

U.S. Fish and Wildlife Service

Office of Migratory Bird Management

Alaska Migratory Bird Co-management Council

Catalog of Federal Domestic Assistance (CFDA) Number: 15.643

Funding Opportunity Announcement Number: **F17AS00409**

SUBMISSION DEADLINE: October 20, 2017, 5:00pm, Alaska Time

Notice of Funding Opportunity

The US Fish and Wildlife Service, Region 7 intends to award a single source financial assistance agreement as authorized by 505 DM 2.14 (B) to Alaska Migratory Bird Co-management Council Partners. This notice is not a request for open proposals and the Government does not intend to accept proposals other than from the pre-designated partners.

I. Description of Funding Opportunity

For many years representatives of the U.S. Fish and Wildlife Service and the Alaska Native Community worked together to amend the 1916 Migratory Bird Treaty with Canada, and the 1936 Migratory Bird Treaty with Mexico, to allow legal spring subsistence harvest of migratory birds in Alaska. The U.S. Senate ratified the Protocols to the two bilateral migratory bird treaties on October 23, 1997, paving the way for a regulatory process to ensure proper implementation of these amendments. The Protocol with Canada mandates that subsistence users will have an effective and meaningful role in the development of regulations through regional management bodies. The Alaska Migratory Bird Co-Management Council was established in March 2000, with representatives of the Alaska Native Community, Federal Government, and State of Alaska as equals to develop recommendations for, among other things: seasons and bag limits; law enforcement policies; population and harvest monitoring; education programs; research and use of traditional knowledge; and habitat protection. Statutory authorization is provided by the Fish and Wildlife Coordination Act, 16 U.S.C. 661 to 666C and the Migratory Bird Treaty Act 16 U.S.C. 703 *et seq.* Coordination with Alaska Native regional partner organizations was established to organize subsistence user participation within each region. 50 CFR 92.11(a), states that “we are working with the Alaska Native non-profit groups and local governments...” Under 50 CFR 92.4, Partner 50 CFR 92.11 (b), states that the U. S. Fish and Wildlife Service will establish partner agreements with at least one partner organization in each of the listed regions. Organizations or Regional Partners are defined as a regional or local organization or a local tribal government that has entered into a formal agreement with the U.S. Fish and Wildlife Service for the purpose of coordinating the regional programs necessary to involve subsistence users in the regulatory process. Region-specific, formal working agreements have been established with ten Alaska Native non-profit groups and one local government to accomplish the mission of the Migratory Bird Treaty Amendment Protocols. These specific regional organizations were designated as partner organizations following an extensive public involvement process. A list of partner organizations was published in the Federal Register, 65 FR 16405 (March 28, 2000), amended in 71 FR 35690 (June 21, 2006), and being amended at this time with a Federal

Register Notice pending. This Request for Proposals is the required to renew grant agreements that are directed specifically to those regional partners who have already entered into a pre-requisite formal agreement with the U.S. Fish and Wildlife Service. The purpose of each of these grant agreements is to defray each Alaska Native regional partner's travel and communication expenses enabling them to participate in the co-management process. These grant agreements are not open to competition outside of existing Alaska Native regional partner organizations serving on the Alaska Migratory Bird Co-Management Council. Proposals are to be submitted to the Office of Alaska Migratory Bird Co-Management Council or directly through <http://www.grants.gov> by October 20, 2017, 5:00 PM Alaska time. Proposed requests for funding if awarded will be for a five-year duration.

II. Federal Award Information

- Estimated Total Program Funding: \$330,814
- Anticipated number of Federal awards: 10
- Expected amounts of individual Federal awards (range): \$14,800 to \$129,400
- Start date October 21, 2017 with projects going through September 30, 2022.
- Funding Instrument Type: Grant

Applications for renewal or supplementation of existing projects are not eligible to compete with applications for new awards.

