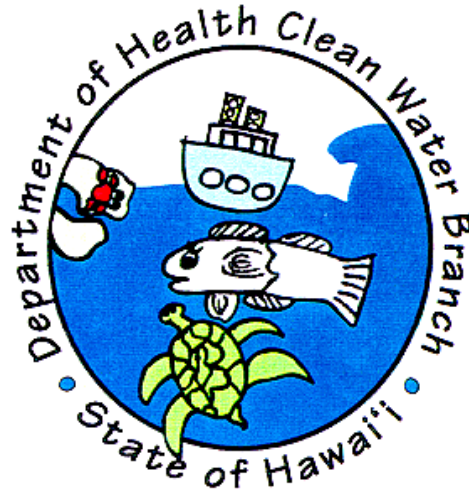


# Hawaii Department of Health Clean Water Branch

May 2, 2011

## **REQUEST FOR PROPOSALS for WATERSHED IMPLEMENTATION PROJECTS SOLICITATION NO. CWB-PRC 11-01**



FISCAL YEAR 2011 – 2012 CLEAN WATER ACT  
SECTION 319(h) GRANT

**PROPOSALS DUE ON OR BEFORE, June 27, 2011**

State of Hawaii  
Department of Health  
Clean Water Branch  
919 Ala Moana Boulevard, Room 301  
Honolulu, Hawaii 96814-4920

This solicitation is provided for information purposes. Parties interested in responding to this solicitation shall submit offers using this downloaded document **provided** prior registration by e-mail for this specific solicitation. Not registering may be grounds for automatic rejection.

**Registration for Solicitation:**

E-mail: [CleanWaterBranch@doh.hawaii.gov](mailto:CleanWaterBranch@doh.hawaii.gov)

**Provide the following information:**

- |  |                    |                       |                   |
|--|--------------------|-----------------------|-------------------|
| - Company Name   | - Contact Person   | - Solicitation Number | - Mailing Address |
| - Email Address  | - Telephone Number | - Fax Number          |                   |
| - Enter "CWB-PRC 11-01 RFP (Implementation) Registration" in E-mail Subject Line |                    |                       |                   |

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## Section 1: Overview and Purpose

### 1.1 Background and Overview

The State of Hawaii (State), Department of Health (DOH), Clean Water Branch (CWB), Polluted Runoff Control Program (PRCP) is interested in funding efforts to control or reduce the impact of polluted runoff on water quality. The CWB's mission is to protect and improve the quality of water resources for the enjoyment and use by the people of the State through the prevention and reduction of nonpoint source pollution while balancing health, environmental, economic, and social concerns.







The DOH has provided funding to support the development of watershed plans for several years and has developed Total Maximum Daily Loads (TMDLs) with companion implementation plans that document the pollutant reductions needed to meet water quality standards in several watersheds (See Table 1, below). The DOH will use this Request for Proposal (RFP) to support efforts that will implement nonpoint source projects recommended in these existing plans that have expectations of achieving water quality improvements. The DOH recognizes the need for additional and improved watershed planning efforts that prescribe implementation projects to achieve water quality goals, and shall be conducting a separate Request for Quotations (RFQ) to support the development of additional plans in other watersheds throughout the State.

### 1.2 Purpose of Funding

Funding is provided through the Clean Water Act (CWA), Section 319(h) Nonpoint Source grant funding from the U.S. Environmental Protection Agency (EPA). **This is a reimbursement grant**, in which the Contractor will be reimbursed by the State for legitimate funds expended on the project on a quarterly basis.

The intent of the funding is to support efforts to remedy nonpoint source water quality issues with a likelihood of helping to achieve water quality improvements in watersheds where these problems and potential solutions have been appropriately documented in a watershed-based plan, other similar comprehensive management plan, or an EPA-approved TMDL. It is critical that the types of projects supported with Section 319(h) funding be capable of delivering clear and tangible results in the form of water quality improvements and/or environmental improvements.




Activities supported with project funds may include, but are not limited to, items such as:

-  Management measures or practice implementation to minimize excessive nutrients and sediment delivered to surface and/or coastal waters;
-  Restoration of native vegetation in critical watershed areas such as stream banks and/or riparian corridors;
-  Ungulate control, where ungulates can be linked to polluted runoff problems;
-  Invasive species removal, where these activities can be linked to water quality;
-  Applicable water quality monitoring and evaluation efforts; and/or
-  A watershed coordinator to manage watershed restoration projects.










The PRCP will place a priority on multi-objective projects that are a part of a comprehensive watershed approach.

### 1.3 Priority Watersheds

The PRCP is placing an emphasis on the implementation of activities identified through planning efforts in State priority watersheds where water quality and watershed planning activities have already taken place. Table 1 lists watersheds where there is a likelihood of project implementation achieving water quality improvements, including watersheds where:

-  A watershed plan that meets EPA requirements (see EPA's Handbook for Developing Watershed Plans to Restore and Protect Our Waters, Chapter 2: Overview of Watershed Planning Process at the following address: [http://www.epa.gov/owow/nps/watershed\\_handbook/pdf/ch02.pdf](http://www.epa.gov/owow/nps/watershed_handbook/pdf/ch02.pdf)), has been completed, and addresses water quality impairments identified in the State's Clean Water Act, Section 303(d) list of impaired waters;
-  An approved TMDL or TMDL implementation plan exists (see <http://www.hawaii.gov/health/environmental/env-planning/wqm/wqm.html>); and/or
-  Waters are not currently impaired and efforts are necessary to insure that these waters remain unimpaired by nonpoint source pollution, including where water quality is threatened by changing land use or invasive species. High-quality waters are considered Class I inland waters and Class AA marine waters, as defined in Hawaii Administrative Rules (HAR), Title 11, DOH Chapter 54: Water Quality Standards (see <http://gen.doh.hawaii.gov/sites/har/AdmRules1/11-54.pdf>).

**Table 1. PRIORITY WATERSHEDS\***

 Nawiliwili Bay watersheds (existing watershed plan). Includes: Puali, Huleia, and Nawiliwili stream watersheds
 Hanalei Bay watersheds (substantial planning and implementation has taken place). Includes: Hanalei, Waikoko, Waipa, and Waioli watersheds
 Ala Wai watersheds (watershed plan and TMDL). Includes: Manoa-Palolo, Makiki, Ala Wai watersheds
 Ko'olaupoko watersheds (watershed plan, Kawa Stream, Waimanalo Stream and Kapaa Stream TMDLs). Includes: Windward Oahu watersheds from Kualoa to Makapuu
 Kapakahi Stream watershed (watershed plan)
 West Maui watersheds (substantial planning and implementation has taken place). Includes: watersheds from Launiupoko to Honolulu
 Pelekane Bay watershed (existing watershed plan)
 Wailupe watershed (existing watershed plan)
 Hilo Bay watersheds. Includes: Wailuku, Honolii, Paukaa, Maili, Pukihae, Wainaku, and Wailoa watersheds

**Proposals may include all watersheds or focus on particular subwatersheds within these areas.**

**All watershed plans listed above can be found at:  
<http://hawaii.gov/health/environmental/water/cleanwater/prc/grants.html>**

*\*Proposals for projects in watersheds not on this list will be considered but appropriate information should be provided to document that substantial watershed planning efforts have already been completed.*

#### **1.4 Eligibility and Grant Limitations**



All proposals meeting the grant purpose and submission guidelines, and properly received on or before the deadline, will be considered.


