

**TEXAS ON-SITE SEWAGE FACILITY (OSSF) RESEARCH GRANT  
Request for Grant Applications (RFGA) Fiscal Year (FY) 2019**

**REQUEST FOR GRANT APPLICATIONS (RFGA) No.: 582-19-93772  
APPLICATION KIT**

**February 4, 2019**

**Pre-Proposal Conference: February 11, 2019, 1:00 PM, Central Time;  
Texas Commission on Environmental Quality, 12100 Park 35 Circle, Bldg. B, Room  
B201A (VTC), Austin, TX 78753  
The Pre-Proposal Conference is Non-Mandatory**

**Response Due Date/Time: April 1, 2019, 3:00 PM, Central Time**

**TCEQ RFGA Submittal Contact Information**

**Addresses for delivery of application:**

<b>*All applications must be submitted via US Mail, Overnight/Express Mail or Hand Delivered to one of the corresponding addresses below:</b>		
<b>US Postal Service Mail:</b>	<b>Hand-deliver Applications to:</b>	<b>Overnight/Express Mail:</b>
TCEQ - MC-182 Procurements & Contracts Attn: Aundre Petty PO Box 13087 Austin, Texas 78711-3087	TCEQ - MC-182 Procurements & Contracts Attn: Aundre Petty 12100 Park 35 Circle Bldg. A, 3 <sup>rd</sup> Floor Austin, Texas 78753	TCEQ - MC-182 Procurements & Contracts Attn: Aundre Petty 12100 Park 35 Circle Bldg. A 3 <sup>rd</sup> Floor Austin, Texas 78753

**Grant Application Questions must be submitted, via email, no later than February 20, 2019 to:**

Attn: Aundre Petty  
email: [Aundre.petty@tceq.texas.gov](mailto:Aundre.petty@tceq.texas.gov)  
Phone #: 512-239-0387

***All submittals must include a signed Grant Application Form and signed acknowledgement of the addenda. Electronic signatures are acceptable.***

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## **Request for Grant Applications (RFGA) Fiscal Year (FY) 2019**

**INVITATION:** The TCEQ invites applications for eligible On-Site Sewage Facility (OSSF) research projects under the Texas OSSF Grant Program (TOGP).

### **1.0 PURPOSE**

The TOGP, is established under Texas Health and Safety Code Chapter 367 (THSC 367). The primary objective of the TOGP is to award competitive grants to support applied research and demonstration projects regarding on-site wastewater treatment technology and systems. Eligible grant recipients are accredited colleges and universities, other governmental entities, and acceptable public or private research centers. The applied research and demonstration projects must be applicable to the State of Texas and directed toward improving the quality of wastewater treatment and reducing the cost of providing wastewater treatment to consumers.

#### **1.1. Grant Period**

The Grant Period will be from the date of last signature on the contract for a period of up to two (2) years.

#### **1.2. Authority**

The grant program is implemented under the authority of Texas Water Code Section 5.124; and Texas Health and Safety Code 367.008(b) and (c) relating to the collection and use of fees associated with On-Site Wastewater Treatment Permit Applications.

### **2.0 OSSF RESEARCH GRANT GUIDELINES**

To be eligible for the TCEQ OSSF Grant funds, every applicant must submit an application in accordance with the following guidelines. Application forms may be viewed and downloaded from the TCEQ's OSSF website ([https://www.tceq.texas.gov/subject-index/subject\\_o.html/permitting/ossf/](https://www.tceq.texas.gov/subject-index/subject_o.html/permitting/ossf/)), the Electronic State Business Daily (ESBD) website, (<http://www.txsmartbuy.com/sp>), and the Texas eGRANTS Applications (eGRANTS) website (<https://txapps.texas.gov/tolapp/egrants/search.htm>). All applications must be submitted to TCEQ no later than 3:00 PM, Central Time on April 1, 2019.

#### **2.1 Eligible Applicants**

**2.1.1** In order to receive TOGP grant funds, an applicant must be an accredited (recognized by the U.S. Department of Education or the Council for Higher Education Accreditation) college or university in the State of Texas, a governmental entity in Texas, or an acceptable public or private research center.

**2.1.1.1** An acceptable public or private research center is defined as an institute, facility, or group dedicated to research with a demonstrated history of research on environmental issues. At the TCEQ's request, an applicant applying as an acceptable public or private research center must provide the TCEQ with

documentation supporting a demonstrated history of research on environmental issues. At the TCEQ's discretion, the TCEQ may reject an applicant that fails to demonstrate appropriate past research.

**2.1.2** If third-party land, equipment or resources are required to conduct the research, applicants must provide evidence that they have sufficient permissions or rights from the third-party for the duration of the contract after the TCEQ has paid the final reimbursement. If an applicant is unable to provide this evidence, the applicant must contact the TCEQ to determine whether they may be considered eligible for a grant before submitting the application.

