

**U.S. Department of the Interior  
National Park Service**

**Financial Assistance  
Notice of Funding Opportunity (NOFO)**



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## Section A. Program Description

**Federal Awarding Agency Name:** U.S. Department of the Interior, National Park Service

**Funding Opportunity Title:** Outdoor Recreation Legacy Partnership Program – 4<sup>th</sup> Round

**Funding Opportunity Number:** P20AS00029

**Catalog of Federal Domestic Assistance Number:** 15.916, Outdoor Recreation--Acquisition, Development, and Planning

**Legislative Authority:** Land and Water Conservation Fund Act, as amended (P.L. 88-578, codified at [54 U.S.C. 2003](#) et. seq.); Consolidated Appropriations Act, 2014 ([P.L. 113-76](#))

**Federal Regulations:** [2 C.F.R. Part 200](#), [2 C.F.R. Part 1402](#), [36 C.F.R. Part 59](#)

### *Program Background and Objectives*

This Notice of Funding Opportunity (NOFO) is to advise states, local units of government, and federally-recognized Indian Tribes of the availability of funds for grants from the Land and Water Conservation Fund's (LWCF) Outdoor Recreation Legacy Partnership (ORLP) Program. The purpose of the LWCF ORLP is to provide grants to acquire and/or develop public lands for outdoor recreation purposes consistent with the purposes of the LWCF, but with the further specific goals of funding projects that:

- Are located within or serve jurisdictions of 50,000 people or more and designated as "Urbanized Areas" by the Census Bureau from the 2010 Census
- Are located in or are directly accessible to neighborhoods or communities that are underserved\* in terms of parks and recreation resources and where there are significant populations of people who are economically disadvantaged.

\* For the purposes of this competition, "underserved communities" are those with: (1) no existing parks; (2) some existing parks but not enough to support the size of the population of the service area or otherwise able to satisfy existing recreational demand; or (3) some existing parks (potentially even an adequate number of parks) that are so deteriorated/obsolete or underdeveloped that a major redevelopment or rehabilitation would significantly increase the number of people who could be served and/or significantly increase the types of recreational opportunities that would be provided (in a way that could be equated to the impact of a new park).

Background on LWCF: The LWCF State and Local Assistance Program was created by the Congress in 1964 to assist in preserving, developing and assuring accessibility to present and future generations of U.S. citizens and visitors "such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States...." This is accomplished in part by authorizing and providing grants to states, and through states to local units of government and federally-recognized Indian tribes, for projects that will provide outdoor recreation opportunities to the public through the acquisition of lands and waters for parks and other outdoor recreation areas, as well as through the development of new or renovation of existing outdoor recreation facilities.

Acquisition of land may be in fee simple or a lesser interest (e.g., a perpetual easement) if sufficient rights, including the right for the public to access and recreate on the site, would be provided. On the development side, LWCF assistance is available for a wide range of outdoor recreation uses and the facilities needed to support the use and enjoyment of these areas. These include community parks, sports fields, picnic areas, water-based recreation facilities such as swimming pools, trails, campgrounds, etc. Certain kinds of support facilities, such as restrooms, may also be eligible. To be eligible for either an acquisition or a development grant, the project must involve publicly-owned land and the project sponsor must possess sufficient legal title and control of the property to ensure that it can be managed and maintained for outdoor recreation in perpetuity and otherwise remain compliant with the conversion provisions of the LWCF Act (see [54 U.S.C. 200305\(f\)\(3\)](#)). Outdoor recreation areas and facilities assisted by the LWCF must be open to the general public and not limited to special groups. Chapter 3 of the [LWCF Manual](#) describes project eligibility requirements in detail.

The LWCF State and Local Assistance program is operated by the National Park Service (NPS) in partnership with designated lead agencies in each of the 50 states as well as American Samoa, the District of Columbia, Guam, Northern Marianas Islands, Puerto Rico, and the Virgin Islands. Each fiscal year Congress appropriates money from the LWCF for this program, which is then allocated to the states based on a legislative formula.

To be eligible for LWCF grants, states must maintain an approved Statewide Comprehensive Outdoor Recreation Plan (SCORP), which must be updated at least once every five years. Among other things, SCORPs are used to assess the supply and demand for outdoor recreation resources and set priorities for the use of LWCF funds.

Background on the LWCF ORLP Program: In [P.L. 113-76](#), Consolidated Appropriations Act, 2014, Congress appropriated a supplemental amount from the LWCF (\$3 million) designated for a new nationally competitive grant program to be developed by the NPS. The NPS created the LWCF ORLP in response. The Program operates within the context of the traditional LWCF Program but focuses on projects that will benefit *urban areas*. Congress has continued to provide funding for the ORLP in subsequent fiscal years.

Similar to previous ORLP competitions, this competition is targeting projects that will create or reinvigorate parks and other outdoor recreation spaces located in Census-delineated Urbanized Areas. (Note that American Samoa, Guam, the Northern Marianas Islands, and the U.S. Virgin Islands do not have any such areas.) Further, the competition will prioritize the selection of projects that will directly connect people to outdoor places, particularly in communities that are underserved\* in terms of parks and other outdoor recreation areas and have significant numbers of individuals who are economically disadvantaged; create short-term and/or permanent jobs; help stimulate local economic development; engage and empower members of the affected community in the development of the project; create or expand public-private partnerships, particularly to provide for the leveraging of resources; and rely on a high degree of coordination among the public, multiple levels of government, and the private sector, to improve recreation opportunities for all. In addition to the competition objectives, selected projects must advance goals of or otherwise meet priority recreation needs identified in their state's SCORP.

### ***In Perpetuity Requirement***

All prospective LWCF ORLP grant applicants should be aware that the LWCF Act requires that the any park or other outdoor recreation area that has benefitted from assistance from the LWCF, whether for acquisition or development purposes, and regardless of the amount or extent of assistance, may not be converted to other than public outdoor recreation uses (*see* Section 5(f) of P.L. 88-578 or [54 U.S.C. 200305\(f\)\(3\)](#)). As a condition of the grant, the NPS requires that language be recorded against the deed of the assisted park/recreation property advising that the property was acquired and/or developed with Federal funds from the LWCF. Further, that the property must be preserved for outdoor recreation uses in perpetuity and cannot be converted to other than public outdoor recreation use without the written approval of the Secretary of the Interior. This approval is contingent upon the conversion being found consistent with the state's SCORP and the project sponsor replacing the area to be converted with a *new* recreation area involving land of at least equal fair market value and reasonably equivalent recreational utility. Before seeking an LWCF grant, project sponsors should carefully consider their ability and willingness to comply with this provision of the law.

The requirement is applied to the assisted park or other recreation area *as a whole*. Exceptions for boundaries that would apply to a lesser unit of a park will be considered only if the unit is a stand-alone (i.e., its borders do not include other areas of the park), self-sustaining (i.e., it does not rely on adjoining park area for access, utilities, support facilities, etc.) recreation area. The state and the NPS must agree to any boundary that does not comprise the whole park, and the NPS may eliminate from consideration proposals that are not consistent with this policy. We recommend that prospective applicants who wish to propose a project with a boundary that would not include the whole park contact the national program office for a determination on whether the boundary would be accepted, so as not to waste time preparing an application that will not be considered or prevent a more viable application from being put forward by the state.