Organizations including counties, colleges and universities, State agencies, non-profit entities, watershed groups, for-profit organizations, and environmental groups can submit proposals. Federal agencies may participate in the project, but may not apply for grant funds. Federal funding or in-kind services from federally funded sources may not be used for the purposes of matching the grant award, but can be used as evidence of federal support of the project.

There is no minimum and no maximum amount of funds that can be requested, however in FY10, the PRCP awarded five applicants with projects ranging from \$100,000 to \$150,000. The amount requested in a proposal should be reflective of the level of effort, demonstrate anticipated water quality benefits, be within the preferred project period of twenty-four (24) months, and include required, non-federal matching funds and/or in-kind funds. Grant funds require a 1:1 cost-share basis (for example, \$125,000 grant fund request requires a minimum of \$125,000 non-federal match). Non-federal match shall be documented with timesheets, volunteer sign-in sheets, receipts, and other relevant documents as determined by DOH. Contributions can include purchased or donated labor, equipment, supplies, and materials. The matching requirement may not be met by costs borne from another federal grant, federal procurement contract, or any other award of federal funds and shall be subject to EPA 40 CFR Ch. 1, Part 31.24: Matching or Cost Sharing (see [http://www.access.gpo.gov/nara/cfr/waisidx\\_04/40cfr31\\_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/40cfr31_04.html)). Additionally, grant funds may not be used to pay for out-of-state travel or for food and/or refreshments in addition to those specified in EPA 40 CFR Ch. 1, Part 31.22: Allowable Costs. In addition to the above-listed EPA website, applicants may use the National Resources Conservation Service (NRCS) Environmental Quality Incentives Program (EQUIP) (<http://www.nrcs.usda.gov/programs/equip>), US Bureau of Labor Statistics (BLS) Occupational Employment Statistics ([http://www.bls.gov/oes/current/oes\\_nat.htm](http://www.bls.gov/oes/current/oes_nat.htm)), and the Independent Sector ([http://independentsector.org/volunteer\\_time](http://independentsector.org/volunteer_time)) as resources for determining match costs. All match requests shall be subject to DOH review prior to award.

The Contract term for any project should be targeted for completion within twenty-four (24) months but can take up to a maximum period of thirty-six (36) months (date on the State's Notice to Proceed (NTP) to submittal date of the Final Report). The project schedule should reflect two (2) months required at the end of the project period for drafting, reviewing and finalizing the Final Report. The Contract's term will commence on the date specified on the STATE's NTP by the STATE to the Contractor. Requests for extensions from the original Contract termination date may be approved at the sole discretion of the State.

#### **Projects that will NOT be considered for award include:**

-  Studies, research, education, and data collection projects that are not part of an implementation project;
-  Planning, research, or assessment activities; and

-  Activities undertaken pursuant to any regulatory requirement, including those associated with National Pollutant Discharge Elimination System (NPDES) permits.

Projects that will be implementing a watershed plan or TMDL **must** emphasize the on-the-ground component, as well as monitoring or evaluation and public outreach and education components.

## **SECTION 2: PROPOSAL**

### **2.1 Proposal Elements and Format**






Proposals must be typed (not handwritten) using twelve (12) point font, one (1) inch margins, and be single-spaced. The length of the proposal shall not exceed twelve (12) pages, excluding the following attachments: transmittal letter, cover sheet, maps, budget and matching information, federal certifications, watershed based plans, TMDL implementation plans, and letters of support, if appropriate.

The proposal shall be written in a narrative format with the intention of providing the State with a clear understanding of the project's purpose, activities, and anticipated outcomes. **Evaluation criteria can be found in Section 3.**

### **2.2 Proposal Submission Requirements**

One (1) hard copy marked "Original," unbound (not stapled) and printed one-sided, five (5) additional hard copies, bound (stapled) and printed double-sided, and one (1) digital copy of the proposal on compact disc (CD) shall be submitted in a sealed envelope. For the digital copy, a single electronic document (formatted for Microsoft Word or Adobe .PDF), rather than separate digital attachments of the proposal, shall be submitted (see below for correct order). Management plans or any other materials marked "Confidential" shall be submitted separately per the quantities and formats noted above.

To facilitate evaluation, proposal documents, attachments, and other items should be organized in the following order (applies to both hard copies and digital copy submitted):

-  Transmittal Letter containing appropriate information and original signature (Attachment 1);
-  Cover Sheet (formatted per Section 2.3);
-  Proposal (formatted per Section 2.3), providing all of the requested information and in the required formats as outlined in Section 2.2 (including Project Budget, Attachment 2, and Project Timeline, Attachment 3); and
-  Relevant Attachments, including Certification Forms with original signatures (Attachments 4 through 7); and/or
-  Letters of support from landowners, project partners, etc.

The applicant shall submit two (2) hard copies and one (1) digital copy of any Watershed Plans, TMDLs, and TMDL Implementation Plans (if applicable).

## 2.3 Format

### Cover Sheet Format

Project Title:

Priority Watershed and Targeted Pollutants:

Name of Organization:

Legal Status of the Organization (i.e., For-profit Corporation; Non-profit Organization, Partnership, etc.):

Federal Tax Identification Number:

State Tax Identification Number:

Grant Funds Requested: \$ \_\_\_\_\_

Non-Federal Matching and In-Kind Contributions: \$ \_\_\_\_\_  
(Minimum 100% of Grant Funds Requested)

Total Project Cost: \$ \_\_\_\_\_

Project Duration (Months):

### Proposal Format

1. Summary:

Briefly describe the activities to be funded and how it meets the purpose of the funding. Include a clear statement of the nonpoint source pollution problem(s) to be addressed and the expected outcomes and results.

2. Needs Statement:

Briefly describe why the activities proposed for funding are needed and/or how they implement an existing watershed management plan, TMDL, or other work or action plan. Include discussion on how this proposal addresses nonpoint source water pollution and will achieve water quality improvement.

3. Project Site Description:

Identify the watershed and related water resources where the activities will take place. This should include information concerning: Section 303(d) List status, TDML status, the size of the project area, land owners, land cover, physical features of the project area and any other information to explain the area where the project will take place. Provide a clear map of the project area.

4. Management Plan Context:

Identify the specific watershed plan or TMDL/TMDL implementation plan that the project will be implementing, as well as the specific component of the plan that recommends the proposed project or activity. Include a brief list of other ongoing projects or partnerships in the watershed, as appropriate. Information should also include whether or not the watershed-based plan meets the requirements (see

Section 1.3) of a complete plan per EPA guidance.

In addition to the information above, please provide the Uniform Resource Locator (URL), an electronic copy, or hard copy (if an electronic copy is not available) of the watershed-based plan, TMDL or other management or action plan that the project proposal is based upon.