**2.1.2.1** The TCEQ may consider an application or award a grant prior to receipt of this evidence and may issue a limited Notice to Proceed (NTP) pending documentation of the necessary permissions or rights. All applicants must certify that the entity is in compliance with all applicable Texas laws.

**2.1.3** Applicants planning to subcontract any work, are encouraged to identify activities that could be performed by historically underutilized businesses (HUB). The TCEQ's HUB Development Section maintains current lists of certified HUB vendors and can assist applicants in identifying potential HUB subcontractors. Applicants are encouraged to consult UGMS, Part III State Uniform Administrative Requirements for Grants and Cooperative Agreements, Subpart C, \_\_.36 Procurement, regarding affirmative steps to take when contracting with small and minority firms, women's business enterprise.

## **2.2 Ineligible Applicants**

**2.2.1** An applicant may not receive TOGP funds if:

- 2.2.1.1** the business or entity is not in good standing to do business with the State of Texas;
- 2.2.1.2** the business or entity is on the Comptroller of Public Accounts [Debarred Vendors List](#);
- 2.2.1.3** the business or entity is under warrant hold or owes a debt to the State;
- 2.2.1.4** the business or entity has a grade below C with the Texas Smart Buy [Vendor Performance Tracking System](#); or
- 2.2.1.5** the business or entity is considered "Excluded" on the [System of Award Management](#) website.

## **2.3 Eligible Projects**

Eligible projects must address one of the following topics:

### **2.3.1 Adequacy of Current Designs with Higher Strength Wastewater**

With increasing water conservation and graywater reuse, the organic strength of typical household wastewater is expected to increase. Research is needed to determine how this trend could affect treatment devices currently used in Texas. The research should focus on how either Standard 40 approved units or other emerging technologies perform with higher

strength wastewater. The research should be appropriate to the type of treatment technologies commonly used in Texas and should include a demonstration. The demonstration should evaluate a range of wastewater strength for a period that is adequate to reflect normal operations.

### **2.3.2 Dosing vs. Non-Dosing**

Equalized dosing over time is commonly used for treatment systems in OSSFs receiving high-strength wastewater. The assumption is that the uniform loading will improve the performance of the treatment units. Research is needed to determine how effective equalized dosing is to the performance of the treatment unit. The research should be appropriate to the type of treatment technologies commonly used in Texas and should include a demonstration. The demonstration should include two identical units: one loaded by equalized dosing and one loaded in accordance with the National Science Foundation (NSF) Standard 40 design loading schedule. The test should evaluate a range of wastewater strength for a period that is adequate to reflect normal operations. Equalized dosing should incorporate as small doses as are reasonably practical and be equally spaced throughout the day. Consideration should be given to whether the test should use higher strength influent to accentuate the potential improvement provided by equalized dosing.

### **2.3.3 Implementation of Low Pressure Dose Systems with Various Configurations**

Texas commonly uses the North Carolina State Sea Grant College Publication UNC-S82-03 to aid in low-pressure dosing field design. Research is needed into whether the design can be improved. Improvements may lie with improved distribution over time as well as improved ability to maintain the distribution system.

The research project needs to test at least two configurations of low-pressure dosing trenches. The configurations should have the distribution holes facing up, utilizing orifice shields or leaching chambers, and determine the viability and effectiveness of back-flushing laterals. Particular consideration should be given to ease of design, installation, and maintenance of the system. The research should use septic tank effluent to load the trench at a loading rate based on the soil textures outlined in 30 Texas Administrative Code (TAC), Chapter 285. The research should periodically measure the distribution in the system and document general system performance.

### **2.3.4 Black Water Non-Potable Reuse**

As Texas' population grows, water availability continues to be a growing need. The state acknowledges that reuse is part of the solution. Currently, domestic on-site wastewater is rarely reused in Texas, with the exception of graywater systems. Current rules governing wastewater (blackwater) reuse are the same for large wastewater treatment plants as they are for small on-site wastewater facilities. The study should include consideration of "real world" conditions for on-site systems, such as potentially varying facility maintenance requirements, monitoring requirements and frequency, exposure risk to the public, and potentially varying system inputs. Research under this category could take into account systems that meet NSF Standard 40, NSF Standard 350, or NSF Standard 350-1

requirements, and could include research concerning whether modification of standard on-site wastewater “treatment trains” or maintenance requirements could result in higher quality, reliable effluent for reuse purposes.