The [LWCF Grant Assistance Manual](#), v. 69 (October 1, 2008) currently establishes the eligibility, procedural, and programmatic requirements for LWCF grants, including ORLP grants. The Manual can be found at [https://www.nps.gov/subjects/lwcf/upload/lwcf\\_manual.pdf](https://www.nps.gov/subjects/lwcf/upload/lwcf_manual.pdf). It outlines the criteria and process for eligible states and territories to develop a SCORP, nominate projects to the NPS, and implement grants for selected projects. ORLP projects must be implemented in accordance with the Manual, as well as the NPS Grant Agreement terms and conditions, and OMB requirements at [2 C.F.R. 200](#).

### ***Secretary of the Interior Priorities***

This program supports key initiatives of the Secretary of the Interior, principally “providing access to outdoor recreation opportunities.” This is the entire purpose of this program. The program also supports the “creating jobs in the American economy” initiative, and, although referring to state and locally-owned lands versus Federal, the Secretary's Top 10 priority, “Shift the balance towards providing greater public access to public lands over restrictions to access.”

## Section B. Federal Award Information

**Anticipated Federal Funding:** This fourth round of the ORLP will make available up to \$40 million appropriated by Congress in FY18 and FY19, plus unused funds from prior years, if any.

**Estimated Number of Agreements to be Awarded:** The NPS estimates that at least 40 proposals will be preliminarily selected and invited to develop and submit a final application for funding.

**Estimated Amount of Funding Available per Award:** Project sponsors must request a minimum of \$300,000 and may request up to a maximum of \$1,000,000.

**Anticipated Start Date:** The NPS is targeting December 31, 2020, for the initial selection of projects based on the proposals. Following this selection, project sponsors will work with their state's lead agency to prepare a complete and final application. There is not a fixed window for this to happen, but ideally would be within a few months to a year. For the purposes of the competition, sponsors should use a grant start date of March 1, 2021.

**Anticipated Term of the Agreement:** The period of performance for LWCF grants is typically two to three years, so for example, the initial term might be March 1, 2021 to March 30, 2024. Projects will be evaluated in part for their readiness (i.e., can break ground within one year of grant award) and likelihood of completion within the stipulated period of performance. Agreements are not effective until executed with signature from an NPS Financial Assistance Awarding Officer (FAAO). Project proposals should include a timeline with discrete benchmarks for completing the project within the initial period of performance. The NPS has the authority to extend awards (for a maximum of five years) if circumstances warrant, such as unforeseen problems that would prevent the project from being completed within the original award period. In order to qualify for an extension, grant recipients must be in good standing (i.e., up-to-date on all progress and financial reports), have demonstrated progress during the initial award period, and have a revised program plan that supports the claim that additional time is likely to result in successful completion of the project.

**Type of Agreement:** LWCF awards are given as grants. A Grant is a legal instrument of financial assistance between the National Park Service and a non-Federal entity that, consistent with 31 U.S.C. [6302](#), [6304](#):

(1) Is used to enter into a relationship the principal purpose of which is to transfer anything of value from the Federal awarding agency to the non-Federal entity to carry out a public purpose authorized by a law of the United States (see [31 U.S.C. 6101\(3\)](#)); and not to acquire property or services for the Federal awarding agency's direct benefit or use; and

(2) Is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

No substantial involvement on the part of the National Park Service is anticipated for LWCF grants.

**Other Information:** Recipients of an existing ORLP grant may apply for one additional grant to supplement the existing ORLP project or another project at the same park. A recipient who has been awarded an ORLP grant for a project may also be allowed to submit an application for a new ORLP project at a different park. However, either scenario is contingent on each state's open project selection process. For example, some states do not permit a sponsor to apply for additional funding when they have a currently active grant. You should contact your state's lead agency for information about that (<https://www.nps.gov/subjects/lwcf/contact-list.htm>). Finally, in the interest of ensuring a wide distribution of LWCF-ORLP funds and addressing the needs of communities that are under-served due in part to financial constraints, parks that are currently receiving or have recently received LWCF formula grant funds may not apply for an ORLP grant at the same park, even if the scope of the project is different.

## Section C. Eligibility Information

### *Eligible Applicants*

In accordance with [54 U.S.C. 200305\(a\)](#), each state has a lead agency designated by the State's Governor or by state legislation for the purposes of implementing LWCF in that state, and only the lead agencies can be applicants for LWCF grants. Therefore, only the state lead agencies are eligible to submit applications for LWCF ORLP grants, although they may do so on behalf of themselves or another entity via a sub-grant. For the purposes of this competition, reference to "states" includes only the 50 U.S. States plus the District of Columbia and Puerto Rico (American Samoa, Guam, Northern Marianas, and the U.S. Virgin Islands, although eligible for LWCF grants generally, do not have any Census-designated Urbanized Areas). Eligible sub-recipients include other state agencies, local units of government (state political subdivisions such as cities, counties, and special purpose districts such as park districts), and federally-recognized Indian Tribes. Further, for a project to be eligible the sub-recipient (project sponsor) must:

- Represent a jurisdiction of at least 50,000 people\*, AND
- Be situated within [the geographic boundary](#) of one of the 497 urbanized areas delineated by the Census Bureau.
- If the project sponsor is a state agency or a county, the project must serve an urbanized area jurisdiction as described above.

\* There is a limited exception to the population threshold for a couple of states whose only designated urbanized area is mainly comprised of a jurisdiction that does not have 50,000 people by itself. Prospective applicants should consult with their state lead agency and/or the NPS contacts to determine whether they fall in this excepted group or if they are otherwise not sure of their eligibility. Further, the project itself should also be physically located within or contiguous to the boundaries of one of the 497 urbanized areas. If the project site does not lie within an urbanized area boundary, the proposal must address this and explain how the project will still serve the target populations, recognizing that access and proximity factor in the scoring criteria.

A list of the 497 urbanized areas was published in the Federal Register on March 27, 2012 (77 Fed. Reg. 18652-18669). The Census Bureau has published maps delineating each urbanized area, which can be found at <https://www.census.gov/geographies/reference-maps/2010/geo/2010-census-urban-areas.html>.

Applications submitted directly to the NPS by entities other than the state lead agency will automatically be rejected without consideration. Individuals, nonprofit organizations, and other private entities are not eligible as applicants or sub-recipients.

### *Cost Sharing or Matching*

In accordance with the LWCF Act ([54 U.S.C. 200305\(c\)](#)), ORLP grant projects must be cost-shared with non-federal funds at a minimum ratio of 1:1. Matching funds may be derived from state, local, non-governmental, or private sources in the form of cash or in-kind contributions of land, services, materials, etc. Projects with contributions of cash or land from non-public sources will score more highly than other match types and sources. Further information about eligible

costs, sources of match, and other cost-sharing requirements can be found in Chapter 5 of the [LWCF Manual](#) as well as at [2 C.F.R. 200.306](#). The scoring criteria also favor projects that involve partnerships among the public, private, and non-profit sectors that result in the leveraging of resources (e.g., money, donations of land, supplies, services, etc.) and the extent of that leverage that allows the *LWCF-eligible* costs included in the project budget to exceed the 1:1 match required by the LWCF Act. In other words, projects whose budgets involve matching the LWCF funds at the 1:1 level, where 100% of the match is provided by the sponsor, although eligible, will receive no points in the budget category, which will make the proposal less competitive and possibly less likely to score high enough to be funded.

