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St. Paul, MN 55155-4194

## Request for Proposals (RFP)

The RFP assists applicants in applying for state grants. This document describes the State Fiscal Year 2022 (FY22) Planning Grants for Stormwater, Wastewater, and Community (SWC) Resilience, including information on who may apply for funding, activities eligible for funding and other information that will help the applicants plan their project and submit a competitive application. Applications are due no later than **Tuesday, December, 21, 2021 at 4:00pm Central Standard Time (CST)**.

The applicant should check the [SWIFT Supplier Portal](#) and the Minnesota Pollution Control Agency (MPCA) [Planning Grants for SWC Resilience](#) webpage for any updates.

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The Grant Application Form, Workplan and Budget, Sample Grant agreement, Questions and Answers, and any addendums can be found in the [SWIFT Supplier Portal](#).

### 1. Project overview

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Minnesota’s climate is changing – it is happening here and now and will continue well into the future. We see the harmful effects in communities across our state today, from our own health and safety to overwhelmed infrastructure, damaged property, dying trees and culturally important native species, and the inability of population centers to cool off overnight. Climate trends identified through monitoring over decades of changes in temperature and precipitation, snow depth, and lake ice, storms and droughts, our growing season and more show that Minnesota is becoming warmer and wetter, with more damaging rains, and cold weather warming. More extreme heatwaves and extended periods of drought alternating with intense precipitation are expected in the future.

During the 2021 Legislative Session, 1<sup>st</sup> Special Session, ongoing funding was appropriated in the Omnibus bill [Chapter 6 – S.F.No.20](#), Article 1, Sec. 2, Subdivision 7(h) to increase the resilience of water infrastructure and communities in Minnesota. This is the first RFP for funding from this new grant program.

This funding provides an opportunity for communities to assess vulnerabilities and begin **planning** for the effects of Minnesota’s changing climate in three areas: how to increase resilience to stormwater and reduce localized flood risk, how to improve the resilience of wastewater systems, and how to reduce human health effects and adapt community services, ordinances and public spaces to the changing climate.

## 2. Funding

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Up to \$870,000 is available for planning projects to be awarded during FY22. Grant projects must be completed no later than June 30, 2023. There is no minimum and no maximum grant award under this RFP.

### Match requirement

The minimum match requirement is 10% (ten percent) of the grant amount, either cash or in-kind, provided by any organization involved in the project. Grantees will be expected to track and report all match provided for the project by kind and source, even if the amount exceeds 10%. This will assist MPCA with better understanding of project funding needs for future grant solicitations.

### Reimbursement schedule

Grant funding for eligible costs of the planning project will be reimbursed during and upon completion of the approved project with approved invoices.

Invoices for expenses incurred to-date may be submitted as frequently as monthly. Grantees are required to submit their first invoice no later than 6 (six) months or midway through the project, whichever comes first. A final invoice for payment of remaining grant funds expended by the project is required to be submitted at the completion of the project. Payment of the final 10% of grant funds will be held back until the project is completed satisfactorily and all deliverables have been submitted and approved. Invoices are sent directly to MPCA Accounts Payable.

## 3. Eligible and ineligible applicants

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### Eligible applicants

Tribal Nations, and Local Governmental Units (LGUs) including only cities, counties, towns (townships), soil and water conservation districts (SWCDs), water management organizations (WMOs), water districts (WDs), regional development commissions (RDCs), and the Metropolitan Council of the Twin Cities region, and that are located within the geographic boundaries of the state of Minnesota are eligible applicants.

### Ineligible applicants

- Any other organization or individual not listed above as an eligible applicant.
- Entities that are currently suspended or debarred by the State of Minnesota and/or the federal government are ineligible applicants.
- The MPCA may also deem an applicant ineligible because of, but not limited to: enforcement issues, labor standards, tax status, or other such issues.

## 4. Eligible and ineligible projects

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### Eligible projects

Eligible projects are those that conduct **planning for increased resilience** to the impacts of Minnesota’s changing climate (i.e. already becoming warmer and wetter with more damaging rains and cold weather warming, and

expected to have more extreme heat and drought in the future) ***within any of the following three focus areas: stormwater, wastewater, community resilience.***

