



Lower Rio Grande Valley Development Council



Notification of Availability of Grants

The Lower Rio Grande Valley Development Council (LRGVDC) in cooperation with the Texas Commission on Environmental Quality (TCEQ) announces the availability of FY 2012/2013 Regional Solid Waste Grants. These funds are for the purpose of supporting political subdivisions efforts on: Source Reduction & Recycling; and Educational & Training Projects.

Eligible applicants include **cities, counties, public schools and school districts** (excluding universities and other post secondary institutions), **general and special law districts** created in accordance with State Law and with the authority and responsibility for water quality protection or municipal solid waste management and **Council of Government**. Eligible and ineligible expenses for funding are noted in each grant category Request for Application (RFA). No funding match is required, but is highly encouraged along with public-private partnerships.

In order to be considered for funding, applications must be prepared and submitted in accordance with the grant categories respective RFA and other printed guidelines available as part of the Grant Application Packet. If you need additional information or have any questions please do not hesitate to call.

**Deadline for applying for these grants is 5:00 pm., Friday, March 02, 2012
(No Exceptions)**

Application packets are available at the LRGVDC offices. Individuals desiring to receive a packet are encouraged to call the LRGVDC at (956) 682-3481 and request the Grant Application Packet. The Application Packet is also available for download from the LRGVDC website: <http://www.lrgvdc.org>

To insure that your application is received by the appropriate deadline, please send certified return receipt mail, hand-delivered or overnight delivery, addressed to the LRGVDC at:

**LRGVDC
ATTN: Environmental Resource Department
301 W. Railroad
Weslaco, TX 78596**

**Lower Rio Grande Valley Development Council (LRGVDC)
In Cooperation with the Texas Commission on Environmental Quality**

*Announces Availability of Municipal Solid Waste Grant Funding
For Fiscal Year 2012-2013 and Issues This Request for Project Applications*

Purpose for Implementation Projects

Provide grant funding for projects that will provide a direct and measurable effect on reducing the amount of waste going into Texas landfills, by diverting various materials from the municipal solid waste stream for beneficial use or by reducing waste generation at the source.

Eligible Recipients

The following public entities are eligible for grant funding under this program (non-profit organizations and private companies are not directly eligible, but may be subcontracted by eligible public entities):

- Cities
- Counties
- Public school districts (excluding universities and other post-secondary educational institutions)
- General and special law districts with the authority and responsibility for water quality protection or municipal solid waste management (e.g. river authorities and municipal utility districts)
- Councils of Governments (COGs)

Governing Standards

The conduct of projects provided funding under this program shall be in accordance with all applicable state and local statutes, rules, regulations, and guidelines. The main governing standards, include, but may not be limited to, the following:

1. Section 361.014(b), Texas Health & Safety Code (as amended by H.B. 3072, 74th Texas Legislature);
2. Title 30 Texas Administrative Code Chapter 330, Suchapter O, TCEQ MSW Regulations (30 TAC Chapter 330, Suchapter O);
3. Chapter 14 of the TCEQ Regulations (30 TAC Chapter 14);
4. The Grant Agreement between the Council of Governments and TCEQ; and
5. Except as may be modified by the grant agreement, the *Uniform Grant Management Standards* (UGMS) developed under directive of the Uniform Grant and Contract Management Act of 1981, Chapter 783, Texas Government Code. The UGMS has been developed and published by the

Governor's Office of Budget and Planning to provide uniform grant administrative procedures. The UGMS adopts, with state annotations, the provisions of five federal circulars promulgated by the Office of Management and Budget; those are:

- Circular No. A-87: Cost Principles for State and Local Governments;
- Circular No. A-110: Grants and Agreements with Institutions of Higher Education, Hospitals, and other Private Nonprofit Corporations: Uniform Administrative Requirements. Attachment A (Cash Depositories), Attachment F (Standards for Financial Management Systems), and Attachment O (Procurement Standards);
- Common Rule for Circular A-102: Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Sections 20 (Standards for Financial Management Systems) and 36 (Procurement);
- Circular No. A-128: Audits of State and Local Governments; and
- Circular No. A-133: Audits of Institutions of Higher Education and Other Private Nonprofit Corporations

Eligible Expenses

The following categories of expenses may be eligible for funding under this program. All expenses must directly relate to the conduct of the proposed project. The Narrative sections of the Grant Budget Summary portion of the Application will be used to describe how proposed expenditures will support the proposed project.