The following costs may not be counted toward the non-Federal matching share (not inclusive):

- Any project costs incurred before the grant start date, unless they are an eligible pre-award cost as defined in the [LWCF Manual](#) or unless the sponsor gets prior approval from the state lead agency and the NPS (i.e., waiver of retroactivity).
- Any funds or in-kind contributions such as land or services that have been used previously or will be used in the future to satisfy the matching requirements of another LWCF grant or other Federal grant.
- Any funds or in-kind contributions such as lands or services that were or will be acquired with other Federal funds, unless otherwise provided by Federal law.

Funding that originated from Federal sources or the value of land or services acquired with Federal funds may not be used as non-Federal match unless their enabling legislation authorizes that treatment. The best-known examples are HUD's Community Development Block Grants and DOT-FHWA's Recreation Trails Program, but there may be others (project sponsors should be prepared to show supporting documentation if seeking to use Federal funds from other sources as match). Other than this exception, in accordance with [54 U.S.C. 200305\(f\)\(1\)](#) projects seeking LWCF ORLP grants may not include funds from other Federal sources, including LWCF formula funds, in the project's budget, even if all programs' match requirements are met. *Projects whose budgets contain other federal funds aside from as described above will be eliminated from the competition without consideration.*

Prospective applicants should note limitations on certain kinds of costs, whether proposed for the grant, as match, or as overmatch, including those related to project management/administration, contingencies, and design/engineering fees. This is described further in the Budget Narrative component of Section of D.2 of this NOFO. Further, project sponsors should be aware that the LWCF Act specifically excludes acquisition support costs from eligibility (see [54 U.S.C. 200305\(e\)\(2\)\(A\)](#)) so such costs should not be proposed to be part of the ORLP grant share or to meet the match share within the 1:1 level. *Such ineligible costs will be removed from the proposal and the award reduced if selected for funding.*

### ***Eligibility and Process***

The process for a project sponsor to seek an LWCF ORLP grant will begin at the state level. Each state's lead agency for LWCF will be allowed to nominate up to four projects to the NPS for consideration in the national competition. The lead agency will be responsible for: further soliciting project proposals from other state agencies, local units of government, and federally-

recognized Indian Tribes; conducting the initial review of proposals for completeness and eligibility requirements; evaluating and prioritizing proposals according to the criteria used for this competition criteria as well as criteria from the State's Open Project Selection Process (OPSP), if applicable; ensuring that proposals are consistent with outdoor recreation priorities outlined in the state's SCORP; and selecting the proposal(s) to be nominated. If a proposal is selected for funding in the national competition, the lead agency will also be responsible for submitting the final application to the NPS. Grants will be awarded to the lead agency, which will be responsible for ensuring that allocated funds are used for the purposes of and in a manner consistent with the LWCF. The lead agency will in turn make a sub-award to the project's sponsor, which must be the public entity that submitted the proposal. Project sponsors interested in seeking a grant must contact the lead agency to get specific details about the state's process for identifying projects for this competition. A list of agency contacts can be found at: <https://www.nps.gov/subjects/lwcf/contact-list.htm>.

If a project is selected, the project cost estimate generally defines the maximum federal share that can be requested, unless the additional amount is nominal, up to the overall ceiling of \$1,000,000. (Note this is a departure in policy from grants awarded under the LWCF formula program, which under some circumstances permit amendments to increase the federal share.) In general, significant changes to the project proposal after the initial selection, whether in terms of the scope of work (such as eliminating or changing proposed scope items) or the budget (such as introducing new costs or revising costs that such that they impact other costs in the budget or scope components), are discouraged as they may materially alter the circumstances under which the project was evaluated and selected. Such changes can lead to the federal share of the grant offer being reduced or the grant offer being withdrawn entirely.

## Section D. Application and Submission Information

### *How to Request an Application Package*

The full NOFO and pre-application materials are available to be accessed and downloaded from the Synopsis page of the announcement in Grants.gov. Copies of individual forms and other application documents can also be found at <https://www.nps.gov/subjects/lwcf/lwcf-forms.htm>. Project sponsors should check with their state's lead agency to determine if the state has any other requirements for submitting proposals at the state level. You may also contact the NPS LWCF-ORLP leads for assistance (see Section G).

### *Content and Form of Application Submission*

For the purposes of the competition, project proposals will be reviewed and evaluated based on a pre-application. The pre-application **must** include all five **Required Elements**, listed in a. to e. below. *Pre-applications submitted without all of the required elements will be eliminated from the competition without consideration.* Project proposals will be scored and ranked on a national basis based on an evaluation of how well the project meets the review and selection criteria for the competition and the general requirements of the LWCF Act. Therefore, it is critical that applicants follow the outline provided below for the narratives to ensure each criterion is addressed. Supplemental Elements, also described below, are not required at this time but will be required with the final application if the project is selected. However, submitting one or more Supplemental Elements with the pre-application may help substantiate the project's "readiness."

Project sponsors should understand that they are submitting pre-applications that are not considered a complete and final application, and that if your project is selected, you will need to update/complete and resubmit the proposal as a final application. Notably, the pre-application does not include important documentation needed to substantiate the project's compliance with environmental and historic/cultural resources laws (i.e., NEPA, NHPA), and such documentation will be required if the project is selected. Further, an offer of grant funding could be withdrawn if development of these documents reveals a previously unknown issue that materially affects the project's eligibility or feasibility of completion. If this occurs, the NPS will move to the next project on the ranked list.

Please also note that the electronic application system (grants.gov) has an overall application size limit of 25mg, above which the application will not be sent to the NPS. Check the file sizes of individual attachments and do not submit extraneous material. Overall, the pre-application should not exceed 40 pages total in length and fewer than 25 is preferred.

### *Required Proposal Elements*

- 1) Letter of recommendation from the state

*The state lead agency should highlight why and how the project was selected, including concurring with or supplementing the sub-applicant's explanation for how the project helps to advance the priorities of the state's SCORP.*

- 2) Standard [forms](#) for federal grant applications, including the Application for Federal Assistance (SF-424) and Budget Information for Construction Programs (SF-424C)
- 3) Project narrative (maximum length: 10 pages) – see format below

*The narrative provides the sponsor the opportunity to describe the purpose of their project and how it meets the objectives of the competition; intended outcomes of the project; and expected benefits (short and long term) and other impacts in terms of improving recreation opportunities that meet an identified recreational deficiency or need for a neighborhood or community. Project sponsors are encouraged to review the descriptions of the 9 (nine) evaluation criteria outlined in Section E to understand how projects will be evaluated and scored. We recommend that the narrative be generally outlined in the order of the criteria (headers are provided below) to ensure that the project (and budget) narratives directly address each criterion.*

- 4) Budget narrative (maximum length: 5 pages, including tables)
- 5) Site maps/plans and exact project location(s)

*The pre-application should include: 1) a neighborhood/community map showing the location of the project and any other existing recreation resources in the vicinity of the project site; 2) a map or aerial photo delineating the project area to be acquired and/or developed, as well as the proposed boundary of the larger park/recreation area that would be subject to the protection provisions of [54 U.S.C. 200305\(f\)\(3\)](#), and 3) a plan or sketch of the site that depicts the likely location of planned recreational improvements and other features such as where the public will access the site, parking, etc.*

### **Project narrative (maximum length: 10 pages)**

**Project Overview:** Provide a brief overview of the project proposal describing the general location and communities to benefit from project activities, type of project (acquisition, development, and/or renovation), overall scope of work, and any other useful information to summarize the proposal.

