reach surface waters via an intermittent stream, ditch, channel, diversion or other form of concentrated flow. Optional: To further describe site conditions, provide descriptive information, sketches and/or photos.

NPS Site Name & Location	Describe the NPS Site & Conditions at the Site Causing Polluted Runoff to Reach Surface Waters	BMPs Recommended	Construction Cost Estimates: Grant, Match, Total

NPS Site Name & Location	Describe the NPS Site & Conditions at the Site Causing Polluted Runoff to Reach Surface Waters	BMPs Recommended	Construction Cost Estimates: Grant, Match, Total

**APPENDIX F**

**PROGRESS IMPLEMENTING WATERSHED-BASED PLAN**

**Name - Watershed-based Plan (WBP):** \_\_\_\_\_ **Date of WBP** \_\_\_\_\_

**Organization Leading WBP Implementation:** \_\_\_\_\_ **Contact Person:** \_\_\_\_\_

**Concise Summary of Activities Completed and Proposed Work:**

- In the 1<sup>st</sup> & 2<sup>nd</sup> columns, list up to 10 of the key or primary actions called for in the WBP and page number of the WBP with that action.
- In the 3<sup>rd</sup> column under:
  - A. List activities completed to date to implement the key action(s) in the WBP; and
  - B. List proposed work to be completed under this proposal corresponding to the action. If there is no work described in this proposal corresponding to the action, enter “not applicable”.

Key Actions in Watershed-based Plan	WBP Page #	A. List activities completed to date to implement the key action(s); and B. List proposed work to be completed under this proposal corresponding to the action.

Key Actions in Watershed-based Plan	WBP Page #	A. List activities completed to date to implement the key action(s); and B. List proposed work to be completed under this proposal corresponding to the action.

APPENDIX G

**NPS Priority Watersheds with Watershed-based Plan  
Accepted by Maine Department of Environmental Protection**

March 25, 2016

Agency Contact: Norm Marcotte [norm.g.marcotte@maine.gov](mailto:norm.g.marcotte@maine.gov)

**Table 1 Nine-Element Watershed-based Plan**

Watershed	Town	Plan Date	Organization	Webpage Link to Watershed-based Plan
Annabessacook Lake	Winthrop	Feb 2007	Cobboossee Watershed District	Not available online
Birch Stream	Bangor	Aug 2010	Bangor, City of	<a href="http://www.bangormaine.gov/image_upload/Aug10FinalDraft.pdf">http://www.bangormaine.gov/image_upload/Aug10FinalDraft.pdf</a>
Bond Brook	Augusta	Apr 2009	Kennebec County Soil & Water Conservation District	Not available online
Cape Neddick River	York	June 2014	York, Town of	<a href="http://www.yorkmaine.org">www.yorkmaine.org</a>
Capehart Brook	Bangor	Mar 2011	Bangor, City of	<a href="http://www.bangormaine.gov/image_upload/CapehartBrookDraftWMPFeb82011.pdf">http://www.bangormaine.gov/image_upload/CapehartBrookDraftWMPFeb82011.pdf</a>
Capisic Brook	Portland	Aug 2011	Portland, City of	<a href="http://publicworks.portlandmaine.gov/watershed/cbwmpmasterplan.pdf">http://publicworks.portlandmaine.gov/watershed/cbwmpmasterplan.pdf</a>
China Lake	China	May 2009	China Region Lake Alliance	Not available online
Cochnewagon Pond	Monmouth	Jan 2016	Cobboossee Watershed District	Not available online
Concord Gulley Brook	Freeport	April 2015	Freeport, Town of	Not available online
Dudley Brook	Castle Hill	Apr 2009	Central Aroostook County Soil & Water Conservation District	Not available online
East Pond	Smithfield	Jul 2007	Belgrade Regional Conservation Alliance	Not available online
Goodall Brook	Sanford	Dec 2014	Sanford, Town of	<a href="http://www.sanfordmaine.org/">http://www.sanfordmaine.org/</a>
Goosefare Brook	Saco	April 2016	Saco & Old Orchard Beach	<a href="http://www.sacomaine.org/archives/goosefare_brook.shtml">http://www.sacomaine.org/archives/goosefare_brook.shtml</a>
Great East, Wilson, Horne Ponds	Acton	Mar 2010	Acton Wakefield Watersheds Alliance	<a href="http://www.awwatersheds.org/new_site/images/stories/SFHeadwaterLakesWMP_April2010.pdf">http://www.awwatersheds.org/new_site/images/stories/SFHeadwaterLakesWMP_April2010.pdf</a>

Watershed	Town	Plan Date	Organization	Webpage Link to Watershed-based Plan
Hart Brook	Lewiston	Oct 2008	Lewiston, City of	<a href="http://www.ci.lewiston.me.us/DocumentCenter/Home/View/401">http://www.ci.lewiston.me.us/DocumentCenter/Home/View/401</a>
Highland Lake	Windham	Oct 2005	Cumberland County Soil & Water Conservation District	Not available online
Highland Lake	Bridgton	Feb 2006	Cumberland County Soil & Water Conservation District	Not available online
Long Creek	S. Portland	Jul 2009	Long Creek Watershed Management District	<a href="http://www.restorelongcreek.org/plan/index.htm">http://www.restorelongcreek.org/plan/index.htm</a>
Long Pond & Great Pond	Belgrade	Jan 2010	Belgrade Regional Conservation Alliance	<a href="http://www.belgradelakes.org/longpondwatershedbasedplan.pdf">http://www.belgradelakes.org/longpondwatershedbasedplan.pdf</a>
Meduxnekeag River	Houlton	March 2015	Southern Aroostook County Soil & Water Conservation District	Not available online
Ogunquit River	Ogunquit	July 2013	Ogunquit Conservation Commission	<a href="http://www.yorkmaine.org/">http://www.yorkmaine.org/</a>
Pearce Brook	Houlton	Sept. 2012	Southern Aroostook SWCD & Houlton Band Maliseet Indians	<a href="http://www.maliseets.com/nr_reports/Final%20Pearce%20Brook%20Watershed%20based%20Plan.2012.Final.pdf">http://www.maliseets.com/nr_reports/Final%20Pearce%20Brook%20Watershed%20based%20Plan.2012.Final.pdf</a>
Penjajawoc Stream	Bangor	Aug 2008	Bangor, City of	<a href="http://www.gulfofmaine.org/kb/files/9426/Arter_2008_Penjajwoc%20stream%20management%20plan.pdf">http://www.gulfofmaine.org/kb/files/9426/Arter_2008_Penjajwoc%20stream%20management%20plan.pdf</a>
Pleasant Pond	Gardiner	Mar 2008	Cobbossee Watershed District	Not available online
Pleasant River	Gray	Jun 2011	Cumberland County Soil & Water Conservation District	<a href="http://www.cascobay.usm.maine.edu/pdfs/pleasant_river_watershed_management_plan.pdf">http://www.cascobay.usm.maine.edu/pdfs/pleasant_river_watershed_management_plan.pdf</a>
Prestile Stream, Upper	Presque Isle	Jul 2009	Central Aroostook County Soil & Water Conservation District	<a href="http://www.caswcd.org/PDFs/Publications/Upper%20Prestile%20Stream%20WBMP_Draft_20July09(final).pdf">http://www.caswcd.org/PDFs/Publications/Upper%20Prestile%20Stream%20WBMP_Draft_20July09(final).pdf</a>
Red Brook	Scarborough	Jun 2011	Scarborough, Town of	<a href="http://www.scarborough.me.us/planning/documents/Red%20Brook%20Watershed.pdf">http://www.scarborough.me.us/planning/documents/Red%20Brook%20Watershed.pdf</a>
Sabattus Pond	Sabattus	Mar 2007	Androscoggin Valley Soil & Water Conservation District	Not available online
Spruce Creek	Kittery	June 2014	Kittery, Town of	<a href="http://www.sprucecreekassociation.org/Spruce_Creek_WBMP_FINAL_08May08.pdf">http://www.sprucecreekassociation.org/Spruce_Creek_WBMP_FINAL_08May08.pdf</a>
Thatcher Brook	Biddeford	Jan 2015	Biddeford, City of	<a href="http://www.biddefordmaine.org">www.biddefordmaine.org</a>
Togus Pond	Augusta	Jun 2008	Worromontogus Lake Association	Not available online
Topham Fair Mall Stream	Topsham	April 2014	Topsham, Town of	Not available online

Watershed	Town	Plan Date	Organization	Webpage Link to Watershed-based Plan
Trout Brook	S. Portland	Dec 2012	South Portland, City of	<a href="http://www.scarboroughmaine.org/departments/planning-codes/planning/plans-studies">http://www.scarboroughmaine.org/departments/planning-codes/planning/plans-studies</a>
Unity Pond	Unity	Jul 2007	Waldo County SWCD	Not available online
Webber, Threemile & Threecornered Ponds	Vassalboro	Oct 2005	China Region Lakes Alliance	Not available online
Whitten Brook	Skowhegan	Mar 2011	Skowhegan, Town of	<a href="http://www.skowhegan.org/">http://www.skowhegan.org/</a>
Wilson Pond	Monmouth	Jun 2009	Cobbossee Watershed District	Not available online

**Table 2 - Lake Watershed-based Protection Plan**

Watershed	Town	Plan Date	Organization	Webpage Link to Lake Watershed Protection Plan
Adams Pond & Knickerbocker Lake	Boothbay	May 2015	Boothbay Region Water District	Not available online
Alamoosook Lake	Orland	May 2015	Alamoosook Lake Association	Not available online
Cobbossee Lake	Manchester	April 2015	Cobbossee Watershed District	Not available online
Cold Stream Pond	Enfield	March 2016	Coldstream Campowners Association	Not available online
Crescent Lake	Raymond	June 2013	Crescent Lake Watershed Association	Not available online
Damariscotta Lake	Jefferson	May 2015	Damariscotta Lake Watershed Association	Not available online
Ellis Pond	Roxbury	Jan 2015	Ellis Pond Watershed Committee	Not available online
Great Pond	Franklin	Feb 2016	Franklin Great Pond Association	Not available online
Lake Auburn	Auburn	July 2013	Lake Auburn Watershed Protection Commission	Not available online
Little Sebago Lake	Windham	June 2013	Little Sebago Lake Association	Not available online
Panther Pond	Raymond	May 2015	Panther Pond Association	Not available online
Sebago Lake & Crooked River	Naples	July 2015	Portland Water District	Not available online
Thompson Lake	Oxford	June 2013	Thompson Lake Environmental Association	Not available online
Woods Pond	Bridgton	May 2013	Bridgton, Town of	<a href="http://www.maine.gov/dep/water/grants/319.html">http://www.maine.gov/dep/water/grants/319.html</a>

# Nonpoint Source Grant Administrative Guidelines

*December 2016*



MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
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[www.maine.gov/dep](http://www.maine.gov/dep)

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## I. Background and Purpose

The Maine Department of Environmental Protection (DEP) is a recipient of federal Clean Water Act Section 319 and 604(b) funds to help restore or protect waters from nonpoint source pollution (NPS). DEP administers a grants program to pass-through a portion of these funds as subawards to subrecipients (referred to hereafter as Grantees). Grantees conducting NPS Pollution Control Projects are obliged to administer projects in accordance with the 'Agreement to Purchase Services' (hereafter referred to as Grant Agreement) as well as this document, *NPS Grant Administrative Guidelines*. This document applies to all NPS grant projects and supersedes the previous version, *NPS Grant Administrative Guidelines* (June 2010).

These guidelines provide information to help Grantees administer a NPS project to comply with the Grant Agreement. The document is organized into the following three sections:

- Grantee and DEP Responsibilities and Coordination;
- Financial Management and Project Implementation; and
- Project Reporting.

Appendices include templates, forms and instructions associated with project reporting.

### Commonly Used Terms and Acronyms

**319** – Section 319 of the federal Clean Water Act that establishes a program to address nonpoint source pollution. 319 funds from the United State Environmental Protection Agency (EPA) are the main funding source for Maine's NPS grants program.

**604b** – Section 604(b) of the Clean Water Act that provides limited funding for water quality assessment and management planning.

**BMP** – Best Management Practice. Also referred to as conservation practice. Methods that have been determined to minimize, repair or prevent pollution from nonpoint sources.

**NPS** – Nonpoint Source Pollution. Pollution from diffuse sources on the landscape that are picked up and carried by rainfall runoff or snowmelt into surface waters.