III. Eligibility Information

Eligible Applicants:

The only eligible applicants under this announcement as authorized under the Single Source Requirements of 505 DM 2.14(B) are:

- Aleutian-Pribilof Islands Association
- Association of Village Council Presidents
- Bristol Bay Native Association
- Chugach Regional Resource Commission
- Ahtna Intertribal Resource Commission
- Kawerak Inc.
- Sun'aq Tribe of Kodiak
- Maniilaq Association
- North Slope Borough
- Tanana Chiefs Conference

Federal law mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Number System (DUNS) number and have a current registration in the System for Award Management (SAM). See Title 2 of the Code of Federal Regulations (CFR), Part 25 for more information. Exemptions: The SAM registration requirement does not apply to individuals submitting an application on their own behalf and not on behalf of a company or other for-profit entity, state, local or Tribal government, academia or other type of organization.

Federal Award may not be made to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements additionally if an applicant has not fully complied with the requirements by the time the Service is ready to make the award, the

Service may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

A. DUNS Registration

Request a DUNS number at <http://fedgov.dnb.com/webform>. For technical difficulties, contact Dun & Bradstreet by email at: govt@dnb.com, or by calling the Government Customer Resource Center at voice phone: 866-705-5711 or TTY line: 877-807-1679 (hearing impaired customers only). Once assigned a DUNS number, entities are responsible for maintaining up-to-date information with Dun & Bradstreet.

B. Entity Registration in SAM

Register in SAM at www.sam.gov. Once registered in SAM, entities must renew and revalidate their SAM registration at least every 12 months from the date previously registered. Entities are strongly urged to revalidate their registration as often as needed to ensure that their information is up to date and in synch with changes that may have been made to DUNS and IRS information. Foreign entities who wish to be paid directly to a United States bank account must enter and maintain valid and current banking information in SAM.

Note: The official U.S. government website address for SAM is www.sam.gov. There is NO COST to register in or access SAM.gov. There are third-party vendors who charge a fee in exchange for registering entities in SAM; please be aware that you can register to do business with the U.S. government FOR FREE directly in SAM at www.sam.gov.

C. Excluded Entities

Applicant entities identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits will not be considered for Federal funding, as applicable to the funding being requested under this Federal program.

D. Cost Sharing or Matching:

There is no required cost sharing, matching, or cost participation without which an application would be ineligible. There are no pre-award requirements for submission of letters or other documentation to verify commitments to meet cost-sharing requirements if an award is made.

IV. Application Requirements

To be considered for funding under this opportunity, an application must contain:

A. Application for Federal Assistance form

A completed, signed and dated Application for Federal Assistance form 424 is required and can be found at: <https://www.doi.gov/subsistence/frmp/funding> or <http://apply07.grants.gov/apply/FormLinks?family=15>. Do not include other Federal sources of funding, requested or approved, in the total entered in the “Federal” funding box on the Application for Federal Assistance form. Enter only the amount being requested under this program in the “Federal” funding box. Include any other Federal sources of funding in the total funding entered in the “Other” box.

B. Project Summary

Briefly summarize the project, in one page or less. Include the title of the project, geographic location, and a brief overview of the need for the project. Goal(s), objectives, specific project activities, anticipated outputs and outcomes can also be included in this section.

C. Project Narrative

- 1. Statement of Need:** Describe why this project is necessary (significance/value) and include supporting information. Summarize previous or on-going efforts (of you/your organization, and other organizations or individuals) that are relevant to the proposed work. Explain the successes or failures of past efforts and how your proposed project builds on them. If you have received funding previously (from the Service or any other donor) for this specific project work or site, provide a summary of the funding, associated activities and products/outcomes.
- 2. Project Goals and Objectives:** State the long-term, overarching goal(s) of the program/project. State the objectives of the project. Objectives are the specific outcomes to be accomplished in order to reach the stated goal(s). The project objectives must be specific, measurable, and realistic (attainable within the project's proposed project period).
- 3. Project Activities, Methods and Timetable:** List the proposed project activities and describe how they relate to the stated objectives. Activities are the specific actions to be undertaken to fulfill the project objectives and reach the project goal(s). The proposed project activities narrative must be detailed enough for reviewers to make a clear connection between the activities and the proposed project costs.
- 4. Outreach/Education:** Describe how you/your organization disseminates information regarding harvest regulations and migratory bird conservation to the rural communities of your region. Describe participates in outreach events such as local fairs etc. Describe any planned education efforts teaching young people about subsistence and migratory bird conservation.
- 5. Project Monitoring and Evaluation:** Not Applicable
- 6. Description of Entities Undertaking the Project:** Provide a brief description of the applicant organization and all participating entities and/or individuals. Provide complete contact information for the individual within the organization that will oversee/manage the project activities on a day-to-day basis
- 7. Sustainability:** Not Applicable
- 8. Literature Cited:** Not Applicable
- 9. Map of Project Area:** Not Applicable
- 10. Single Audit Statement:** Enter the appropriate single audit language from Section F below.