For acquisition projects: provide a street address sufficient to provide at least a general location for the property, a description of the property, and an explanation of the need for its acquisition. Explain whether the acquisition would create a new public park or recreation area or is to expand an existing site. Describe and quantify the types of resources and features on the property (e.g., 50 acres of forested area, 2,000 feet of waterfront, scenic views, unique or special features, recreation amenities, historic/cultural resources) as well as any constraints (e.g., existing development; hazardous materials/contamination history; and restrictions such as institutional controls, easements, rights-of-way, reversionary interests, above ground/underground utilities; etc.). Describe the plans for developing the property for recreation purposes after acquisition and the timeframe, including when the site is expected to be open and accessible for public use. Describe the current status of the acquisition, including negotiations with the landowner and development of due diligence materials such as title work and appraisal.

For development projects: provide a street address sufficient to provide at least a general location for the property, a description of the planned physical improvements and/or facilities, and the reason(s) such development is needed. Explain whether the work involves new development or rehabilitation or replacement of existing recreation facilities. Describe and quantify the types of resources and features available on the site as well as any constraints. Describe the current status of planning for the development and the timeframe for completing the project, including when the site will be open (or reopened) and accessible for public use.

For “combination” projects (comprising both acquisition and development (including projects where the land acquisition is being used as in-kind match)): provide an overview that combines the acquisition and development elements above.

### **1) Improving physical and recreational access and addressing recreational deficiencies:**

Describe how the proposed project will create or significantly improve access to close-to-home park and recreation opportunities by expanding the quantity or quality of parks or other outdoor recreation areas. This can be through either: creating a new park/outdoor recreational area or significantly enhancing the quality of an existing park/outdoor recreation area by replacing or upgrading infrastructure to be able to provide high priority recreation services. Describe the new or expanded types of outdoor recreation opportunities and/or capacities that will be created as a result of the acquisition and/or development. Describe how the project meets an identified recreational need or deficiency. Describe the activities and uses planned for the project site after acquisition and/or development. Last, describe the anticipated increase in the number of people recreating as a result of the project and how this impact was determined.

### **2) Improving recreation service to economically-disadvantaged neighborhoods/communities and creating jobs and/or spurring economic development:**

Describe how the group targeted by this competition (low to moderate-income individuals or families for whom serious recreation deficiencies exist), will directly benefit from this project. Sponsors are encouraged to include available data/statistics about the local population to be served by the park/recreation area.

Describe the anticipated economic benefits that could be produced by the project, such as short- and long-term employment opportunities, or how the new or revitalized park could stimulate other improvements in the target neighborhood. For example, development projects would be expected to support short-term construction jobs, as well as potentially permanent additional recreation-based jobs due to new or expanded programming that can be supported as a result of the project. Outside of the park, local businesses could benefit due to new or increased numbers of users.

### **3) Project Engagement and Participation:**

Describe the process that led to the development of this proposal. In particular, focus on efforts to engage the public, especially the local community that will be served by the park, and their participation in the project as well as that of other interested/affected entities. Describe any

partnerships or other collaborative efforts, such as with neighborhood groups, community organizations, or private entities that have helped or will help facilitate the project. Also, describe or provide evidence of local support for the project, particularly from local residents.

Supporting details could include how the public was notified of and provided opportunity to be involved in planning for and development of the project; who has been involved (including local, state, and federal agency professionals; subject matter experts; and private organizations) and how were they able to help develop or review the proposal; and formal public participation processes such as meetings, hearings, and comment periods, including dates and length of time provided for the public to participate in the planning process and/or to provide comments.

#### **4) Innovation and Transformative Attributes:**

Describe the extent to which the project encompasses or exhibits innovation, especially in ways that can be transformative for the neighborhood(s) and community in terms of revitalization. These qualities could be related to aspects such as: redevelopment of a blighted or distressed properties; involvement of new or non-traditional partners; unusual features in the project design; employment of novel solutions to issues in/challenges to addressing the community's recreation needs; the ability to affect or advance other complementary and intrinsic benefits beyond providing new or enhancing park or other outdoor recreation spaces; and other similar characteristics.

#### **5) Project's Alignment with SCORP and other applicable plans:**

Describe how the project will advance, implement, or meet a priority recreation need and/or goal of the state's SCORP and if applicable, other relevant park and recreation planning documents. Projects can also receive credit for aligning with or advancing priorities of other comprehensive or master plans at the city, regional, and/or state level such as community revitalization plans, economic development plans, open space plans, etc.; and/or benefitting other initiatives and programs.

#### **6) Project Readiness:**

Describe the status of the planning for the grant project and its readiness to be implemented, including any site assessment or reviews and clearances initiated or completed. Provide a narrative description of the timeline for the planned scope of work and a proposed period of performance, including providing dates for discrete benchmarks of significant work elements that will support the grant project's implementation to completion. Describe the current use (if any) or disposition of the property targeted for the project if uses will need to be discontinued or the site rehabilitated. If there are any existing non-outdoor recreation or other non-public uses that are intended to continue on the property on an interim or permanent basis and/or proposed in the future, these should be explained.

#### **7) Applicant and Partner Capacity:**

Describe the project sponsor's experience in completing other similar park and recreation projects. If partners are or will be involved in the grant project's implementation, their role(s)

should also be described. Describe who holds or will hold title to the property and how the park or recreation area will be managed and maintained to assure permanent use for public outdoor recreation. Describe the funding resources available to support the operation and maintenance. If partners will be involved with long-term management of the property, this should be described. If applicable, the project sponsor's past experience with managing grant funds, particularly from the LWCF or other federal awards, should be characterized.

#### **8) Viability and reasonableness of the project's budget:**

This section should explain how the requested LWCF assistance will be used and how the match requirement will be met, including any costs proposed for overmatch. Break down, describe, and justify the proposed costs, which should clearly correspond to the details of the work activities outlined in the project narrative. Project sponsors are encouraged to provide budget information in both narrative and tabular forms to ensure sufficient detail so the budget can be clearly understood, particularly in terms of what costs are proposed for reimbursement by the LWCF ORLP grant and what costs will be used to satisfy the 1:1 match.

Project sponsors are encouraged to review Chapters 3 and 5 of the [LWCF Manual](#) to ensure understanding about eligible costs. Of note: Land acquisition costs should be based on appraised value or other estimate of fair market value. Be sure to explain the basis for the value estimate. Acquisition-related support costs (e.g., appraisals) are not eligible LWCF expenses or as match. On the development side, for this competition, project management/administration expenses, design/engineering fees, and contingencies may be included in the budget, but they are capped at 5% (administration) and 10% (each, design/engineering and contingencies) of the total budget, respectively. These must be included in the proposed budget and may not be introduced at the final application stage (if applicable). If indirect costs are planned (by the state lead agency) this should be reflected in the budget.