**Grant Agreement** - Official agreement between the DEP and Grantee that describes the work to be performed (including the project work plan), method of payment, and other State and Federal provisions.

**Grantee** – Recipient of a grant award from Maine DEP to carry out a NPS Project. Also referred to as subrecipient and Provider.

## II. Grantee and DEP Responsibilities and Coordination

### A. Grantee Responsibilities

Grantees are obliged to administer the project in accordance with the Grant Agreement. The Grant Agreement describes Grantee responsibilities in seven riders. The project work plan is included in Rider A, 'Specifications of Work to be Provided'. The primary responsibilities for administering a Grant Agreement are summarized below.

- Project Work Plan - Conduct the project or program activities as described in the project work plan. Take action to conduct the work as scheduled and close out the project by the completion date specified in the "project duration" section of the work plan.

- DEP Communication - Maintain an active cooperative working relationship with the DEP Agreement Administrator (AA) designated in paragraph #6, Rider B of the Agreement. Keep the Agreement Administrator informed of project activities. Contact the Agreement Administrator for assistance with any questions.
- Changes in Work - Notify DEP as soon as possible if changes to project work plan are needed to effectively conduct the project. If necessary, request and secure DEP acceptance of changes in the project work plan. (Refer to Section II.F.).
- Project Reporting - Prepare and submit Progress Reports, NPS Site Reports, Pollutants Controlled Reports, Final Project Report and other deliverables listed in the project work plan according to guidelines in Section IV.
- Office and Site Visits - Meet with the Agreement Administrator for annual Office Visits at the Grantee's office to review project files and activities and accompany Agreement Administrator on NPS Fieldwork Site Visits, as needed. (Refer to Section II.D.)
- Project Acknowledgement - Acknowledge DEP and EPA in any materials, presentations, or press releases produced relative to the project according to Rider A, Section III.F. as follows: "*Funding for this project, in part, was provided by the U.S. Environmental Protection Agency under Section (either 319 or 604(b)) of the Clean Water Act. The funding is administered by the Maine Department of Environmental Protection in partnership with EPA. EPA does not endorse any commercial products or services mentioned.*" DEP and EPA logos may not be included on materials unless the Grantee receives prior instruction and approval.
- Invoices - Prepare invoices according to instructions in Section III.D. and submit to the DEP Agreement Administrator.
- Financial Management - Maintain a financial management system to permit the tracking of funds to a level of expenditure adequate to establish that funds have been expensed on allowed activities and purposes under the Grant Agreement. Costs charged to the grant must be reasonable and allowable and may not be incurred before the effective date of the Grant Agreement. Provider will follow federal cost principles described in the Code of Federal Regulations, 2CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- Match Tracking - Organize and record non-federal match information as it is accumulated during the project (Section III.C).
- Environmental Data - If environmental data is collected as part of the project, conduct activities according to applicable quality assurance procedures. (See Section III.F.)
- Records Retention - Maintain all correspondence, documents, deliverables, payroll and accounting records and other materials pertaining to the Agreement. Allow inspection of pertinent documents by DEP or other authorized representative of the State of Maine or the federal government. Records must be retained for a period of five (5) years following DEP closeout of the agreement.

## B. DEP Responsibilities

DEP is responsible for monitoring the Grantee's use of the grant award to provide reasonable assurance that project goals are achieved and the Grantee administers the grant award in compliance with terms of the Grant Agreement. Monitoring activities normally occur throughout the year and may take various forms including reviewing reporting, performing site visits and maintaining regular contact.

DEP designates a staff person as Agreement Administrator to serve as DEP's representative (agency contact person) to help guide the project, monitor Grantee performance on the Grant Agreement and help ensure that work is carried out according to the work plan. The following list highlights the DEP Agreement Administrator's primary responsibilities:

- Project Monitoring - Provide or coordinate DEP consultation and monitor the project to help the Grantee successfully implement the project work plan and comply with the Grant Agreement. Regularly contact the Grantee about the NPS project by phone, email, letter or site visit at least once every three (3) months.
- Project Startup - Within two (2) months of project start-up, contact the Grantee to review the Grant Agreement, project work plan, and the NPS Grant Administrative Guidelines to help ensure the Grantee understands their responsibilities and is prepared to effectively administer the project.
- Review of Agreements - Review and, if acceptable, approve all subgrants and procurement agreements over \$3,000. For projects involving BMP construction, review and approve the Grantee's cost sharing agreement (CSA) template and any CSAs and Construction Plans involving \$5,000 or more in grant funds.
- Office and Fieldwork Site Visits - Conduct annual Grantee Office and Fieldwork Site Visits, as needed, according to DEP Standard Operating Procedures. (Refer to Section II.D.)
- Deliverables and Invoices - Receive, acknowledge, review and handle all material submitted to DEP by the Grantee in a timely manner, including but not limited to Progress Reports, Deliverables, Invoices and the Final Project Report.
- Prompting Action - Prompt the Grantee, as needed, to help ensure the project is proceeding as scheduled and that Deliverables required by the Agreement are provided to DEP.
- Project Records - Create and maintain a paper and an electronic file for the NPS Project that contains all pertinent documents and records according to DEP Standard Operating Procedures. Document key contacts with the grantee (e.g., site visits, meetings etc.) in writing for the DEP project file to exhibit DEP monitoring of the project.
- Project Closeout – Closeout the Grant Agreement when the project has been completed.

## C. Grantee and DEP Cooperation

The Grantee and the DEP Agreement Administrator should develop a good working relationship so that each understands the other's needs and responsibilities. In some cases a Grantee and the AA may prefer to work closely together on many aspects of the project, such as training

sessions, evaluating NPS sites, engaging stakeholders, etc. At other times it may be preferable for DEP to remain more distant, but still available to provide assistance upon request. The best approach should be determined on a case-by-case basis by the Grantee and the AA with the mutual goal being to implement the project as effectively as possible.

#### **D. Office and Fieldwork Site Visits**

As part of their project monitoring, the Agreement Administrator will conduct Grantee Office Visits and Fieldwork Site Visits according to DEP Standard Operating Procedures. See Appendix K for forms.

##### **1. Office Visits**

The Agreement Administrator will arrange an annual Grantee Office Visit to interview staff, review records, observe operations and discuss the project. Observations and any recommendations for areas needing improvement will be recorded on a standard form, which will be shared with the Grantee and NPS Grants Program Manager.

##### **2. Fieldwork Site Visits**

For projects with BMP installations, the Agreement Administrator will conduct Fieldwork Site Visits to assess if installed BMPs appear appropriate for the site and are functional. NPS projects involving >\$2,500 in grant funds require visits during or after construction. Preconstruction site visits are also required for high complexity or high cost sites. Site visits may be conducted, but are not required, for smaller projects. The Agreement Administrator will invite the grantee to join them for Fieldwork Site Visits. Observations will be recorded on a standard form, which will be shared with the Grantee and NPS Grants Program Manager. If a BMP does not appear to be functional or maintenance is needed, the Agreement Administrator will discuss with the Grantee and determine a course of action to remedy the issue.

#### **E. Problem Resolution**

Grantees are responsible for implementing the Grant Agreement. The DEP Agreement Administrator is involved in project activities to the extent of reviewing deliverables, progress reports and invoices, attending occasional meetings, and providing advisory support and technical assistance. Problems such as unforeseen loss of staff, prolonged bad weather, equipment breakdown, etc., may affect the Grantee's ability to meet Grant Agreement requirements. In such cases more hands-on interaction between Grantee and DEP may be needed to help keep project activities on track. Minor or temporary delays are usually resolved through cooperation between the Grantee and the DEP Agreement Administrator.

More significant problems may develop where the project work is not progressing satisfactorily. Examples of potentially serious problems or deficiencies include: repeated failure to complete project work plan tasks; reports or related documentation not submitted or of poor quality; project work changed without notice or not performed according to the work plan; poor budget management, unsubstantiated project costs; etc. If the problem cannot be resolved between the Agreement Administrator and Grantee, then the Agreement Administrator or the Grantee should request assistance from the DEP NPS Program Manager.

## F. Requesting Approval for Changes in the Work

This section describes when and how to request DEP approval for changes in the work. Grant Agreements have a standard provision regarding "Changes in the Work" in Section 7 of Rider B. A grantee is obliged to conduct the project as described in the project work plan. However, as project work proceeds, the Grantee and/or Agreement Administrator may determine that it is necessary or appropriate to change the project work plan in order to implement the project more effectively or respond to various changed conditions.

### 1. Changes in the Work

"Changes in the Work" is differentiated from "Substantial Changes in the Work" based on the magnitude of proposed change described below.

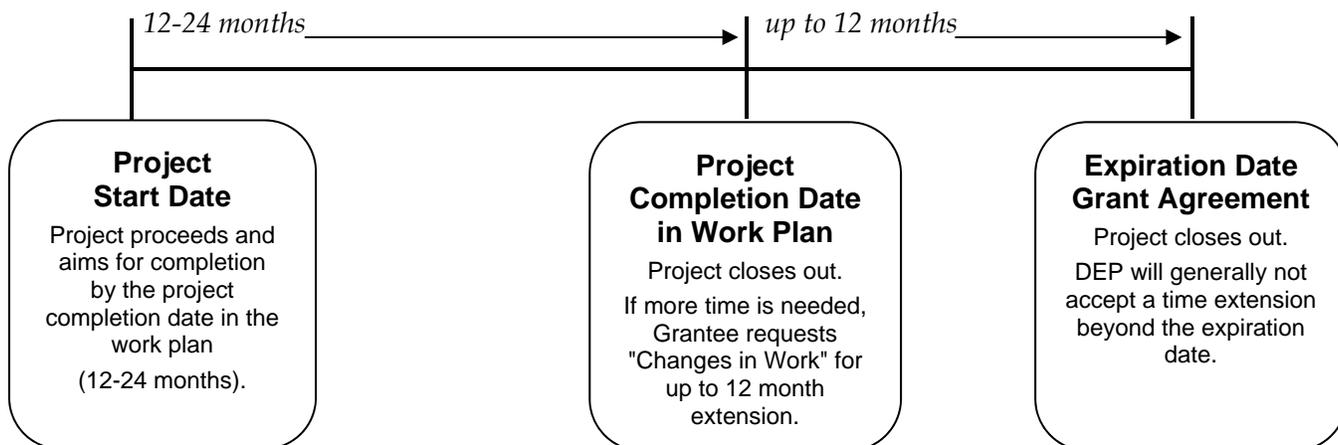
- a. Changes in the Work need to be documented and approved by the DEP Agreement Administrator before changes are implemented by the Grantee. Changes can include:
  - Project work described in the work plan (e.g., tasks, schedules, estimated costs within cost categories, and/or deliverables) needs to be revised to achieve the overall purpose of the project; and/or
  - A time extension is needed because work will need to be conducted after the planned completion date cited in the work plan but before the expiration date of the Grant Agreement.
- b. Substantial Changes in the Work need to be documented with a formal amendment to the Grant Agreement and approved by the DEP Commissioner and the Department of Administrative and Financial Services, Division of Purchases before changes are implemented by the Grantee. Substantial changes in the work can include:
  - There will be a substantial change in the purpose, scope or objectives of the project;
  - An increased amount of grant funds is needed; or
  - A time extension is needed because work will need to be conducted after the expiration date of the Grant Agreement.

### 2. Time Extension

Grantees should aim to manage projects according to the timeline and project completion date listed in the "Project Duration" section of the work plan. DEP recognizes that unforeseen delays or extenuating circumstances sometimes occur that may require additional time to complete a project. If this is necessary, DEP may approve project extensions for additional time up to the expiration date of the Grant Agreement.

To apply for additional time, Grantees need to request a "Change in the Work" to revise the project completion date in the work plan. A time extension request should be for no more than one year beyond the completion date in the work plan. Generally DEP will not accept a time extension beyond the Grant Agreement expiration date (located on the first page of the Agreement).

### NPS Project Timeline



Grantees should not operate under the assumption that they will automatically receive a one year time extension. Some Grant Agreements do not have an expiration date that allows for a one year extension. There also may be situations when requests are not approved (e.g., poorly performing projects). Furthermore, completing projects according to the original timeline reflects favorably on grantee performance and avoids the additional costs associated with stretching out the project timeline.