## 2.4 Administrative Conditions

- 2.4.1 A completed TOGP **Application** and **Budget Information Sheet** must be submitted to be considered for this grant. In addition, grant applications must:
  - 2.4.1.1 Be received by the deadline;
  - 2.4.1.2 Be administratively complete with all applicable forms and links;
  - 2.4.1.3 Be submitted by an eligible applicant;
  - 2.4.1.4 Be signed by an authorized agent; and
- 2.4.2 The Performing Party(s) selected for this grant program are expected to complete all grant activities within a timely manner and comply with all deadlines within their grant award. The grant period will start on the date of last signature on the contract for a period of up to two (2) years. All funds must be expended, and all travel and services must take place during the grant period. Funding will be awarded to the applicant selected for this grant after all required applicable documentation has been received and reviewed by the TCEQ.
- 2.4.3 Reporting periods will be quarterly based on the award date.
- 2.4.4 An **invoice** or Financial Status Report (FSR) must be submitted, in writing, to the TCEQ Grant Coordinator no later than 60 calendar days after the end of each reporting period with all supporting documentation (i.e. receipts, training certificates, invoices, etc.). Request for reimbursement must be submitted within 60 days after the close of each quarter with the exception of the final invoice which is due within 30 days after the close of the Contract.
- 2.4.5 This award may be reduced or terminated at such time the recipient fails to comply with the program objectives, grant award conditions, or state reporting requirements.

## 2.5 Eligible Costs

- 2.5.1 The TCEQ will reimburse reasonable and allowable costs under state and federal grant expenditure guidelines, including 30 TAC 14.10, the Uniform Grant Management Standards (UGMS) and Title 2 Code of Federal Regulations (CFR) Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The TCEQ particularly encourages applicants to review the UGMS when developing application budgets.
- 2.5.2 The Performing Party will invoice the TCEQ to request reimbursement for its Allowable Costs for performing the Scope of Work. Requests for reimbursement may be submitted to the TCEQ no more frequently than monthly.
- 2.5.3 Costs incurred prior to the issuance of a NTP will be at the grantees own risk and may not be considered for reimbursement, including the cost of

preparation of the project application. However, the TCEQ reserves the right, in its sole discretion, to consider eligible certain costs incurred prior to the NTP or even prior to signature of a grant agreement. The TCEQ may consider those costs on a case-by-case basis if they have been clearly identified in the application and doing so will further the objectives of the TOGP. The TCEQ provides no assurances that a project will be awarded a grant, and the TCEQ has no liability for expenses incurred by an applicant prior to the execution of a grant contract.

**2.5.4** Project funding may not be moved from one budget category to another without written approval by the TCEQ.

**2.5.5 Indirect Costs.** These costs include overhead, rent, utilities, general and administrative expenses, general office supplies, and other costs not directly attributable to the grant funded work.

**2.5.5.1** Only public entities are eligible to receive reimbursement for indirect costs.

**2.5.5.2** Grantee must comply with all applicable cost principles from 30 TAC 14.10 and the UGMS. Indirect cost requirements may be obtained by contacting the Grant Manager for the Texas OSSF Grant Program.

**2.5.5.3** Applicants seeking to include Indirect Costs must provide appropriate documentation establishing their current Indirect Cost Rate in accordance with UGMS.

#### **2.5.6 Ineligible Budget Costs**

**2.5.6.1** All grant funds must be expended in a manner consistent with all applicable cost principles from 30 TAC 14.10 and the Uniform Grant Management Standards (UGMS) 34 TAC Chapter 20, Sections 20.421-32. The TCEQ encourages applicants to review the UGMS when developing application budgets.

**2.5.6.2** Ineligible costs for reimbursement include, but are not limited to, the following:

- Food
- The purchase of testing equipment.
- Costs associated with patents.
- Permitting costs for TCEQ-issued permits.
- Advertising or marketing costs, including the cost of the informational Internet webpage.
- Costs of lobbying and/or to reimburse the salary of any lobbyist registered in Texas.

## **2.6 Performance Evaluation**

The TCEQ will prepare evaluations of the performance of the grant recipient upon completion of all reimbursements or more frequently, as deemed necessary, by the TCEQ. A copy of the evaluation will be provided to the grant recipient and a copy retained in the TCEQ's contract files.



The content of the evaluation is wholly within the discretion of the TCEQ. The grant recipient may provide a written response to the evaluation, which will be incorporated into the evaluation. The grant recipient waives any claim for damages against TCEQ for the evaluation. A rating of marginal or unsatisfactory performance may be used as a basis to lower or otherwise change the priority and ranking of a future application.

Specific items that may be used in a performance evaluation include:

- Cost effectiveness;
- Budget requirements;
- Compliance with grant award terms;
- Completion of project milestones; and
- Final production of deliverables associated with grant activities as defined in the grant award.