D. Budget Form

Complete the **Budget Information for Non-Construction Programs (SF 424A)**. The budget forms are available on the Internet at <http://apply07.grants.gov/apply/FormLinks?family=15>. When developing your budget, keep in mind that financial assistance awards and subawards are subject to the Federal cost principles in Title 2 of the Code of Federal Regulations Part 200, as applicable to the recipient organization type.

Links to the full text of the Federal cost principles are available on the Internet at http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

E. Budget Justification

In a separate narrative titled “**Budget Justification**”, explain and justify all requested budget items/costs. Detail how the Budget Object Class Category totals on the SF-424A were determined and demonstrate a clear connection between costs and the proposed project activities. For personnel salary costs, include the base-line salary figures and the estimates of time (as percentages) to be directly charged to the project. Describe any item that under the applicable Federal cost principles requires the Service’s approval and estimate its cost.

If Federally-funded equipment will be used for the project, provide a list of that equipment including the Federal funding source.

Required Indirect Cost Statement: All applicants except individuals applying for funds separate from a business or non-profit organization he/she may operate **must** include in the budget justification narrative one of the following statements and attach to their application any required documentation identified in the applicable statement:

“We are:

1. A U.S. state or local government entity receiving more than \$35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. A copy of our most recently approved rate agreement/certification is attached.
2. A U.S. state or local government entity receiving less than \$35 million in direct Federal funding with an indirect cost rate of [insert rate]. We are required to prepare and retain for audit an indirect cost rate proposal and related documentation to support those costs.
3. A [insert your organization type; U.S. states and local governments, please use one of the statements above or below] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. [Insert either: “A copy of our most recently approved but expired rate agreement is attached. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.” or “A copy of our current, approved rate agreement(s) is attached.”]
4. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.

5. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is lower than 10%. Our indirect cost rate is [insert rate; must be lower than 10%]. However, in the event an award is made, we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat indirect cost rate of [insert rate; must be lower than 10%] of [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs). However, please note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in 2 CFR 220.68]. We understand that we must notify the Service in writing immediately if we establish an approved rate with our cognizant agency at any point during the award period.
6. A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10% or higher. Our indirect cost rate is [insert your organization's indirect rate; must be 10% or higher]. However, in the event an award is made, we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimis* indirect cost rate of 10% of modified total direct costs as defined in 2 CFR 200.68. We understand that we must notify the Service in writing immediately if we do establish an approved rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and such changes are subject to review, negotiation, and prior approval by the Service.
7. A [insert your organization type] that is submitting this proposal for consideration under the [insert either "Cooperative Fish and Wildlife Research Unit Program" or "Cooperative Ecosystem Studies Unit Network"], which has a Department of the Interior-approved indirect cost rate cap of [insert program rate]. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved indirect cost rate agreement. If we do not have an approved indirect cost rate with our cognizant agency, we understand that the basis for direct costs will be the modified total direct cost base defined in 2 CFR 200.68 "Modified Total Direct Cost (MTDC)". We understand that we must request prior approval from the Service to use the MTDC base instead of the base identified in our approved indirect cost rate agreement, and that Service approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award. In accordance with 2 CFR 200.405, we understand that indirect costs not recovered due to a voluntary reduction to our federally negotiated rate are not allowable for recovery via any other means.
8. A [insert your organization type] that will charge all costs directly.