### 3. Requesting DEP Approval of Changes in the Work

- a. Requests should be submitted as soon as possible after the need is determined. The Grantee should submit a letter to DEP requesting approval of changes in the work. The request should provide the following information:
  - NPS project # and title;
  - A statement requesting DEP approval of "changes in the work";
  - Overview of work completed to date on the project;
  - Description of the reasons for the proposed changes;
  - Description of the proposed changes, revised tasks, revised deliverables and/or revised budget, etc.
- b. If the changes involve a time extension, also provide the following information:
  - Description of why the time extension is needed;
  - The revised project completion date and revised schedule for each task that needs to be completed; and
  - Description of adjustments to project management to help ensure the project will be completed before the proposed revised project completion date.

#### 4. DEP Review of a Request for Changes in the Work

DEP will review the request for acceptability and, if necessary, secure approval from EPA. DEP will reply in writing to advise if the changes in the work are accepted or are not accepted. Provided the request is clear and thorough, DEP will review and respond within three (3) weeks. For "substantial changes in the work" anticipate eight (8) weeks to secure approval.

- a. General Acceptance Criteria - DEP may accept proposed changes in the work if:
  - The Grantee has exhibited acceptable past performance on the project; and
  - Changes are appropriate to meet the purpose, scope and objectives of the project.
- b. Time Extension Acceptance Criteria - DEP may approve extension if:
  - The request indicates the project work was not completed as scheduled due to reasonable unforeseen delays or extenuating circumstance;
  - The request indicates the Grantee will take action needed to manage the project and complete the project before the revised project completion date; and
  - The requested extension date is on or before the grant expiration date.

#### **G. Closeout of Grant Agreement**

DEP must document closeout of the Grant Agreement when the project ends. DEP will review the Final Project Report and information in the project file to verify that the Grantee performed project work in accordance with the terms of the Grant Agreement. DEP will check for the following:

- Project tasks in the project work plan were implemented;
- Project Deliverables are acceptable and in the project file;
- The Final Project Report is accepted and in the project file; and
- The final payment was approved.

When DEP finds the Grantee has exhibited adequate performance and compliance according to terms of the Grant Agreement, DEP will acknowledge completion of the Grant Agreement by letter to the Grantee. The Agreement Administrator prepares the Closeout Letter for review and signature by the Director of the Environmental Assessment Division.

### III. Financial Management and Project Implementation

#### A. Subgrants

Grantees may issue a subgrant to pass through a portion of the grant funds to an eligible subgrantee, provided that the work to be performed is aligned with the public purpose or mission of the subgrantee. A subgrantee must be a Maine public organization such as a state agency, soil and water conservation district, regional planning commission, watershed district, municipality or an incorporated nonprofit organization with federal tax exempt status (501c3). For example, a municipal grantee may issue a subgrant to a soil and water conservation district to coordinate the project or perform certain tasks. This arrangement is not considered procurement and does not need to follow procurement procedures. However, terms of the arrangement between the grantee and subgrantee must be described in a written agreement, which must be reviewed and approved by the Agreement Administrator (Agreement Rider B, Section 8).

#### B. Procurement

##### 1. Procurement Methods

In some projects, a Grantee may need to purchase goods or services to conduct project activities. Procurement means acquisition of supplies, equipment, construction or services. Procurement with federal funds must be made on a competitive basis to ensure that fair and reasonable prices are obtained for goods and services.

Grant recipients must use procurement procedures that conform to applicable federal law and standards as described in 2 CFR 200 Subtitle D Procurement Standards. These regulations outline principles of competition (e.g., considering all 'equal' products instead of specifying only 'brand name' products) and describe five (5) procurement methods: micro-purchases, small purchase procedures, sealed bids, competitive proposals and noncompetitive proposals. Grantees should document the specific procurement method(s) used during a project. The three most common procurement methods used in NPS grants are described briefly below. For more information on these or other methods, refer to 2 CFR Part 200.

##### a. Micro-purchases

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold of \$3,000 set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions). To the extent practicable, the Grantee must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the Grantee considers the price to be reasonable.

#### Agreements Needing DEP Review and Approval

- All subgrant contracts.
- Procurement agreements greater than \$3,000 (larger than micropurchases).
- The Grantee's Cost Sharing Agreement template.
- Individual Cost Sharing Agreements and Construction Plans for projects using \$5,000 or more in grant funds (See Section III.E.)

b. Small Purchase Procedures

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold of \$150,000 set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions). Small purchase procedures require that price or rate quotations must be obtained from an adequate number of qualified sources. Standard practice is to document price or rate quotations from three or more qualified sources.

c. Competitive Proposals

The technique of using competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. Contracts are awarded to the respondent that is most advantageous to the program, with price and other factors considered. Grantees may use Request for Proposals (RFP) or Request for Qualifications (RFQ) approaches. Both RFPs and RFQs must publicize evaluation factors and solicit responses from an adequate number of qualified sources (typically three or more).

A **RFP** is a type of bidding solicitation in which a company or organization announces that funding is available for particular goods or services, and companies can place bids to meet these needs. Final RFP selection is based on the proposal as well as cost. A **RFQ** can be used for selection of professional services (e.g., engineering). Qualifications are the main selection factor and price does not need to be considered, subject to negotiation of fair and reasonable compensation. Grantees may contact their AA for examples of RFP and RFQ documents used by grantees on other 319 projects.

A written agreement between the Grantee and selected provider must be created for procurement greater than \$3,000 (greater than micropurchases) and reviewed and approved by the Agreement Administrator (Agreement Rider B, Section 8).

Procurement methods using federal funds are specified in the Code of Federal Regulations at 2 CFR 200.320, which are available at [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)

2. Utilization of Contractors Certified in Erosion Control Practices

DEP requests that grantees give preference to purchasing services from contractors certified in Erosion Control Practices by DEP. A list of certified contractors is available at <http://www.maine.gov/dep/land/training/cccec.html>. Note that certified contractors are required for any work conducted in the shoreland zone.

3. Utilization of Minority and Women's Business Enterprises

For procurements under federally funded projects, grantees are obliged to make good faith efforts to assure that disadvantaged business enterprises (DBE) are used when possible. Minority and women's business enterprises (MBE/WBE) should be given equal opportunities to participate as suppliers, contractors or subcontractors. See Grant Agreement, Rider E for the specific 'fair share' goal for the project, information about where to find WBE/MBE lists, and 'Six

Good Faith Efforts' required to assure that disadvantaged business enterprises are used as subcontractors, when possible.

EPA requires that States collect and report information regarding Grantee procurements. The invoice form requires submission of the DEP "MBE/WBE Utilization Report" form (Appendix F) if funds were used for procurement. This form reports total procurement and MBE/WBE vendors used for the project.

### **C. Non-Federal Match**

Grantees are obliged to document non-federal matching funds or services contributed to the project. The amount of non-federal match required is listed in the project work plan under "Budget Information". To efficiently meet documentation requirements, Grantees should have a systematic approach to accumulate match information as the project proceeds and record information in a table or spreadsheet (See Appendix A). Grantees must submit documentation of non-federal project match as part of the Final Project Report.

#### 1. Description

Non-federal matching funds are the portion of allowable project costs contributed to a federally funded project. Match includes, but is not limited to, allowable costs borne by the Grantee and contributions of cash or services from individuals, organizations, municipalities or non-federal public agencies. For the governing provisions relating to match, refer to 2 CFR 200.306 at [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl).

##### a. Non-federal match contributions may include:

- Cash contributions, and/or
- In kind contributions. An in kind contribution is the value of a non-cash contribution to meet a Grantee's cost sharing requirements. An in kind contribution may consist of the value of goods or services, property and equipment directly benefitting the project.

##### b. Non-federal match contributions must be:

- Related directly to tasks in the project work plan;
- Reasonably valued for the work performed;
- Conducted between the Grant Agreement effective date and closeout of the Grant Agreement, except when DEP's grant agreement with EPA allows Grantees to start accruing match during the 6-8 week period after the Grant Agreement is finalized but before it is an effective agreement. Contact the Agreement Administrator to confirm applicability. Note that project expenses incurred during this period cannot be reimbursed.
- Supported by appropriate documentation; and
- Provided by non-federal sources. Personnel, projects, or services paid with federal funds do not qualify as non-federal match.

## 2. Valuation of In-Kind Contributions

- a. Personnel Time Paid for by Grantee or Project Partner Organizations - When an employer furnishes free of charge the services of an employee in their normal line of work, the services will be valued at the employee's regular rate of pay. Paid fringe benefits that are reasonable, necessary, allocable and otherwise allowable may be included in the valuation. Indirect costs may be included at either the organization's approved federally-negotiated indirect cost rate or a rate in accordance with [2 CFR § 200.414](#).
- b. Donated Supplies - The contribution of donated supplies must be valued at the market value of the supplies at the time of donation.
- c. Donated Equipment or Space in a Building - The contribution must be valued at the fair market rental rate of the equipment or space.
- d. Volunteer Services - Unpaid volunteer time/services donated to the project by individuals must be valued at rates consistent with those ordinarily paid for similar work/services in the Grantee's organization. For example, when documenting donated personnel time as match, use the amount you would pay the person to do the job for which they are volunteering. If the Grantee organization does not have employees performing similar work, the value of donated personnel time must be consistent with those ordinarily paid by other employers for similar work in the area. Methods to estimate the value of unpaid volunteer services include, but are not limited to:
  - Determine the appropriate occupation and Maine occupational wage estimates provided by the Bureau of Labor Statistics, U. S. Department of Labor. For example, in 2014 the mean hourly wage rate for Environmental Scientists was \$34.64; and Environmental Science Technicians, \$21.82 based on "Maine May 2015 State Occupational Employment and Wage Estimates".  
[http://www.bls.gov/oes/current/oes\\_me.htm](http://www.bls.gov/oes/current/oes_me.htm)
  - The organization "Independent Sector" provides average rates for volunteers. DEP will accept the most recent rate established for Maine at [http://www.independentsector.org/programs/research/volunteer\\_time.html](http://www.independentsector.org/programs/research/volunteer_time.html) Make sure to use the rate provided for Maine and not the national volunteer rate.

## 3. Documentation of Non-federal Match

Grantees should accumulate match information in a table or spreadsheet as the project proceeds. The table should allow the Grantee to efficiently summarize accumulated match. (See example in Appendix A.) The following information should be recorded to document match:

- a. Date - List the date associated with the match;
- b. Source - Identify the source of funds or services (e.g., person, group, business etc.);
- c. Activity - Describe the activity (e.g., steering committee meeting, construction etc.);
- d. Dollar Value - The value of the activity or item in dollars or dollars/hour; and

- e. Valuation - Identify the basis for the dollar value assigned to the activity or item (e.g., Maine Volunteer rate reported on Independent Sector website).

Before the closeout of the project, Grantees must submit a signed Non-Federal Match Documentation and Certification form (Appendix B) along with the supporting match table.

#### 4. Examples of Match

Match must be “contributions of cash or services” that relates directly to tasks and objectives in the project work plan. Examples of services or items that may be eligible as non-federal match:

- a. Time and expenses installing BMPs called for in the work plan (i.e., cost of labor, equipment and materials associated with construction of acceptable BMPs).
- b. Time serving on the project steering committee; writing, copying and mailing water quality publications or watershed newsletters; providing training or workshop sessions; designing or reviewing BMP or conservation plans, etc.
- c. Vehicle mileage is eligible as match, but the rate cannot exceed the State of Maine Government allowance rate at the time mileage is accrued (available at <http://www.maine.gov/osc/travel/addtltravelinfo.shtml>).
- d. Cost of office or field equipment rentals, and supplies used for the project; and
- e. Time spent at a training session that will prepare volunteers to then contribute services to help implement project tasks and objectives (e.g., volunteer time spent at a watershed survey training session). Note, people attending a meeting or a workshop to hear about the project or NPS pollution issues does **not** generate eligible match because they are not 'contributing services' to the project.

#### D. Invoices and Payments

Grantees may request payments for grant activities on a reimbursement basis as described in Rider B of the Grant Agreement. Payments on all new Grant Agreements will be made only on a reimbursement basis for costs incurred, except DEP may issue an advance payment due to hardship. Ten percent (10%) of grant funds are retained until the project is completed.