## 2.7 Required Forms

Application forms may be viewed and downloaded from the OSSF website ([https://www.tceq.texas.gov/subject-index/subject\\_o.html/permitting/ossf](https://www.tceq.texas.gov/subject-index/subject_o.html/permitting/ossf)), the Electronic State Business Daily (ESBD) website (<http://www.txsmartbuy.com/sp>), and the Texas eGRANTS Applications (eGRANTS) website (<https://txapps.texas.gov/tolapp/egrants/search.htm>).

## 2.8 Application Submission

To apply for funding, applicants must complete and submit a grant application and required attachments. One (1) paper copy and one (1) electronic copy (USB drive only) of the completed application and forms must be submitted to one of the addresses on the cover page. **Confidential information should not be submitted in electronic format.** Refer to Section 5.0 of this document for additional guidance for submitting confidential Information.

## 2.9 Deadlines for Submission

The TCEQ will accept applications from the date the RFGA is posted on the OSSF website, the ESBD website [and the Texas eGRANTS Applications website](#) until the **deadline date and time of 3:00 P.M. April 1, 2019.**

## 2.10 Deadlines and Schedule for FY19 RFGA

Applicant selection is anticipated to be completed by **May 31, 2019.** Approved Contracts will be managed by TCEQ staff.

### Schedule for the FY 2019 RFGA and Funding

February 4, 2019	RFGA Opens - Submission of Grant Application period begins
February 11, 2019	RFGA Pre-Proposal Conference

February 20, 2019	Deadline for submission of all Grant Application questions
February 27, 2019	Addendum containing Grant Application questions published
April 1, 2019 at 3:00 P.M.	RFGA closes - Deadline for submission of Grant Applications
May 1, 2019	Applicants notified of potential project selection
May 23, 2019	Potential grantees submit revised project proposals addressing TCEQ comments
May 31, 2019	Project proposal development and budgets complete
May 31, 2019	The TCEQ starts Contract initiation process
TBD	Projects begin upon date of final signature of the Contract
August 1, 2019	Awards posted on <a href="#">ESBD</a>
August 31, 2021	Project ends when Contract terminates (up to two years from award date)

***Scheduled dates are tentative. The TCEQ, at its sole discretion, may extend Contract taking into consideration funding availability, project progress, and other factors.***

### 3.0 FUNDING

- 3.1 The TCEQ has approximately \$422,000 that may be awarded under this research grant for proposed projects taking no more than two years to complete. The total amount awarded under this grant program will depend upon the amount of available revenue in the Texas OSSF Grant Program account. The TCEQ will not be obligated to select project proposals to cover the full amount of expected or available funding. The total amount to be awarded under this grant program will depend upon the amount of revenue received by the On-Site Wastewater Treatment Permit Application Fee account in accordance with Health and Safety Code 367.008(b) and (c). The funds for this grant program are appropriated to the TCEQ by the Legislature and are subject to change annually. Future funds, if any, are based on legislative authorization and fee revenue received.
- 3.2 The TCEQ may award multiple applicants, select parts of a proposal for funding, and/or may offer to fund less than the dollar amount requested in a proposal. TCEQ reserves the right to cancel the RFGA without awarding any grant funds.
- 3.3 The TCEQ will not be obligated to select project proposals to cover the full amount of expected or available funding. The TCEQ may select parts of a proposal for funding and may offer to fund less than the dollar amount requested in a proposal.
- 3.4 **No match** will be required during this grant period, but future match

requirements may be established.

#### **4.0 PROJECT IMPLEMENTATION**

The primary purpose of this program is to support applied research and demonstration projects directed toward improving the quality of wastewater treatment and reducing the cost of providing wastewater treatment to consumers. To that end, the TCEQ requires applicants to provide a specific project workplan in furtherance of stated project goals and objectives, complete with anticipated deliverables and a detailed timeline with tasks broken out into clear steps. The TCEQ will monitor the grantee's progress toward achieving its timeline and deliverables with quarterly progress reports.

#### **5.0 CONFIDENTIALITY**

All information received by the TCEQ in connection with the application for a grant and the completion of grant activities becomes the property of the State of Texas and, as such, is subject to public disclosure under the Texas Public Information Act (PIA), Texas Government Code, Chapter 552.

Application materials such as budgets and project summaries cannot be held confidential. Any information regarding testing, including summaries of test results, will be subject to public disclosure. The TCEQ also intends to publish reports and test results on its website.

The applicant is responsible for identifying any information submitted with its application that it contends is proprietary or confidential. Any page containing information that the applicant alleges is proprietary or confidential must be clearly marked. If TCEQ receives a request for information that the applicant has identified as confidential, TCEQ will timely notify the applicant of the request. The applicant may submit arguments to the Texas Office of the Attorney General to support its confidential status. TCEQ has no obligation to submit arguments on behalf of the applicant. Note that the AG may determine that the information is not confidential and therefore must be released.