1. **Personnel.** Appropriate salaries and fringe benefits for employees working directly on the funded project are authorized under most of the grant categories. **Personnel funding is limited to no more than 2 consecutive years;** however, second year funding is not guaranteed. All second year funding requests will need to compete in the overall grant process as any other grant application would need to compete. **Also, grant funds cannot supplant existing salaries and overtime is treated the same as salary.**
2. **Travel.** Travel expenses directly related to the conduct of the funded program are authorized. Only the employees of the funds recipient assigned to the project will receive reimbursement for travel expenses. In accordance with the UGMS, in those instances where grantees do not have an established organization-wide written travel policy approved by the governing board of the local jurisdiction, all employee-related travel expenses must be claimed at no higher than the same rates allowed by the State of Texas for its employees.
3. **Supplies.** Expenses for supplies necessary for the conduct of the funded project are authorized. Expenses included under the Supplies expense category of a project budget should be for non-construction related costs for goods and materials having a unit acquisition cost (including freight) of less than \$1,000. Such expenditures must generally relate to the routine purchase of office supplies (paper, pencils, and staplers) or other goods that are consumed in a relatively short period of time, in the regular performance of the general activities of the proposed project.
4. **Equipment.** Equipment necessary and appropriate for the proposed project are authorized. The COG must carefully evaluate all requests for equipment to determine

appropriateness of the equipment for the project. No equipment is to be purchased by a pass-through grant recipient unless approved in advance by the COG. Expenses included under the Equipment expense category should be for non-construction related, tangible, personal property having a unit acquisition cost of \$5,000 or more (including freight and set up costs) with an estimated useful life of over one year. Any equipment that will be used for other projects or activities, in addition to the funded project, may only be funded at an amount reflecting the appropriate percentage of time that the equipment will be directly used for the funded project.

5. **Construction.** Appropriate construction costs are authorized. Expenses budgeted under this category should be for costs related to the enhancement or building of permanent facilities. A pass-through grant recipient shall incur no construction costs unless the COG approves the construction details in advance. Appropriate costs that may be included are:
 - a. The cost of planning the project;
 - b. The cost of materials and labor connected to the construction project;
 - c. The cost of equipment attached to the permanent structure; and
 - d. Any subcontracts, including contracts for services, performed as part of the construction.

6. **Contractual Expenses.** Professional services or appropriate tasks provided by a firm or individual who is not employed by the pass-through grant recipient for conducting the funded project are authorized for subcontracting by the funds recipient. A pass-through grant recipient shall incur no contractual costs unless the COG approves the subcontract in advance. *Applicable laws and regulations concerning bidding and contracting for services must be followed.* Any amendment to a subcontract that will result in or require substantive changes to any of the tasks required to be performed must be approved in writing by the COG.

7. **Other Expenses.** Other expenses, not falling under the main expense categories, are included, if connected with the tasks and activities of the proposed project. Expenses in this category include:
 - a) Postage/delivery
 - b) Telephone/FAX
 - c) Utilities
 - d) Printing/reproduction
 - e) Advertising/public notices
 - f) Signage
 - g) Training/registration fees
 - h) Dues/membership fees
 - i) Record storage
 - j) Office space
 - k) Basic office furnishings
 - l) Equipment rentals
 - m) Books/subscriptions
 - n) Repair/maintenance

- o) Legal services
 - p) Temporary services
 - q) Recycling bins
 - r) Computer hardware (under \$1,000)
 - s) Audio/visual equipment
 - t) Promotional items
8. **Indirect.** Indirect costs may be funded, if applicable to the project. In accordance with the UGMS, indirect charges are authorized if the applicant has a negotiated indirect cost rate agreement signed within the past 24 months by a federal cognizant agency or state single audit-coordinating agency. Alternatively, the applicant may be authorized to recover up to 10% of direct salary and wage costs (excluding overtime, shift premiums, and fringe benefits) as indirect costs, subject to adequate documentation. If the Applicant has an approved cost allocation plan, enclose documentation of the approved indirect rate with the project application.

Authorized Project Categories & Appropriate of Expenses

The following project categories are eligible for funding. Under each category heading is a brief description of the purpose of that category, as well as special requirements pertaining to that project category. **The first two categories represent the priority funding areas of the LRGVDC for FY 2012-2013.** Examples of appropriate expenses are listed under each category.

Category 1. Source Reduction and Recycling

This category may include projects that are intended to provide a direct and measurable effect on reducing the amount of MSW going into landfills, by diverting materials from the MSW disposal stream for recycling or reuse, or by reducing waste generation at the source. This category does not include the collection, processing, and/or recycling of scrap tires.