##### 1. Submitting an Invoice to DEP

- Grantees should complete the Invoice form in Appendix E according to instructions in Rider B of the Grant Agreement and as follows.
- If a Grantee used funds for procurement (i.e., acquisition of supplies, equipment, construction or services) during the reporting period, a ‘MBE/WBE Utilization Report’ form (Appendix F) must be provided with the payment request.
- The Invoice should be submitted to the DEP Agreement Administrator.
- One paper copy of the invoice with original signature must be submitted. Electronic and photocopied signatures are not acceptable.

- Grantees may sign up for direct deposit with the State of Maine at <http://www.maine.gov/osc/accounting/ddeflt.shtml>.

## 2. DEP Review of Invoices

### a. The Agreement Administrator will:

- Review the invoice for acceptance; and
- Inform the Grantee the invoice is accepted or not accepted within three (3) days of receipt.

### b. An invoice will be accepted if:

- The invoice is completed according to instructions;
- The Agreement Administrator finds the Grantee exhibits adequate compliance and performance according to terms of the Grant Agreement; and
- Progress reports and deliverables due to DEP have been received and accepted.

### c. If accepted, the Agreement Administrator will sign/date the invoice indicating acceptance; retain one copy for the project file; and forward the original invoice to the NPS Program Manager. Grantee can anticipate receipt of the payment from DEP within four (4) weeks of acceptance.

### d. If an invoice is rejected, the Agreement Administrator will let the Grantee know the reason why the invoice is not acceptable and advise the Grantee as appropriate.

## 3. Final Payment

Grantees may request the final 10% payment upon submission of the Final Project Report. The Agreement Administrator will accept the final invoice provided the Final Project Report and reports and deliverables required under the Agreement are satisfactory.

## E. Constructing BMPs at NPS Sites

Many NPS projects provide grant funding and technical assistance to prompt installation of BMPs to address identified pollution problems. This section describes the standard program elements and construction process, as well as the different methods to fund and coordinate projects. This approach should be employed for all BMP construction projects where grant funds are used or where other funds are intended to qualify as project match.

### 1. Project Funding

A combination of grant funds and local match is typically used to fund BMP installations. Local match is required in order to use 319 grant funds for BMP installation. Grantees set the match requirement at a level to try to accomplish BMP implementation at as many important NPS sites as feasible. Usually, the Grantee sets one uniform rate for the entire NPS project in the project work plan (e.g., 50% grant and 50% match). The grant funds for a project cannot exceed 75% of the total cost.

## 2. Planning for BMP Construction Projects

The Grantee generally follows the steps listed below to initiate, coordinate and oversee BMP construction:

- Project Eligibility – The Grantee reviews the NPS project work plan and program guidance to ensure that a site is eligible for grant funding and/or can be used as match. For example, project funds cannot be used to undertake, complete or maintain BMPs required by existing permits or for normal maintenance and repair at road-related NPS sites<sup>4</sup>.
- Site Design - The Grantee confers with the landowner about the NPS site problem and solutions to determine if the landowner would agree to install and maintain appropriate BMPs at the site. If the landowner agrees, the Grantee proceeds with developing a BMP design for the site. BMPs must comply with the Maine BMP Guidelines or Federal USDA Natural Resources Conservation Service (NRCS) standards and specifications in the NRCS Field Office Technical Guide, or other recognized guidelines.
- Cost Sharing Agreement or Construction Plan – Depending on the funding approach used, either a Cost Sharing Agreement or Construction Plan is created to outline grant and match funding, site design, long term maintenance requirements and other roles and responsibilities of the parties involved in the project.

The service life for the BMP(s) also needs to be specified in the Cost Sharing Agreement or Construction Plan. The Grantee should use best professional judgment to specify an appropriate service life for BMP(s). The USDA-NRCS maintains a list of the service life of agricultural conservation practices (BMPs) in Section IV.F. Lifespans of the Electronic Field Office Technical Guide at <https://efotg.sc.egov.usda.gov/treemenu.aspx#>. Landowners must agree to properly operate and maintain the BMP for the duration of its expected service life.

- Permits - The Grantee ensures that permits required for construction are secured prior to construction.
- Construction – BMPs are installed at the NPS site according to the design. The Grantee provides technical assistance as needed to help ensure the BMP is installed and constructed properly.
- Site Inspection and Payment - The Grantee (or third party if deemed necessary) inspects the site to determine if the BMPs were installed in accordance with the design. If acceptable, the Grantee or landowner is reimbursed according to the terms in the Cost Sharing Agreement or Construction Plan.

## 3. Coordinating BMP Construction Projects

The most common methods to coordinate and fund BMP construction projects include landowner cost sharing, direct procurement and installation by the Grantee/landowner. Each approach is described below.

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<sup>4</sup> Refer to DEP guidance, *Using Project Funds for Construction of BMPs at Road-related Sites: Guidance for NPS Watershed Projects* (April 2012) at <http://www.maine.gov/dep/water/grants/319.html>.

### a. Cost Sharing

Many 319 implementation projects use cost sharing as their standard approach to installing BMPs. With cost sharing, a Grantee provides a landowner with technical assistance; the landowner installs and maintains the planned BMPs; and the landowner is reimbursed following verification of proper installation. Cost sharing as described here is not considered procurement because the Grantee is not purchasing goods or services.

The Grantee should develop a standard CSA template for the project that aligns with the DEP example provided in Appendix C. The CSA includes the site design and outlines Grantee and landowner roles and responsibilities, grant funding, match requirements, terms of landowner reimbursement, and long term maintenance. The Agreement Administrator must review and approve this template as well as individual CSAs for projects involving \$5,000 or more in grant funds.

### b. Procurement

If the Grantee directly hires a contractor and/or purchases materials to install a BMP project, this is considered procurement and procurement procedures should be followed (Section III.B.). For example, if the Grantee is a Town and one of the NPS sites is on a Town Road, the Town may use procurement to select and hire a private contractor to install the BMPs.

In this case, a Construction Plan should be completed to ensure different staff and departments involved with the project have a shared understanding of their respective roles and responsibilities, grant funding, match requirements, site design, timeline and long term maintenance. The plan does not require, but may include, signatures from involved parties. See Appendix D for a sample Construction Plan. As with CSAs, Agreement Administrators must review and approve individual Construction Plans for projects involving \$5,000 or more in grant funds.

### c. Grantee or Landowner Labor

Some construction projects do not involve cost sharing or procurement. For example, a Town Grantee might use stockpiled materials and their own crews to implement BMPs and seek partial reimbursement. In another scenario, a landowner may not receive grant funding for a BMP installation on their property. They may require only technical assistance from the Grantee, and in return, agree to install the BMPs themselves and at their own expense.

If these projects are being counted as match/project sites or receive grant funding, a Construction Plan should be completed to ensure that the Grantee, landowner and any

#### Types of BMP Construction Projects

- **Cost Sharing** – Landowner selects contractor and/or purchases materials to install BMPs and is then reimbursed by Grantee following terms of Cost Sharing Agreement.
- **Procurement** – Grantee directly purchases materials and/or hires contractor services to install BMPs. Must follow procurement methods (Section III.B.). Terms of project are outlined in a written Construction Plan.
- **Grantee or Landowner Labor** - Grantee or landowner installs BMPs with their own forces. Terms of project are outlined in a written Construction Plan.

other involved parties fully understand the BMP design, long term maintenance requirements and roles and responsibilities associated with the project. The plan does not require, but may include, signatures from involved parties. Again, Agreement Administrators must review and approve individual Construction Plans for projects involving \$5,000 or more in grant funds.

## F. Environmental Data Quality Assurance

Project activities should be conducted according to applicable quality assurance procedures for NPS projects as described in the DEP document, *Maine Section 319 Management Program Quality Assurance Program Plan* (12/1/11) <http://www.maine.gov/dep/water/grants/319.html>. This GAG outlines many of the required program elements. The following additional provisions are required for projects that collect or use environmental data.

### 1. Water Quality Monitoring and Other Data Collection

Projects involving the collection and analysis of water quality or other data require a Quality Assurance Project Plan (QAPP) or other Quality Plan (e.g., Sampling & Analysis Plan), which must be approved by DEP prior to data acquisition. Project work plans identify the existing QAPP that will be utilized or describe preparation of a project-specific QAPP as a task. If a project operates under an existing approved QAPP, a Sampling and Analysis Plan (SAP) needs to be submitted and approved by DEP prior to monitoring each year. A SAP is a relatively brief document that describes project-specific monitoring information including sampling locations, methods, time schedules and any deviations from the overarching QAPP. A SAP template is typically provided in the associated QAPP.

If a project does not already have an existing QAPP, one will need to be prepared. The key 24 components of any QAPP are described in *EPA Requirements for Quality Assurance Project Plans* (EPA QA/R-5) <http://www.epa.gov/quality/gs-docs/r5-final.pdf>. Grantees should consult the Agreement Administrator to see if there are any similar existing QAPPs that could aid in QAPP preparation.

#### Quality Assurance Terms

**Quality Assurance Project Plan (QAPP) –** Document that outlines procedures to ensure that collected data meets data quality objectives. Required for all monitoring projects.

**Survey Implementation Plan (SIP) –** Relatively brief document that includes project-specific details for lake/stream watershed surveys or stream corridor surveys that follow DEP's generic survey QAPPs.

**Sampling and Analysis Plan (SAP) –** Relatively brief document that includes project-specific sampling details. Required for projects that collect monitoring data and operate under an existing QAPP.

### 2. Stream Corridor Surveys and Watershed Surveys

Projects that develop a watershed-based management plan often conduct various types of field surveys to collect information about potential NPS problems in a watershed. DEP has developed the following generic QAPPs for the two most commonly used surveys:

- Maine Lake and Stream Watershed Survey Generic QAPP (2015)  
<http://www.maine.gov/dep/water/grants/319-documents/quapp.pdf>
- Maine Stream Corridor Survey Generic QAPP (2013)  
<http://www.maine.gov/dep/water/grants/319-documents/FinalStreamCorridorSurveyQAPP1-4-13.pdf>

For these types of surveys, grantees must follow the generic DEP QAPP and complete a Survey Implementation Plan (SIP) prior to the survey. A SIP is a relatively brief document that outlines the project-specific survey details. The above QAPPs and SIP templates are available from the Agreement Administrator and at the above webpages.

### 3. Use of Secondary Data

NPS projects that develop a watershed-based management plan often compile and use preexisting data (secondary data) about the watershed and water bodies. If a NPS project depends on the use of secondary data, then a task in the work plan will require the grantee to specify the methods used to evaluate the quality/validity of the data to determine if the data is acceptable for the purposes of the NPS project. The secondary data analysis findings are typically summarized in a table, which is submitted as a project deliverable. A sample secondary data table is available from the Agreement Administrator.

## IV. Project Reporting

### A. Progress Reports

The Grant Agreement requires Grantees to submit semiannual progress reports. DEP uses progress reports to monitor Grantee progress and performance. Federal regulations require Grantee monitoring to provide reasonable assurance that the Grantee achieves project goals and administers the grant award in compliance with terms of the Grant Agreement.

#### 1. Preparing and Submitting a Progress Report

- a. The Progress Report should concisely summarize important work activity performed within the six-month reporting period. Progress reports should not report work performed prior to the reporting period; anticipated work to be conducted in the future; or other local activities that do not relate directly to project tasks. Content and format instructions for preparing a Progress Report are detailed in Appendix G.
- b. The progress report should be submitted electronically (preferred method), or two (2) hard copies should be sent to the DEP Agreement Administrator.
- c. Grantees must submit progress reports on each due date until DEP receives the Final Project Report. However, if the project just started or is near completion, contact the Agreement Administrator to see if a progress report is necessary. Due dates and reporting periods are:

November 15th - Report activity for the 6 month period, May 1 to October 31

May 15th - Report activity for the 6 month period, November 1 to April 30

## 2. DEP Review of Progress Reports

- a. Acknowledgement - The Agreement Administrator will acknowledge receipt of the Progress Report and review the progress report within 14 days of receipt to determine whether the report is acceptable.
- b. Report Accepted - A Progress Report will be accepted if the report reasonably describes the work accomplished during the period and was prepared according to the instructions for content and format. The Agreement Administrator may accept a Progress Report with *minor* deficiencies. When the Agreement Administrator determines the progress report is acceptable, they will sign/date two (2) copies and place in the project file. (The EPA copy will be sent by DEP's Agreement Administrator with all deliverables at the end of the project.)
- c. Report Not Accepted - The Agreement Administrator will inform the Grantee why the report is not acceptable and work together to make needed changes as soon as possible.
- d. Payment Hold - DEP will not issue a payment if the Grantee fails to provide Progress Report(s) that are accepted by the Department. Payments can resume once overdue reports are turned in and accepted or problems are addressed in reports that were previously not accepted.
- e. Project Slippage - The Agreement Administrator may find that the Progress Report(s) indicate that the project is not proceeding at the pace necessary to complete the project according to the work plan or there are some other problems. If so, the Agreement Administrator should contact the Grantee to determine why the project is not proceeding as planned and take action to resolve the matter. Refer to Section II.E. Problem Resolution and Section II.F. Changes in the Work – Requesting Approval.

