

Capital Area Council of Governments
In Cooperation with the Texas Commission on Environmental Quality

Municipal Solid Waste Grant Funding
Fiscal Year 2011

The Capital Area Council of Governments (CAPCOG), in cooperation with the Texas Commission on Environmental Quality (TCEQ), announces availability of \$442,000 in municipal solid waste implementation grant funding for fiscal year 2011, and issues this Request for Applications (RFA). All applications must be received by 5:00 pm, Friday, June 11, 2010. Any award of 2011 funding is subject to final approval by TCEQ.

I. ELIGIBLE RECIPIENTS

Only local and regional political subdivisions located within the CAPCOG region of the State of Texas are eligible to receive funding from CAPCOG as a pass-through grantee. The following public entities are eligible for grant funding under this program:

- Cities
- Counties
- Public schools and 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)

Private and non-profit companies and organizations are not eligible to receive grant funding. However, recipients of a grant may contract with private and non-profit entities to provide specific grant-funded services.

II. GENERAL APPLICATION INSTRUCTIONS

The 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 or project category proposed. In completing your application, please be concise, but provide a sufficient level of detail to facilitate the consideration of your proposed project. Please print or type your application, typing is preferred.

III. HOW TO APPLY

All FY11 solid waste implementation grant applications should be submitted directly to the CAPCOG Solid Waste Program Coordinator, Kelly Freeman at the address listed below. Completed applications will be accepted in hard copy format or via email prior to the due date. Applications submitted via email must be followed within 5 business days by a hard copy original. No faxed or late applications will be accepted.

Kelly Freeman (kfreeman@capcog.org, 512-916-6040) is available to assist interested parties during the application process. There will be a Grant Application Workshop on **May 19, 2010**, from 10:00 am to 11:30 am, in the Pecan Room at the CAPCOG offices, 6800 Burleson Road, Building 310, Suite 165, Austin, Texas. Please RSVP to Kelly Freeman (contact information listed above). All applications must be received by **5:00 pm, June 11, 2010**.

Return your completed application form(s) to the following address:

Capital Area Council of Governments
Attention: Kelly Freeman
6800 Burleson Road
Building 310, Suite 165
Austin, Texas 78744

IV. HOW PROPOSALS WILL BE CONSIDERED

Proposals will be reviewed by CAPCOG's Solid Waste Advisory Committee (SWAC) at a meeting to be held **July 15, 2010**, at CAPCOG, 6800 Burleson Road, Building 310, Suite 165, Austin, Texas 78744. All grant applicants will have a representative available at the review meeting to present to the SWAC the intentions and benefits of the proposed project and to answer SWAC members' questions. Applicants may request SWAC approval to withdraw or strike portions of their project application budget during the grant scoring meeting, prior to the actual scoring of the application. With SWAC approval, the application will be scored as amended. The SWAC will review, score and rank all applications based on the following scoring criteria:

Identified need/problem resolution – long term vs. short term

15pts

- *Is there an adequate explanation as to why the proposed project is needed?*
- *Is the specific waste stream targeted by the project clearly identified?*
- *Is the overall goal or objective of the proposed project clearly stated?*
- *Does the project address a gap in services?*

Well planned, organized and technically feasible project

15pts

- *Does the project include adequate levels of customer incentives (convenience, avoided disposal costs, etc.), public education, or public input, as appropriate to the particular project?*
- *Are all of the major steps or tasks involved in the proposed project clearly presented and adequately described?*
- *Are responsible entities for accomplishing each step or task identified?*
- *Are all aspects of the proposed project described in sufficient detail to ensure its overall feasibility or workability?*

Regional coordinated effort or public/private partnership

10pts

- *Where feasible, is there a plan for cooperation of effort with other entities/organizations in the region?*
- *If a regional approach is not feasible, is an explanation offered? Have all opportunities for regional cooperation been explored?*
- *Have steps been taken to avoid duplication of effort?*
- *If appropriate, will program and equipment costs be shared with other organizations?*
- *Does the project promote cooperation with private industries?*