Funding limitations applicable to this category include:

- Any program or project funded under this program with the intent of demonstrating the use of products made from recycled and/or reused materials shall have as its primary purpose the education and training of residents, governmental officials, private entities, and others to encourage a market for using these materials.

Category 1: Source Reduction and Recycling

- Facility design and construction
- Equipment, such as chippers, balers, crushers, recycling and composting containers, trailers, forklifts, and trucks
- Program administration expenses, such as salaries/fringe benefits, office supplies and equipment, travel, and training
- Educational materials
- Printing and advertisement expenses

Category 2. Educational and Training Projects

This category is intended for educational projects or training events dealing with a variety of MSW management topics. This category does not include the educational components of projects funded under the other categories.

Funding limitations applicable to this category include:

- Educational and training programs and projects funded under this program must be primarily related to the management of municipal solid waste, and funds applied to a broader education program may only be used for those portions of the program pertaining to municipal solid waste.

Category 2: Educational and Training Projects

- Educational materials
- Printing and advertising expenses
- Contractual services
- Program administrative expenses, such as salaries/fringe benefits, office supplies, and travel

Category 3. Local Enforcement

This category consists of projects that contribute to the prevention of illegal dumping of municipal solid waste, including liquid wastes. Under this category, grant recipients may investigate illegal dumping problems; enforce laws and regulations pertaining to the illegal dumping of municipal solid waste, including liquid waste; establish a program to monitor the collection and transport of municipal liquid wastes, through administration of a manifesting system; and educate the public on illegal dumping laws and regulations. Funding limitations applicable to this category include:

- Funds may not be provided to any law enforcement agency regulated by Chapter 415, Texas Government Code, unless: (a) the law enforcement agency is in compliance with all rules developed by the Commission on Law Enforcement Standards and Education pursuant to Chapter 415, Texas Government Code; or (b) the Commission on Law Enforcement Officer Standards and Education certifies that the requesting agency is in the process of achieving compliance with such rules.
- When funding is to be provided for salaries of local enforcement officers, the funds recipient must certify that at least one of the officers has attended or will attend within the term of the funding the TCEQ's Criminal Environmental Law Enforcement Training or equivalent training.
- Local enforcement vehicles and related enforcement equipment purchased entirely with funds provided under this program may only be used for activities to enforce laws and regulations pertaining to littering and illegal dumping, and may not be used for other code enforcement or law enforcement activities. Vehicles and equipment that are only partially funded must be dedicated for use in local enforcement activities for a percentage of time equal to the proportion of the purchase expense funded.
- Entities receiving funds for a local enforcement officer, enforcement vehicles, and/or related equipment for use by an enforcement officer, must investigate major illegal dumping problems, on both public and private property, in addition to investigating general litter problems on public property.
- Entities receiving funds to conduct a local enforcement program must cooperate with the TCEQ's regional investigative staff in identifying and investigating illegal dumping problems. Lack of cooperation with the TCEQ staff may constitute a reason to withhold future funding to that entity for

local enforcement activities.

- Funds may not be used for investigation and enforcement activities related to the illegal dumping of industrial and/or hazardous waste. Instances where industrial or hazardous waste is discovered at a site do not preclude the investigation of that site, so long as the intent and focus of the investigation and enforcement activities are on the illegal dumping of municipal solid waste.

Category 3: Local Enforcement

- Equipment, such as vehicles, communications equipment, and surveillance equipment
- Program administration expenses, such as salaries/fringe benefits, office supplies and equipment, travel, training, and vehicle maintenance
- Protective gear and supplies
- Educational materials

Category 4. Citizens' Collection Stations and "Small" Registered Transfer Stations

This category includes projects to construct MSW collection facilities in areas of the state that are under served by collection services or lack public access to proper disposal facilities. Projects funded under this category include citizens' collection stations, as these facilities are defined under the TCEQ's MSW regulations (30 TAC Chapter 330); and construction of small municipal solid waste and liquid waste transfer stations that qualify for registration under §330.4(d) or §330.4® of the regulations.

Funding limitations applicable to this category include:

- The design and construction of citizens' collection stations, as those facilities are defined under 30 TAC Chapter 330, TCEQ Regulations, may be funded. The costs associated with operating a citizens' collection station once it is completed may not be funded.
- The design and construction of small municipal solid waste and liquid waste transfer stations that qualify for registration under §330.4(d) or §330.4(r), TCEQ Regulations, may be funded. Other permitted or registered transfer stations may not be funded. A municipal solid waste transfer facility may be eligible for a registration if it serves a municipality with a population of less than 50,000, or a county with a population of less than 85,000, or is used in the transfer of 125 tons or less of municipal solid waste per day. A liquid waste transfer station may qualify for a registration if it will receive less than 32,000 gallons or less per day. The costs associated with operating a transfer station once it is completed may not be funded.