5. **Methodology or Approach:**  
Describe the objectives, approach, and methods of the proposed activities. This should include the pollutant being addressed, the types of management measures or practices to be installed, and the strategy for monitoring and evaluating proposal objectives, including how success will be defined and measured.
6. **Scope of Work or Schedule of Activities:**  
Provide a reasonable estimate of the length of the project and estimated project completion date. Describe in detail all tasks or activities necessary to complete the project, and clearly link the tasks or activities to the overall project purpose. These tasks shall also be outlined in Attachment 3, "Project Timeline."
7. **Monitoring and Assessment:**  
Describe the approach for monitoring (or modeling) pre- and post-project conditions. This should include monitoring of targeted pollutants and parameters at the appropriate location, timing, and frequency, per a previously accepted Water Quality Monitoring Plan, if applicable. Inquiries regarding previously accepted monitoring plans should be made to the Environmental Health Specialist ([greg.takeshima@doh.hawaii.gov](mailto:greg.takeshima@doh.hawaii.gov)). The scope of work should identify the development of a monitoring plan for the effort (See Appendix 2) if none is available.
8. **Public Information, Education, and Participation Activities:**  
Briefly describe the strategy and activities planned to educate and involve the public, both in the overall goal of reducing polluted runoff in the affected watershed, as well as specifically promoting the project at hand. Some examples include: community outreach, workshops, and/or press releases.
9. **Expected Outcomes:**  
Explain the measurable outcomes of the project as they pertain to addressing specific polluted runoff problems. Water quality goals or environmental improvements shall be identified with an estimate of the nonpoint source pollution reductions expected as a result of the project. Describe how pollutant reduction estimates were calculated (i.e., formula, model, etc.).
10. **Personnel and Partners:**  
Identify the project manager and contact person for this proposal. This should include information concerning the educational background, relevant work history, and experience with similar projects to facilitate the completion of all components of the project. Identify partners who will assist in the successful completion of activities proposed. Include a brief statement of the role or

contribution the partner will provide and appropriate contact information. A letter of support from each of these organizations shall be submitted with the project proposal. Letters should confirm any matching funds or services being provided by the organization.

11. Budget:

Clearly delineate costs to be met by the grant and matching funds distribution. Budget information should include either a narrative or bullet-points explaining costs, cost categories, and appropriate justifications as well as tables consistent with information found in the budget (Attachment 2, "Project Budget"). **Provide justification that the cost of implementing the project is reasonable for the benefits anticipated toward improving water quality.** (Grant funds may not be used to pay for out-of-state travel or for food and/or refreshments in addition to those specified in EPA 40 CFR Ch.1 (7-1-06 Edition), Part 31.22: Allowable Costs.). Registered applicants shall receive an electronic copy of the Project Budget. State General Excise Tax (GET) is reimbursable, as are insurance premiums necessary for the applicant to meet minimum State insurance requirements. For FY11, the State's Indirect Rate is 13%. The State's Fringe Rate is 38.84%. Applicants do not need to adhere to the State's percentages, but any rate in excess of the State's shall be accompanied by a letter justifying the overage.

## SECTION 3: PROPOSAL EVALUATION

### 3.1 Introduction

The evaluation of proposals received in response to this RFP will be conducted comprehensively, fairly, and impartially. Quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

### 3.2 Evaluation Organization and Process

An Evaluation Committee (EC) selected by the Procurement Officer will review and evaluate all proposals submitted by June 27, 2011. The EC will be comprised of individuals with experience and knowledge of the contemplated services.

Upon initial eligibility review by the Procurement Officer of proposals to insure that all elements of the proposal have been submitted, the eligible proposals will next be evaluated by the EC based on the evaluation criteria indicated below. The State reserves the right to accept or reject any or all proposals, and to waive any defect in any proposal when in the opinion of the State such rejection or waiver will be in the best interest of the State. Once all proposals have been reviewed, the EC will then determine the list of Priority-Listed Offerors (PLOs). The EC reserves the right to award a contract to a PLO in this phase without further discussions. However, if the EC wishes to engage in discussions with the PLOs to allow a better understanding of their proposals, such discussions will take place after the list is generated. A date and time shall be set for the PLOs to submit their Best and Final Offers (BAFOs), if required. PLOs shall be permitted to submit a new or amended proposal and budget as a BAFO based on discussions with the EC or grant coordinator who may represent the EC in discussions. If no BAFO is submitted, the original submitted proposal will be construed by the EC as the final offer. BAFOs must be submitted by an identified date and time, and date

stamped following the same procedures as outlined in Section 4.6 for the original proposal submission (sealed envelope shall be marked "BAFO for RFP No. CWB-PRC 11-01 (*Name of Applicant*)". BAFOs shall also be formatted per Section 2.1, and submitted per Section 2.2. Submitting page-by-page revisions to the proposal is not acceptable; however, duplicative Certification Forms, Watershed Plans, Letters of Support (if applicable), etc. are not required unless requested by DOH.













Once the BAFOs have been submitted, the evaluation process will be concluded with final award recommendations determined. The actual number of awards will depend upon the availability of funds through the Clean Water Act, Section 319(h) program grant from the U.S. EPA and as further determined solely by the State.

### **3.3 Evaluation Categories and Thresholds**

The evaluation process is designed to award a Contract to the Applicant with the best combination of attributes based upon the evaluation criteria and as outlined in this RFP. The EC will prepare a final ranking and will make the final recommendations for award.

**Request for Proposals No. CWB-PRC 11-01**

Evaluation Criteria Worksheet - 115 Total Points

No.	Category	Points
1	<b>Needs Statement</b>	<b>15</b>
	<p><u>Does the Needs Statement:</u></p> <ul style="list-style-type: none"> <li> Clearly articulate why the activities proposed for funding are needed?</li> <li> Clearly state that the activities will implement an existing watershed management plan, Total Maximum Daily Load (TMDL) or other work/action plan to improve Water Quality?</li> <li> Clearly state that the proposed activities address nonpoint source pollution?</li> <li> Clearly state that the water quality improvements are likely as a result of project implementation?</li> </ul>	
2	<b>Watershed/Project Site Description</b>	<b>10</b>
	<p>The project is located within a priority watershed listed in Table 1 of this RFP or is in a watershed with an existing watershed management plan.</p> <p>The project site description identifies and briefly describes the watershed(s) and State waters, including groundwater resources, streams, wetlands, and receiving waters, to benefit from project activities. The description includes information on the identified water bodies' 303(d) list status, TMDL status, the size of the project area, and the physical features of the project area.</p> <p>The description also identifies land uses (estimate percent of agriculture, urban, impervious pavement, forest, wetland, water, etc. relative to project area), land ownership, and land use rights relevant to the project area.</p> <p>Includes clear and legible maps, with appropriate legends, showing the location of the project within the identified watershed, the area to be impacted by the project, and the locations of to-be-installed project features.</p>	
3	<b>Management Plan context</b>	<b>15</b>
	<p>Is the proposed project located in one of the watersheds listed in Table 1 and based upon a watershed plan or TMDL?</p> <p>If the proposed project is not in one of the watersheds in Table 1, is another watershed with a management plan identified?</p> <p>Does the watershed plan address the EPA requirements for watershed plans?</p> <p>Are the element(s) of the management plan or TMDL that recommends the activities proposed for funding clearly identified?</p>	
4	<b>Scope of Work/Schedule of Activities</b>	<b>10</b>
	<p><u>Does the scope of work:</u></p> <ul style="list-style-type: none"> <li> Clearly state the objectives, approach and methods of the proposed activities?</li> <li> Convey a clear methodology that is well thought out and easily understood?</li> <li> Link individual tasks and activities directly to the project purpose?</li> <li> Describe all project phases and deliverables?</li> <li> Describe how each activity and task will be planned, management, monitored and completed?</li> <li> Include a timeframe for implementation of each task?</li> <li> Organize tasks by date (timeline from NTP)?</li> <li> Identify appropriate project deliverables and the timing of submission?</li> </ul>	
5	<b>Monitoring</b>	<b>10</b>
	<p>Is the monitoring approach clearly described and linked to project activities and water quality/environmental improvements? Does the proposal identify existing monitoring efforts that can help assess water quality? Does it leverage existing monitoring efforts, as opposed to starting anew?</p> <p>Is the monitoring approach for monitoring pre- and post-project conditions described and adequate?</p> <p>Does water quality monitoring (if included) target pollutants/parameters at the appropriate locations, timing and frequency to determine the effects of proposed activities?</p>	

