The LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC)  
In Cooperation with the  
Texas Commission on Environmental Quality (TCEQ)  

Announces Availability of Municipal Solid Waste  
Grant Funding for  
Fiscal Year 2020/2021  

Request for Applications  
Application Open date:  
January 06, 2020 12:00 noon  
Application Closing date:  
February 14, 2020 12:00 noon  

Applications must be submitted via email in PDF format to:  
Brenda Salinas  
bsalinas@lrgvdc.org  
cc:  
Blanca Davila  
bdavila@lrgvdc.org  

Subject title when submitting application via email should read:  
FY 2020-2021 Solid Waste Grant Sub-Grantee Application_ APPLICANT NAME  

Applications submitted after deadline will not be considered.

Lower Rio Grande Valley Development Council  
Community & Economic Development Department  
301 W. Railroad Street  
Weslaco, Texas 78596  
956-682-3481  
www.lrgvdc.org
TABLE OF CONTENTS

Purpose .............................................................................................................................................3.
Application submittal information .................................................................................................3.
Eligible recipients .............................................................................................................................4.
Applicable Statutes and Regulations ............................................................................................4.
Workshop & Funding .......................................................................................................................5.
Source Reduction & Recycling .........................................................................................................6.
Eligible Expenses .............................................................................................................................7.
Funding standards ...........................................................................................................................9.
Requirements .....................................................................................................................................11.
Application Evaluation ..................................................................................................................12.
LRGVDC Funding Schedule ...........................................................................................................13.
This is a Request for Application for LRGVDC’s FY2020/2021 Solid Waste Grants Program. Included in this grant application package are the following:

- LRGVDC FY 2020/2021 Grant Announcement & Guidelines
- Grant Application Package

**Purpose**

The purpose of this program is to provide funding for eligible local and regional municipal solid waste management projects in support of the goals and objectives of the adopted Regional Solid Waste Management Plan (RSWMP) for the Lower Rio Grande Valley Development Council (LRGVDC). Funding for this program is provided through a grant from the TCEQ, under the authority of §361.014, Texas Health and Safety Code.

Application package is also available at the LRGVDC website [http://www.lrgvdc.org/solidwaste.html](http://www.lrgvdc.org/solidwaste.html). A separate application form must be submitted for each individual project proposed. In completing your application, read the instructions carefully (for specific requirements refer to page 10). Keep in mind that you will need to be concise and provide a sufficient level of detail to facilitate informed consideration of your proposed project.

**LRGVDC Regional Solid Waste Management Goals:**
*(complete plan can be found in the LRGVDC website under Solid Waste tab)*

The two major goals addressed in the Regional Solid Waste Management Plan goals are:

**Goal 1) Reduce waste generation/disposal and develop responsible waste disposal practices and**

**Goal 2) Plan for and provide adequate regional waste disposal capacity.**

Your project must support one or more of the Regional Solid Waste Management Plan Goals.

**Application Submittal Information**

A complete application must be submitted via email in PDF format to Brenda Salinas at bsalinas@lrgvdc.org. An email will be sent to you in receipt of your application. If you do not receive an email, please call staff to verify application was received. Applications submitted after deadline will not be considered.

LRGVDC Staff is available to assist interested parties during the application process and may be contacted at the following:

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brenda Salinas</td>
<td>(956) 682-3481</td>
<td><a href="mailto:bsalinas@lrgvdc.org">bsalinas@lrgvdc.org</a></td>
</tr>
<tr>
<td>Blanca Davila</td>
<td>(956) 682-3481</td>
<td><a href="mailto:bdavila@lrgvdc.org">bdavila@lrgvdc.org</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 06, 2020</td>
<td>Application Process</td>
</tr>
<tr>
<td>January 21, 2020</td>
<td>Mandatory Solid Waste Grant Workshop to qualify for 10 points</td>
</tr>
<tr>
<td>February 25, 2020</td>
<td>Subcommittee Reviews Applications for completion</td>
</tr>
<tr>
<td>March 11, 2020</td>
<td>SWAC Scoring &amp; Ranking Meeting</td>
</tr>
<tr>
<td>March 25, 2020</td>
<td>LRGVDC Board Approval</td>
</tr>
<tr>
<td>April 2020</td>
<td>TCEQ Approval of Projects</td>
</tr>
<tr>
<td>May 2020</td>
<td>FY 2020 Contracts to be issued from May 2020 - May 2021</td>
</tr>
<tr>
<td>September 2020</td>
<td>FY 2021 Contracts to be issued from September 2020 - July 2021</td>
</tr>
</tbody>
</table>
Eligible Recipients

Only those local and regional political subdivisions located within the State of Texas are eligible to receive funding from the COG as a pass-through grant.