## B. Project Deliverables

“Deliverables” are key materials or products developed under the project that demonstrate work activity and/or outcomes. Deliverables are clearly identified and listed as a separate section in project work plans. Deliverables must be submitted, reviewed, and approved to complete a project and closeout a Grant Agreement.

### 1. Labeling Deliverables

Deliverables must be clearly labeled with the appropriate Project ID number, the project title and the deliverable number from the project work plan. If possible, labels should be added into the headers of documents prior to electronic submission. Example label for a deliverable:

#2014RR01 Red Pond Watershed Restoration Project  
Deliverable #3

### 2. Submitting Deliverables

The Grantee should prepare and submit deliverables to DEP soon after the associated work is completed. Grantees should not wait to submit deliverables until a Progress Report is due or

until the end of the project. Failure to submit deliverables in a timely manner may result in project invoices being held until they are submitted. Electronic submission of deliverables is preferred. If hard copies are submitted, the Grantee should send two (2) copies of the Deliverable directly to the DEP Agreement Administrator. The AA will file one copy in the NPS project file and send one copy of all Deliverables to EPA upon closeout of the project.

### C. NPS Site Reports

Grantees prepare NPS Site Reports to describe before and after construction site conditions at NPS sites when grant funds or matching funds are used to pay for construction. Refer to Appendix H for the NPS Site Report form.

These reports must include a location map; brief description of the location (including GPS coordinates), NPS site problem and BMP design; before and after construction site photos or sketches; and summary of the Operations and Maintenance plan.

The work plan for a NPS Watershed Project usually specifies NPS Site Reports as a project deliverable. Grantees should submit NPS Site Reports to DEP within two (2) months of completion of the site work.

### D. Pollutants Controlled Reports

EPA National 319 Program Guidelines requires States to enter estimates of pollutant load reduction accomplished during NPS Projects into EPA's national database, the Grant Records Tracking System (GRTS). In order to collect this information, DEP requires annual pollutants controlled reports (PCR) for all NPS Watershed Implementation Projects intended to control sediments and/or nutrients (Appendix I).

#### Describing NPS Sites

Often the terms BMP or NPS Site are used interchangeably to describe NPS work at a specific location. For clarity, DEP recommends distinguishing BMP and NPS Site from each other based on the following:

- **NPS Site** means a specific location described as a source of polluted runoff. The area or size of a NPS Site could be relatively small (culvert/stream crossing), large (17 acre corn field, 2 acre parking lot) or linear (600 feet of unstable road and ditch line).
- **BMP** (best management practice) means a conservation practice used to minimize, repair or prevent a NPS problem at a NPS Site. One or more BMPs may be needed at one NPS Site.

The PCR form asks for totals of sediment and nutrient reductions and shoreline/streambank protected for each waterbody. For each NPS site, grantees should: (a) briefly describe each site (b) identify the method used to estimate NPS load reductions, and (c) estimate the amounts of pollutant load reduction in sediment (tons/year), phosphorus (pounds/year) and nitrogen (pounds/year). If the NPS project included streambank, shoreline or stream channel protection or stabilization (e.g., buffer establishment), the linear feet associated with this work should also be reported. Specific BMPs used for the project should also be selected from the options provided, and BMPs not listed can be added.

DEP recommends using the methods described in the EPA "Region 5 Model", Spreadsheet Tool for the Estimation of Pollutant Load (STEPL) and Water Erosion Prediction Project (WEPP) computer model to estimate NPS load reductions. These models are described at websites

<http://it.tetrattech-ffx.com/steplweb/> and <http://forest.moscowfsi.wsu.edu/fswepp/>, respectively. DEP allows the use of other accepted estimation methods that are appropriate. Contact the Agreement Administrator for review and approval if you plan to use an alternate estimation method.

PCRs should be submitted to the Agreement Administrator by December 31 of each year and upon completion (closeout) of the project. Supporting documentation should also be provided with the PCR. If there were no load reductions or resources protected during the reporting period, the Grantee should either send the Agreement Administrator an email letting them know that no load reductions were achieved or submit a PCR showing zero reductions. As with other reports and deliverables, Grantees are encouraged to submit PCRs and supporting documentation electronically. If hard copies are submitted, two (2) copies should be provided.

### **E. Final Project Report**

The Grant Agreement requires the Grantee to submit a Final Project Report (FPR) to DEP when the project ends. The FPR should provide a stand-alone, concise summary of all important project activities and outcomes for DEP, EPA, the public and other users. The FPR also documents completion of the project and closure of the Grant Agreement.

The report includes a project overview and summary of project tasks, deliverables, project outcomes and grant and match expenditures. DEP recommends the FPR be approximately 5 to 10 pages in length, and 10 to 30 pages overall, including any supporting appended documentation such as photos, sketches, etc. (Note that deliverables should not be included as part of the FPR document.) Electronic submission is encouraged. If hard copies are submitted bulky binders or fasteners should be avoided since space is limited for storing project file records. Instructions for preparing a FPR are provided in Appendix J.

DEP recommends that Grantees submit a draft to the Agreement Administrator for review prior to submitting the FPR so they can provide comments before the report is finalized.

**Appendix A. Non-Federal Match Documentation Example**

This is an example of a summary table of non-federal match documentation submitted upon NPS project completion (closeout). Costs or in-kind contributions counting towards satisfying a matching requirement must be verifiable from the records of the Grantee.

Non-Federal Match Summary NPS Project #2014RR03 Crystal Lake Watershed Improvement Project - Phase II

Date	Source	Activity or Item	Hours	Rate or Value	Subtotal	Mileage	Total
	John Smith	Steering committee (5 meetings)	15	\$20.54/hr	\$308	\$64	\$308
	Mary Doe, NWA	Steering committee (5 meetings)	15	\$20.54/hr	\$308	\$80	\$308
	Dan Blake, Town CEO	Septic system file review, task 2	42	\$25/hr	\$1,000	\$50	\$1150
	Jane Chin, Instructor	Presentation Road BMP training, task 5a	17	\$30/hr	\$510	\$15	\$525
	J. Dewey, Attorney	Setup riparian easement, task 4	21	\$95/hr	\$1,995	\$12	\$2,007
	Mary Doe, NWA	Produce 4 newsletters, task 6	62	\$20.54/hr	\$1,273	\$10	\$1,273
	ABC Plant Nursery	Plant materials donations for 4 NPS sites		\$350			\$350
	Tom Ring	BMP installation, private road		\$900			\$900
	Joe Johnson	BMP installation, residence		\$200			\$200
	High Spring Farm	BMP installation, heavy use area		\$6,400			\$6,400
	Sunland, Town of	BMP installation, Stine Rd		\$8,500			\$8,500
	Sunland, Town of	BMP installation, Long Rd		\$9,000			\$9,500
	Ray Jones	BMP installation, Buffer planting		\$180			\$180
	Nice Lake Association	Cash Match for Outcome report, task 5					\$1,000
	Omega Foundation	Grant to Grantee, used for various tasks					\$2,000
						Totals	\$34,601

**Valuation of Activity / Items**

1. Volunteer labor to help install BMPs was valued at \$20.54/hour based on the rate for Maine reported by the Independent Sector.
2. Town CEO regular rate of pay exclusive of fringe and overhead.
3. Typical billing rate for professional legal services in this area is \$90 to \$110 per hour
4. BMP installations include the materials, labor and mileage at a BMP construction site.
5. Mileage is based on Maine state rate of \$0.44/mile.



## Appendix C. Sample Cost Sharing Agreement

(Grantee letter head)

### **Cost Sharing Agreement**

between (Grantee name) and (owner name)

A. Purpose. (Grantee name) will provide technical and cost sharing assistance to (owner name) to install Best Management Practices (BMPs) that will abate nonpoint pollution. This work is needed to help achieve the goals of: **Nonpoint Source Pollution Control Project - (number and project title).**

NPS Site Description:

Briefly describe the site location and the NPS problem.

BMPs to be Installed:

Briefly describe the proposed BMPs to be installed to solve the NPS problem.

B. (Grantee name) agrees to:

1. Provide to the Owner design and specifications for the proposed Best Management Practices (BMPs) and an estimate of allowable costs for the BMPs to be constructed / installed under this Agreement. The design and specifications are an Appendix to this Agreement. The design meets Maine BMP Guidelines, Natural Resources Conservation Service (Field Office Technical Guide), or other recognized BMP guidance.
2. Reimburse the Owner at a rate of \_\_\_ % of the costs to implement the practices in the design and specifications attached, not to exceed \$ \_\_\_\_\_, after verification the BMP was installed in accordance with the design.
3. Provide technical assistance to help the owner install the BMP in accordance with the design.
4. Provide a brief Operation & Maintenance Plan describing how to operate and maintain the proposed BMPs.

C. (Owner name) agrees to:

1. Construct / install the proposed BMPs as described in the attached design and specifications provided by (Grantee name). If the Owner hires a contractor, preference will be given to contractors with staff certified in Erosion Control Practices by DEP. If working in Shoreland Zone, then owner must use a contractor with staff certified in Erosion Control Practices by DEP.
2. If needed, obtain any local, state or federal permits to install / construct BMPs under this Agreement; and comply with such requirements if applicable. Signing this Agreement does not provide permits.

3. Complete all construction /installation work by (date), unless approved in writing by both parties.
4. Provide documentation to (Grantee) to substantiate the costs (expenses and/or in-kind services) to construct / install the BMP project after completion of the work or as requested.
5. Allow the (Grantee) access to the site area to inspect the BMP or show the BMP to others at a mutually convenient and pre-arranged time for a period of five years.
6. Properly operate and maintain BMPs according to the attached Operation & Maintenance Plan provided by (Grantee name) for the service life of the BMP, which is \_\_\_\_\_ years. Operation and maintenance includes actions needed to keep the completed practice safe and functioning as intended, work to prevent deterioration of the practice, repairing damage, or replacement of the practice to its original condition if one or more components fail.

D. Payments

1. The Owner agrees to pay costs for the constructing / installing the BMPs recommended in the design and specifications including payments to contractors and others.
2. The Grantee will reimburse the Owner for the costs of constructing / installing the BMPs at the rate specified in B.2. after verification by the (Grantee) representative that the BMPs were installed according to the design and specifications.

E. Changes

If necessary, the parties may mutually agree to change this Agreement. The Owner will notify (Grantee name), in advance, regarding proposed changes to this Agreement or the BMP design and specifications or cost estimate. Changes to this Agreement must be documented in writing, signed by the parties and attached to this Agreement.

**ENDORSEMENTS**

The undersigned hereby agree to the terms of this Cost Share Agreement.

**Landowner**

**Grantee**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Attach the Design, Specifications and Operations & Maintenance Plan for the proposed BMPs.

## Appendix D. Construction Plan

(Grantee letter head)

### **Construction Plan**

Provided for (site name and address)

#### A. Purpose

The Nonpoint Source Pollution Control Project (Project # and Title) grant will be used to assist (Grantee or Landowner name) with the installation of Best Management Practices (BMPs) that will abate nonpoint pollution to (water body name).

#### B. NPS Site Description:

Briefly describe the site location and the NPS problem.

#### C. BMPs to be Installed:

Briefly describe the proposed BMPs to be installed to solve the NPS problem.

#### D. Project Costs

Provide the estimated total project cost and grant and match requirements.