Category 4: Citizens' Collection Stations and "Small" Registered Transfer Stations

- Facility design and construction
- Equipment, such as dumpsters or roll-off containers, trailers, compactors, crushers, scales, and recycling containers
- Protective gear

Category 5. Litter and Illegal Dumping Cleanup and Community Collection Events

Litter and illegal dumping cleanup may include both ongoing and periodic activities to clean up litter and illegal dumping of MSW, excluding cleanup of scrap tire dumping sites. Projects under this category may support Lake and River Cleanup events, conducted in conjunction with the TCEQ's and Keep Texas Beautiful's Lake and River Cleanup program. Eligible expenses include waste removal, disposal or recycling of removed materials, fencing and barriers; and signage. Placement of trash collection receptacles in public areas with chronic littering problems may also be funded. Reuse or recycling options should be considered for managing the materials collected through these efforts, to the extent feasible. Cleanup of hazardous waste will not be eligible for funding.

Periodic community collection events, to provide for collection of residential waste materials for which there is not a readily available collection alternative, may also be funded. This type of project may not include regular solid waste collection efforts, such as weekly waste collection. Collection events may be held no more frequently than four times per year, and must only be intended to provide residents an opportunity to dispose of hard-to-collect materials, such as large and bulky items that are not picked up under the regular collection system.

Funding limitations applicable to this category include:

- Lake and River Cleanup events must be coordinated with the TCEQ's cleanup program staff and/or the Keep Texas Beautiful organization, which is contracted by the TCEQ to administer the Lake and River Cleanup program.
- Projects funded to clean up litter or illegal dumping on private property must be conducted through a local government sponsor or the COG. Funds may not be provided directly to a private landowner or other private responsible party for cleanup expenses. The local government sponsor or the COG must either contract for and oversee the cleanup work, or conduct the work with its own employees and equipment.
- The costs for cleanup of hazardous waste that may be found at a municipal solid waste site must be funded from other sources, unless a waiver from this restriction is granted by the TCEQ to deal with immediate threats to human health or the environment.
- The costs for cleanup of Class 1 nonhazardous industrial waste that may be found at a municipal solid waste site must be funded from other sources, unless a waiver from this restriction is granted by the TCEQ to deal with immediate threats to human health or the environment. The cleanup of Class 2 and 3 nonhazardous industrial waste that may be found at a municipal solid waste site may be funded in conjunction with the cleanup of the municipal solid waste found at a site.
- All notification, assessment, and cleanup requirements pertaining to the release of wastes or other chemicals of concern, as required under federal, state, and local laws and regulations, including 30 TAC Chapter 330, TCEQ's MSW Regulations, and 30 TAC Chapter 350, TCEQ's Risk Reduction Regulations, must be complied with as part of any activities funded under this program.
- All materials cleaned up using funds provided under this program must be properly disposed of or otherwise properly managed in accordance with all applicable laws and regulations. To the extent feasible, it is recommended that materials removed from a site be reused or recycled. For projects to clean up large amounts of materials, the COG should consider withholding at least ten (10%) percent of

the reimbursements under a pass-through grant or subcontract, until documentation is provided that the cleanup work has been completed and the materials properly managed.

- Periodic community collection events, to provide for collection and proper disposal of non-recyclable residential waste materials for which there is not a readily available collection alternative, may be funded. This type of project may not include regular solid waste collection activities, such as weekly waste collection. Funded collection events may be held no more frequently than four times per year, and must only be intended to provide residents an opportunity to dispose of hard-to-collect materials, such as large and bulky items that are not picked up under the regular collection system, and might otherwise be illegally dumped by residents.

Category 5: Litter and Illegal Dumping Cleanup and Community Collection Events

- Equipment, such as trailers and trucks
- Program administration expenses, such as, salaries/fringe benefits, office supplies and equipment, travel, training, and vehicle maintenance
- Subcontract expenses
- Protective gear
- Fencing, barriers, and signage
- Educational materials
- Printing and advertisement expenses
- Appreciation items for volunteers (e.g., T-shirts, caps, etc.)

Category 6. Local Solid Waste Management Plans

This category includes projects to develop and/or amend local solid waste management plans by local governments, in accordance with Subchapter D, Chapter 363, TX Health & Safety Code, as implemented by state rule, Subchapter O, 30 TAC Chapter 330. It is recommended that at least one year be allowed for the completion and adoption of a local plan.