Eligible entities:

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

Non-Eligible:

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.

Entities that are subject to the payment of state solid waste disposal fees and whose payments are delinquent are not eligible to receive a grant. In addition, entities that are barred from participating in state contracts by the Texas Comptroller of Public Accounts, under the provisions of §2155.077, Government Code, are not eligible to receive a grant.

Applicable Statutes and Regulations

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

1. Section 361.014(b), Texas Health and Safety Code;
2. Title 30 Texas Administrative Code Chapter 330, Subchapter O, TCEQ MSW Regulations (30 TAC Chapter 330, Subchapter O);
3. Chapter 14 of the TCEQ Regulations (30 TAC Chapter 14);
4. The Grant Contract between the Council of Governments and the TCEQ; and
5. The Uniform Grant and Contract Management Act, Texas Government Code, §§783.001 et. seq., and the Uniform Grant Management Standards, 1 TAC §§5.141 et. seq. (collectively, “UGMS”).


**Mandatory Workshop** – Application will not be disqualified but will not be eligible to receive 10 points for Mandatory Workshop if entity does not attend.

LRGVDC staff will also be available to answer any questions concerning the grant application at the grant application workshop. **A consultant or contracted grant writer cannot be the sole representative of the applying entity.**

**Grant Workshop**  
**Tuesday, January 21, 2020**  
10:00 a.m.  
**LRGVDC Ken Jones Executive Board Room (Bldg. B)**  
301 W. Railroad, Weslaco Texas

The workshop will provide time for applicants to ask questions regarding their applications and proposed projects and will include; an overview of solid waste grant programs, project priorities, screening and selection, qualities of good applications, qualities of a good project and tips from the Solid Waste Advisory Committee (SWAC).

All grant applications received will be reviewed for administrative completion by Solid Waste Advisory Committee (SWAC) Subcommittee.

Administratively complete applications will move forward in the application process to SWAC Scoring & Ranking.

LRGVDC staff will contact qualifying applicants to attend the scheduled SWAC Scoring & Ranking Meeting

Notified Grant applicants must have a representative at this meeting to provide a brief three (3) minute presentation and answer questions by SWAC.

**Solid Waste Advisory Committee Scoring & Ranking Meeting**  
**Wednesday March 11, 2020**  
10:00 a.m.  
**LRGVDC Ken Jones Executive Board Room (Bldg. B)**  
301 W. Railroad, Weslaco Texas

**Total Funding for FY 2020/2021 - $100,000.00**

**FY 2020-$50,000.00 & FY 2021-$50,000.00**

**FY2020/2021 Grant Award Funding Caps per application: $25,000.00**

- FY 2020 - Source Reduction & Recycling – Two $25,000.00 projects will be awarded
- FY 2021 - Source Reduction & Recycling – Two $25,000.00 projects will be awarded
- Only one project may be funded per entity per biennium
Source Reduction and Recycling

Funds may be used for projects that provided a direct and measurable effect on reducing the amount of municipal solid waste going into landfills, by diverting various materials from the municipal solid waste stream for reuse or recycling, or by reducing waste generation at the source.

**Funded activities may include:**
- diversion from the waste stream and/or collection,
- processing for transport and transportation of materials for reuse and/or recycling;
- implementation of efficiency improvements in order to increase source reduction and recycling, to include full-cost accounting systems and cost-based rate structures,
- establishment of a solid waste services enterprise fund, and
- mechanisms to track and assess the level of recycling activity in the community on a regular basis.

*Please keep in mind that TCEQ will need to know the end use on all the items listed to be recycled (what company is taking the recycled items).*

**Not Allowable Expenses:**
- Conferences, Trainings and education outreach material are not allowable.

**Examples of Expenses That May Be Appropriate**
- Facility design and construction
- Equipment, such as chippers, balers, crushers (non-trash), recycling and composting containers, trailers, forklifts, roll offs, and trucks
- The only allowable expense for education and outreach would be the creation/graphic design of brochures and pamphlets to reduce waste and recycle.
- Printing and advertisement expenses

**Expending funds**

Grant recipients have one year to expense project funds. If no funds are expended within the first six (6) months, the Solid Waste Advisory Committee (SWAC) will convene to decide further action of the project.