All applicants are hereby notified of the following:

- Recipients without an approved indirect cost rate are prohibited from charging indirect costs to a Federal award. Accepting the 10% *de minimus* rate as a

condition of award is an approved rate.

- Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award.
- Only the indirect costs calculated against the Federal portion of the total direct costs may be charged to the Federal award. Recipients may not charge to their Service award any indirect costs calculated against the portion of total direct costs charged to themselves or charged to any other project partner, Federal and non-Federal alike.
- Recipients must have prior written approval from the Service to transfer unallowable indirect costs to amounts budgeted for direct costs or to satisfy cost-sharing or matching requirements under the award.
- Recipients are prohibited from shifting unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.”

Applicants who are individuals applying for funds separate from a business or non-profit organization he/she may operate are not eligible to charge indirect costs to their award. If you are an individual applying for funding, do not include any indirect costs in your proposed budget.

For more information on indirect cost rates, see the Service’s **Indirect Costs and Negotiated Indirect Cost Rate Agreements** guidance document on the Internet at <https://www.fws.gov/grants/atc.html> under the “Resources” tab.

Negotiating an Indirect Cost Rate with the Department of the Interior:

Entities that do not have a NICRA, must have an open, active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior is your cognizant agency, your indirect cost rate will be negotiated by the Interior Business Center (IBC). For more information, contact the IBC at:

Indirect Cost Services
Acquisition Services Directorate, Interior Business Center
U.S. Department of the Interior
2180 Harvard Street, Suite 430
Sacramento, CA 95815
Phone: 916-566-7111 - Fax: 916-566-7110
Email: Through <https://www.doi.gov/ibc/contactus/ibcfeedback> web form
Internet address: <https://www.doi.gov/ibc/services/finance/indirect-cost-services>

- F. Single Audit Reporting Statements:** As required in [Title 2 of the Code of Federal Regulations Part 200, Subpart F Audit Requirements](#), all U.S. states, local governments, federally-recognized Indian tribal governments, and non-profit organizations expending \$750,000 USD or more in Federal award funds in a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse’s Internet Data Entry System.

All U.S. state, local government, federally-recognized Indian tribal government and non-profit applicants must provide a statement regarding if your organization was or was not required to submit a Single Audit report for the organization’s most recently

closed fiscal year. If required, state that the report is available on the Federal Audit Clearinghouse Single Audit Database website (<https://harvester.census.gov/facweb/>) and provide the EIN under which that report was submitted.

See the following statements **and include all applicable statements at the end of the Project Narrative in number 10, titled: Statement(s) Regarding Single Audit Reporting**

Single Audit Report was required:

My organization was required to submit a Single Audit report last year. The reporting period covered was from (insert date) to (insert date). This report, filed under EIN #(insert EIN), is available on the Federal Audit Clearinghouse Single Audit Database website (<https://harvester.census.gov/facweb/>) or will be by (insert date).

OR

Single Audit Report was not required:

My organization was not required to submit a Single Audit report last year.

G. Assurances

Include the appropriate signed and dated Assurances form available online at <http://apply07.grants.gov/apply/FormLinks?family=15>. Use the **Assurances for Construction Programs (SF 424D)** for construction and land acquisition projects. Use the **Assurances for Non-Construction Programs (SF 424B)** for all other types of projects. Signing this form does not mean that all items on the form are applicable. The form contains language that states that some of the assurances may not be applicable to your organization and/or your project or program.

H. Certification and Disclosure of Lobbying Activities: Under Title 31 of the United States Code, Section 1352, an applicant or recipient must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with the award. Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress connection with the award. Submission of an application also represents the applicant's certification of the statements in [43 CFR Part 18, Appendix A-Certification Regarding Lobbying](#). If you/your organization have/has made or agrees to make any payment using non-appropriated funds for lobbying in connection with this proposal AND the Federal share exceeds \$100,000, complete and submit the [SF LLL, Disclosure of Lobbying Activities](#). See 43 CFR, Subpart 18.100 for more information on when additional submission of this form is required.