#### **6.0 INTELLECTUAL PROPERTY AND PATENTS**

##### **6.1 Copyright License**

If any copyrightable works are created as the result of the TGOP, Performing Party grants to TCEQ a royalty-free, nonexclusive, perpetual, irrevocable, fully paid-up, enterprise-wide and worldwide license to use, reproduce, publish, modify, create derivative works, distribute, publicly perform and display the intellectual property and associated user documentation, and to authorize others to do the same.

##### **6.2 Patents**

The TCEQ does not intend to fund the development of any technologies under the TOGP. If grant funds awarded through this program are used to develop a technology which is later patented, all ownership rights in any technology

developed will remain with the grantee. The grantee must provide TCEQ a perpetual, royalty-free license any patent resulting from TOGP grant funded research. The same requirements apply to other forms of intellectual property protection, such as computer software code protected by copyright.

## **7.0 PROOF OF INSURANCE**

The applicant will be required to supply proof that it is insured for project completion, replacement, and liability. Project completion/replacement insurance must be sufficient to cover lost equipment and time/effort in case of a disaster.

## **8.0 APPLICATION REVIEW AND SELECTION PROCESS**

### **8.1 Review and Evaluation**

The TCEQ Evaluation Committee will determine whether applications are compliant with the grant application conditions. The TCEQ may not consider applications unless they comply with the conditions within the Application Kit. Applicants will be notified if the application submitted is non-compliant. To be considered compliant, applications must be:

- 8.1.1** prepared and submitted in accordance with this notice, the guidelines, and the instructions within the application forms;
- 8.1.2** administratively and technically complete according to the application instructions;
- 8.1.3** be submitted within the required deadline.

The TCEQ will review and evaluate applications based on the project selection criteria described in this Application Kit. During the review period, the TCEQ may ask applicants to clarify information or respond to questions regarding their application. Information from these responses may be considered and evaluated as part of the selection criteria.

### **8.2 Final Selection.**

After performing its review, the TCEQ Evaluation Committee will send the scores and recommendations for awards to the Office of Compliance and Enforcement Management. The TCEQ's Office of Compliance and Enforcement Management will make the final project selections.

- 8.2.1** Notification for selection of a project proposal is anticipated to be made by **May 31, 2019**, however this date is subject to change.
- 8.2.2** The TCEQ may select projects and issue contracts based on the estimated amount of revenue that the TCEQ will have received by the end of the 2018/2019 fiscal biennium.
- 8.2.3** Grants are anticipated to begin upon date of final signature of the contract for a term of up to two years.
- 8.2.4** Successful applicants will be notified by phone or other means of their selection and the amount of grant funds that may be awarded. At that time, the applicant will need to confirm to the TCEQ if the applicant intends to accept the grant. Two copies of the Grant Contract will be provided to the applicant to sign and return to the TCEQ. Upon signature

and execution of the Contracts by the TCEQ, one original, signed contract will be returned to the applicant, at which time the grant will be considered awarded.

**8.3 Notice to Proceed.**

The execution of a contract will not be the final commitment by the TCEQ to provide the funds. A subsequent NTP will be issued to the grant recipient when sufficient funds become available. Eligible expenses incurred prior to receipt of the notice will be at the grant recipient’s own risk. The NTP may also include authorization for a lesser reimbursement amount than originally approved in the contract, based on the amount of funds available.

**8.4 Consideration of Application in Future Grant Rounds**

The TCEQ may, at its discretion, retain applications not selected for funding under this notice for consideration under a new notice issued for a future grant round.

Applicants will be notified by the TCEQ if their application is retained for consideration under a future grant round and will be given the option of withdrawing their application from consideration.

**9.0 PRIMARY SELECTION CRITERIA**

**9.1 Minimum Requirements.**

These items determine basic eligibility for the Texas OSSF Grant Program projects. If any of the two questions are answered with “no”, then the project will be disqualified for funding. For basic eligibility, the TCEQ will evaluate the responses to the relevant questions in this RFGA, Appendix A, Section 3, Project Summary.

- 9.1.1** The project is directed toward improving the quality of wastewater treatment and reducing the cost of providing wastewater treatment to consumers. (Yes/No)
- 9.1.2** The applicant is an accredited college or university in Texas, a governmental entity in Texas, or an acceptable public or private research center \*. (Yes/No)
- 9.1.3** The proposal addresses one of the eligible topics listed in Section 2.5. (Yes/No)

**9.2 Scoring.**

Proposals will be scored based on information provided in the project proposal. A TCEQ review committee will use the following criteria when scoring projects:

Maximum Points (100)	Scoring Criteria
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<b>15 points</b>	<p><b>Demonstrated capability of applicant's facilities to conduct research:</b> Up to 15 points may be granted to applicants who demonstrate that their facilities are capable of performing the required research or have performed similar research in the past.</p> <p>Rating: Inadequate 0-3, Marginal 4-6, Fair 7-9, Good 10-12, Excellent 13-15</p>
<b>15 points</b>	<p><b>Applicant qualifications, including previous experience with similar types of projects:</b> Up to 15 points may be awarded based on the extent and relevance of the qualifications and experience of the applicant.</p> <p>Rating: Inadequate 0-3, Marginal 4-6, Fair 7-9, Good 10-12, Excellent 13-15</p>
<b>15 Points</b>	<p><b>Applicant methodology:</b> Up to 15 points may be awarded based on the applicant's ability to demonstrate that their research methodology can achieve the research goals or validate the performance of any proposed technology.</p> <p>Rating: Inadequate 0-3, Marginal 4-6, Fair 7-9, Good 10-12, Excellent 13-15</p>
<b>15 points</b>	<p><b>Relevance to rule or policy changes:</b> Up to 15 points may be awarded based on the applicability of the research to improve rules or policies.</p> <p>Rating: Inadequate 0-3, Marginal 4-6, Fair 7-9, Good 10-12, Excellent 13-15</p>
<b>10 points</b>	<p><b>Affected population:</b> Up to 10 points may be awarded based on how many OSSFs are potentially impacted by the research. More points will be awarded to research that is applicable to more systems.</p> <p>Rating: Inadequate 0-2, Marginal 3-4, Fair 5-6, Good 7-8, Excellent 9-10</p>
<b>10 points</b>	<p><b>Cost benefits of research:</b> Up to 10 points may be awarded based on the potential of the research to improve efficiency and/or reduce the costs of OSSFs.</p> <p>Rating: Inadequate 0-2, Marginal 3-4, Fair 5-6, Good 7-8, Excellent 9-10</p>

<b>10 points</b>	<p><b>Enhance understanding of topic:</b> Up to 10 points may be awarded to research that addresses the challenges and limitations identified by previous research.</p> <p>Rating: Inadequate 0-2, Marginal 3-4, Fair 5-6, Good 7-8, Excellent 9-10</p>
<b>5 points</b>	<p><b>Relevance to the protection of public health, water quality and efficient use of water resources:</b> Up to 5 points may be given to research related to increasing the protection of public health and safety, water quality and efficient use of water resources.</p> <p>Rating: Inadequate 0-1, Marginal 2, Fair 3, Good 4, Excellent 5</p>
<b>5 points</b>	<p><b>Innovative aspect of research:</b> Up to 5 points may be awarded to projects that demonstrate an innovative aspect to either the information gathered, or the research methods used.</p> <p>Rating: Inadequate 0-1, Marginal 2, Fair 3, Good 4, Excellent 5</p>

\* As defined in Section 2.1.1.1. of this RFGA.

### 9.3 Additional Considerations for Award

- 9.3.1 The TCEQ may make selection for funding contingent upon agreement by the applicant with additional conditions or changes to the project pertaining to equipment, logistical considerations, expenses and/or other program elements.
- 9.3.2 The TCEQ may select parts of a proposal for funding and may offer to fund less than requested in the application.
- 9.3.3 Based on the number of applications received and the expected available funding, the TCEQ may establish a cut-off level for the project scores, under which projects will not be funded or may be held until a later date.
- 9.3.4 The TCEQ may select to fund a proposal across multiple fiscal years.
- 9.3.5 A rating of marginal or unsatisfactory performance on a current or past contract may be used as a basis to lower or otherwise change the priority and ranking of an application.
- 9.3.6 The TCEQ is not obligated to fund a proposal from an applicant that is considered to be high risk, based on the financial condition of the applicant and other risk factors as determined by the TCEQ. The TCEQ may also include additional controls in a grant contract to address the risks that may be involved with providing a grant to an applicant considered to be high risk.
- 9.3.7 The TCEQ may consider an applicant's environmental compliance

history when making an award decision.

- 9.3.8** The TCEQ is not obligated to fund a proposal from an applicant under federal, state, or local enforcement action of violation of environmental laws or permit conditions.

## 10.0 TCEQ RIGHTS RESERVED

The TCEQ reserves the right to:

- 10.1** Contact applicants for clarification of information submitted or request additional information;
- 10.2** Contact other parties to obtain information regarding past performance, reliability, and integrity;
- 10.3** Review applicant's past performance, if any, under other Contracts with the TCEQ;
- 10.4** Reject any or all applications or any part of an application;
- 10.5** Withdraw this RFGA at any time;
- 10.6** Waive any or all procedures for submitting responses; Waive or allow applicant to correct any formalities and/or minor technicalities; and Award a portion of the Texas OSSF Grant Program funds directly to entities in accordance with 30 TAC Section 14.8 for projects that are in the best interests of the State.