<b>6</b>	<b>Public Information, Education, and Participation Activities</b>	<b>10</b>
	<p>Are public information, education, and participation activities sufficient for educating, informing, and/or involving the interested and affected public, to transfer technology and encourage partnerships, and to provide a means for obtaining public input in relation to project activities?</p> <p>Are public information, education, and participation activities clearly described?</p>	
<b>7</b>	<b>Expected Outcomes/Results</b>	<b>15</b>
	<p>Are the outcomes or results anticipated as described? Is there adequate detail?</p> <p>Are load reduction estimates provided feasible? Are the project activities proposed likely to contribute to water quality goals in the watershed?</p> <p>Do the outcomes relate directly to the purposes of the funding?</p> <p>Are the expected outcomes feasible?</p>	
<b>8</b>	<b>Personnel and Partners</b>	<b>15</b>
	<p>Does the project manager have the educational background, relevant work history, and experience with similar projects to facilitate the completion of all Contract items, including all project activities, quarterly status reports, deliverables, fiscal reports, and the Final Report?</p> <p>Are key personnel and the roles of key positions in the project clearly defined and the personnel identified sufficiently qualified to perform the specified tasks?</p> <p>Does the proposal include information for each organization with an active role in the project, a brief statement of the role or contribution the organization, and letter(s) of support?</p> <p>Does the project have a strong relationship with past or ongoing efforts in the watershed?</p>	
<b>9</b>	<b>Budget</b>	<b>15</b>
	<p>Does the budget contain sufficient detail and appropriate justification?</p> <p>Is the budget reasonable in relation to the work proposed and the anticipated benefits?</p> <p>Does the budget include the required match/in-kind details?</p> <p>Is the cost of implementing the project reasonable for the benefits provided toward improving water quality?</p>	
	<b>Total Score (Maximum Points)</b>	<b>115</b>
<p><b>Each of the criteria will be scored based upon the clarity and quality of the information provided, and how that information correlates with the water quality goals of the grant and the PRCP's mission. Actual points awarded will follow these general ranges:</b></p> <p><b>Fully Addressed Criteria (13-15 points for 15 point criteria; 9-10 points for 10)</b>  <b>Partially Addressed Criteria (3-12 points for 15 point criteria; 3-8 points for 10)</b>  <b>Criteria Not Addressed (0-2 points for 15 point and 10 point criteria)</b></p>		

## **SECTION 4: RFP AND ADMINISTRATIVE OVERVIEW**

### **4.1 Overview and Authority**

This RFP is issued under the provisions of Chapter 103D, Hawaii Revised Statutes (HRS). All Applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any Applicant shall constitute admission of such knowledge on the part of such Applicant.

Any Contract arising out of this offer is subject to the approval of the Department of the Attorney General as to form, and to all further approvals including the approval of the Governor, required by statute, regulation, rule, order, or other directive.

### **4.2 Significant RFP Dates**

The schedule set out herein represents the State's best estimate of the schedule that will be followed. If a component of this schedule, such as Deadline for Submittal of Proposal's date is delayed, the rest of the schedule may be shifted as deemed necessary by the State. Should a change in the schedule be made, the list of Applicants who have registered with the procurement officer will be notified and an Addendum will be posted on the DOH website. The approximate schedule is as follows:

RFP Solicitation Date	<b>May 2, 2011</b>
Registration Deadline	<b>May 30, 2011</b>
Inquiry Deadline	<b>June 22, 2011</b>
Deadline for Submittal of Proposals	<b>3:00 p.m., HST June 27, 2011</b> 919 Ala Moana Blvd., Room 301 Honolulu, Hawaii 96814-4920
Completion of Proposal Evaluations	<b>July 22, 2011</b>
Oral Presentations/Discussions	<b>July 28 &amp; 29, 2011</b> (if necessary, with PLOs only)
Best and Final Offer Deadline (If necessary)	<b>3:00 p.m., HST August 10, 2011</b> (if necessary, for PLOs only)
Written Notification to Successful and Unsuccessful Applicants	<b>August 22, 2011</b>
Contract Commencement Date	Specified date on the State's NTP

Provided that all required documents have been submitted, and a BAFO is approved, the DOH anticipates issuing an NTP by March 2012.

### **4.3 Procurement Officer**

The Procurement Officer, who also serves as the Contract Administrator, is responsible for overseeing the Contracts from the date of release of the RFP to monitoring and assessing Contractor performance. The Procurement Officer is:

Mr. Alec Y. Wong, P.E., Chief  
Clean Water Branch  
Department of Health  
919 Ala Moana Boulevard, Room 301  
Honolulu, Hawaii 96814-4920  
Ph: (808) 586-4309  
Fax: (808) 586-4352  
[CleanWaterBranch@doh.hawaii.gov](mailto:CleanWaterBranch@doh.hawaii.gov)

### **4.4 RFP Registration and Inquiries**

Applicants intending to respond for this request for proposals shall contact the Procurement Officer by email (see Section 4.3 for contact information) to register. Relevant information shall include providing the name of the contact person, the organization name, solicitation number, and contact information (i.e., mailing address, phone, fax, and email address. Please see this RFP's title page for all required registration information). Applicants not registered will not receive notification of potential changes, risking rejection and consideration for award. Registration does not commit the Applicant to submit a proposal, but rather provides a process to notify Applicant of any changes to the RFP during the open advertisement period. The deadline to register is **3:00 p.m., HST, May 30, 2011**.