Application Checklist

(All applicants expect Federal Entities; Federal Entities see checklist below:

- DUNS Registration (see requirement in Section III Basic Eligibility Requirements, A Duns Registration)
- SAM active registration (see requirement in Section III Basic Eligibility Requirements, B Entity Registration in SAM)

- Evidence of non-profit status:** If a non-profit organization, a copy of their Section 501(c)(3) or (4) status determination letter received from the Internal Revenue Service.
- SF 424, Application for Federal Assistance:** A complete, signed and dated SF 424, SF 424-Mandatory, or SF 424- Individual form
- SF 424 Budget form:** A complete SF 424A or SF 424C Budget Information form
- SF 424 Assurances form:** Signed and dated SF 424B or SF 424D Assurances form
- Project Summary**
- Project Narrative**
- Single Audit Reporting statement:** If a U.S. state, local government, federally-recognized Indian tribal government, or non-profit organization, statements regarding applicability of and compliance with 2 CFR 200, Subpart F, Audit Requirement.
- Financial Capability Questionnaire** – *Only required if* your organization was not required to have a single audit completed this fiscal year.
- Budget Justification**
- Federally-funded equipment list:** If Federally-funded equipment will be used for the project, a list of that equipment
- NICRA:** When applicable, a copy of the organization’s current Negotiated Indirect Cost Rate Agreement
- Conflict of Interest Disclosures:** When applicable, written notification of any actual or potential conflicts of interest that may arise during the life of this award.
- SF LLL form:** If applicable, completed SF-LLL Disclosure of Lobbying Activities form

Failure to provide complete information may cause delays, postponement, or rejection of the application.

V. Submission Instructions

SUBMISSION DEADLINE: October 20, 2017 by 5:00pm Alaska

Intergovernmental Review: Before submitting an application, **U.S. state and local government** applicants should visit the following website

(https://whitehouse.gov/omb/grants_spoc) to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 “Intergovernmental review of Federal Programs.” E.O. 12372 was issued to foster the intergovernmental partnership and strengthen federalism by relying on state and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The E.O. allows each state to designate an entity to perform this function. The official list of designated entities is posted on the website. Contact your state’s designated entity for more information on the process the state requires to be followed when applying for assistance. States that do not have a designated entity listed on the website have chosen not to participate in the review process.

Funding Restrictions: None applicable

Download the Application Package linked to this Funding Opportunity on Grants.gov to begin the application process. Downloading and saving the Application Package to your computer makes the required government-wide standard forms fillable and printable. Completed

applications may be submitted by mail, by email, electronically through Grants.gov, or as otherwise described in the Grants.gov funding opportunity. Please select **ONE** of the submission options:

To submit an application by e-mail:

Format all of your documents to print on Letter size (8 ½” x 11”) paper. Format all pages to display and print page numbers. Scanned documents should be scanned in Letter format, as black and white images only. Where possible, save scanned documents in .pdf format. E-mail your application to the Service program point of contact identified in the Grants.gov funding opportunity.

The required SF 424 Application for Federal Assistance and Assurances forms and any other required standard forms **MUST** be signed by your organization’s authorized official. The Signature and Date fields on the standard forms downloaded from Grants.gov are pre-populated with the text “Completed by Grants.gov upon submission” or “Completed on submission to Grants.gov”. Remove this text (manually or digitally) before signing the forms.

To submit an application through Grants.gov:

Go to the Grants.gov Apply for Grants page (<http://www.grants.gov/web/grants/applicants/apply-for-grants.html>) for an overview of the process to apply through Grants.gov. You/your organization must complete the Grants.gov registration process before submitting an application through Grants.gov. Registration can take between three to five business days, or as long as two weeks if all steps are not completed in a timely manner.

Important note on Grants.gov application attachment file names: Please do not assign application attachments file names longer than 20 characters, including spaces. Assigning file names longer than 20 characters will create issues in the automatic interface between Grants.gov and the Service’s financial assistance management system.