Match contributions can consist of cash, land donation, and in-kind contributions of supplies or services needed to implement the project. Describe the availability or firmness of commitments for funds to meet the 1:1 match and for the full amount of funds needed to complete the project, including any match commitment(s) that exceed the 1:1 requirement. Note that, at a minimum, sufficient funding to meet the 1:1 match requirement must be in hand or firmly committed at the time of application. If the project match exceeds the 1:1 requirement, indicate how the additional funds/in-kind contributions will be used. Overmatch costs needn't necessarily be eligible for LWCF, but more weight will be given for leveraging if they are. Project sponsors should also ensure costs are reasonable and that it's clear why they are being included in the project budget.

As noted in Section C.2, other federal resources may not be used as a match for the LWCF grant unless such treatment is specifically authorized the source's enabling legislation. Project sponsors should be prepared to show supporting documentation if requested. Project sponsors are not permitted to also seek LWCF formula funding to support the project (except as an alternate grant source if not selected for an ORLP grant).

If the LWCF ORLP grant-funded project is part of a larger project, please be sure the LWCF-related components of the budget can be clearly discerned. It can be difficult for reviewers to evaluate and score a budget when it's not clear how the grant funds will be used or what specific costs are being provided as match, and project sponsors risk having the requested federal share reduced if it appears ineligible costs are proposed to be charged to the grant or used as part of the 1:1 match share. Note that the LWCF ORLP and match-funded element(s) of the project must still result in a viable recreation opportunity that is not reliant on other funding even in the context of a larger planned project.

## 9) Partner Support and Leveraging:

Describe the how project is or will be supported by partnerships with the public, private, and/or non-profit sectors specifically through contributions of money, land, supplies, services, etc. In addition to the types of contributions and amounts, be sure to describe the source(s) of the contributions proposed for the match, particularly if they are from non-public partners in the project, and whether they are already available or still being secured.

If applicable, describe how and to what extent the LWCF ORLP grant will play a role in leveraging funding for the project from non-federal public, private, and/or non-profit resources, and if they allow the project budget to exceed the 1:1 match requirement. Projects that leverage the LWCF ORLP grant funds beyond the 1:1 match will be favored, but more points will be awarded when the leverage is comprised of LWCF-eligible costs directly related to the acquisition or construction work versus other kinds of costs that support the project in a larger sense but aren't necessarily needed to support the acquisition or development.

### *Supplemental Proposal Elements*

**Letters of support:** These are not required but may be helpful in terms of substantiating public support for the project, evidence of partnerships, etc. To ensure such letters are considered by the merit panel, *submit them with the application*. Letters sent separately to the NPS are discouraged because they are unlikely to be received in time. Letters arriving after the pre-application deadline will not be provided to the panel.

**Photos:** These are not required but may be helpful to provide context such as current site conditions, the surrounding environment, etc.

The following Supplemental Elements are not required with the pre-application, but if the proposal is selected for funding, they ***will be required*** for review with the final application before grant funds could be awarded. The noted forms are available on the LWCF program [website](#).

- Assurances for Construction Programs (SF-424D)
- Proposal Description and Environmental Screening Form (PD/ESF)
- Description and Notification Form (DNF)
- Pre-award Onsite Inspection Report
- Current approved indirect cost rate agreement (if applicable)
- Copy of an approved waiver of retroactivity (if applicable)

### ***Unique Entity Identifier and System for Award Management (SAM)***

Each applicant (unless exempt under [2 C.F.R. 25.110](#)) is required to:

- a) Be registered in SAM before submitting its application;
- b) Provide a valid unique entity identifier in its application (currently a [Data Universal Number System](#) (DUNS) number);
- c) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. Registration processes for SAM can be found at <https://www.sam.gov>. SAM accounts must be renewed and validated annually.

A financial assistance agreement will not be made with an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements. If an applicant has not fully complied with the requirements by the time that an agreement is ready for award, a determination may be made that the applicant is not qualified to receive a Federal award. That determination may be used as a basis for making a Federal award to another applicant. In addition, in order to submit an application through Grants.gov an applicant must have an active SAM registration and register for submission permissions through the [Grants.gov](#) website. Utilize the following link to guide you through this process:  
<http://www.grants.gov/web/grants/applicants/organization-registration.html>

### ***Submission Date and Time***

Applicants are responsible for their proposals being submitted to the National Park Service. Pre-applications from the state LWCF lead agencies are due to the NPS via Grants.gov by 10pm ET on Friday, July 10, 2020. The LWCF lead agencies may establish earlier deadlines for project sponsors to submit their proposals for review for nomination to the national competition. Applications must be submitted electronically through Grants.gov. Applications sent by facsimile, email, or mail delivery will not be accepted. Applications that are not received by the deadline will not be considered. The NPS will accept pre-applications that: 1) were accepted in Grants.gov by the stipulated time, based on the time/date stamp in Grants.gov and 2) have reached the validated stage, even if they are not forwarded to the DOI's grant management system before the deadline.

You are encouraged to submit the application well before the deadline and not wait until the last minute. The uploading and transfer process can take a while, especially when Grants.gov is getting heavy use. In addition, after the application is submitted it gets validated before it is forwarded to the NPS. Normally this happens within a few minutes to a couple of hours, but it can take Grants.gov up to a day or two to validate or reject an application. You can monitor your application's status by email. You will receive four (4) emails from Grants.gov in the submittal process: the first confirms successful receipt and contains a Grants.gov tracking number; the second confirms that the application has been validated; the third confirms the application was "received" by the agency, and the fourth assigns an NPS tracking number. If you do not get the first email, you should assume the application did not even successfully submit to Grants.gov. If you do not receive all four emails, you should assume the application was not actually forwarded to NPS, notwithstanding the email about receipt, in which case you should let your NPS program officer know. Sometimes there are glitches that prevent actual transmission, for example, applications that exceed 25mg in size do not get forwarded to the DOI system. Most problems

occur at the validation step so you should always check the second email; if there was a problem it should be described in this email. Technical difficulties with application submittal should be directed to the Grants.gov help desk. NPS staff can confirm receipt of submission but cannot resolve issues with Grants.gov or extend the application deadline due to difficulties with submission via Grants.gov.

### ***Intergovernmental Review***

This notice of funding opportunity is not subject to Executive Order (EO) 12372 “Intergovernmental Review of Federal Programs.” However, depending on the state, the actual applications may still be subject to the order. Applicants subject to EO 12372 must contact their state’s Single Point of Contact (SPOC) to find out about and comply with the state’s process. The names and addresses of the SPOC’s are listed in the OMB’s home page at: [http://www.whitehouse.gov/omb/grants\\_s poc/](http://www.whitehouse.gov/omb/grants_s poc/)

### ***Funding Restrictions***

LWCF ORLP grants may only be used for costs needed to support the acquisition or development (or a combination) of lands and facilities that will provide outdoor recreation opportunities to the public. LWCF ORLP funds may not be used for (not inclusive):

- Grant administration expenses,
- Incidental costs related to land acquisition such as appraisals or title work,
- Operation and maintenance activities,
- Facilities that support semi-professional or professional athletics such as baseball stadiums or soccer arenas,
- Indoor facilities such as recreation centers or facilities that support primarily non-outdoor purposes like dining facilities or overnight accommodation (such as a lodge or hotel), or
- Acquisition of lands, or interests in lands, that completely restrict access to specific persons (e.g., non-residents of a community).