#### E. Roles and Responsibilities

Identify who (Grantee and/or Landowner) will assume responsibility for the following:

1. Develop design and specifications and cost estimate for the BMPs described above. The design and specifications are an Appendix to this Plan. The design meets Maine BMP Guidelines, Natural Resources Conservation Service (Field Office Technical Guide), or other recognized BMP guidance.
2. Provide technical assistance to help install the BMP in accordance with the design.
3. Provide an Operation & Maintenance Plan describing how to operate and maintain the proposed BMPs. The O&M Plan is an Appendix to this Plan.
4. Construct / install the proposed BMPs as described in the attached design and specifications.
5. If needed, obtain any local, state or federal permits to install / construct BMPs under this and comply with permit requirements if applicable. Signing this Agreement does not provide permits.
6. Complete all construction /installation work by (date).

- 7. Provide documentation to substantiate the costs (expenses and/or in-kind services) to construct / install the BMP project after completion of the work or as requested.
- 8. Allow access to the site area to inspect the BMP or show the BMP to others at a mutually convenient and pre-arranged time for a period of five years.
- 9. Properly operate and maintain BMPs according to the attached Operation & Maintenance Plan for the service life of the BMP, which is \_\_\_\_\_ years. Operation and maintenance includes actions needed to keep the completed practice safe and functioning as intended, work to prevent deterioration of the practice, repairing damage, or replacement of the practice to its original condition if one or more components fail.

D. Payments

Describe how the project will be paid for and/or reimbursed and any verification measures (including DEP or other third party verification if deemed necessary) to ensure that the BMPs were installed properly.

E. Changes

If necessary, the parties may adjust the BMP design and specifications or cost estimate.

**ENDORSEMENTS** *(optional)*

The undersigned hereby agree to the terms of this Construction Plan.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Attach the Design, Specifications and Operations & Maintenance Plan for the proposed BMPs.

**Appendix E. Invoice**

**Invoice - Nonpoint Source Grants Program**  
Maine Department of Environmental Protection

**Instructions:** Complete items in the following box electronically (not by hand). Submit original invoice (no copies or email) to DEP Agreement Administrator.

Invoice Date: \_\_\_\_\_ Invoice ID: \_\_\_\_\_

**PROVIDER:** \_\_\_\_\_ *Project # along with a unique invoice number (e.g., #2013RT07-02)*

Grantee Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Project # \_\_\_\_\_ Project Title: \_\_\_\_\_

**PAYMENT REQUESTED:**

Total Expensed to Date: \_\_\_\_\_

Minus Prior Payments: \_\_\_\_\_

Amount This Invoice: \_\_\_\_\_ Check if Final Project Payment

**GRANT AND MATCH SUMMARY:**

Total Grant:	\$	Minus Spent to Date:	\$	= Grant Remaining	\$
Match Required:	\$	Minus Match to Date:	\$	= Match Remaining	\$

**PROCUREMENT:**

Were funds used for procurement? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, submit the 'MBE/WBE Utilization Report' form with this invoice.

**CERTIFICATION:**

Provider certifies that grant funds were expensed or costs were incurred on allowed activities and purposes in accordance with the Grant Agreement. Upon request by DEP, the Provider agrees to produce the source documents used to prepare this payment request.

Original Signature of Authorized Provider Representative: \_\_\_\_\_

Name Printed: \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**PAYMENT APPROVED BY:**

Signature DEP Agreement Administrator: \_\_\_\_\_

Name Printed: \_\_\_\_\_ Date \_\_\_\_\_

<b>FOR DEP USE ONLY</b>	Date received from AA ___/___/___	Date forwarded to Admin ___/___/___
AdvantageME CT No: _____		
Vendor Code _____	Fund _____	Agency _____
Object _____	Activity _____	SubActivity _____
Unit _____	SubUnit _____	Program _____
Amount \$ _____		

**Appendix F. MBE/WBE Utilization Report**

**MBE/WBE Utilization Report**  
NPS Grants Program, Maine Department of Environmental Protection

**Instructions:** If grant funds were used for procurement since the last invoice, submit this MBE/WBE Utilization report with payment request. If the procurement did not involve MBE/WBE vendors, fill out project information and Item #1 and list \$0 on Item #2. If there was procurement using MBE/WBE vendor(s), complete Items #1, 2 and 3.

Project #: \_\_\_\_\_ Project Title: \_\_\_\_\_

Grantee: \_\_\_\_\_

1. Total Procurement Amount in the Reporting Period: \_\_\_\_\_

2. MBE/WBE Procurement Accomplished in the Reporting Period: \_\_\_\_\_

3. MBE/WBE Vendor Information:

a. Vendor Name: \_\_\_\_\_ Date \_\_\_\_\_ Amount: \_\_\_\_\_

Vendor Address: \_\_\_\_\_

Procurement Summary: \_\_\_\_\_

Procurement Code (below): \_\_\_\_\_ Check applicable box: WBE  MBE

b. Vendor Name: \_\_\_\_\_ Date \_\_\_\_\_ Amount: \_\_\_\_\_

Vendor Address: \_\_\_\_\_

Procurement Summary: \_\_\_\_\_

Procurement Code (below): \_\_\_\_\_ Check applicable box: WBE  MBE

Procurement Codes: 1 = construction; 2 = supplies; 3 = services; 4 = equipment  
**Procurement** means acquisition of supplies, equipment, construction or services.  
**MBE** means "minority business enterprise; **WBE** means "women's business enterprise"

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_

**Appendix G. NPS Progress Report**

**NPS Progress Report**  
 NPS Grants Program, Maine Department of Environmental Protection

**Instructions:** Submit this form electronically or in 2 hard copies to report progress conducting a NPS Project. For instructions, refer to the *NPS Grant Administrative Guidelines*, Section IV.A. Total report should not exceed three (3) pages. Do not attach any Deliverables or other material to the Progress Report.

**Project #:** \_\_\_\_\_ **Project Title:** \_\_\_\_\_

**Report for the 6-Month Period Ending** (check one): April 30  Oct. 31  Year \_\_\_\_\_

**Grantee Name:** \_\_\_\_\_

**Grantee Contact Person:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**I. Account Drawdown Information:**

a.) Funds expended this period:	Grant	\$		Match	\$
b.) Total agreement amount:	Grant	\$		Match	\$
c.) Funds expended to date:	Grant	\$		Match	\$
d.) Funds remaining (b-c):	Grant	\$		Match	\$

**II. Brief summary of any significant difficulties encountered, reasons for project delays and revised schedule for any work scheduled for, but not completed, in this reporting period:**

**III. Report any Changes in Key Project Personnel:**

**VI. Tasks.** Use this sample format to describe work conducted for each task. Reference associated Deliverable(s). Explain periods of inactivity. Report only on activity during **this** reporting period.

Task #	Task Heading	Work Conducted During the Six Month Reporting Period	Estimated % Completion
1	Project Management	Grantee signed sub-agreement with the SWCD in May. Steering Committee formed; held 2 meetings to plan for accomplishing the project tasks; and agreed on details of cost sharing program to help prompt BMPs installation at the proposed NPS sites.	25%
2	Tech Assistance – Residential NPS sites	Project Manager met onsite with 12 shoreline property owners; evaluated property NPS problems; and provided BMP recommendations. Five owners installed recommended BMPs.	50%
3	Roadside BMPs	Project Manager & Engineer did site visits & prepared designs for 5 road projects. Five Cost Share Agreements signed. Three road projects completed – Haven, Pine, and Swing roads. 3 NPS Sites Reports were submitted. Two projects will be delayed due to landowner needs. Construction is rescheduled for June 2016.	70%
4	Public Outreach	No activity.	50%
5	Pollutants Controlled Report	Prepared estimates for the 3 completed road sites.	25%

**VII. Deliverables:** List all Deliverables from the project work plan.

List of Deliverables from Work Plan	Date Deliverable submitted to DEP
1. Grant Agreement, Subagreement with Town Progress Reports Final Progress Report	1/15/15 2/15/15 4/30/15, 11/1/15
2. Summary of technical assistance visits (Task 2)	--
3. NPS Site Reports (Task 4) Lakeside Drive, Birchwood Drive Town Beach	8/15/15 10/30/15
4. Pollutants Controlled Report each year until project completion (Task 5)	12/31/15

Prepared by: \_\_\_\_\_

Date Submitted to DEP: \_\_\_\_\_

DEP Signature: \_\_\_\_\_

Date Accepted: \_\_\_\_\_

**Appendix H. NPS Site Report**

**NPS Site Report**  
 NPS Grants Program, Maine Department of Environmental Protection

**Instructions:** Complete the NPS Site Report to document BMP installation / construction at a NPS site. DEP requires the NPS Site Report when grant or matching funds are used to pay for construction costs at a NPS site. For more information, refer to Section IV.C. in the *NPS Grant Administrative Guidelines*.

Project # and Title: \_\_\_\_\_  
 Grantee: \_\_\_\_\_  
 Grantee Contact: \_\_\_\_\_ DEP Agreement Admin.: \_\_\_\_\_  
 NPS Site Name: \_\_\_\_\_ Property Owner: \_\_\_\_\_  
 Date Site Completed: \_\_\_\_\_ Date Report Submitted: \_\_\_\_\_  
 Grant Cost: \$ \_\_\_\_\_ Match Cost: \$ \_\_\_\_\_

1. Location of Site. Attach a map with the site clearly marked. Use USGS topo, Maine Atlas & Gazetteer, Google Earth, GIS, or other map source. Provide a sufficient description and/or sketch of local landmarks so that DEP can find the site. List location coordinates below.

Latitude (N)		Longitude (W)	
--------------	--	---------------	--

2. NPS Problem. Describe NPS problem and site conditions that caused polluted runoff to reach surface waters via a stream, ditch, channel, diversion or other flow.
3. BMPs Installation Summary. Briefly describe the BMPs installed.
4. Operation & Maintenance Plan. Pursuant to the Cost Share Agreement or Construction Plan, the property owner agreed to properly operate and maintain the BMPs for its intended purpose for \_\_\_\_\_ years, the conservation practice service life. Summarize or attach the O&M Plan the landowner agreed to use to regularly inspect and maintain the BMPs.
5. Site Before and After Photos. Attach labeled photos or sketches that show before and after conditions.
6. Other (optional). Describe any other noteworthy project information (e.g., public outreach).

## Appendix I. Pollutants Controlled Report

### Pollutants Controlled Report

NPS Grants Program, Maine Department of Environmental Protection

Year: \_\_\_\_\_  
 Project #: \_\_\_\_\_ Project Title: \_\_\_\_\_  
 Grantee: \_\_\_\_\_ DEP Agreement Admin.: \_\_\_\_\_

#### 1. Pollutant Load Reduction Estimates for NPS Sites Treated with BMPs

Water Body Name	Sediment Tons/Yr	Phosphorus Pounds/Yr	Nitrogen Pounds/Yr	Streambank or Shoreline Protected Feet
<b>Totals</b>				

#### 2. NPS Sites, Methods Used, and Pollutants Controlled

Site ID	Brief NPS Site Description	Method (See list below)	Sediment Tons/Yr	Phosphorus Pounds/Yr	Nitrogen Pounds/Yr	Streambank or Shoreline Protected Feet
<b>Totals for the Year:</b>						

#### Pollutant Load Reduction Estimation Methods

Region 5 Model. Region 5 Load Reduction Model Sub-methods  
[http://it.tetrattech-ffx.com/steplweb/STEPLmain\\_files/Region%205%20manual05.pdf](http://it.tetrattech-ffx.com/steplweb/STEPLmain_files/Region%205%20manual05.pdf)

R5/GEE	Gully Erosion Equation for Gully Stabilization
R5/CEE	Channel Erosion Equation for Streambank/Ditchbank/Roadbank Stabilization
R5/Fields	Uses Revised Universal Soil Loss Equation (RUSLE), sediment delivery ratio and contributing drainage area for Agricultural Fields
R5/Filter	Uses Relative gross filter strip effectiveness Filter Strips
R5/Feedlot	12 step method for Feedlot Pollution Reduction
R5/Urban	Urban Runoff BMP Pollutant Load Reduction Worksheet

WEPP Model. Water Erosion Prediction Project (WEPP) computer model  
<http://forest.moscowfsl.wsu.edu/fswepp/>

STEPL. Spreadsheet Tool for the Estimation of Pollutant Load  
[http://it.tetrattech-ffx.com/steplweb/STEPLmain\\_files/STEPLGuide310.pdf](http://it.tetrattech-ffx.com/steplweb/STEPLmain_files/STEPLGuide310.pdf)

<h2 style="margin: 0;">Pollutants Controlled Report</h2> <p style="margin: 0;">NPS Grants Program, Maine Department of Environmental Protection</p>
---

**3. BMP Types** - Select BMPs from the list below that best describe those used at NPS sites.

Gravel Roads & Driveways:	Urban, Lake, & Watershed:	Agricultural:
Camp Road Crowning/Ditching	Catch Basin Treatment System Inserts	Access Road
Check Dams	Filter Strip	Contoured Buffer Strip
Culvert Armoring	Infiltration Trench	Conservation Cover
Ditch Stabilization	Mulching	Conservation Crop Rotation
Road Ditch Creation / Improvement	Raingarden / Bioretention Basin	Diversion
Sediment Basin	Roof Runoff Management	Filter Strip
Water bars	Streambank & Shoreline Protection	Grassed Waterway
Other (list below):	Other (list below):	Heavy Use Area Protection
		Lined Waterway (includes rock or grass-lined waterway)
		Sediment Basin
		Stream Crossing
		Stream Exclusion Fencing
		Waste Storage Facility
		Watering Facility
		Other (list below):

**4. Certification**

<p>To the best of my knowledge, the estimates in this report are reasonable. The estimates were determined using the appropriate model(s) and applied according to the procedures prescribed for the model(s). Documentation is attached to this PCR for review by DEP / EPA.</p>	
Prepared by: _____ <div style="text-align: center; margin-top: 5px;">Name</div>	_____ <div style="text-align: center; margin-top: 5px;">Date</div>

DEP Reviewer: \_\_\_\_\_  

Name
Date

## Appendix J. Final Project Report Instructions

The Grant Agreement requires submission of a Final Project Report (FPR). The FPR should provide a stand-alone, concise reference that describes important project activities and outcomes. DEP acknowledges project completion once the FPR is reviewed and accepted.

