

*Upper Delaware Council*  
***Technical Assistance Grant and Contract Criteria***  
*Plan Implementation Projects*

The Upper Delaware Council (UDC) intends to achieve many of its goals in direct and active cooperation with local governments. The National Park Service, contingent upon appropriations, provides funding to the UDC to support technical assistance grants to expand and improve the ability of local governments to prepare or revise relevant laws, plans, and ordinances to substantially conform with the Upper Delaware enabling legislation, the River Management Plan, and the Land and Water Use Guidelines. The following criteria are the factors that will be used by the Upper Delaware Council for the allocation and commitment of UDC funds to member towns, townships and county governments in furtherance of the Plan's goals and objectives. The criteria consist of three sections:

1. **Qualifications and Restrictions** - The qualifications and restrictions are conditions that must be satisfied by any proposal, project, grant, contract, and by each applicant for proposals, projects, grants or contracts.
2. **Purposes** - A project must fulfill or be designed to meet at least one of the conditions listed in the purposes section to merit consideration by the UDC. The UDC may use these purposes as preliminary ranking factors for determining the relative merit of competing proposals.
3. **Procedures** - These are the actual guidelines that the UDC will follow in order to decide upon the awarding of grants, and provide procedures for public notification, application, review, decision making, contract supervision, and final review and reporting.

## **Qualifications and Restrictions**

Grants must adhere to the following qualifications in order to be considered for award:

1. Grants to governments are limited to UDC member governments and affected counties.

Grants from the UDC will be limited to such local governments, agencies, and other governmental bodies that are members of the UDC. Any town or township that is not a member of the UDC shall not be eligible for grants or contracts from the UDC.

2. Grants must be for research, planning, or other assistance in plan implementation primarily related to land use planning, Geographic Information Systems (GIS) planning, zoning ordinances and revisions, codification of laws, and updates of comprehensive and master plans.

Additionally, projects that support education, interpretation, documentation, resource protection, stewardship, and economic needs as identified by members will be considered. Applicants must define how the project meets specific goals and objectives of the River Management Plan to potentially qualify for financial assistance.

No funds may be granted or contracts undertaken for such activities as land acquisition, construction, or other "brick and mortar" capital projects.

3. Proposals must relate to the Upper Delaware Scenic and Recreational River Final River Management Plan.

All proposals must relate directly to and support the implementation of the Upper Delaware Scenic and Recreational River Final River Management Plan, including the assistance of UDC member towns and

townships to reach substantial conformance requirements with or in furtherance of the River Management Plan and the Land and Water Use Guidelines.

4. **Deadline for Agreements:** All contracts or grants under this section for Fiscal Year 2023 must be agreed to and work started no earlier than **October 1, 2022** (the beginning of Fiscal Year 2023). All legal commitments for Fiscal Year 2023 between the UDC and the grantees must generally be completed within 10 months by **August 18, 2023**. Extensions are allowable only upon request to and approval by the UDC's Project Review Committee based on need.

## Purposes

There are three categories of purposes for which grants may be considered by the Upper Delaware Council.

1. Projects or issues specifically targeted for study in the River Management Plan, which is available on-line at:  
<http://www.upperdelawarecouncil.org/publications/>
2. Projects for the preparation, revision, or publication of rules, laws, plans, maps, or ordinances for the implementation of the Upper Delaware River Management Plan by participating town and township governments.
3. Other projects that may fulfill overall implementation of the River Management Plan goals and objectives.

## Contract and Grant Procedures

### I. Statement of Procedures

So that all eligible towns and townships may understand the purposes and procedures to be used by the UDC in awarding grants, the UDC shall provide to all member towns and townships a statement of procedures that will detail the process for the application, review and award of grants by the UDC. This Statement of Procedures shall consist of the Upper Delaware Council Technical Assistance Grant and Contract Criteria, together with any further explanatory material that the UDC may develop. The UDC may choose to provide the Statement of Procedures as well to non-member towns and townships located in the UDC region in order to familiarize them with the purposes and procedures of grant awards under the UDC plan.

### II. Notice of Availability, Statement of Purposes

When the UDC is prepared to begin the process for the review and awarding of grants, the Council shall send to each eligible town and township a notice of availability and shall publish by press release such notice of availability in the Council's official newspapers of general circulation in the UDC region. The Notice of Availability shall contain:

#### Statement of Eligibility and Purposes

This statement shall briefly describe what kind of grant is available, what entities are eligible for consideration (i.e. town and township governments, planning boards, county agencies, consultants) and what specific purposes or parts of the UDC management plan the grants or awards are intended to support.

#### Notice of Procedures

This statement shall provide information on where to get further application information, forms, and what dates or deadlines have been set for the completion of applications, review, and decision by the UDC.

### **Qualifications for Grantees, Ranking Factors**

In order to ensure that grant funds are directed toward organizations and individuals who will efficiently and professionally accomplish the purposes of a grant proposal, the UDC and its Project Review Committee shall apply the following factors to its decision-making process:

1. Is the town or township a member of the UDC or a county in which those municipalities are located?
2. Does the applicant have the ability to staff, supervise, and complete the project based upon the budget submitted, and have other resources available for the project? [Note that final payments are provided on a reimbursement basis upon submission of expense documentation and approved completion of the project.]
3. If a private consultant is applying, or if the work is ultimately to be done by consultants working for the applicant, are the experience, staff size, and professional reputation of the consultants such that the UDC can be confident of the successful completion of the project? Is there a letter or resolution from Town/Township in support of the project?