## APPENDIX A: PROJECT APPLICATION INSTRUCTIONS

These instructions are designed to guide applicants in preparing their grant application to apply for grant funding from the TOGP. Upon submission, all proposals become the property of the state of Texas and as such become subject to public disclosure under the Texas Public Information Act (PIA), Texas Government Code, Chapter 552.

Grant applicants are required to complete the Application Form. Do not modify these instructions other than providing ample written responses to required questions. Applicants must also submit a completed W-9 form (Request for Taxpayer Identification Number and Certification Form) when submitting the application.

Do not submit any confidential/proprietary information anywhere, except as instructed in Section 5.0 of this RFGA. You must agree that you waive any claim of confidentiality you may have in any information submitted within any part of the Application Forms, including the proposal, budget, and scope of work even if you have marked it confidential.

Any information the applicant wishes to protect from public disclosure must be clearly marked **"Confidential/Proprietary: inform applicant & seek AG opinion before releasing"** on every page and must be submitted in a separate envelope as an attachment to the application, as instructed in Section 5.0 and nowhere else. Any information that is so marked and submitted as instructed in Section 5.0, if requested under the Public Information Act (PIA), will be sent by the TCEQ to the Texas Attorney General (AG) for a decision on whether it may be withheld. Note that the AG may determine that the information is not confidential and therefore must be released. The TCEQ will inform the applicant of the request for the AG's decision but will make no arguments in support of the request. It is the responsibility of the applicant to explain the basis for its claim that the information is confidential to the AG.



## SECTION 1: APPLICATION FORM

- Complete Application Forms 1 through 5 according to Section 3: Project Application below and the instructions on the form.
- Complete Budget Forms 6 according to the instructions in Section 2: Budget Directions below. Please make sure you complete all tabs in the form.

## SECTION 2: BUDGET DIRECTIONS

Final budgets in the grant contracts will identify categories for which TCEQ has approved reimbursement.

- Detailed information about all grant funded expenses is particularly important, including clear categorization and itemization of all grant expenses under the budget categories listed in Section 2.1 below.
- Costs should be broken down so that partial funding could be considered for any grant.
- A supplemental budget for major subcontractors should also be included. This is particularly recommended for projects in which the subcontractor will be completing a major portion of the proposed grant funded work.

The project budget cannot be held confidential for any reason. Applicants may supply supporting documentation for the budget that details confidential information, for example salaries or benefits for specific employees, but the overall budget must provide sufficient detail to demonstrate the eligibility of expenses and allow for clear connections to the supporting documentation for reimbursement.

### SECTION 2.1: BUDGET CATEGORIES

The TCEQ will not reimburse any costs deemed to be ineligible. The TCEQ generally prefers to reimburse costs for equipment, supplies and materials rather than costs in other budget categories.

#### Eligible Budget Categories

- **Equipment:** Equipment is defined as non-construction related, tangible personal property having a unit acquisition cost of \$5,000 or more (including sales tax and delivery) with an estimated useful life of over one year. Equipment constructed with grant funds should be budgeted as Equipment if the sum of the separate component parts (including tax and delivery) has an original value of \$5,000 or more. Equipment to be purchased must be identified and may become the property of the TCEQ. An invoice and proof of payment (cancelled check) will be required for reimbursement of all equipment costs. At the sole discretion of the TCEQ equipment costs may be prorated for the project. Equipment costs that do not involve an arms-length transaction (e.g. use of inventory without a proof of purchase) are not reimbursable.
- **Supplies & Materials.** Supplies & Materials are defined as non-construction related costs for goods and materials having a unit acquisition cost (including sales tax and delivery) of less than \$5,000. Basic items such as telephones, tools (wrenches, screwdrivers, etc.), office supplies, etc., are considered to be a cost of doing business and will not be funded. The TCEQ cannot reimburse for food or drink as Supplies.

- **Contractual expenses.** Contractual expenses are defined as non-construction related costs for professional services or tasks provided by a firm or individual who is not employed by the applicant. Each subcontractor/consultant should be listed separately. Subcontractors completing 15% or more of the work may be required to submit a quote or itemized budget in support of the application budget.
- **Other Expenses:** Other expenses not falling under the other cost definitions should be itemized in this category.
- **Salaries & Fringe Benefits:** Include the costs of salaries for employees of the applicant to be funded under the grant. If you wish to keep the salaries of individual employees confidential you may complete the budget using position titles or roles rather than actual names, however you must also submit a legend of the actual names according to Section 5.0. This category also includes costs for fringe benefits for employees of the applicant to be funded under the grant.
- **Travel:** This category includes the cost of all travel by employees of the applicant to be funded under the grant. For governmental agencies and universities, travel costs may not exceed the charges normally allowed by the governmental unit under written travel policies. For non-governmental entities and governmental agencies that do not have an official travel policy that is consistent with the travel policies of the State of Texas, travel costs may not exceed the limits normally allowed for state employees under state travel regulations; current rates may be found at <https://fm.xcpa.state.tx.us/fm/travel/travelrates.php>. Regardless of the applicant's written travel policies, authorization must be requested from the TCEQ for reimbursement of expenses that exceed these amounts. Airfare costs should not exceed the customary standard (coach or equivalent) airfare. To be eligible for the maximum daily allowable rate, travel time must exceed 10 hours per day; beginning before 6:30 a.m. or ending after 6:30 p.m. Invoices or receipts will be required for reimbursement of all travel costs regardless of amount, and only actual expenses will be reimbursed.
- **Indirect Costs:** Public entities are eligible for reimbursement of indirect costs. Indirect costs are those costs are those: (a) incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefited, without effort disproportionate to the results achieved. Examples of indirect costs include overhead, rent, utilities, general and administrative expenses.