### Title Page:

Project Number and Title, Grantee name, Grantee Contact Person, Date Project Started, Date FPR submitted, and acknowledgement of DEP and EPA (Grant Agreement, Rider A).

### **I. Project Overview** (suggested length - 1/2 to 2 pages)

In narrative format summarize the project purpose, highlights (successes, problems, key personnel, etc.), and any changes in scope of the project. This should be a brief abstract of the project as a whole as it occurred.

### **II. Task Summary** (suggested length - 1 to 3 pages)

Summarize project efforts by respective task in the project work plan (Task #1, Task #2, etc.). Include specific numbers and facts to explain results where possible, such as number and description of NPS sites treated with BMPs; workshops held and number of attendees at each; number of technical assistance visits conducted; amount of NPS pollutant load reduction achieved, etc. Include pertinent descriptions of unusual or significant problems or successes.

### **III. Deliverables Summary** (suggested length - 1/4 to 1/2 page)

List each of the deliverables as shown in the project work plan and dates submitted to DEP.

### **IV. Project Outcomes** (suggested length - 1 to 3 pages)

- A. List the major outcomes of the project (e.g., NPS sites treated with BMPs, local NPS control accomplishments, report or publication, etc).
- B. Describe environmental results of the project in terms of NPS pollutant load reductions and/or water quality improvements.
- C. Discuss any "lessons learned" based on your experience doing the project. What made the project more effective? What did not work well?

### **V. Summary of Total Expenditures** Summarize expenditure totals as follows:

	<u>NPS Grant</u>	<u>Non-Federal Match</u>
Grant Agreement Amount	_____	_____
Funds Expensed	_____	_____
Funds Balance	_____	_____

### **VI. Non-federal Match Documentation / Certification**

The Grantee must certify that non-federal match has been documented. Grantees need to complete the "Non-federal Match Documentation / Certification" form and attach supporting material adequate to summarize the contributions to project work (source, activity and valuation) claimed as non-federal match.

**Appendices** If needed include pertinent information that supports the descriptions offered in the above sections (e.g., maps, sketches, photos, figures). Appendices should not include deliverables, which should be submitted separately.

**Appendix K. Office and Site Visit Forms**

**Grantee Office Visit Checklist**  
 NPS Grants Program, Maine Department of Environmental Protection

Complete the Grantee office visit checklist based on interview with the Grantee, reviewing records, observing operations, and sampling information associated with active NPS Projects.

Grantee: \_\_\_\_\_ Grantee Representative: \_\_\_\_\_ Office Visit Date: \_\_\_/\_\_\_/\_\_\_

DEP Agreement Administrator: \_\_\_\_\_

**A. List Active NPS Projects the Grantee Administers** (add more rows if necessary)

Project # and Title	Planned Project Completion Date	Agreement Expiration Date	Grant Amount	Total of DEP payments received

**B. Administration - Applicable to All Active NPS Projects the Grantee Administers**

	Status		Comments Summarize observations; add any useful comment; if improvement is needed, summarize what is needed.
	ok	Needs improving	
1. Grantee Responsibilities Interview. AA interview with Grantee to review awareness and knowledge of responsibilities summarized in GAG (Section II).			
2. Recordkeeping. Ask the Grantee to show you how they organize & file records pertaining to the NPS project(s). Are records reasonably organized and accessible to DEP if requested? Is there an archive system to keep for five (5) years?			

**C. Review of Specific NPS Project(s)**

Complete this checklist for each NPS project reviewed during the Grantee Office Visit

Project # and Title: \_\_\_\_\_

	Status		Comments Summarize observations; add any useful comment; if improvement is needed, summarize what is needed.
	ok	Needs improving	
1. Project Work Plan.  Review work plan & discuss progress to date.			
2. Pace Implementing Work & Planned Completion Date.  Is project work progressing at a pace needed to complete the project by the planned completion date?			
3. AA Visits for Construction Sites.  Identify NPS sites that AA needs to see in the field (post-construction, >\$2,500 grant cost; or pre-construction, if complex or high cost)			
4. Changes in the Work.  Is DEP promptly notified if "Changes in the Work" are necessary? Is there adequate documentation?			

	Status		Comments Summarize observations; add any useful comment; if improvement is needed, summarize what is needed.
	ok	Needs improving	
<p>5. Deliverables.</p> <p>Ask to see examples of some deliverables produced to date. Are deliverables generally satisfactory and provided to DEP when completed?</p>			
<p>6. Pollutants Controlled Reports.</p> <p>Review documentation supporting the annual PCR submitted to DEP</p>			
<p>7. Cost Share Agreements and Construction Plans.</p> <p>Does the Grantee operate its cost sharing program generally according to the GAG? Has CSA template been reviewed and approved? Are CSAs and Construction Plans with &gt;\$5,000 grant funding submitted for DEP review?</p>			
<p>8. Non-Federal Match.</p> <p>Ask the Grantee to show you how they accumulate and document match as the project proceeds.</p>			
<p>9. Grantee Comments, Other Items.</p>			

Reviewed by DEP NPS Program Manager: \_\_\_\_\_ Date: \_\_\_\_\_

**Fieldwork Site Visit Report**  
 NPS Grants Program, Maine Department of Environmental Protection

Project # and Title: \_\_\_\_\_

Grantee: \_\_\_\_\_

AA Name: \_\_\_\_\_ Date: \_\_\_\_\_

Grantee Staff Name (if present): \_\_\_\_\_

NPS Site Name	Location	Construction B - before D - during A - after	Brief Comments: Site conditions observed; if pre-construction, any recommendation; if post construction, do BMPs appear to be appropriate for the site, functional and maintained; follow-up actions needed, if any; other comments

Reviewed by DEP NPS Program Manager: \_\_\_\_\_ Date: \_\_\_\_\_



## **Appendix 4**

**Bureau of Water Quality  
Division of Environmental Assessment  
Standard Operating Procedure**

**Standard Operating Procedures for Regular Contact and  
Site Visits for Nonpoint Source Grant Projects**

### **1. Applicability.**

This Standard Operating Procedure (SOP) applies to all Bureau of Water Quality (BWQ) staff in the Division of Environmental Assessment (DEA) at the Maine Department of Environmental Protection (DEP) who are assigned as Agreement Administrators for a Nonpoint Source (NPS) Project funded through the NPS Grant Program.

### **2. Purpose.**

DEP is responsible for monitoring Grantee (subrecipient) use of federal awards through review of Grantee reports and deliverables, site visits and regular contact. This SOP describes procedures for regular contact and site visits to monitor Grantee compliance with the grant agreement.

### **3. Definitions.**

- A. Agreement Administrator (AA). DEP staff person designated in a Grant Agreement or an Agreement to Purchase Services to represent the DEP (agency contact person) to monitor Grantee performance. The AA helps ensure that work is carried out according to the work plan by regular contact, conducting site visits, reviewing deliverables, addressing any problems or questions, and authorizing payments.
- B. Fieldwork Site Visit. AA visit to ensure appropriate NPS sites are chosen and Best Management Practices (BMPs) installed at NPS Sites are appropriate for the site.
- C. Grantee. The legal entity to which a grant is made and which is accountable to DEP for the use of the funds provided.
- D. Grantee Office Visit. AA visit at Grantee office to monitor Grantee compliance with the grant agreement by interviewing staff, reviewing records, and observing operations.
- E. Maine NPS Program Coordinator. Maine DEP staff member responsible for administering the NPS Grants Program and coordinating Maine's NPS work.



- F. NPS Grant Administrative Guidelines (GAG). DEP publication that (1) details reporting requirements, and (2) provides other information to help Grantees administer a NPS project to comply with the Grant Agreement.
- G. NPS Project. A nonpoint source pollution control project funded and administered by the DEA Nonpoint Source Grants Program pursuant to a Grant Agreement.
- H. Regular Contact. Periodic contacts made with a Grantee to check in on the progress regarding a NPS project.
- I. Subrecipient. The legal entity to which a federal subaward is made and which is accountable to the recipient (DEP) for the use of the funds provided. (adapted from U.S. Environmental Protection Agency definition)

#### **4. Responsibilities.**

Agreement Administrator: The AA makes regular contact with a Grantee and conducts site visits as needed according to this SOP to monitor Grantee compliance with the grant agreement.

Maine NPS Program Coordinator: The NPS Program Coordinator provides supervisory review of Fieldwork Site Visits Reports and the Grantee Office Site Visit Checklists.

#### **5. Guidelines and Procedures.**

##### **A. Regular Contact - When Needed & Documentation**

The AA is expected to have contact with a Grantee about a NPS project by voice, email, letter or site visit at least once every 3 months. The AA will document key contacts with a Grantee (site visits, meetings, decisions, phone calls, etc.) in writing for the NPS project file (paper or electronic file) to help enable successful project completion and exhibit DEP monitoring of the project.

##### **B. Grantee Office Visits - When Needed**

The AA will visit the Grantee at his or her office once per year and complete the Grantee Office Visit Checklist.

For New Projects, the AA will contact the Grantee within 2 months of project start-up to review the Grant Agreement, Project Work Plan, and the NPS Grant Administrative Guidelines to help ensure the Grantee understands his or her responsibilities and is prepared to effectively administer the project.



### C. Grantee Office Visit - Procedures

The Grantee office visit is conducted to monitor Grantee compliance with the grant agreement by interviewing staff, reviewing records, and observing operations. The AA interviews Grantee staff and checks on Grantee documentation or records that support Grantee reports and deliverables. The Office Visit provides an opportunity for the AA and Grantee staff to review project progress, discuss the grant administrative guidelines, respond to Grantee questions, identify construction sites that need DEP site visits, etc. The AA will use the Grantee Office Visit Checklist to guide and document the visit.

The AA will exercise best professional judgment to determine whether observed Grantee practices are satisfactory or need improvement. The AA will request the Grantee take action to improve practices if needed.

The AA will document the Grantee Office Visit on the DEP form, Grantee Office Visit Checklist, (Attachment 1). The AA will provide a copy of the checklist to the Grantee and the NPS Program Coordinator and file the checklist in the NPS Project file.

### D. Fieldwork Site Visits - When Needed

#### 1. Appropriate Best Management Practices (BMPs) at NPS sites.

According to the grant agreement, Grantees are obliged to design and install BMPs at NPS sites according to design guidance described in Maine best management practice guidance manuals or use other BMPs acceptable to the Department.

2. Purpose. The purpose of fieldwork site visits is to help ensure the Grantee chooses appropriate NPS sites and uses BMPs that are appropriate for NPS sites.

#### 3. Site Visits After Construction.

When a NPS site involves >\$2,500 construction costs paid by grant funds, the AA will conduct a Fieldwork Site Visit during and/or after construction to observe the BMPs installed at an NPS site. The AA will also visit a subset of BMP installation sites to examine installed BMPs.