### **III. Qualifications of Projects and Proposals, Ranking Factors**

The UDC and its Project Review Committee shall consider the following factors in ranking project applications for funding by the UDC:

1. Does the applicant lack the resources to accomplish this project without the assistance of the UDC?
2. Is the project crucial to the accomplishment of the goals of the UDC in implementing the River Management Plan?
3. Is the project crucial to the accomplishment of the goals of the UDC this year? Is the use of federal funding determined to be allowable, allocable, and reasonable to support the project?
4. Is the project one that will be applicable in more than one jurisdiction? Will the results be transferable and potentially applicable to other towns, townships, or situations?

### **IV. Application Procedures**

Applicants shall complete the UDC TAG Application Form and submit it to the UDC office by the application deadline. Each application shall contain:

1. The name, address, and e-mail address of the town, township, or government body applying for funds; a project title; and identification of a contact person with telephone number and e-mail address. This individual will be contacted to attend a special meeting of the Project Review Committee to summarize and take questions on the application.
2. The purpose and goals of the proposed project, and how it relates to River Management Plan goals and objectives.
3. The project work plan, including time table.
4. The expected results of the project.
5. The total cost of the project and how much funding is being requested from the UDC.
6. Whether the full project would be undertaken if the UDC funds only a portion of the project.
7. The Project Budget, including a description of costs for each budget item. *(Note any other sources of funding and/or in-kind services, if applicable.)*

8. The name, qualifications, and experience of any staff, subcontractors, consultants or individuals who will be working on the project for the applicant.

## **V. Procedures for Review of Proposals**

The UDC Project Review Committee will review grant applications received by the stated submission deadline.

The committee shall examine applications before it for basic eligibility, priority of purpose, and qualifications of the proposed agency or contractor. The committee shall review the budget for the proposed project. The committee will contact and question applicants directly at its annual special meeting typically taking place on the 2<sup>nd</sup> Tuesday of September, and the committee may seek references and other information in the case of applications from private individuals and consultants, or from government agencies when the actual project will be completed by private individuals or consultants.

When the committee has completed its review of an application it will report its findings and recommendations to the Upper Delaware Council. The committee may vote to recommend acceptance, rejection, or acceptance with conditions of an application.

## **VI. Award Decisions, Notification of Awards**

The Project Review Committee shall present its recommendations to the Upper Delaware Council for decision, generally scheduled for the first Thursday of October. The UDC shall discuss the applications, recommendations, and upon motion of the Project Review Committee or any UDC member, shall vote on application resolution authorizing grant awards for the fiscal year. A simple majority of the full UDC is sufficient to agree to award a grant. The UDC may vote to accept, reject, or accept with conditions any application presented to it by the committee. The Chairperson or designee shall notify the applicant by letter of the result of the vote of the UDC. This letter shall be for informational purposes only and shall not be legally binding upon the UDC.

## **VII. Drafting and Review of Grants and Contracts**

Upon the decision of the UDC to award a grant, the resolution by which the UDC decision was made may be forwarded to the National Park Service for review of compliance with federal funding allowance standards and to UDC Legal Counsel, together with copies of the grant application and other documents that may be required, prior to the final awarding of contracts. The contract or other document shall then be submitted to the grantee for signature and execution by the chairperson of the UDC's Project Review Committee.

## **VIII. Amendments to Established Procedures**

These procedures may be modified by the Council as circumstances warrant. Where modifications to the granting procedures are made, these modifications shall apply only to new projects reviewed under these criteria and shall not affect ongoing projects.

## **IX. Contract Supervision**

The Project Review Committee shall supervise the execution of the grant contract. The grantee must submit a Mid-term Progress Report and a Project Completion Form indicating finalization of the project and requesting reimbursement payment by provided deadlines. Deliverables include a paper or electronic copy of the final product with proper UDC attribution (see Standard Contract Rider #20), and documentation of the applicant's completed implementation actions such as public hearing notices and motions or resolutions enacting laws, plans, or amendments, if applicable. The Project Review Committee may require other interim reporting by the grantee as they deem necessary.

## **X. Project Evaluation**

At the conclusion of the work by a grantee, the supervising UDC staff shall perform a substantial conformance review, if applicable, and prepare a report to the Project Review Committee on the results of the project. The report shall include an assessment of the conclusions, results, or product of the project, a budgetary assessment, and an assessment of the need and benefit of the continuation of the project, or the initiation of similar projects in other jurisdictions, or within the entire UDC management region. Final payment will not be authorized until a final product is received, successfully reviewed, and found to be in substantial conformance (if applicable). The UDC reserves the right to consider any grantees that adopt local laws contrary to achieving substantial conformance with the Land and Water Use Guidelines for the Upper Delaware Scenic and Recreational River as ineligible for future Technical Assistance Grants under conditions to be specifically determined by the UDC.

## **XI. Public Reporting of Project Evaluation**

The UDC shall make available to the public and the local media a summary and evaluation of the results of each grant awarded by the UDC at the conclusion of the work by the grantee and acceptance by the Project Review Committee. The purpose of this section is to make available to other governments and citizens the results and conclusions that are developed by any single grantee, in order that the benefits of the award may be disseminated as widely as possible.