Funding limitations applicable to this category include:

- All local solid waste management plans funded under this program must be consistent with the COG's regional solid waste management plan, and prepared in accordance with 30 TAC Subchapter O, Chapter 330, TCEQ Regulations, and the Content and Format Guidelines provided by the TCEQ.
- In selecting a local solid waste management plan project for funding, the COG shall ensure that at least one year is available for the completion and adoption of the local plan.

Category 6: Local Solid Waste Management Plans

- Consultant services
- Printing and advertising expenses
- Program administration expenses, such as salaries/fringe benefits, office supplies, and travel

Category 7. Household Hazardous Waste (HHW)

This category includes projects that provide a means for the collection, recycling, reuse, or proper disposal of household hazardous waste, including home chemicals, electronic waste and other materials. This category may also include events conducted under the TCEQ's Texas Country Cleanup program. Projects may include permanent collection facilities, periodic collection events, consolidation and transportation of collected materials, recycling or reuse of materials, proper disposal of materials, and education and public awareness programs.

Funding limitations applicable to this category include:

- All household hazardous waste collection, recycling, and/or disposal activities must be coordinated with the TCEQ's HHW program staff, and all applicable laws, regulations, guidelines, and reporting requirements must be followed.
- All Texas Country Cleanup events must be coordinated with the TCEQ's Texas Country Cleanup program staff, and all applicable laws, regulations, guidelines, and reporting requirements must be followed.
- First-time applicants may request funds for disposal costs. Second and subsequent year requests will be considered at the discretion of the Solid Waste Advisory Committee (SWAC).

Category 7: Household Hazardous Waste Management

- Design and construction of permanent collection facilities
- Equipment for permanent collection facilities, such as recycling containers, trailers, forklifts, and crushers
- Personal Protective Equipment (PPE)
- Waste management materials such as drums, labels, and absorbents
- Contractual services for special collection events
- Educational materials
- Printing and advertising expenses

Category 8. Technical Studies

This category includes projects for the collection of pertinent data, analysis of issues and needs, evaluation of alternative solutions, and identification of recommended actions to assist in making solid waste management decisions at the local or regional level. Projects under this category may also include research and investigations to determine the location, boundaries, and contents of closed old and abandoned MSW landfills, and to assess the possible risks to human health or the environment associated with those landfills or sites.

Funding limitations applicable to this category include:

- All technical studies funded under this program must be consistent with the COG's regional solid waste management plan, and prepared in accordance with guidelines provided by the TCEQ.

Category 8: Technical Studies

- Consultant services
- Printing and advertising expenses

- Program administration expenses, such as salaries/fringe benefits, office supplies, and travel

Category 9. Other Types of Projects

Other types of projects, not specifically prohibited from funding under the more detailed funding standards and restrictions, may be considered by LRGVDC on a case-by-case basis.

Supplemental Funding Standards

In addition to the standards set forth in applicable law and regulations, as well as the category-specific funding limitations, the standards outlined below apply to all uses of the FY 2011 solid waste grant funds.

1. **Payment of Fees.** Local and regional political subdivisions subject to the payment of state solid waste disposal fees and whose payments are in arrears are not eligible to receive grant funding.
2. **Land Acquisition Costs.** Funds may not be used to acquire land or an interest in land.
3. **Municipal Solid Waste-Related Programs Only.** Funds may not be used for programs dealing with wastes that are not considered municipal solid waste (MSW), including programs dealing with industrial or hazardous wastes.
4. **Activities Related to the Disposal of Municipal Solid Waste.** Except as may be specifically authorized under an eligible project category, funds may not be used for activities related to the disposal of municipal solid waste. This restriction includes: solid waste collection and transportation to a disposal facility; waste combustion (incineration or waste-to-energy); processing for reducing the volume of solid waste which is to be disposed of; any landfill-related facilities or activities, including the closure and post-closure care of a landfill; or other activities and facilities associated with the ultimate disposal of municipal solid waste. This provision does not apply to activities specifically included under an authorized project category.
5. **Projects Requiring a TCEQ Permit.** Funds may not be used for expenses related to projects or facilities that require a permit from the TCEQ and/or that are located within the boundaries of a permitted facility, including landfills, wastewater treatment plants, and other facilities. This provision, however, may be waived by the TCEQ, at its discretion, for otherwise eligible activities to be located at a closed permitted facility and/or for recycling activities that will take place within the boundaries of an open facility. Recycling activities that may qualify for such a waiver may include recyclables collection, composting, and land application of bio-solids for beneficial use. The applicant and/or the COG will request a preliminary determination from the TCEQ as to the eligibility of the project prior to consideration for funding.
6. **Projects Requiring TCEQ Registration.** Projects or facilities that require registration from the TCEQ, and which are otherwise eligible for funding, may be funded. However, the registration for the facility must be finally received before that project can be selected for funding.