### ***Other Submission Requirements***

The pre-application for each stand-alone proposal, containing all required application elements as outlined in Section D.2 a-e) must be submitted in electronic form through the NOFO posted on Grants.gov. Use of the fillable standard forms contained in the NOFO is preferred over submitting scanned copies of printed versions (the forms are signed electronically via the submission process). However, files in commonly used formats such as PDF, MSWord, and Excel are acceptable for the other Required Elements. No more than four applications per state will be accepted. In the event that more than four are submitted, NPS will accept them in the order received unless the state specifically requests to withdraw one or more.

Grants.gov will accept applications only from currently authorized organization representatives (AORs) affiliated with a particular agency. If you are not already an AOR you will need to create an account with Grants.gov and identify your agency’s e-business point of contact to be designated as an AOR for your agency. Agency processes vary: some have only a limited number of AORs who can submit applications while others will designate AORs for each program that needs one. Prior to attempting to submit an application, it is a good practice to check to ensure that your agency’s Grants.gov and SAM accounts are current/active, along with the individual Grants.gov account of the AOR who will submit the application. Last, please

make sure that the DUNS number associated with the Grants.gov account that will be used to submit the application matches the one that has been registered with the NPS for use with the payment system, the Automated Standard Application for Payments (ASAP). Otherwise, funds will not transfer to ASAP when the award is approved.

Please review Section D.3 above for further information about registration requirements to use Grants.gov. Questions about using Grants.gov or resolution of technical problems experienced in the use of Grants.gov should be directed to the Grants.gov Contact Center at 1-800-518-4726. However, if you are experiencing problems that could prevent timely submission of your application, you can alert the agency contact.

## **Section E. Application Review Information**

### **Part I – Relevance of Proposed Project to Core Program Goals (Merit panel; up to 60 points total)**

#### **1) Improving physical and recreational access and addressing recreational deficiencies – 20 points**

This criterion will assess the degree to which the proposed project will create or significantly enhance access to close-to-home park and recreation opportunities by expanding the quantity or quality of parks or other outdoor recreation areas.

Priority will be given to projects that (a) propose to create a new park/outdoor recreational area or *significantly* enhance the quality of an existing park/outdoor recreation area by upgrading the infrastructure to be able to provide new high priority recreation services, and (b) are located in densely-settled neighborhoods or communities that lack parks/outdoor recreation areas within a reasonable service area (within .5 miles or a 10-minute walk for a neighborhood park, or within 1 mile for a park serving multiple neighborhoods or a community); or whose existing park/outdoor recreation areas are not of a comparable caliber to park/recreation areas elsewhere in the jurisdiction; and/or whose park/recreation areas are otherwise inadequate to serve community needs.

#### **2) Improving recreation service and economic opportunity for the target population – 15 points**

This criterion will assess the degree to which the project will (a) improve outdoor recreational opportunities for low to moderate-income individuals or families for whom serious recreation deficiencies exist, (b) provide short-term and/or permanent employment opportunities, particularly within the same target community, and/or (c) help generate economic benefits for the community outside of the park.

Priority will be given to projects located where they will serve neighborhoods with significant populations of the target group that are lacking in recreation opportunities along with providing employment and economic benefits. Applicant responses are encouraged to include available data/statistics about the local populations to be served by the park/recreation area and be as specific as possible in describing anticipated employment and economic opportunities.

#### **3) Project Engagement and Participation – 15 points**

This criterion will assess the level of supportive partnership-building that has occurred the development of the project among the project sponsor, residents of the local community to be served by the park, the private sector, and community and/or conservation organizations.

Priority will be given to projects that can demonstrate that there has been and continues to be a deliberate initiative or effort by the project sponsor and/or its partner(s) to engage residents of

the target neighborhood(s) in the project's development. Further, to projects where there is a substantial level of collaboration among the public and private sectors, including multiple levels of government, private/non-profit organizations, and community groups.

#### **4) Innovation and Transformative Attributes – 10 points**

This criterion will assess the degree to which the project encompasses or exhibits innovation, especially in ways that can be transformative for the neighborhood(s) and community in terms of revitalization. These qualities could be related to aspects such as: redevelopment of a blighted or distressed property; involvement of new or non-traditional partners; unique features in the project design; employment of novel solutions to challenges addressing the community's recreation needs; the ability to affect or advance other complementary and intrinsic benefits beyond providing new or enhancing park or other outdoor recreation spaces; and other similar characteristics.

This is a somewhat open-ended criterion but is an opportunity for project sponsors to describe and promote features of the project that go above and beyond the recreation services or opportunities the project will provide. Priority will be given to projects that demonstrate unique features that make them stand out relative to the other proposals submitted for the competition as well as the "typical" LWCF project.

### **Part II: Technical Merit and Qualification of Applicants (Technical panel, 15 points total)**

#### **5) Project's Alignment with SCORP and other applicable plans – 5 points**

This criterion will assess the degree to which the project advances or is otherwise tied to the priority recreation needs and/or goals of the applicable state's SCORP and other relevant park and recreation plans. Projects can also receive credit for aligning with or advancing priorities of other comprehensive or master plans at the city, regional, and/or state level such as community revitalization, economic development, or open space plans.

Priority will be given to projects that meet clearly identified goals and/or needs in the SCORP, particularly any that are specific to urban areas, together with other applicable planning documents at different levels of government and/or private sector initiatives.

#### **6) Project Readiness – 5 points**

This criterion will assess the status of the project to evaluate the readiness to be implemented (note the LWCF Manual requires the project break ground within one year of the date of award), the likelihood of successful execution of the project, and the viability of the period of performance for the project's execution.

Priority will be given to projects that are well into the planning stages such that implementation can begin within one year and the project could be opened to the public within 2 to 3 years.

## **7) Applicant and Partner Capacity – 5 points**

This criterion will assess the ability and likelihood of the project sponsor and partner(s) (if applicable) to initiate and successfully complete the project as well as effectively manage and sustain the park or recreation area to ensure long-term viability, particularly in the context of LWCF requirements. Also, assesses the project sponsor's (sub-recipient's) demonstrated capacity for appropriate grant management and successful compliance with grant conditions, particularly with past LWCF and/or other federal grants (if applicable).

Priority will be given to projects where the sponsor and/or partner(s) have experience with federal grants and have successfully completed similar projects with no problems complying with grant regulations or program-specific terms and conditions; and where there appears to be capacity for successful long-term park management and protection. If the sponsor is a past LWCF grant recipient, the sponsor does not have any known outstanding Section 6(f)(3) conversion issues that are not in the process of and on track for successful resolution.

## **Part III – Financial Support and Leveraging (Technical panel, 25 points total)**

### **8) Viability and reasonableness of the project's budget – 10 points**

This criterion will assess the eligibility and reasonableness of the costs included in the project's budget, whether the budget seems realistic for the scope of work, and the availability of or firmness of commitments for the full amount of funds needed to complete the project, including any match commitment(s) that exceed the 1:1 requirement.

Priority will be given to project proposals with clear and detailed budgets that contain all or mostly LWCF-eligible cost items that are reasonable and obviously related to the scope of the work for which the grant funds are specifically being requested. Priority will also be given to projects where funding to cover the entire project budget is mostly in place (excluding the grant amount), particularly any amounts promised as overmatch.