### **Ineligible Budget Costs**

The following examples are types of costs will not be eligible for reimbursement as part of the total eligible project cost:

- Permitting costs for TCEQ-issued permits
- Advertising or marketing costs, including the cost of the informational Internet webpage
- Costs related to the operation and maintenance of the grant-funded technology and projects required as SEPs
- Costs to reimburse the salary of any lobbyist registered in Texas
- Escalation, inflation, indeterminates and contingencies
- Insurance

- Food or drinks

### **SECTION 3: PROJECT APPLICATION**

This outline is designed to guide applicants in preparing their application for grants from the TCEQ OSSF Grant Program.

#### **Project Summary and Technical Approach**

1. Please provide a brief summary of the project (150 words max).
2. Describe the project goals and objectives.
3. Describe the deliverables for the project.
4. Provide a detailed timeline with tasks broken out into clear steps.
5. Describe how the project relates to onsite wastewater treatment and how the project might affect potential rule or policy changes.
6. Discuss the proposed project's capability to improve efficiency and/or reduce costs associated with OSSFs.
7. Provide a description of the technologies to be implemented and work to be done including labor, major equipment, or capital purchases.
8. Explain any testing and analysis procedures that will be used to validate the performance of the proposed technology. (Though not required, the TCEQ may award points to applications that provide for a performance test on the proposed technology during the contract life.)
9. Describe the degree to which the project is innovative and unique. If applicable, provide details about similar technologies or applications.
10. Describe and cite the existing research that supports the technical feasibility of the proposed project. Discuss any challenges or limitations as identified by the research to date and how this research addresses those challenges and limitations.
11. What is the projected treatment cost reduction? Include the basis for the current and future cost estimates in dollars/year/unit where unit can be number of facilities or quantity of water treated.
12. What is the future use of this research? What is the process that will allow for practical application of the research? Identify the potential customers and the predicted time from development to public use (in years).
13. Describe how the research will protect public health, protect water quality and enhance the efficient use of water resources.

#### **Safety and Environmental Impact**

14. Please include a full discussion of any safety issues and how they are addressed. Points may be subtracted if this information is inadequate or if there are outstanding safety issues.
15. Please include a full discussion of any potential impacts on the environment, such as the generation of waste, and how they are managed. Points may be subtracted depending on how the technology will impact other areas of the environment.

### **Applicant Qualifications and Experience**

16. Describe the facilities the applicant has available and how the facilities will be used for the research project. If the facilities have been used for previous research, how have they been used?
17. What qualifications does the applicant possess that will allow them to successfully complete the proposed project? Please identify any key personnel that will be involved on this project for the applicant. If the applicant is not the primary technology holder, describe the applicant's relationship to the primary technology holder and the technology holder's involvement in the project.
18. What prior experience does the applicant have with projects of this nature? What relevant prior experience do the key personnel have? Please clearly identify the number of relevant years of experience the applicant and the key personnel have with projects of this nature.
19. Please provide a description of your past and present compliance with environmental laws.
20. Will the applicant be using any subcontractors? If so, please identify the subcontractors you anticipate using and the work they will do individually. If you have not currently identified a subcontractor for a particular task, then describe the nature of the work for which a subcontractor will be needed. Note that all subcontracts must be approved by the TCEQ prior to incurring contractual expenses. For each subcontractor, the TCEQ will require the subcontractor's scope of work, names of key personnel, and budget detail which identifies the costs associated with each task to be performed by the subcontractor. Attach any letters of commitment from authorized officials of your subcontractor's organizations.
21. Please note that if a grant is awarded, the Terms and Conditions in the sample contract will be used and be controlling in the grant award. If there are any Terms and Conditions in the sample grant contract that you cannot agree to you MUST identify those in your application below. If you need additional space, please use an attachment. Please also note that the TCEQ may not agree to any or all of the changes and may award the contract upon the sample contract.