VI. Application Review

Criteria: To be considered for funding, applications must address the following, which are equally weighted as to importance:

- Eligibility
- Completeness
- Cost Review/Budget
- Risk Assessment
- Past Performance

Review and Selection Process:

1. Eligibility (“Go/No Go” criterion)

Applicant is one of the pre-designated eligible participants.

2. Completeness (“Go/No Go” criterion)

Are all items in the application checklist included in the application? Were they completed correctly?

3. Cost Review/Budget

Did the applicant fill out Section B of the SF424A with sufficient detail to explain how forms would be used? Were any further budget explanations or break downs provided? Did the proposed budget exceed cost projections for the project?

4. Risk Assessment

Does the applicant have a good/poor history of:

- completing performance reporting requirements in a timely manner,
- completing and providing financial reporting documents in a timely manner,
- withdrawing from funds ASAP following rules of accountability.
- Ability to correctly utilize all funds provided annually.

5. Past performance

Does the applicant have a good/poor history of:

- conducting required regional meetings,
- attending statewide meetings,
- conducting regional outreach related to migratory birds,
- conducting migratory bird education
- participating in committees for planning and decision making..

Prior to participating in any review or evaluation process, all staff and peer reviewers, evaluators, panel members, and advisors must complete the applicable Conflict of Interest form; Conflict of Interest FWS FA Source Selection form or Conflict of Interest Form Other than FWS FA Source Selection.

Prior to award, the Service reviews the selected applicant's statement regarding potential overlap or duplication in terms of activities, funding, or time commitment of key personnel and makes a determination regarding Service funding. Depending on the circumstances, modification of the application, other pending applications, or an active award may be necessary, or the Service might choose to not fund the proposed project.

Each fiscal year, for every entity receiving one or more awards in that fiscal year, the Service conducts a risk assessment based on eight risk categories. The result of this risk assessment is used to establish a monitoring plan for all awards to the entity in that fiscal year. For a copy of the Service's risk assessment form, go to <https://www.fws.gov/grants/atc.html>.

Prior to approving an award with a Federal funding amount that exceeds or is expected to exceed the simplified acquisition threshold, as adjusted (see 2 CFR 200.88), the Service must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS; <https://www.fapiis.gov/fapiis/index.action>) to determine if, at a minimum, the information found in the system for the applicant demonstrates a satisfactory record of Federal award performance and integrity and business

ethics (see 2 CFR 200.205(a)(2)). The Service must also report to FAPIIS if an applicant subject to this review is found not qualified for a particular award due to its prior record of integrity or performance under Federal awards (see 2 CFR 200.212).

VII. Federal Award Administration

Federal Award Notices: Following review, applicants may be requested to revise the project scope and/or budget before an award is made. You may receive an information notice of intent from the Service program Project Officer stating that your application has been selected for the intent to award, this is not the official Notice of Award. Successful applicants will receive written notice in the form of a notice of award document. Notices of award are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail (e.g., FedEx, DHL or UPS). Award recipients are not required to sign/return the Notice of Award document. Acceptance of an award is defined as starting work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to, and as approved by, the Service. The notice of award document will include instructions specific to each recipient on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests.

Administrative and National Policy Requirements:

Award Notices: Following review, applicants may be requested to revise the project scope and/or budget before an award is made. Successful applicants will receive written notice in the form of a notice of award document. Notices of award are typically sent to recipients by e-mail. If e-mail notification is unsuccessful, the documents will be sent by courier mail (e.g., FedEx, DHL or UPS). Award recipients are not required to sign/return the Notice of Award document. Acceptance of an award is defined as starting work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to, and as approved by, the Service. The notice of award document will include instructions specific to each recipient on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests. Applicants whose projects are not selected for funding will receive written notice, most often by e-mail, within 30 days of the final review decision.

Domestic Recipient Payments: Prior to award, the Service program office will contact you/your organization to either enroll in the U.S. Treasury's Automated Standard Application for Payments (ASAP) system or, if eligible, obtain approval from the Department of the Interior to be waived from using ASAP.