### **9) Partner Support and Leveraging – 15 points**

This criterion will assess the degree to which the project is or will be supported by partnerships with the public, private, and/or non-profit sectors through contributions of money, land, supplies, services, etc., and the extent of financial leveraging of the federal share with non-federal public, private, and/or non-profit resources that allow the project budget to exceed the 1:1 match required by the LWCF Act.

Priority will be given to projects involving multiple and diverse partnerships that have resulted in contributions of financial resources, particularly non-public resources; and that exceed the minimum 1:1 match level primarily with LWCF-eligible costs.

### ***Review and Selection Process***

Once a pre-application has been received from a state lead agency, the NPS LWCF program office will conduct an initial screening to determine whether the application is complete (i.e., at a minimum contains all Required Elements) and meets basic eligibility requirements (i.e., project

is from an eligible applicant and/or sponsor, provides the minimum cost share, and its purpose is generally consistent with the LWCF Act and the objectives of this competition). Presuming it is found to be eligible for consideration, the project will be evaluated and scored in a field review conducted by both a technical panel of NPS staff focused mainly on LWCF-based requirements and a peer-based merit panel focused mainly on the project's purpose, purported benefits, and relevance to the competition objectives. (See Section E.1 to see which criteria each panel will review.) All proposals will be scored individually in accordance with the assigned weights of the evaluation criteria. Each proposal will be reviewed by at least 4 (four) reviewers but no consensus advice will be given. Both federal and non-federal experts may be used for the merit panel. Reviewers' scores will be compiled and averaged as needed to create a final score.

The scores and reviewer evaluations will be used by the competition managers to produce a ranked list of projects that will be recommended to the competition's selecting official – the Director of the National Park Service – for final selection. Generally, projects will be recommended in the ranked order unless there is justification to select out of order based upon:

- Availability of funding
- Geographic distribution of projects and/or funds
- Program objective and priorities (see Section A of this NOFO)
- The applicant's prior performance in managing LWCF grants and/or assisted sites
- The project's capacity to leverage non-Federal dollars.

The NPS will then request complete and final grant applications (see following Sections E.3 and Section F).

### ***Evaluation of Recipient Risk***

In accordance with [2 C.F.R. 200.205](#), applications selected for funding will be subject to a pre-award risk assessment, which may include a review of information contained within the applicant's proposal, past audits, Federal Awardee Performance and Integrity Information System (FAPIIS), and/or past performance on previous Federal financial assistance awards. Negative information that leads to a recipient being designated as "Medium Risk" or "High Risk" may result in specific conditions, as identified in [2 C.F.R. 200.207](#), being incorporated into the final award.

*If the Federal share of the project cost is anticipated to be over \$150,000.00, prior to making a Federal award, any information about the applicant that is in the designated integrity and performance (currently FAPIIS) will be reviewed and considered (see [41 U.S.C. 2313](#)). Applicants may review and comment about any information about itself in FAPIIS. The Federal awarding agency will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in [2 C.F.R. 200.205](#).*

### ***Anticipated Announcement and Federal Award Dates***

The initial technical review of proposals will begin immediately following the application deadline, followed by the merit panel review. The NPS is targeting December 31, 2020 for an announcement about preliminary selection of projects. Once this selection has been made, the state lead agencies for the selected projects will be directed to work with the sponsors to prepare

the final grant applications. Timing of an actual award will depend on how quickly the project sponsor and the state can prepare a final application.

The final applications will comprise the originally required elements of the pre-application, which sponsors may be asked to revise based on comments from the panels with respect to objectives, work plans, or budgets; as well as the Supplemental Elements. The revised application, particularly the Supplemental Elements, will need additional review by the NPS before a final decision is made about whether to make an award. If the Supplemental Elements reveal previously unknown features of the project that affect its eligibility or viability, the NPS may decide to withdraw the initial recommendation for funding and move on to the next project on the list. Scope changes from the pre-application to the final application should only differ in terms of addressing requested revisions, updated timelines, and other minor adjustments.

When a decision has been made (whether an award or declination), summaries of technical and merit reviews will be made available to the state lead agency and/or the project sponsor upon request. Declined applications will be held by the NPS for three years, in accordance with the current retention requirements, and then destroyed.

## Section F. Federal Award Administration Information

### *Federal Award Notices*

Once final decision is made by the NPS about award of a grant, a project agreement will be signed by the applicable LWCF Financial Assistance Awarding Officer for the LWCF Region in which the project's state is located and sent to the state lead agency. The lead agency will then, if needed, make a sub-award to the local project sponsor. In no case will the NPS make an award directly to the local sponsor. Until the project agreement is signed, the sponsor should not begin work on the project that would result in the incurring of expenses desired for reimbursement from the grant or for use as match, unless for eligible pre-award costs or the project has a waiver of retroactivity. A signed grant agreement signed by a Financial Assistance Awarding Officer is the only authorizing document to begin performance.

As the primary grantee, the state lead agencies are responsible for managing the day-to-day implementation of the grant and the sub-award supported activities to assure the project's compliance with the LWCF Act and [Manual](#), other applicable Federal requirements, and that performance goals are being achieved.

### *Administrative and National Policy Requirements*

#### *a. Administrative requirements*

The [LWCF Manual](#) establishes the eligibility, procedural, and programmatic requirements for LWCF grants, including ORLP grants. All applications submitted pursuant to this NOFO must be consistent with the Manual and are subject to the requirements described therein.

Recipients and sub-recipients of LWCF grants are also subject to all Federal laws and agency policies, regulations, and procedures applicable to Federal financial assistance awards. These are described in the Manual and in the terms and conditions.

#### *b. Code of Federal Regulations (C.F.R.)*

By accepting Federal financial assistance, the recipient organization agrees to abide by the applicable Federal regulations in the expenditure of Federal funds and performance under this program: [2 C.F.R. Part 200](#) - Uniform Administrative Requirements, [Cost Principles](#), and [Audit Requirements](#) For Federal Awards

#### *c. Standard Award Terms and Conditions*

Acceptance of a Federal financial assistance award from the Department of the Interior carries with it the responsibility to be aware of and comply with the terms and conditions of 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 as approved by the Financial Assistance Awarding Officer. All financial assistance awards are subject to the terms and conditions incorporated either directly or by reference in the award document. Code of Federal Regulations/Regulatory

Requirements, as applicable, are listed below (Contact the Financial Assistance Awarding Officer with any questions regarding the applicability of the following):

- 2 C.F.R. Part [175](#) - Trafficking Victims Protection Act of 2000
- 2 C.F.R. Parts [182](#) & [1401](#) - Government-wide Requirements for a Drug-Free Workplace
- 2 C.F.R. Parts [180](#) & [1400](#) - Government-wide Debarment and Suspension (Non-procurement)
- [43 C.F.R.18](#) - Restrictions on Lobbying

*d. LWCF Terms and conditions*

The LWCF-specific terms and conditions are integrated into the standard conditions document and are additional conditions that recipients must also agree to in accepting the grant, such as the requirement to record language and a copy of the LWCF boundary map with the land records for the property to acknowledge the LWCF assistance. If there are outstanding issues still requiring resolution at the time the grant is issued, the NPS may include special award conditions on the grant constraining when work on the project may begin or restricting access to the funds until the conditions are satisfied.