7. **Projects that Create a Competitive Advantage Over Private Industry.** In accordance with §361.014(b) of the Texas Health and Safety Code, a project or service funded under this program must promote cooperation between public and private entities and may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services. Under this definition, the term private industry includes non-profit entities.
8. **Supplanting Existing Funds.** Funds may not be used to supplant existing funds. In particular, staff positions where the functions assigned to that position will remain the same and that were active at the time of the grant application, and were funded from a source other than a previous solid waste grant, are not eligible for grant funding.
9. **Food/Entertainment Expenses.** Funds may not be used for food or entertainment expenses, including refreshments at meetings and other functions. This provision does not apply to authorized employee per diem expenses for food costs incurred while on travel status.
10. **Use of Alcoholic Beverages.** Funds may not be used for payment of salaries to any employee who uses alcoholic beverages on active duty. None of these funds may be used for the purchase of alcoholic beverages, including travel expenses reimbursed with these funds.
11. **State Contracts.** Funds may not be provided through a pass-through grant or subcontract to any public or private entity that is barred from participating in state contracts by the Texas Building and Procurement Commission, under the provisions of §2155.077, Government Code, and 1 TAC §113.02, GSC Regulations.
12. **Intended Purpose.** All equipment and facilities purchased or constructed with funds provided under this program shall be used for the purposes intended in the funding agreement.
13. **Consistency with Regional Solid Waste Management Plan.** A project or service funded under this program must be consistent with the COG's approved regional solid waste management plan, and must be intended to implement the goals, objectives, and priorities established in the regional plan.
14. **Lobbyists.** Funds may not be used for employment or otherwise contracts for services of a lobbyist or for dues to an organization that employs or otherwise contracts for the services of a lobbyist.
15. **Enforcement Actions.** Funds may not be used to assist an entity or individual to comply with an existing or pending federal, state, or local judgment or enforcement action. This restriction includes assistance to an entity to comply with an order to clean up and/or remediate problems at an illegal dumpsite. However, the TCEQ may waive this restriction, at its discretion and on a limited case-by-case basis, to address immediate threats to human health or the environment, and where it is demonstrated that the responsible party does not have the resources to comply with the order.

16. **Penalties.** Funds may not be used to pay penalties imposed on an entity for violation of federal, state, or local laws and regulations. This restriction includes expenses for conducting a supplemental environmental project (SEP) under a federal or state order or penalty. Funds may be used in conjunction with SEP funds to support the same project.

Notification of Private Industry Required

According to state law (*Section 361.014 (b) TX Health & Safety Code*), a project or service funded under this program must promote cooperation between public and private entities, and the grant-funded project or service may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services. In accordance with grant requirements established by the Texas Commission on Environmental Quality, an applicant for funding under one of the listed project categories below must adhere to the requirements listed below.

- **Applicable Categories**

1. Source Reduction and Recycling
2. Citizens' Collection Stations and/or "Small" Registered Transfer Stations
3. A demonstration project under the Educational and Training Projects category

- **Applicant Notification Requirements**

1. Contact in person or in writing the known private service providers of similar services that, at the time of the application development, are providing services within the geographic service area that the project intends to serve, prior to making the application. A list of private service providers within the region is available from the COG.
2. Inform the private service providers of the basic details of the proposed project and consider any input and concerns from the private service providers about the project when completing the project proposal.
3. Consider, where appropriate, meeting directly with private service providers that may have a concern about the proposed project to attempt to resolve any concerns before an application is submitted.
4. Complete applicable information on the appropriate grant application forms to provide documentation that private service providers were notified of the project prior to submission of the application and submit written comments provided by any private service provider.

How Proposals will be considered

Proposals will be reviewed by the Solid Waste Advisory Committee of the LRGVDC, using screening and selection criteria developed in cooperation with the TCEQ. The committee consists of representatives of various interests involved in solid waste management in the region, according to TCEQ guidelines.

Subcommittee

A subcommittee shall be appointed by the full committee to review and pre-screen all implementation project applications for administrative completeness and the subcommittee shall

have the authority to remove ineligible applications from further consideration. Members will serve a maximum of two years and will be replaced on alternate years. Subcommittee recommendations shall be approved by the full committee at a regular meeting.