Some examples of eligible planning projects in the three focus areas –

***Stormwater resilience:***

- Vulnerability assessment using a hydrologic/hydraulic model such as XP-SWMM or equivalent to identify areas (e.g. creek corridors, bridges, intersections, etc.) within a tribal/local governmental unit that are at risk for flooding. Includes assessment of changes in future precipitation with storm events of greater intensity and frequency to evaluate how to optimize resiliency of stormwater infrastructure.
- Inventory of water infrastructure issues developed using new or existing modeling information to identify critical impacts (e.g. number of structures flooded, frequency of flooding, social vulnerability, local environmental impacts, etc.), including but not limited to consideration of existing asset management plans. Provides a prioritized list of critical areas needing infrastructure improvements to increase resilience.
- Feasibility study that compares design alternatives (e.g. replacing small or undersized stormwater infrastructure, adding surface or underground stormwater storage areas, increasing infiltration of stormwater, etc.) to address known or predicted areas of flooding within a tribal/local governmental unit. Identifies a preferred alternative with sufficient information to support consideration for future construction funding.
- Plan development (conducted in-house or by contract) for the bidding or contracting, design work, modeling, etc. needed for self-funded projects (not on the Project Priority List (PPL) / Intended Use Plan (IUP)) that have been identified by a tribal/local governmental unit risk assessment or adaptation/resilience plan.

***Wastewater resilience:***

- Risk assessment of wastewater facilities using the Environmental Protection Agency (EPA) Climate Resilience Evaluation and Awareness Tool (CREAT) or similar analysis to discover which extreme weather hazards pose significant challenges to the utility, identify the critical assets at risk, and explore various actions to protect them.
- Climate vulnerability assessment of public and/or privately-owned sewer and/or sewer sheds.
- Planning and investigative work for climate resiliency of wastewater, sewer, and or Inflow & Infiltration (I&I) projects to determine implementation plan for self-funded projects (that will not be part of a Public Facilities Authority (PFA) /Project Priorities List (PPL) Facilities Plan)
- Plan development (conducted in-house or by contract) for the bidding or contracting, design work, modeling, etc. needed for self-funded projects (not on the Project Priority List (PPL) / Intended Use Plan (IUP)) that have been identified by a risk assessment or adaptation/resilience plan (CREAT or other).

***Community resilience:***

- Community-wide climate vulnerability assessment involving stakeholders and authentic community engagement processes to identify community assets (such as parks and recreational areas, roads, public buildings, local power infrastructure, etc.) at risk from more extreme weather and changing climate conditions, as well as local population segments at greater risk from harm, stress or displacement due to climate change.
- Community-wide climate adaptation planning involving stakeholders and authentic community engagement to identify specific strategies, policies, actions, and responsible parties needed for equitable adaptation.

- Plan development (costing, bidding or contracting, design work, modeling, etc.) needed for projects that will increase the climate resilience of one or more community assets identified by a community-wide vulnerability assessment or climate adaptation plan.

## Ineligible projects

Projects that do not fit any of the three focus areas – stormwater, wastewater, or community resilience – and projects that are not planning-oriented are ineligible.

## 5. Eligible and ineligible costs

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### Eligible costs

Any cost that is directly related to the workplan tasks of an eligible planning project and not deemed ineligible below or by MPCA staff.

### Ineligible costs

Ineligible costs include costs that are not directly related to the workplan tasks of an eligible planning project. The following costs, including but not limited to, even if they are directly related to the project, are ineligible:

- Any expenses incurred before the contract is fully executed including applicant's expense for preparing the eligibility and cost applications
- Bad debts, late payment fees, finance charges or contingency funds, interest, and investment management fees
- Attorney fees
- Employee worksite parking
- Lobbying, lobbyists and political contributions
- Mark-up on purchases and/or subcontracts
- Taxes, except sales tax on eligible equipment and expenses
- Activities associated with permit fees
- Activities addressing enforcement actions or that involve a financial penalty
- Memberships (including subscriptions and dues)
- Reimbursement to non-staff stakeholders for their attendance at stakeholder participation meetings
- Food (other than staff per diem)
- Alcoholic refreshments
- Entertainment, gifts, prizes and decorations
- Merit awards and bonuses
- Donations and fundraising
- Computer(s), tablets, and software, unless unique to the project and specifically approved by the MPCA as a direct expense
- Purchase or rental of mobile communication devices such as pagers, cell phones, and personal data assistants (PDAs), unless unique to the project and specifically approved by the MPCA.

## 6. Priorities

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It is the policy of the State of Minnesota to ensure fairness, precision, equity and consistency in competitive grant awards. This includes implementing diversity and inclusion in grant-making. [The Policy on Rating Criteria for Competitive Grant Review](#) establishes the expectation that grant programs intentionally identify how the grant serves diverse populations, especially populations experiencing inequities and/or disparities.

This grant prioritizes communities with higher concentrations of low-income residents, people of color and non-English speakers, including tribal communities. Click here to see if the project is located in an area of concern for Environmental Justice:

<http://mpca.maps.arcgis.com/apps/MapSeries/index.html?appid=f5bf57c8dac24404b7f8ef1717f57d00>.