Inquiries regarding the RFP must be made by email to the Grants Management Specialist ([michael.burke@doh.hawaii.gov](mailto:michael.burke@doh.hawaii.gov)) by **3:00 p.m., HST, June 22, 2011** (no telephone calls will be allowed). In order to facilitate a meaningful response, questions should reference the page and section number to which the question relates. Should responses to written inquiries serve to clarify the RFP in a way that would benefit all interested Applicants, the response to the inquiry shall be distributed to all registered parties via blind carbon-copy, to ensure anonymity among Applicants. Inquiries received after the stated date and time will not be reviewed. DOH will not be responsible for delays or non-receipt of responses.

### **4.5 Notification of RFP Amendments or Cancellation**

The State reserves the right to amend this RFP at any time prior to the closing date. Furthermore, the State reserves the right to cancel this RFP and to reject any and all proposals in whole or in part, when it is determined to be in the best interest of the State. The State shall not be liable for any costs, expenses, loss of profits or damages incurred by an Applicant in the event this RFP is cancelled or a proposal is rejected. Amendments or cancellation will be communicated through an Addendum to the RFP.

### **4.6 Submission of Proposals**

Proposals must be **received and time stamped** by the Procurement Officer (whether mailed or hand delivered) no later than **3:00 p.m., HST, June 27, 2011** (see Section 4.3 for contact and mailing information). Proposals received after the deadline shall be rejected.

**Faxed or e-mailed proposals will not be accepted or considered.**

The outside cover of the envelope containing the proposal shall be marked: **“Proposal Submitted in Response to RFP No. CWB-PRC 11-01 (Name of Applicant).”** Failure to properly mark the envelope in this manner may lead to the unintended opening of the proposal before the deadline, and will invalidate the proposal.

Proposals submitted in response to this RFP shall be valid for a minimum of twelve (12) months from the deadline set for submittal of proposals and may not be withdrawn without the written authorization of the Procurement Officer.

Proposals shall not be opened publicly, but shall be opened in the presence of two (2) or more State officials. Proposal registrants and Applicants’ proposals shall be open to public inspection after award of the Contract(s).

**4.7 Confidential Information**


All information, data, or other material provided by the Applicant or the Contractor to the State shall be subject to the Uniform Information Practices Act, Chapter 92F, HRS (UIPA). The Applicant shall designate in writing to the Procurement Officer those portions of its proposal or any subsequent submittals that are trade secrets or other proprietary data that the Applicant desires to remain confidential, subject to Section 3-122-58, HAR. The Applicant shall state in its communication to the Procurement Officer, the reason(s) for designating the material as confidential. The Applicant shall submit the material designated as confidential in such manner that the material is readily separable from the proposal in order to facilitate inspection of the non-confidential portion of the proposal.






Pursuant to Section 3-122-30, HAR, the head of the purchasing agency or designee shall consult with the State’s Attorney General and make a written determination in accordance with UIPA. If the request for confidentiality is denied, such information shall be disclosed as public information, unless the Applicant appeals the denial to the Office of Information Practices in accordance with Section 92F-15.5, HRS.

Unless identified as confidential, the information submitted under the RFP may be used by the State for informational purposes and will also be open for public inspection once the RFP process is concluded and all contracts are awarded.

**4.8 Disqualification of Proposals**

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and scope of services requested. DOH reserves the right to reject any proposal, in whole or in part, which is not in the best interest of the State. Any proposal not meeting the guidelines and requirements outlined, or offering terms and conditions contrary to those included in the RFP, may be rejected without further consideration. Additional grounds for disqualification include:




-  Applicant’s being in arrears on existing contracts with the State or having defaulted on previous contracts;

-  Delivery of the proposal after the deadline (**June 27, 2011**);
-  Proposal does not comply with applicable laws, or contains provisions contrary to the applicable law;
-  Proposal is conditional or incomplete;
-  Applicant's lack of responsibility and cooperation as shown by past work;
-  The proposal has provisions reserving the right to accept or reject award, or to enter into a contract pursuant to an award, or provisions contrary to those required in the solicitation.

#### **4.9 Award Notification, Required Award Documents and Compliance**

Awards shall be made to the responsive, responsible Applicants with proposals determined by the EC to be the most advantageous to the State based on the evaluation criteria. All successful and unsuccessful Applicants will receive written notification of the evaluation outcome. For successful Applicants, the written notification does not serve as the State's NTP, which will be issued separately once all award documents and contract approvals have been met. Should the Applicant commence work prior to being issued a NTP, the State will not be held liable for any work, contract, costs, expenses, loss of profits, or any damages incurred by the awarded Applicant. Please note that due to a shortage in staffing, contract execution and an issuance of a NTP can take six (6) to eight (8) months.

Grant awardees must also be prepared to present the following documents before a contract may be executed (not applicable when the entity receiving funds is a Federal, State, or County governmental agency):

-  A Tax Clearance Certificate from the Department of Taxation and the Internal Revenue Service, current within 6 months of issuance;
-  A Certificate of Compliance from the Department of Labor and Industrial Relations; **and**
-  A Certificate of Good Standing from the Business Registration Division of the Department of Commerce and Consumer Affairs.

Alternatively, Applicants may choose to use the Hawaii Compliance Express (HCE) website, (see <http://vendors.ehawaii.gov/hce/splash/welcome.html>) to purchase a Certificate of Vendor Compliance, which shall be accepted for contracting purposes and when processing the final payment.

Additionally, the awarded Applicant shall submit evidence of authority that the contact person or signatory has the authority to enter into a contract on behalf of the vendor and can bind the vendor to the Contract.

It is the responsibility of the awarded Applicant to meet all State rules, regulations and compliance requirements for their proposal. This includes obtaining appropriate permits and environmental assessments related to proposal activities, and access and permission to conduct on-the-ground activities. In addition, Applicant shall meet State insurance requirements for general liability insurance limits (no less than \$1,000,000.00 per occurrence; \$2,000,000.00 in the aggregate), as well as automobile insurance (no less than \$1,000,000.00 per accident). Applicant shall also meet all EPA requirements, including Certification Regarding Debarment, Suspension, Ineligibility and Voluntary

Exclusion, Certification Regarding Drug-Free Workplace Requirements, Certification Regarding Lobbying, and Certification Regarding Environmental Tobacco Smoke (Attachments 4 through 7). Registered Applicants shall be provided electronic copies of these Attachments.

The State reserves the right to discuss the terms and conditions outlined in this RFP during the evaluation process, which may result in a call for BAFOs.

#### **4.10 Quality of Work and Performance and Return of Grant Funds**

The PRCP reserves the right to cancel any contract, and re-solicit for new proposals if the PRCP is not satisfied with the awarded contractor's performance, provided that the PRCP shall first give Contractor written notice specifying any such deficient performance and a reasonable opportunity to cure the defect(s) under the circumstances, which shall not in any event be less than thirty (30) days. Should corrective action not be taken as required by the PRCP, it will be considered as non-performance of the contract.

The Contractor shall immediately notify the PRCP of developments that have significant impact on the Contract and the ability to fulfill expected terms and scope of services. The Contractor shall not be allowed additional compensation in the event of delays in performance. Failure to meet awarded proposal deliverables (excluding causes out of Contractor control) may also be used in evaluation of future submitted proposals for this grant program.