- ❖ LRGVDC Staff will Request for Applications (RFA) by sending all eligible recipients and private sector entities a notice of RFA at least thirty (30) days before deadline. A Public notice in the local newspapers describing the same shall be published at least 30 days in advance of the scoring meeting.

Screening Criteria

In order for any proposed project to be considered, the following screening criteria must be met. If these screening criteria are not met, the proposed project will receive no further consideration for grant funding.

- The application must be complete and all application requirements and procedures followed, including requirements to notify private service providers of the proposed project, when applicable.
- The proposed project must conform to eligible category standards, eligible recipient standards, and allowable expense and funding standards, as established by the TCEQ and the LRGVDC and under all applicable laws and regulations.
- The applicant must agree to document the results of the project as required by the LRGVDC.
- The proposed project must be technically feasible, and there must be a reasonable expectation that the project can be satisfactorily completed within the required time frames.
- The proposed project activities and expenses must be reasonable and necessary to accomplish the goals and objectives of the project. One factor in determining reasonableness of expenses shall be whether comparable costs are proposed for comparable goods and services.
- The proposed project must be consistent with applicable goals, objectives, and recommendations of the adopted regional solid waste management plan.

Selection Criteria

If a proposed project meets all the applicable screening criteria, it will be evaluated by the Solid Waste Advisory Committee of the LRGVDC, using the following selection criteria. There are four sets of selection criteria, for a possible total score of 100 points.

- New Projects (10 points)
- Project Merits and Needs (1-45 points)
- Local Match and Commitment (1-30 points)
- Regional Collaboration Efforts (1-15 points)
- Poor Performance Deduction (subtract 1-10 points)

New Project (10 points)

New projects or new entity applying that has not been previously funded and there are no other resources available will receive 10 points.

Project Merits and Needs (1-45 points)

The SWAC gives the most points for “Project Merits and Needs.” Limit your narrative to no more than one (1) page addressing the following items.

- **Project Title:** Provide a title that clearly summarizes your project.
- **Program Objective & Summary:** Describe the proposed project and justify its needs consistent with the applicable grant category (i.e. local enforcement and illegal dumping, source reduction and recycling, etc.)
- **Project Service Area:** Indicate the area/geography (city, county, or other jurisdictions) covered by the project. If the proposed project will affect only a portion of your area, please indicate which portion will be affected. Map(s) are to be provided in the Attachments and are not included in the page limit.
- **Public Information:** Explain what steps you will take to promote the program to the public, local officials, etc. Are there adequate levels of customer incentives, public education or public input, as appropriate to the proposed project?
- **Project Status/Feasibility:**
 1. Indicate if this is a startup or pilot project where no such program exists; how does it benefit the local government or region? Or,
 2. Indicate if this is an enhancement of an existing program; give a brief description of your existing program and indicate how the proposed project would significantly improve the program or,
 3. Indicate if this project has received solid waste grant funding in the past years (FY96-FY11),
 4. Describe progress or agreements made regarding this project so far,
 5. Describe how effectiveness will be measured, and
 6. Describe staff qualifications.

Local Match and Commitment (1-30 Points)

In this section, describe the ways your organization intends to provide resources to make the project succeed during the grant period and beyond. Limit your narrative to no more than one (1) page addressing the following items.

- **Intention to Sustain the Project:** If the proposed project could become an ongoing service, describe how this project may be sustained beyond the grant period.
- **Matching Funds or In-Kind Services:** Local match through cash or in-kind services is encouraged. If the applicant is providing significant contributions (at least 10% of grant request) to the project either through cash matching funds or in-kind services, please identify the match on your application in this section. In-kind services should relate only to staff or services directly involved with the proposed project. Your narrative should show the relative importance or effort of the local contribution in relationship to the entire project. (LRGVDC Solid Waste Grants Review Subcommittee understands that due to the time of this RFA, cash contributions may not be feasible.)
- **Supporting Documentation:** Please place copies of letters, resolutions, etc. in Attachments. These documents are not included in the one (1) page limit. Please include no more than one page of photographs.

Regional Collaboration Efforts (1-15 Points)

Any project that is regional in nature and must be specific as to who they will be collaborating with and submit commitment letters or resolutions to support the project. The more entities involved in the project more points will be received.

Poor Performance Deduction (Subtract 1-10 Points)

In this section, the applicant must provide evidence of the following items. LRGVDC reports will also be used.

- Submitting of Reports
- Expenditure of Funds

Conflict of Interest

Members of the LRGVDC governing body, SWAC members and their alternates must abstain from voting on any application during the Solid Waste Grants Program review and scoring process if the member or an individual related to the member within the third degree of consanguinity or within the second degree of affinity,

- Is employed by the applicant agency and works for the unit or division that would administer the grant, if awarded;
- Serves on any board that oversees the unit or division that would administer the grant, if awarded;
- Receives any funds from the applicant as a result of the grant; or
- Uses or receives a substantial amount of tangible goods, services or funds from the applicant.