*e. Order of Precedence*

Any inconsistency in the agreement shall be resolved by giving precedence in the following order: (a) Any national policy requirements and administrative management standards; (b) [2 C.F.R. Part 200](#), in its entirety; (c) requirements of the applicable OMB Circulars and Treasury regulations; (d) special terms and conditions; (e) all agreement sections, documents, exhibits, and attachments; (f) and the non-Federal entity's project proposal.

*f. Modifications*

The agreement may be modified by written agreement signed by both the recipient's Authorized Representative and the Financial Assistance Awarding Officer. Administrative changes (e.g., Awarding Officer name change, etc.) that do not change the statement of work, agreement amount, etc., or otherwise affect the recipient may be signed unilaterally by the Financial Assistance Awarding Officer. Additionally, a unilateral modification may be utilized if it should become necessary to impose remedies for non-compliance, suspension, or termination of the agreement in accordance with [2 C.F.R. 200, Section 200.338 – 200.342](#).

All other changes shall be made by means of a bilateral modification to the agreement. No oral statement made by any person, or written statement by any person other than the NPS Financial Assistance Awarding Officer shall be allowed in any manner or degree to modify or otherwise effect the terms of the agreement.

*g. Payments*

All applicants must be registered in the System for Awards Management (SAM) prior to award under this NOFO. Instructions for registering for SAM are located at <https://sam.gov/SAM/>. All applicants must maintain an active SAM registration with

current information at all times while they have an active Federal award or an application under consideration.

All applicants must also be registered with, and willing to process all payments through, the Department of the Treasury Automated Standard Application for Payments (ASAP) system. All recipients with active NPS financial assistance agreements must be enrolled in ASAP under the appropriate Agency Location Code(s) (ALC) and the [Data Universal Number System \(DUNS\) Number](#) prior to the award of funds. If a recipient has multiple DUNS numbers, they must separately enroll within ASAP for each unique DUNS Number and/or Agency. Note that if your entity is currently enrolled in the ASAP system with an agency other than NPS, you must enroll specifically with NPS in order to process payments.

*h. Funding Restrictions*

All funding is contingent upon the availability and appropriation of funds by the United States Congress.

*i. Cost Principles:*

Costs must be allowable in accordance with the applicable Federal cost principles referenced in [2 C.F.R. Part 200, Subpart E – Cost Principles](#).

*j. Pre-award Costs:*

To incur reimbursable or matching costs prior to award, the applicant must comply with [2 C.F.R. Part 200.458](#) and request and obtain written approval in the form of a Waiver of Retroactivity from the Financial Assistance Awarding Officer. Certain other pre-award costs may be allowable in accordance with Chapter 5.A.3 of the [LWCF Manual](#). Such costs, and the period in which they were incurred, should be identified in the Budget Narrative.

## **Reporting**

### **a. Financial Status Reports:**

A report of expenditures is required as documentation of the financial status of awards according to the official accounting records of the recipient's organization. The financial information will be reported by completing and submitting the Federal Financial Report (FFR), SF-425. Financial reports will be required annually and shall be submitted within 90 calendar days after the end of the annual reporting period. The Financial Assistance Awarding Officer may designate a reporting schedule requiring more frequent reporting based on the assessment of risk. The reporting requirements will be defined within the grant agreement. A final FFR shall be submitted no more than 90 calendar days after the conclusion of the project or the end date of the agreement, whichever comes first.

The FFR (and relevant instructions) can be downloaded from:  
<https://www.grants.gov/forms/post-award-reporting-forms.html>

The NPS Financial Assistance Awarding Officer will review the report for patterns of cash expenditures and assess whether performance or financial management problems exist.

Before submitting the FFR to the NPS Financial Assistance Awarding Officer, recipients must ensure that the information submitted is accurate, complete, and consistent with the recipient's accounting system. The recipient Authorized Certifying Official's signature on the FFR certifies that the information in the FFR is correct and complete and that all outlays and obligations are for the purposes set forth in the agreement documents and represents a claim to the Federal Government. Filing a false claim may result in the imposition of civil or criminal penalties.

**b. Performance Reports:**

A report of performance is required as documentation of performance towards the accomplishments of the Federal award, detailing project activity and participant profile information. These reports are submitted to the applicable NPS program officer for the specific state. Performance reports will be required annually and shall be submitted within 90 calendar days after the end of the annual reporting period. The first reports will be due one year + 90 days following the end of the quarter in which the award was originally made. For example, an award made in September of 2020 will have its report cycle end date as September 30. So, the first "annual" report, for October 1, 2020 to September 30, 2021, will be due by December 29, 2021 and then in subsequent annual intervals until the grant project is completed. The Financial Assistance Awarding Officer may designate a reporting schedule requiring more frequent reporting based on the assessment of risk. Reporting requirements will be defined within the grant agreement. A final performance report with request for final payment, shall be submitted no more than 90 calendar days after the conclusion of the project or the end date of the agreement, whichever comes first. Other deliverables, such as a final on-site inspection report, are required. These must be approved by the NPS before final payment can be made.

In accordance with [2 C.F.R. 200.328](#), the performance reports shall contain brief information on:

1. A comparison of actual accomplishments to the objectives of the Federal award established for the period. Where the accomplishments of the Federal award can be quantified, a computation of the cost (for example, related to units of accomplishment) may be required if that information will be useful. Where performance trend data and analysis would be informative to the Federal awarding agency program, the Federal awarding agency should include this as a performance reporting requirement;
2. The reasons why established goals were not met, if appropriate; and
3. Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

Before submitting the performance report to the NPS Financial Assistance Awarding Officer, recipients must ensure that the information submitted is accurate, complete, and consistent with the recipient's Federal financial report. Filing false information may result in the imposition of civil or criminal penalties.

**c. Non-Compliance:**

Failure to comply with the reporting requirements contained in an agreement may be considered a material non-compliance with the terms and conditions of the award. Non-compliance may result in withholding of future payments, suspension or termination of the agreement, recovery of funds paid under the agreement, and the withholding of future awards. The specific information regarding type, frequency and means of submission of post-Federal award reporting requirements will be contained in the award document.

**d. Reporting Matters Related to Recipient Integrity and Performance:**

If the total value of an applicant's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings in accordance with [Appendix XII to 2 C.F.R. 200](#).

## **Section G. Agency Contacts**

For further information, contact:

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Or

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## **Section H. Other Information**

Information about the LWCF State and Local Assistance Program, including the [LWCF Manual](#), can be found on the NPS LWCF website at <http://www.nps.gov/lwcf>. This NOFO is available via the grants.gov website: <http://www.grants.gov> (search for LWCF). Application materials are available via the Grants.gov and LWCF websites or by contacting the program officials identified above. Project sponsors should also review their state's LWCF website (if available) and particularly the state's SCORP. Links to State LWCF sites can be found at: <https://www.nps.gov/subjects/lwcf/contact-list.htm>.

The \$40 million in funding available for this competition includes funds appropriated by Congress in FY2018 and FY2019. Project sponsors are reminded that this competition represents just a portion of the funding allocated for grants through LWCF State and Local Assistance Program in FY18 and FY19 (a total of \$240 million). Grants may be available from your state for the regularly apportioned funds as well. Contact your state's lead agency for more information.

We anticipate that the total amount requested for funding will significantly exceed the available funding. Neither the NPS nor the Department of the Interior will be responsible for proposal preparation costs or project costs if the proposal fails to receive funding. Publication of this announcement does not oblige the NPS to make an award to any specific project or to obligate any available funds.