Should the Contractor be unable to complete the provisions of the awarded grant proposal, all monies provided by the grant program which prove to be cancelable obligations or unallowable or unused in accordance with the approved proposal awarded budget shall revert to the State. Any portion of the grant not expended by time of performance deadlines will automatically be reverted to the State.

Site visits to assess the progress of the project and the quality of performance may also be conducted at any point during the project period and time of performance at the request of the PRCP.

Should additional funding become available, and the Contractor has performed at an exceptional level under the terms of the original Contract, the Scope of Work may be modified and the Contract extended, upon mutual agreement.

#### **4.11 Record Keeping**

The Contractor and any subcontractors shall retain documents and records that relate to the Contract and any cost or pricing data for three (3) years from the date of final payment under the Contract.

#### **4.12 Invoicing and Payment**

Reimbursement for services under this Contract is subject to the receipt of federal funds from the EPA under Section 319(h) of the Clean Water Act, and subject to allotments made by the State Director of Finance pursuant to Chapter 37, HRS. Invoices and payment schedules will be outlined in the Contract.









Payment is usually conducted based on a reimbursement basis; however the State may allow the Contractor to request an initial advance payment as determined by the State. All submitted invoices must be certified as an original by the Contractor and contain expenditures incurred for the performance of services and/or purchase of goods for the invoiced period and contain an original signature in blue ink. Reimbursement of invoiced expenditures shall be withheld by the State if Quarterly Status Reports (QSRs) and other Contract deliverables are not current or if documents are not submitted in the required format as provided by the State under the Contract.




Final invoices shall be submitted within forty-five (45) days of project completion and accompanied by a tax clearance document current within two (2) months. Alternatively, a current Certificate of Vendor Compliance from HCE shall be a sufficient substitution for the tax clearance document. For non-governmental agencies, final payment requests shall be accompanied by a Certification of Compliance for Final Payment (see the State SPO website, Forms for Vendors, Form 22). The State may withhold five percent (5%) of the total awarded Contract amount until final settlement and the State deems that the Contractor has satisfactorily completed all services of the Contract.

#### **4.13 Reporting**

QSRs are required and shall be submitted to the PRCP on or before January 15<sup>th</sup>, April 15<sup>th</sup>, July 15<sup>th</sup>, and October 15<sup>th</sup> following receipt of the State's NTP until submittal of the draft Final Report. The QSR should contain information concerning the status of all project activities during the report period, any procedures used to evaluate progress, challenges, description of financial obligations, photographs, description of any significant findings, results, and conclusions, and any other information that the Contractor feels demonstrates progress on awarded proposal activities. One double-sided hard copy of the QSR shall be submitted in the format provided to the Contractor by the PRCP.

The Final Report shall be inclusive of project activities and performance of work conducted during the Contract period, be accompanied by a signed cover letter stating that all work has been completed and the Contract finalized. The PRCP shall provide the Contractor with the Final Report format and requested information as part of the Contract. The Final Report must reference and link to all activities and budget of the awarded proposal. QSRs submitted cannot be substituted for the Final Report. At a minimum, information shall include:

-  A summary of what work was completed;
-  Project results achieved (include quantifiable results, when possible);
-  An evaluation of the success or failure of the project related to meeting the awarded proposal objectives (i.e., what worked, what did not work, what would be changed if revisiting the project);
-  A final expenditure report detailing how funds were spent;
-  Photos (i.e., before and after);
-  Maps (i.e., location of Best Management Practice (BMP) installation, water quality monitoring stations, etc.);
-  An accounting of acquired matching funds (amount and source);
-  Recommendations for future projects to continue and enhance the work accomplished;

-  Sharing of lessons learned or best practices developed;
-  Final product produced (if the award was used for tangible products such as the use of BMPs, development of a watershed-based plan, creation of educational materials, collection of Geographic Information System (GIS) data);
-  And any other information the contractor feels pertinent to include in a Final Report.

Failure to submit the Final Report on time may result in forfeiture of final payment. The State reserves the right to determine the validity and appropriateness of the Final Report submitted. The Final Report must be marked as “Final” and submitted as both an electronic copy and a minimum of four (4) hard copies to the PRCP, accompanied by a cover letter. Failure to meet the requirements and deadline dates of any of the reports (excluding causes out of contractor control) may also be used in evaluation of future submitted proposals for this grant program.

#### **4.14 Information Use and Deliverables**

Information submitted may be used for other purposes (i.e., reports to the EPA and/or the State legislature, CWB and/or EPA websites featuring projects, etc.). Confidential information included in proposals or reports shall be marked “Confidential” to prevent disclosure and shall not be disclosed. Additionally, all photos submitted for the grant shall become the property of the DOH. Work product funded by the grant program (i.e., water quality monitoring data, GIS information collected, outreach materials produced, educational workshops developed, new technology tools or methods created, etc.) shall be made available for use by the DOH, should the DOH request such product.

Attachment 1  
**TRANSMITTAL LETTER**  
**RFP No. CWB-PRC 11-01**

State of Hawaii  
Department of Health  
Clean Water Branch  
919 Ala Moana Boulevard, Room 301  
Honolulu, Hawaii 96814

Dear Sir:

The undersigned has carefully read and understands the terms and conditions specified in Request for Proposals No. CWB-PRC 11-01 and in the General Conditions (Form AG-008 Rev. 4/9/09), included by reference and made a part hereof and available upon request, and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof.

It is understood and agreed that the State of Hawaii (State) reserves the right to accept or reject any or all proposals, and to waive any defect in any proposal when in the opinion of the State such rejection or waiver will be in the best interest of the State.

By submitting this proposal, the Applicant understands and agrees that:

1. The Applicant shall be responsible for meeting and complying with the terms and conditions in the RFP;
2. The Applicant is submitting the RFP in good faith for the completion of the work for which the award may be made;
3. The Applicant certifies that the application is true and correct to the best of their knowledge;
4. Should a Best and Final Offer be necessary, this transmittal letter will also apply to the best and final offer proposal submitted.

Sincerely,

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Applicant Signature and Date

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Print Name and Title

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Name of Organization, Agency, or Entity

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Contact information (Including Phone, Fax, Email, and Mailing Address)

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Contact information (Cont.)