A member will not be prohibited from voting or commenting upon projects that are being carried out to serve the entire region.

A member who abstains from voting on any application will document the abstention by signing the appropriate scoring sheet and writing “abstained” on the sheet. This sheet will be kept on file along with the scored sheets.

Appeals Process

Applicants may appeal the funding recommendations to the LRGVDC Solid Waste Advisory Committee (SWAC) after the results of the scoring process have been announced. All appeals must be based on a **specific, identified** error of the Solid Waste Advisory Committee and not on factors that allow discretion by the SWAC members.

Applicants must notify LRGVDC Staff in writing, of any appeals within five working days following the date when SWAC scores are made available to applicants. (Staff will record this date). The written notification must include a justification of the grounds for the appeal.

The SWAC will meet to hear appeals. If any appeals are upheld, LRGVDC staff will send out a notice with the revised project rankings, funding amount recommendations and comments. However, please note that these recommendations will not be final until considered by the LRGVDC Board of Directors.

General Applicant Requirements

The LRGVDC shall provide a Request for Application (RFA) and provide at least thirty (30) days public notice of the opportunity for eligible applicants to apply for funds. The Application forms will be available on LRGVDC web site and by calling LRGVDC office prior to deadline. Application form is applicable for all grant categories. You may duplicate the blank form for additional use. A separate form must be submitted for each individual project proposed. In completing your application, please be concise, but provide a sufficient level of detail to facilitate the consideration of your proposed project.

- Each applicant is required to submit one (1) signed original and 25 double-sided copies of their application to LRGVDC. Please do not include a cover letter with your application.
- Each member of the Solid Waste Advisory Committee will be provided with a copy of each application received by the deadline established. Staff will also provide a summary table of all applications received.
- Each applicant will have a representative available at the review meeting to provide a summary of the project and to answer review committee members' questions and concerns.
- The high and low scores will be eliminated. The remaining scores will be averaged to obtain the final score.
- There will be no consensus scoring. Each member will score project applications individually.
- Ranking of projects will be based on scores derived from the review process.
- Scores will be tabulated and averaged (on less than full point intervals/decimal points) by staff, transmitted to the LRGVDC Board of Directors (for final approval), provided to interested parties and made available to applicants.
- The order of the presentation of proposed projects will be determined by project type and order received.

Points to remember...

- **Complete all parts of the application as requested, including all application certifications, assurances and deliverables. (Verify with check list)**
- **Sign and date the original application.**
- **Include 25 double-sided copies of the application**
- **Keep a copy of your application for your records.**
- **Notify private sector providers, if applicable.**

Grant recipients will be required to enter into standard legal agreements with LRGVDC to ensure that the approved work program of the project is followed. Among other provisions, legal agreements will include the following;

- Grant funding will be provided on a reimbursement basis only, and all requests for reimbursement must be handled through LRGVDC. All requests for reimbursement must include a progress report on the project in order to justify expenditures.

- Grant recipients must agree to provide data related to the results of the project to LRGVDC. As appropriate to the project, the grant recipient will also be asked to commit to monitoring the results of the project beyond the grant term, and periodically provide the LRGVDC additional reports on the status of the project.
- Grant recipients must agree to allow staff of the LRGVDC and/or TCEQ to perform on-site visits to monitor the progress of projects.

Staff Assistance

The following LRGVDC staff members are available to assist interested parties during the application process.

Marcie Oviedo
 (956) 682-3481, ext.161
moviedo@lrgvdc911.org

Ludy Saenz
 (956) 682-3481, ext. 153
lsaenz@lrgvdc911.org

Valerie Ramos
 (956) 682-3481, ext. 114
vramos@lrgvdc911.org

How to Apply

Project proposals should be submitted directly to the Lower Rio Grande Valley Development Council. Please **do not** include a cover letter with your application. *Return your completed application form(s) to the following address by 5:00 pm., Friday, March 02, 2012. (No faxed, emailed, or late applications will be accepted.)*

*Lower Rio Grande Valley Development Council
 301 W. Railroad
 Weslaco, Texas 78596
 Environmental Resources Department*

Allocation and Priorities

No Category Funding Limits:	Total: \$98,674.
Grant Award Funding Caps:	\$98,674.
Waste Reduction & Recycling - \$30,000	
Education & Training – \$20,000	