Funds will be de-obligated if 90% of funds are not expensed within ten (10) months.

If funded, you will need to follow your city/county Procurement Policy’s when submitting reimbursement therefore, you will need to submit a copy via email of your entity’s Procurement Policy procedures.
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.

**Supplies.** Expenses for supplies necessary for the conduct of the funded project may be 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 which are consumed in a relatively brief period, in the regular performance of the general activities of the proposed project.

**Equipment.** Equipment necessary and appropriate for the proposed project may be authorized. The COG must carefully evaluate all requests for equipment to determine appropriateness of the equipment for the project. No equipment is to be purchased by a pass-through grant recipient unless approved in advance by the COG. Expenses included under the Equipment Expense Category should be for non-construction related, tangible, private property having a unit acquisition cost of $5,000 or more (including frights 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 projects, may only be funded at an amount reflecting the appropriate percentage of time that the equipment will be directly used for the funded project. The special conditions and requirements set forth in the grant Contract (relating to Title to and Management of Equipment and Constructed Facilities), also apply to equipment purchased with pass-through grant funding. **All equipment purchased must be tagged: Funded by TCEQ & LRGVDC.**

**Construction.** Appropriate construction costs may be authorized. Expanses budgeted under this category should be for costs related to the enhancement or building of permanent facilities. No construction costs may be incurred by a pass-through grant recipient unless the construction details are approved in advance by the COG. Appropriate costs that may be included are:

- The cost of planning the project;
- The cost of materials and labor connected to the construction project;
- The cost of equipment attached to the permanent structure; and
- Any subcontracts, including contacts for services, performed as part of the construction.

**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 may be authorized for subcontracting by the fund’s recipient. No contractual costs should be incurred by a pass-through grant recipient unless the subcontract is approved in advance by the COG. **Applicable laws and regulations concerning bidding and contracting for services must be followed.** Any amendment to a subcontract which will result in or require substantive changes to any of the tasks required to be performed must be approved in writing by the COG.

**Other Expenses.** Other expenses, not falling under the main expense categories, may be included, if connected with the tasks and activities of the proposed project. The restrictions set forth in the UGMS and the main grant Contract apply. The COG must ensure that expenses budgeted under this “Other” category are itemized by the grant recipient and are fully considered and evaluated by the COG. Some expenses that may be appropriate include:

- Postage/delivery/Telephone/FAX/Utilities
- Printing/reproduction
- Advertising/public notices/Signs
- Office space/Basic office furnishings
- Computer hardware (under $5,000 and not listed under the Equipment category)
- Computer software
Funding Standards

In addition to the standards set forth in applicable law and regulations, the standards outlined below apply to all uses of the solid waste grant funds.

General Standards

1. The provisions of the Uniform Grant Management Standards (UGMS) issued by the Office of the Governor apply to the use of these funds, as well as the supplement financial administration provided in the program Administrative Procedures.

2. Recipients of funds under this Contract, including the COG, 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.

3. Funds may not be provided through pass-through grant or subcontract to any public or private entity that is barred from participating in state contracts by the Texas Facilities Commission.

4. Public and private entities subject to payment of state solid waste disposal fees and whose payments are in arrears may not receive funds under this Contract through either a pass-through grant or subcontract.

5. In accordance with §361.014(b), Texas Health and Safety Code, and 30 TAC §330.649(d), TCEQ Regulations, a project or service funded under this Contract must promote cooperation between public and private entities and may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services. Under this definition, the term private industry included non-profit and not-for-profit non-governmental entities.

6. All equipment and facilities purchased or constructed with funds provided under this Contract shall be used for the purposes intended in the funding Contract.

7. A project or service funded under this Contract must be consistent with the COG’s RSWMP, and must be intended to implement the goals, objectives, and priorities established in the regional plan.

8. Funds may not be used to acquire land or an interest in land.

9. Funds may not be used to supplant existing funds. In particular, 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.

10. Funds may not be used for food or entertainment expenses, including refreshments at meetings and other functions.

11. Funds may not be used for employment, contracts for services of a lobbyist, or for dues to an organization, which employs or otherwise contracts for the services of a lobbyist.