## Attachment 2 Project Budget

Department of Health

No.	Item	Total Number Of Hours/Trips/Units	Hourly Rate/ Unit Cost	Grant Funds	Match Funds	Total
<b>A. Personnel Services</b>						
	Project Manager	_____	\$____/hr	\$_____	\$_____	\$_____
	Project Assistant	_____	\$____/hr	\$_____	\$_____	\$_____
	Part-Time Workers	_____	\$____/hr	\$_____	\$_____	\$_____
	Volunteers	_____	\$____/hr	\$_____	\$_____	\$_____
	Fringe Benefits	_____	\$____/hr	\$_____	\$_____	\$_____
<b>B. Travel</b>						
	Airfare (inter-island)	___ round trips	\$____/round trip	\$_____	\$_____	\$_____
	Car Mileage	_____ miles	\$____/mile	\$_____	\$_____	\$_____
	Car Rental	—	\$____/rental	\$_____	\$_____	\$_____
	Per Diem	—	\$____/trip	\$_____	\$_____	\$_____
<b>C. Operating Expenses</b>						
	Office Supplies	12 months	\$____/month	\$_____	\$_____	\$_____
	Postage	12 months	\$____/month	\$_____	\$_____	\$_____
	Printing	12 months	\$____/month	\$_____	\$_____	\$_____
	Utilities	12 months	\$____/month	\$_____	\$_____	\$_____
<b>D. Equipment</b>						
		_____ hours	\$____/hr	\$_____	\$_____	\$_____
<b>E. Professional Services</b>						
		_____ hours	\$____hr	\$_____	\$_____	\$_____
<b>F. Construction Materials, Supplies</b>						
		___ Feet	Bulk	\$_____	\$_____	\$_____
		___ each	\$____	\$_____	\$_____	\$_____
<b>G. Other Misc. Expenses</b>						
	Insurance	1 year	\$_____	\$_____	\$_____	\$_____
<b>TOTAL</b>				\$_____	\$_____	\$_____

Attachment 3  
**Project Timeline**

The CONTRACTOR shall accomplish the following activities within the timeline indicated from the date on the State's NTP.

Timeline:	Activity:
NTP + __ month	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit or Conduct
NTP + __ months	Submit Draft Final Report
NTP + __ months	Submit Final Report

Attachment 4

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary  
Exclusion B Lower Tier Covered Transactions**

This certification is required by the regulations implementing Executive Order 12549, Debarment Suspension, 7 CFR Part 3017, Section 3017.510: Participant's Responsibilities. The regulations were published as Part IV of the January 30, 1989, Federal Register (Pages 4722-4733).

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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Organization Name

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Name and Title of Authorized  
Representative

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Signature

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Date

### **Instruction for Certification**

1. By signing and submitting this form, the prospective lower tier participant is providing the certification set out on the reverse side in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this form that should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion B Lower Tier covered Transactions,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

Attachment 4 (Continued)

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
  
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

## Attachment 5

### **Certification Regarding Drug-Free Workplace Requirements**

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below. This certification is required by regulations implementing the Drug-Free Workplace Act of 1988, 45 CFR Part 76, Subpart F, published in the May 25, 1990 Federal Register, that require grantees to certify in maintaining a drug-free workplace.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violated the requirements of the Drug-Free Workplace Act, the agency in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplace under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantees' drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or state highway department while in operation, state employees in each Local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see Paragraph 5).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. S12) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Attachment 5 (Continued)

Conviction means a finding of guilt (including a plea of not guilty) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or Non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (a) All direct charge employees; (b) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (c) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantees' payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantees' payroll; or employees of subrecipients or subcontractors in covered workplaces).

Alternate I (Grantees Other Than Individuals)

1. The grantee certifies that it will or will continue to provide a drug-free workplace by:
  - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantees' workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - b. Establishing an ongoing drug-free awareness program to inform employees about:
    - i. The dangers of drug abuse in the workplace;
    - ii. The grantees policy of maintaining a drug-free workplace;
    - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
    - iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by Paragraph a.;

Attachment 5 (Continued)

- d. Notifying the employee in the statement required by Paragraph a. that, as a condition of employment under the grant, the employee will:
  - i. Abide by the terms of the statement; and
  - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- e. Notifying the agency in writing, within ten calendar days after receiving notice under Paragraph d.ii. from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- f. Taking one of the following actions, within 30 calendar days of receiving notice under Paragraph d.ii., with respect to any employee who is so convicted:
  - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
  - iii. Making a good faith effort to continue to maintain a drug-free workplace through implementation of Paragraphs a, b, c, d, e, and f.

2. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, country, state, zip code)

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Check [ ] if there are workplaces on file that are not identified here.

Attachment 5 (Continued)

Alternate II (Grantees Who Are Individuals)

1. The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
  
2. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

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Organization Name

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Name and Title of Authorized Representative

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Signature

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Date

**Certification Regarding Lobbying**  
**Certification for Contracts, Grants, Loans, and Cooperative Agreements**

The undersigned certifies, to the best of his or her knowledge and belief, that:

No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress. In connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for 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 in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tier (including subcontractors, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$100,000 for each such failure.

**Statement for Loan Guarantees and Loan Insurance**

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Attachment 6 (Continued)

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

_____ Organization Name	_____ Name and Title of Authorized Representative
_____ Signature	_____ Date

**Certification Regarding Environmental Tobacco Smoke**

Public Law 103-227, Part C – Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan or loan guarantee. The law does not apply to children’s services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and/or the imposition of an administrative compliance order on the responsible entity.

By signing and submitting this document the applicant/grantee certifies that it will comply with the requirements of the Act. The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which subgrantees shall certify accordingly.

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Organization Name

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Name and Title of Authorized Representative

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Signature

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Date

## Project Efforts and Anticipated Outcomes


In order to achieve water quality improvements, it is important to consider the outcomes of the proposed project in the planning phase. The anticipated outcomes should be used to determine and guide project efforts and provide a means for measuring success. There should be sufficient detail included in the proposal to determine if these outcomes can be achieved (i.e., water quality monitoring plan, actual water quality or management measure efficiency monitoring tasks, educational efforts coupled with an evaluation component, etc.) and appropriate milestones to document short, middle, and long term progress. The following list of expected outcomes should be considered to evaluate project implementation and be included in project proposals, as appropriate:

-  Water quality improvements (quantified with monitoring information);
-  Pollutant load reductions anticipated as a result of full project implementation;
-  Habitat improvements (enhancement or restoration); and
-  Behavior changes or actions taken (produced as a part of educational and/or training efforts).



### Examples of ***water quality improvements***:

-  Water quality standards for a specific pollutant or all pollutants are being met or progress towards meeting standards are documented based on monitoring trends;
-  Reduction in the number of beach postings due to elevated bacteria counts;
-  Improvement in water clarity (turbidity and/or total suspended solids measurements);
-  Improvement in the event mean concentration of pollutants associated with stormflow water quality sampling; and/or
-  Pollutant reductions (determined using pre- and post-project monitoring, modeling, and/or other evaluation methods).

### Examples of estimates of ***pollutant load reductions***:




-  Reduction in concentration or total loadings of priority pollutants (i.e., nitrogen, phosphorus, sediment/total suspended solids (TSS), trash, etc.) as a result of implementing plan recommendations (measured in pounds per year or concentration (milligrams per liter)).

### Examples of ***habitat improvements***:

-  Area of habitat restored and/or enhanced (linear feet of stream or riparian corridor restored and/or replanted; acres of invasive plant species removed and natives planted; acres of wetlands restored and/or enhanced, etc.); and/or
-  Habitat quality (as defined by the NRCS), Hawaii Visual Stream Assessment, wetland habitat assessment, and/or species counts).