Alternatively, an applicant may determine with independent research if the project is located in an environmental justice area defined as one or more census blocks (1) in which, based on the most recent data published by the U.S. Census Bureau: (i) 40 percent or more of the population is nonwhite; (ii) 35 percent or more of the households have an income at or below 200 percent of the federal poverty level; or (iii) 40 percent or more of the population over the age of five have limited English proficiency; or (2) within Indian country, as defined in U.S. Code, title 18, section 1151. Applicant will need to identify/describe the area(s) and provide the specific information and source(s) used to determine the area(s) that meet the criteria.

This grant also prioritizes:

- Projects located in Minnesota outside of the 7-county (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington) Twin Cities Region.
- Stormwater projects that address localized flooding.

## 7. Application instructions

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All applicants must complete the Grant Application Form, work plan and budget. Applications without all forms submitted will be deemed ineligible.

## 8. Application submission instructions

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Applications must be received electronically by the MPCA by **Tuesday, December 21, 2021 at 4pm CST**. Application submissions received after the deadline will not be considered eligible.

Applications must be submitted through the [SWIFT Supplier Portal](#). Note: The RFP is termed an “Event” within SWIFT. MPCA is not responsible for any errors or delays caused by technology-related issues.

Applicants do not need to log in to view the RFP and associated documents in the SWIFT system. Applicants interested in applying will need to register as a bidder in the system by clicking on the [SWIFT Supplier Portal](#), then *Register for an Account and Register as a Bidder*. Applicants should allow up to two business days to become registered as a Bidder.

Questions regarding submitting an application can be directed to the Vendor Assistance Help Desk at 651-201-8100, option 1 or by clicking on *Supplier Portal Help* within the [SWIFT Supplier Portal](#).

Applications submitted via any other method, including but not limited to email, fax, mail, in-person deliveries, will not be accepted.

## 9. Application questions

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The MPCA is obligated to be transparent in all aspects surrounding grant work. To meet this obligation, all questions must be submitted in the same manner, and answers are only provided via the [SWIFT Supplier Portal](#). It is the applicant’s responsibility to check the [SWIFT Supplier Portal](#) and MPCA website for the most recent updates.

Applicants who have any questions regarding this RFP must email questions to [grants.pca@state.mn.us](mailto:grants.pca@state.mn.us), subject line: “**FY 22 Planning Grants for SWC Resilience**”, no later than **Thursday, December 16, 2021**. Answers to questions will be posted frequently in the [SWIFT Supplier Portal](#).

MPCA personnel are not authorized to discuss this RFP with applicants outside of the question and answer forum. Contact regarding this RFP with any MPCA personnel may result in disqualification.

## 10. Application review process

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Applicants are encouraged to score their own application using the evaluation score-sheet (Exhibit A) before submitting their application. Formal review of applications will be conducted by a team of MPCA staff

Applications received by the grant deadline will be reviewed by MPCA staff using a two-step process.

**Late applications will not be considered for review.**

### Step 1: Eligibility review

The MPCA will determine if eligibility requirements are met. Any application found to be ineligible will be eliminated from further evaluation. Minimum requirements:

- Applicant is eligible as described in section 3.
- Project is eligible as described in section 4.
- All required forms submitted by the deadline.

### Step 2: Application scoring

Only applications meeting the eligibility criteria under Step 1 will be considered for scoring in Step 2. Reviewers will evaluate applications per project using the weighted criteria listed in Exhibit A.

In addition to the ability to partially award projects, the MPCA reserves the right to refrain from awarding any grants.

Applicants past performance as a grantee will be considered when evaluating a grant application.

### Notification

All applicants will be notified by MPCA staff within approximately 60 days of application due date. Applicants selected for funding will be contacted concerning the next steps in the award process, including execution of the appropriate agreements.

## 11. Grantee responsibilities

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**Awardees are required to be a registered vendor in SWIFT and will sign the grant agreement using DocuSign.**

To register, go to the Supplier Portal webpage in [SWIFT](#) and click on the *Register for an Account link and then Register as a Supplier.*

### Grant agreement

Each awardee must enter into a grant agreement. The agreement will address the conditions of the award. Once the agreement is signed, the recipient is required to comply with all conditions.

### Reporting requirements

Email updates about the status of the project are required to be provided to the MPCA Authorized Representative whenever an invoice is submitted to MPCA Accounts Payable. The MPCA Authorized Representative will not approve an invoice through the state system without this project update. A Grant Project Final Report, in a format provided to the Grantee by the MPCA, is required to be submitted to the MPCA Authorized Representative at the same time as the final invoice is submitted to MPCA Accounts Payable.