Cost effectiveness of project

10pts

- *Are the costs of the proposed project presented in unit terms, such as cost per ton, costs per customer, or cost per capita, as applicable?*
- *Is the cost of effectiveness of the project supported with relevant data such as cost per ton, cost per customer, cost avoided, or cost per capita, as applicable?*
- *For pilot or demonstration projects, how will higher initial costs contribute to long term offsets or market development?*

Direct services vs. administrative overhead

10pts

- *What portion of the funding will go directly toward project expenses?*
- *Are personnel costs for startup projects only?*
- *If project costs are administrative is it fully demonstrated that those costs are integral and essential for program success?*
- *Are administrative and overhead costs requested reasonable for execution of the project?*

Sustainability of proposed project

15pts

- *To what extent has the applicant demonstrated ability and intent to sustain the program beyond the term of the grant?*
- *Does applicant have a strategy or plan to reduce waste generation and/or the need for future assistance?*

Local commitment to project

15pts

- *Has the applicant demonstrated a commitment to the success of the project through allocation of resources (personnel, equipment, funds, etc.)?*
- *Has the applicant presented sufficient documentation of the success of previously funded projects in order to warrant further funding?*

Innovative solution/approach

10pts

- *Does the project encompass an alternative or innovative solution to addressing a problem?*
- *Does the project expand, improve upon or add solid waste or recycling services in the applying jurisdiction?*

Applicants must score a minimum of 70 points out of the possible 100 to be eligible for funding. A SWAC member should abstain from scoring a grant proposal if they have a conflict of interest as defined in the SWAC bylaws. The highest and lowest score received for each project will be dropped as an additional measure to ensure fairness.

Partial funding will be applied to a proposal if the Committee members find it to be worthwhile and viable but containing expenses that are not critical to the proposal's successful implementation. Partial funding may also be awarded to proposals based on ranking and funding availability.

V. APPEALS

Applicants may appeal the funding recommendations to the CAPCOG 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 SWAC and not on factors that allow discretion by the SWAC members.

The appeal deadline is **5:00 p.m., July 28, 2010**. Applicants must notify CAPCOG staff of any appeals. Notification must be in writing and may be via email or letter. The written notification must include a justification of the grounds for the appeal. If any appeals are received, the SWAC will meet on **August 4, 2010** at 9:00 a.m. in the CAPCOG Pecan Room to hear appeals.

VI. AUTHORIZED PROJECT CATEGORIES

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.

Category 1. Local Enforcement

This category consists of projects that contribute to the prevention of illegal dumping of municipal solid waste through investigation, enforcement or education. Funds may not be used for investigation and enforcement activities related to the illegal dumping of industrial and/or hazardous waste.

Category 2. 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. 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. 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. 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.

Category 3. 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.

Category 4. Local Solid Waste Management Plans

This category includes projects to develop and/or amend local solid waste management plans by local governments. 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.

Category 5. 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. 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.

Category 6. Citizens’ Collection Stations and “Small” Registered Transfer Stations

This category includes projects to construct MSW collection facilities in areas of the region that are under served by collection services or lack public access to proper disposal facilities. Projects funded under this category include citizens’ collection stations, and construction of small municipal solid waste a transfer stations that qualify for registration or notification under 30 TAC Chapter §330 Stand-alone transfer stations are not encouraged. However, collection stations which address an unmet MSW management need, such as prevention of illegal dumping, and/or which include recycling components, will be considered on a case-by-case basis. Additional guidance on eligible facilities can be requested from CAPCOG staff.

Category 7. 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.

Category 8. 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. 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 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 CAPCOG on a case-by-case basis.

VII. 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. Please refer to the FY10-11 Application Instructions for more information.

- **Personnel.** Appropriate salaries and fringe benefits for employees working directly on the funded project are authorized under most of the grant categories. Grant funds may not be used to supplant existing funds. Staff positions where the assigned functions will remain the

same and that were active at the time of the funding application or proposal, and were funded from a source other than a previous solid waste grant, may not be funded.

- **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.
- **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.
- **Equipment.** Equipment necessary and appropriate for the proposed project are authorized. 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.
- **Construction.** Appropriate construction costs are authorized. Expenses budgeted under this category should be for costs related to the enhancement or building of permanent facilities.
- **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. All applicable laws and regulations concerning bidding and contracting for services must be followed.