## Appendix 1 (Continued)

### Examples of **behavior changes**:

-  Did this project change behavior in a way that is expected to improve or maintain water quality? (i.e., the number or percentage of people implementing appropriate practices in a targeted priority area);
-  Did the project establish provisions to maintain behavior change beyond the project's timeframe? (i.e., has funding been secured to support efforts beyond project timeframe, availability of continued support from "implementation" stakeholders, monitoring continued after project completed, ordinances in place, decrease in amount of trash collected over time (i.e., less discarded) from community/beach clean ups?); and/or
-  Was behavior change being maintained beyond an initial project? (i.e., were installed structural and/or nonstructural practices maintained and continued; is the watershed plan current through adaptive management feedback; are additional BMPs being installed, based on watershed plan?).

## Appendix 2

### General Guidelines Associated with Common Tasks and Activities

To help prepare proposals, we have provided some general guidelines for common project tasks or activities. This list of potential tasks or activities is not intended to be complete and an appropriate scope of work may require efforts beyond those outlined here. If your project includes these tasks or activities, be sure to include the required information for each task or activity within the scope of work.

#### **Best Management Practices (BMPs):**

A BMP is a practice, or combination of practices, that are effective and practicable for controlling nonpoint source pollutants at levels compatible with environmental goals. (See <http://www.epa.gov/owow/nps/MMGI/> or the Natural Resources Conservation Service (NRCS) electronic Field Office Technical Guide at [http://efotg.nrcs.usda.gov/efotg\\_locator.aspx?map=HI](http://efotg.nrcs.usda.gov/efotg_locator.aspx?map=HI)).

Within the scope of work, include a description of the BMPs to be installed, a description of the type and extent of nonpoint source pollution reduction anticipated from the installation of the BMPs, a timeframe for BMP planning, design and installation, how BMP effectiveness will be monitored, and the life expectancy of the BMPs. The general location of BMP installation should be included in the proposal's scope of work and the specific coordinates (latitude and longitude) will be required upon actual BMP installation. ***It is critical that appropriate access or permits for BMP installation be considered and addressed prior to submission of the proposal. DOH will not provide guidance, nor be held accountable for, this responsibility of the Contractor.*** Any permit requirements or appropriate partners should also be considered in development of the timeframe mentioned above.

If installing BMPs, the Contractor shall work with appropriate entities to insure that appropriate BMPs are selected and installed correctly. The United States Department of Agriculture (USDA), the NRCS, the local Soil and Water Conservation District(s), the University of Hawaii's Cooperative Extension Service, and/or other agencies and organizations should be consulted, as appropriate, for technical assistance with BMP planning and design. The Contractor shall submit to the DOH, two (2) months prior to the start of any construction activities, construction plans, job sheets, construction schedules, and operation and maintenance (O&M) plans. The DOH shall have one (1) month to comment on the information submitted. The DOH's comments shall be incorporated into the final documents prior to the work commencing.

A copy of the as-built drawings (drawings that show the actual locations and construction details of BMPs installed), if applicable, shall be included in the Final Report. Photo documentation of BMP installation, etc. should be included in the Final Report. Upon completion of BMP installation, the Contractor shall notify the DOH and a joint site visit may be scheduled. The Contractor shall document the load reductions, habitat and/or water quality improvements achieved as a result of BMP installation.

## Appendix 2 (Continued)

### **O&M Plans:**

An O&M Plan is important to ensure that physical measures installed will function as intended for their expected lifetime and potentially extend the functional life of the measure installed. The O&M Plan shall include both short- and long-term information on the operation and maintenance of each BMP installed. Operational information shall include the administration, management, and performance of non-maintenance actions needed to keep the completed installation safe and functioning as planned. For physical measures, the life expectancy shall be a minimum of ten (10) years unless a lesser period of time is determined to be appropriate for the type and purpose of the measure installed using the NRCS or other appropriate Federal, State, or local standards.

A draft O&M Plan shall be submitted to the DOH one (1) month prior to the installation of any physical measures covered by the Plan. The DOH shall have one (1) month to comment on the information submitted. Where possible, the DOH's comments shall be incorporated into the final O&M Plan. Final O&M Plans shall be submitted with construction plan submittals and with the Final Report.

### **Project Sampling and Analysis Plan for Monitoring Activities:**

The DOH seeks to fund projects that can document positive environmental and behavioral results, and improvements in water quality. The DOH requires that all projects include comprehensive monitoring activities sufficient for obtaining baseline data and for evaluating the project's environmental impacts, behavioral changes, and overall effectiveness.

Within the scope of work, provide a description of monitoring activities to be performed and the quantifiable environmental result(s) to be obtained for each activity. The Monitoring Plan could consist of both traditional water quality monitoring as well as evaluation of information and educational efforts. If a sampling and analysis plan is not available one should be developed to detail the monitoring required to document load reductions and habitat and/or water quality improvements achieved during the course of the project. This should include appropriate data quality objectives, sampling rationale, field sampling and procedures, sample documentation, and quality control information (see [http://www.epa.gov/owow/monitoring/volunteer/qapp/vol\\_qapp.pdf](http://www.epa.gov/owow/monitoring/volunteer/qapp/vol_qapp.pdf) for additional information). Evaluation of information and education project components may include several efforts, such as an increase in nonpoint source pollution awareness or other quantifiable behavior change related to water quality improvement.

The specific sampling and analysis plan requirements and format will be determined and provided by the DOH and be dependent upon each respective project. The sampling and analysis plan should be submitted during the first quarter of the project period. The DOH shall have one (1) month from receipt of the draft Monitoring Plan to review and provide comments to the Contractor. The DOH's comments shall be incorporated into the final sampling and analysis plan and must be submitted to the DOH within one (1) month from receipt of the DOH's comments. **No monitoring, sampling, or implementation activities are to be started without prior approval of the Monitoring Plan by the DOH.**

## Appendix 2 (Continued)

### **Assessment Protocols:**

The DOH recommends that projects involving stream assessments, stream water quality monitoring, stream restoration, and/or the installation of stream BMPs include the use of the NRCS Hawaii Stream Visual Assessment Protocol ([http://www.hi.nrcs.usda.gov/technical/water\\_quality.html](http://www.hi.nrcs.usda.gov/technical/water_quality.html)). The Protocol can, at a minimum, assist in obtaining baseline conditions for the stream or streams impacted by the project. Additional monitoring elements (i.e., water quality monitoring) should also be included, as appropriate.

### **Public Outreach, Education and Participation Activities:**

All projects should require a level of public information, education, technical information transfer, and/or participation activities.

At a minimum, Contractors shall be required to draft and submit two press releases to the local newspaper(s), one at the project's beginning and one at completion.

Examples of public information, education, and participation activities may include, but are not limited to: public meetings, public outreach participation, displays, field demonstration days, written brochures, project sponsored clean-ups or restorations, handouts, providing instructional resource materials to schools, oral presentations, newspaper articles and/or press releases, videos, websites, and volunteer citizen participation, etc.

For each public information, education, and participation activity, a description of the activity should be included, its purpose, who will be invited to attend, advertising, location, publications or public information materials to be distributed, target audience, timing, desired outcome, what deliverables will be submitted to the DOH preceding and/or following each activity, and how each activity will be monitored and/or assessed. All projects shall include the acknowledgment that the EPA and the DOH funded the project.