#### 4. Site Visits Before Construction.

The level of difficulty to assess site conditions, design BMPs, and construct BMPs for a NPS site ranges very widely from simple (e.g., buffer plantings, waterbars, etc.) to fairly complicated (e.g., biofilters, manure pits, etc). Costs for getting BMPs installed (including landowner contacts, permits, design, and construction, etc.) varies widely among different types of NPS sites.

Many NPS projects involve installation of BMPs at numerous NPS sites. DEP does not need to visit relatively simple, lower cost NPS sites. When a NPS site is relatively complicated or high cost, the AA will do a site visit before construction. The AA will use best professional judgment to determine if a visit is needed to help ensure the Grantee uses appropriate BMPs. To decide whether a site visit is needed, the AA will consider (a) cost and complexity of the site; and (b)



the knowledge, skills, and experience of the person(s) evaluating and designing BMPs for the NPS site.

#### E. Fieldwork Site Visits - Procedure

1. Site Visits Before Construction. When needed, the AA visits NPS sites in the field before construction to ensure the Grantee has chosen suitable NPS sites and will use BMPs that are appropriate for the site.
2. Site Visits After Construction. When needed, the AA will visit NPS sites in the field to observe BMPs installed at NPS site(s) to see if BMPs appear appropriate for the site and functional.
3. The AA will advise the Grantee when Fieldwork Site Visits are planned and invite the Grantee to accompany them. The AA will consult with the Grantee, the landowner, review information in the NPS Project File, or use other means to learn about the pre and post construction conditions at the NPS site. If the BMPs at the site do not appear to be appropriate or need maintenance, the AA will contact the Grantee to discuss the matter and determine actions needed to ensure the BMPs are appropriate for the site, functional and maintained.
4. The AA will document the Fieldwork Site Visits on the DEP form, Fieldwork - Site Visits Report, (Attachment 2). The AA will: identify the site; provide brief comments about site conditions observed; if post-construction, note if BMPs installed appear to appropriate for the site and functional; and if pre-construction, provide any recommendations. The AA will provide a copy of a Fieldwork Site Visit Report to the Grantee and to the NPS Program Coordinator for review. The NPS Program Coordinator will record the office or fieldwork site visits in a program spreadsheet. The report will be filed in the NPS project file.

#### 6. References.

Maine Department of Environmental Protection Quality Management Plan (2015)

Maine Section 319 NPS Management Program Quality Assurance Program Plan, Maine Department of Environmental Protection (December 2017)



**ATTACHMENT 1**

**FIELDWORK - SITE VISITS REPORT**

NPS Project # Title: \_\_\_\_\_

Grantee: \_\_\_\_\_

AA Name: \_\_\_\_\_ Date: \_\_\_\_\_

Grantee Staff Name (if present): \_\_\_\_\_

NPS Site Name	Location	Construction B - before D - during A - after	Brief Comments: Site conditions observed; if pre-construction, any recommendation; if post construction, do BMPs appear to be appropriate for the site, functional and maintained; follow-up actions needed, if any; other comments

Reviewed by DEP NPS Program Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_



**ATTACHMENT 2**

**GRANTEE OFFICE VISIT CHECKLIST**

Complete the Grantee Office Visit Checklist based on interview with the Grantee, reviewing records, observing operations, and sampling information associated with active NPS Projects.

Grantee: \_\_\_\_\_ Grantee Representative: \_\_\_\_\_ Office Visit Date: \_\_\_/\_\_\_/\_\_\_

DEP Agreement Administrator: \_\_\_\_\_

**A. List Active NPS Projects the Grantee Administers**

ID# and Project Title	Planned Project Completion Date	Agreement Expiration Date	Grant Amount	Total of DEP payments received

(add more rows if necessary)

**B. Administration - Applicable to All Active NPS Projects the Grantee Administers**

	Status		Comments Summarize observations; add any useful comment; if improvement is needed, summarize what is needed.
	ok	Needs improving	
1. Grantee Responsibilities Interview.  AA interview with Grantee to review awareness and knowledge of responsibilities summarized in Section I, GAG			
2. Recordkeeping.  Ask the Grantee to show you how they organize & file records pertaining to the NPS project(s). Are records reasonably organized and accessible to DEP if requested? Is there an archive system to keep for five (5) yrs?			



**C. Review of Specific NPS Project(s)**

Complete this checklist for each NPS project reviewed during the Grantee Office Visit

ID# and Project Title: \_\_\_\_\_

	Status		Comments Summarize observations; add any useful comment; if improvement is needed, summarize what is needed.
	ok	Needs improving	
1. Project Work Plan. Review work plan & discuss progress to date.			
2. Pace Implementing Work & Planned Completion Date. Is project work progressing at a pace needed to complete the project by the planned completion date?			
3. AA Visits for Construction Sites. Identify NPS sites that AA needs to see in the field (post-construction, >\$2,500 grant cost; or pre-construction, if complex or high cost)			
4. Changes in the Work. Is DEP promptly notified if "Changes in the Work" are necessary? Is there adequate documentation?			
5. Deliverables. Ask to see examples of some deliverables produced to date. Are deliverables generally satisfactory and provided to DEP when completed?			



	Status		Comments Summarize observations; add any useful comment; if improvement is needed, summarize what is needed.
	ok	Needs improving	
6. Pollutants Controlled Reports.  Review documentation supporting the annual Pollutants Controlled Report submitted to DEP			
7. Cost Share Agreements and Construction Plans.  Does the Grantee coordinate and fund BMP construction projects generally according to the GAG? Are Cost Share Agreements (CSA) and Construction Plans satisfactory and provided to DEP when needed? (AA needs to review CSA template and all individual CSAs and construction plans for projects using \$5,000 or more in grant funds.)			
8. Non-Federal Match.  Ask the Grantee to show you how they accumulate and document match as the project proceeds.			
9. Grantee Comments, Other Items.			

Reviewed by DEP NPS Program Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_



## Appendix 5

**Bureau of Water Quality  
Division of Environmental Assessment  
Standard Operating Procedure**

Standard Operating Procedures for Filing Documents and Records  
Pertaining to Nonpoint Source Grant Projects

### 1. Applicability.

This Standard Operating Procedure (SOP) applies to all Bureau of Water Quality (BWQ) staff in the Division of Environmental Assessment (DEA) at the Maine Department of Environmental Protection (DEP) that develop or utilize Nonpoint Source (NPS) Project files for projects funded through the NPS Grant Program.

### 2. Purpose.

The purpose of this SOP is to ensure that: (a) NPS Project files are properly created & maintained and contain pertinent documents and records; and (b) all Department personnel can easily find NPS project files containing the pertinent documents and records.

### 3. Definitions

- A. Agreement Administrator (AA). DEP staff person designated in a Grant Agreement or an Agreement to Purchase Services to represent the DEP (agency contact person) to monitor grantee or contractor performance. The AA helps ensure that work is carried out according to the work plan by conducting site visits, reviewing deliverables, addressing any problems or questions, and authorizing payments.
- B. NPS Project. A nonpoint source pollution control project funded and administered under the auspices of the DEP Nonpoint Source Grants Program, pursuant to a Grant Agreement or an Agreement to Purchase Services (also referred to as a "contract").

### 4. Responsibilities

For each NPS project assignment, it is the assigned AA's responsibility to:

- (1) create NPS Project files, one for hardcopies and one for electronic records;
  - (2) maintain the NPS File hardcopy in his or her office;
  - (3) file pertinent documents and records in the appropriate hard or electronic copy project file;
- and
- (4) control the locations of the project files in the filing system for NPS Projects described in this SOP.



## 5. Guidelines and Procedures

### A. DEP OFFICES - FILING SYSTEM FOR NPS PROJECTS.

- (1) AAs service NPS Projects from four DEP office locations (Augusta, Bangor, Portland and Presque Isle). The AA is responsible for creating and maintaining the NPS Project File for each project assigned to him or her. The Project File shall be located at the DEP office that the AA works in.
- (2) The entire project file for each NPS Project includes the paper file and the electronic file.

### B. FILE STORAGE CABINET LOCATIONS.

- (1) Central Maine Regional Office (CMRO) in Augusta: Inactive files can be found in cabinets in the "Map Room" located on the basement floor at the north end of the Ray Building. Files for the most recent 5 years are located in a file cabinet in the NPS Program Coordinator work station cubicle.
- (2) Northern Maine Regional Office (NMRO) in Presque Isle: The file cabinet is located in the BWQ DEA office.
- (3) Eastern Maine Regional Office (EMRO) in Bangor: The file cabinet is located in the BWQ office.
- (4) Southern Maine Regional Office (SMRO) in Portland: The file cabinet is located in located in the file and publication storage area in the BWQ DEA section of the office.

### C. FILES STORAGE - PAPER.

- (1) Documents and records shall be stored in a folder in the storage location designated in 5.B.
- (2) Each file folder shall be labeled with Project ID number and Project Title on line 1 and name of the Grantee on line 2. Add information to the label as shown to clearly indicate if more than one folder is used to hold the paper file.

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- (3) NPS project files shall be placed in file cabinet drawers labeled as "NPS Project Files (Year)". Files shall be arranged in the drawers numerically by Project ID Number in ascending order.
- (4) An AA stores active NPS Project files at his/her desk to facilitate servicing active NPS Projects. NPS Project files must be located at an individual's desk/cubicle such that they are readily accessible, located together in a labeled desk file drawer or files box and arranged by



year in numerical order. An AA should avoid holding more files than needed at his or her desk at any one time and return project files to the file cabinet location.

#### D. FILES STORAGE - ELECTRONIC.

- (1) Pertinent NPS Project documents created or received in electronic format shall be placed within the Numbered Projects folder located on the DEP Augusta or Regional Office server. The current path to the appropriate directory on the Augusta server is H:/L&W/Watershed/Nonpoint Source Grant Program/Numbered Projects. The folders are organized by project year. Within the folder year the respective sub-folders are each labeled with the Project ID number and Project Name.
- (2) As with paper files, electronic documents shall be placed in the appropriate subfolder according to Section 5.F.
- (3) The entire project file for each NPS Project includes the paper file and the electronic file. Electronic documents filed according to Section 5.G. do not need to be printed and filed in the paper folder. An AA may choose to file a paper copy of a document in the paper file folder as needed.

#### E. FILE FOLDER CONTENTS.

File folder contents shall include all pertinent documents and records directly relating to the Agreement. Records retained by the Department documenting activities pertaining to NPS Projects shall be uniquely identified by NPS Project Number and Date. DEP AAs may label the record with the associated NPS Project Number and Date, if not provided by the record originator.

#### F. SUBFOLDERS WITHIN A FILE FOLDER.

Each File Folder shall contain at least the basic set of five (5) subfolders or sections labeled as follows. If warranted, additional subfolders with different labels may be added to facilitate file organization.

"Agreement" subfolder holds the Agreement; project work plan; Agreement amendment(s); documentation of "changes in the work", closeout letter and associated correspondence.

"Deliverables" subfolder holds all Deliverables specified in the Agreement except Progress Reports.

"Progress Reports" subfolder holds Progress Reports and associated correspondence.

"Payments" subfolder holds invoices, payment or account information.

"Everything Else" subfolder holds correspondence (letters, emails), site visit memos, meeting notes, etc. that directly relate to project activities or the Agreement.



#### G. PAPER AND MAINTENANCE ORGANIZATION WITHIN A SUBFOLDER

Documents and records in subfolders shall be organized in reverse chronological order (i.e., the most recent document in each subfolder being on top/front of the file and the oldest document being on the bottom / back of the subfolder).

AAs are responsible for eliminating unnecessary documents. If one is unsure of the value of a document (retain or throw away), check with the NPS Program Manager. Consult the [DEP Document Retention Policy](#) as necessary.

#### H. RECORDS RETENTION.

DEP shall retain each NPS Project File a minimum of five years after DEP receives notification that the U.S. Environmental Protection Agency has executed closeout of the Assistance Agreement that was the source of the grant funds for the NPS Project.

### 6. References.

Maine Department of Environmental Protection Quality Management Plan (May 2015)

Maine Section 319 NPS Management Program Quality Assurance Program Plan, Maine Department of Environmental Protection (December 15, 2017)

# Appendix 6 – DEP Division of Environmental Assessment Organizational Chart