### Public data

Applications are private or nonpublic until opened. Once the applications are opened, the name and address of the applicant and the amount requested is public. All other data in an application is private or nonpublic data until all agreements are fully executed. After all agreements are fully executed, all remaining data in the applications is public with the exception of trade secret data as defined and classified in [Minn. Stat. § 13.37](#). A statement by a grantee that the application is copyrighted or otherwise protected does not prevent public access to the application ([Minn. Stat. § 13.599](#), subd. 3).

## Conflict of interest

MPCA will take steps to prevent individual and organizational conflicts of interest, both in reference to applicants and reviewers per [Minn. Stat. §16B.98](#) and [Conflict of Interest Policy for State Grant-Making](#).

Organizational conflicts of interest occur when:

- a grantee or applicant is unable or potentially unable to render impartial assistance or advice to the Department due to competing duties or loyalties
- a grantee's or applicant's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties

In cases where a conflict of interest is suspected, disclosed, or discovered, the applicants or grantees will be notified and actions may be pursued, including but not limited to disqualification from eligibility for the grant award or termination of the grant agreement.

## Grant Monitoring

[Minn. Stat. §16B.97](#) and [Policy on Grant Monitoring](#) require the following:

- One monitoring visit during the grant period on all state grants of \$50,000 and higher.
- Annual monitoring visits during the grant period on all grants of \$250,000 and higher.
- Conducting a financial reconciliation of grantee's expenditures at least once during the grant period on grants of \$50,000 and higher. For this purpose, the grantee must make expense receipts, employee timesheets, invoices, and any other supporting documents available upon request by the State.

The monitoring schedule will be determined at a later date.

## Grantee Bidding Requirements

For Municipalities

Grantees that are municipalities must follow:

- The contracting and bidding requirements in the Uniform Municipal Contracting Law as defined in [Minn. Stat. §471.345](#)
- The requirements of prevailing wage for grant-funded projects that include construction work of \$25,000 or more, per [Minn. Stat. §§177.41](#) through [177.44](#). These rules require that the wages of laborers and workers should be comparable to wages paid for similar work in the community as a whole.

The grantee must not contract with vendors who are suspended or debarred in MN:

<http://www.mmd.admin.state.mn.us/debarredreport.asp>.

## Audits

Per [Minn. Stat. § 16B.98](#) Subdivision 8, the grantee's books, records, documents, and accounting procedures and practices of the grantee or other party that are relevant to the grant or transaction are subject to examination by the granting agency and either the legislative auditor or the state auditor, as appropriate. This requirement will last for a minimum of six years from the grant agreement end date, receipt, and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

## Affirmative Action and Non-Discrimination requirements for all Grantees:

- A. The grantee agrees not to discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status in regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age in regard to any position for which the employee or applicant for employment is qualified. [Minn. Stat. §363A.02](#). The grantee agrees to take affirmative steps to employ, advance in employment, upgrade, train, and recruit minority persons, women, and persons with disabilities.
- B. The grantee must not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The grantee agrees to take affirmative action to employ, advance in employment, and otherwise

treat qualified disabled persons without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. [Minnesota Rules, part 5000.3500](#).

- C. The grantee agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.

**Voter Registration Requirement:**

The grantee will comply with [Minn. Stat. § 201.162](#) by providing voter registration services for its employees and for the public served by the grantee.



## Exhibit A: Application evaluation score sheet

A 100 – point scale will be used to evaluate eligible applications and develop final recommendations.

Evaluation Category	Maximum Points
Project has clearly defined objectives, tasks that are clearly delineated, a realistic timeframe, and a detailed budget that includes reasonable and cost-effective expenses.	20
Organizations and specific individuals that will do the work on the project are well-qualified for their roles with the knowledge, skills and abilities to carry out the project successfully.	15
Project will directly engage and benefit communities with higher concentrations of low-income residents, people of color and/or non-English speakers – including tribal communities – within areas of concern for environmental justice or environmental justice areas and seems likely to contribute to more equitable resilience.	15
Project methodology effectively incorporates consideration of current climate trends and projections of future climate change and how its impacts are anticipated to affect the general location of the project.	10
<p>The project is well-designed to:</p> <ul style="list-style-type: none"> <li>• Address a much-needed resiliency planning issue that can make a meaningful difference to the community in preparing for climate change including human health impacts.</li> <li>• Have a high likelihood of overcoming any barriers to success.</li> <li>• Provide results that position a tribal/local government to take future action, assign responsibility for implementation, and/or pursue funding to undertake follow-up implementation of the resilience project(s) for which planning was conducted.</li> </ul>	30
The project is located in Minnesota outside the 7-county Twin Cities region.	5
The project is a stormwater project to address localized flooding.	5
<b>Total</b>	<b>100</b>