Other Expenses. Other expenses, not falling under the main expense categories, are included, if connected with the tasks and activities of the proposed project.

- **Indirect.** Indirect costs may be funded, if applicable to the project. Due to limited funding, applicants are encouraged to absorb indirect costs.

Types of Expenses That May Be Appropriate Under Each Project Category

Following are *examples of some of the types* of expenses that *may* be appropriate under each of the project categories.

Category 1: Local Enforcement

- Equipment, such as vehicles, communications equipment, and surveillance equipment (NOTE: This does not include firearms or ammunition.)
- Program administration expenses, such as salaries/fringe benefits, office equipment, and training
- Protective gear and supplies (NOTE: This does not include self contained breathing apparatus.)
- Education and outreach materials

Category 2: Litter and Illegal Dumping Cleanup and Community Collection Events

- Equipment, such as trailers and trucks
- Program administration expenses, such as, salaries/fringe benefits, office equipment, travel, and training
- Subcontract expenses
- Protective gear
- Barriers and signage
- Education and outreach materials
- Printing and advertisement expenses

Category 3: Source Reduction and Recycling

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

Category 4: Local Solid Waste Management Plans

- Consultant services
- Printing and advertising expenses

Category 5: Household Hazardous Waste Management

- Design and construction of permanent collection facilities
- Equipment for permanent collection facilities
- Personal Protective Equipment (PPE)
- Waste management materials such as drums, labels, and absorbents
- Contractual services, supplies and equipment for special collection events or mobile collections
- Education and outreach materials
- Printing and advertising expenses

Category 6: Citizens' Collection Stations and "Small" Registered Transfer Stations

- Facility design and construction
- Equipment, such as dumpsters and recycling containers

Category 7: Technical Studies

- Consultant services
- Printing and advertising expenses

Category 8: 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 9: Other

- Scrap tire management
- Considered on a case-by-case basis

VIII. 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. **Municipal Solid Waste-Related Programs Only.** Funds may not be used for programs dealing with wastes that are not considered municipal solid waste (MSW).
2. **Projects that Create a Competitive Advantage Over Private Industry.** 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. See FY10/11 Application Instructions for private industry notification requirements and additional guidance.
3. **Supplanting Existing Funds.** Funds may not be used to supplant existing funds.
4. **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.
5. **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.
6. **Consistency with Regional Solid Waste Management Plan and Funding Plan.** A project or service funded under this program must be consistent with CAPCOG's approved regional solid waste management plan and funding plan, and must be intended to implement the goals, objectives, and priorities established in the regional plan and funding plan.
7. **Reimbursement.** Grant funding will be provided on a reimbursement basis only. All requests for reimbursement will be handled through CAPCOG.

8. **Onsite Monitoring.** Grant recipients must agree to allow CAPCOG staff to perform onsite visits to monitor the progress of projects.
9. **Documentation of Project Results.** Grant recipients must agree to provide data related to the results of the project to CAPCOG. 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 CAPCOG with additional reports on the status of the grant project.
10. **Household Hazardous Waste.** 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.
11. **UGMS.** The provisions of the Uniform Grant Management Standards (UGMS) issued by the Office of the Governor apply to the use of these funds.
12. **Use of Funds.** Recipients of funds under this agreement, including pass-through grant recipients and subcontractors, shall comply with all applicable state and local laws and regulations pertaining to the use of state funds, including laws concerning the procurement of goods and services and competitive purchasing requirements.
13. **Barred Entities.** 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 General Services Commission, under the provisions of §2155.077, Government Code, and 1 TAC §113.02, GSC Regulations.
14. **Solid Waste Disposal Fees.** Any entity whose payment of state solid waste disposal fees is past due may not receive funds under this agreement through either a pass-through grant or a subcontract.
15. **Acquisition of Land.** Funds may not be used to acquire land or an interest in land.
16. **Registered Facilities.** Projects or facilities requiring a registration from the TCEQ, and which are otherwise eligible for funding, must have received the registration before the project funding is awarded.
17. **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.
18. **Supplemental Environmental Project (SEP).** Funds may be used in conjunction with SEP funds to support the same project.