Transmittal of Sensitive Data: Recipients are responsible for ensuring any sensitive data being sent to the Service is protected during its transmission/delivery. The Service strongly recommends that recipients use the most secure transmission/delivery method available. The Service recommends the following digital transmission methods: secure digital faxing; encrypted emails; emailing a password protected zipped/compressed file attachment in one email followed by the password in a second email; or emailing a zipped/compressed file attachment. The Service strongly encourages recipients sending sensitive data in paper copy to use a courier mail service. Recipients may also contact their Service Project Officer and provide any sensitive data over the telephone.

Award Terms and Conditions: Acceptance of a financial assistance award (i.e., grant or cooperative agreement) from the Service carries with it the responsibility to be aware of and comply with the terms and conditions applicable to the award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to and approved by the Service and are subject to the terms and conditions incorporated into the notice of award either by direct citation or by reference to the following: Federal regulations; program legislation or regulation; and special award terms and conditions. The Service's Standard Award Terms and Conditions are available on the Internet at <https://www.fws.gov/grants/atc.html>. If you do not have access to the Internet and require a full text copy of the award terms and conditions, contact the Service point of contact identified in the Agency Contacts section below.

Special Award Terms and Conditions: Acceptance of a financial assistance award (i.e., grant or cooperative agreement) from the Service carries with it the responsibility to be aware of and comply with the terms and conditions applicable to the award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to and approved by the Service. Awards are subject to the terms and conditions incorporated into the notice of award either by direct citation or by reference to the following: Federal regulations; program legislation or regulation; and special award terms and conditions. The terms and conditions of Service awards flow down to subrecipients and contractors, unless a particular award term or condition specifically indicates otherwise. The Federal regulations applicable to Service recipients and their subrecipients and contractors are listed by recipient type in the **Service Financial Assistance Award Terms and Conditions** posted on the Internet at <http://www.fws.gov/grants/>. If you do not have access to the Internet and require a full text copy of the award terms and conditions, contact the Service Project Officer.

If Recipient decides to not accept this award, Recipient must notify the Service Project Officer in writing within 30 calendar days of that decision.

Prohibition on Issuing Financial Assistance Awards to Entities that Require Certain Internal Confidentiality Agreements

Section 743 of Division E, Title VII of the Consolidated and Further Continuing Resolution Appropriations Act of 2015 (Pub. L. 113-235) prohibits the use of funds appropriated or otherwise made available under that or any other Act for grants or cooperative agreements to an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a federal department or agency authorized to receive such information.

Recipients must not require their employees or contractors seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a federal department or agency authorized to receive such information.

Recipients must notify their employees or contractors that existing internal confidentiality agreements covered by this condition are no longer in effect.

Recipient Reporting Requirements:

- i. Financial and Performance Reports:** Interim financial reports and performance reports may be required. Interim reports will be required no more frequently than quarterly, and no less frequently than annually. A final financial report and a final performance report will be required and are due within 90 calendar days of the end date of the award. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results.

- ii. Significant Development Reports (SDR):**

Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the following types of conditions become known:

 - Problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation.
 - Favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

The Service will specify in the notice of award document the reporting and reporting frequency applicable to the award.

- iii. Conflict of Interest Disclosures (COI):**

The recipient must establish safeguards to prohibit its employees and subrecipients from using their positions for purposes that constitute or present the appearance of a personal or organizational conflict of interest. The recipient is responsible for notifying the Grants Officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the recipient or its employees in a position of conflict, real or apparent, between their responsibilities under the agreement and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the recipient and/or recipient's employees and subrecipients in the matter.

The Grants Officer and the servicing Ethics Counselor will determine if a conflict of interest exists. If a conflict of interest exists, the Grants Officer will determine whether a mitigation plan is feasible. Mitigation plans must be approved by the Grants Officer in writing. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award.

Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338; including suspension or debarment (see also 2 CFR part 180).

iv. Other Mandatory Disclosures:

The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR Part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313.)

2 CFR Part 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters is applicable to awards with a total Federal share of more than \$500,000, except those to individuals and foreign public entities.

VIII. Federal Awarding Agency Contact(s)

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