12. Funds may only be used for projects or programs for managing municipal solid waste.

13. Except as may be specifically authorized, funds may not be used for projects or facilities that require a permit from the TCEQ and/or that are located within the boundaries of a permitted facility, including landfills, wastewater treatment plants, or other facilities. This restriction may be waived.
by the TCEQ, at its discretion, for recycling and other eligible activities that will take place within the boundaries of a permitted facility. The applicant and/or the COG must request a preliminary determination from the TCEQ as to the eligibility of the project prior to the project being considered for funding by the COG.

14. 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.

15. Except as may be specifically authorized, funds may not be used for activities related to the collection or disposal of municipal solid waste. This restriction includes; solid waste collection and transportation to a disposal facility; waste combustion (incineration or waste-to-energy); processing for reducing the volume of solid waste which is to be disposed of; landfills and landfill-related facilities, equipment, or activities, including closure and post-closure care of a permitted landfill unit; or other activities and facilities associated with the disposal of municipal solid waste.

16. 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.

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

Notification of Private Industry Required for Source Reduction & Recycling

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

Applicant Notification Requirements

- Contact in person or in writing the known private service providers of similar services which, at the time of the application development, are providing services within the geographic service area that the project intends to serve, prior to making the application. A list of private service providers within the region is available at the LRGVDC website.

- Inform private service providers of the basic details of the proposed project and consider any input and concerns from the private service providers about the project when completing the project proposal.

- Consider, where appropriate, meeting directly with private service providers that may have a concern about the proposed project to attempt to resolve any concerns before an application is submitted.

- Complete applicable information on the grant application forms to provide documentation that private service providers were notified of the project prior to submission of the application and submit written comments and signature provided by any private service provider. A Signature page for each company you contact must be included with the application (See Tab C of the grant application document).

Resolution Requirement

- Resolution & Application must be signed by the same person. Mayor, County Judge, or School Board Chair

- The person signing the application must be designated in the resolution.

- Minutes approving Resolution from your commissioner’s court, city council or board meeting must be attached along with the Resolution.

- Any application submitted without a Resolution will be disqualified. A sample Resolution is included in the grant application (See Tab D of the grant application document).
**Application Evaluation**

LRGVDC staff will Request for Applications (RFA) by sending all eligible recipients and private sector entities a notice of RFA at least forty-five (45) days before deadline.

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

**Subcommittee.** A subcommittee shall be appointed by the full committee to review and prescreen all the project applications for administrative completeness and the subcommittee shall have the authority to remove ineligible applications from further consideration.

**Screening Criteria.** The following screening criteria must be met, for any proposed project to be considered, if these screening criteria are not met, the proposed project will receive no further consideration for grant funding.

1. The application must be complete, and all application requirements and procedures followed, including requirements to notify private service providers of the proposed project and completed resolution.

2. The proposed project must conform to eligible standards, eligible recipient standards, and allowable expenses and funding standards, as established by the TCEQ and the COG and under all applicable laws and regulations.

3. The applicant must agree to submit progress and results reports monthly of the project as required by the LRGVDC.

4. The proposed project must be technically feasible, and there must be a reasonable expectation that the project can be satisfactorily completed within the required time frames.

5. The proposed project activities and expenses must be reasonable and necessary to accomplish the goals and objectives of the project.

6. The proposed project must be consistent with the approved regional solid waste management plan and must directly support implementation of the regional plan.
Selection Criteria. A proposed project will be evaluated by the Solid Waste Advisory Committee of the LRGVDC to ensure that project meets all the applicable screening criteria. The following is the selection criteria for a possible total score of 100 points.

1. **Mandatory Workshop Provided by LRGVDC staff (to qualify for 10 points)**
   - Attendance at Workshop provided by LRGVDC

2. **Population to be served (0-20 Points)**
   - Indicate area/geography covered by this project
   - Include data & demographics
   - Regional Partnerships

3. **Statement Need & Sustainability (0-30 Points)**
   - Program Summary & Objectives
   - Intention to sustain the project
   - Cash Match or In-Kind match (not required but encouraged)

4. **Work Program – (0-40 points)**
   - Project feasibility
   - Supporting documentation
   - Staff qualifications
   - Budget
   - Project Calendar & purchasing

5. **Poor Performance Deduction in the past two grant cycles (Subtract 10 Points)**

   LRGVDC will verify reports submitted between 2016-2019.
   - Submitting of Reports (subtract 5 points)
   - Expenditure of Funds (subtract 5 points)

**Grant Contracts**

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

- Grant funding will be provided on a reimbursement basis only, and all requests for reimbursement must be handled through the LRGVDC.
- Grant recipients must agree to provide data related to the results of the project to the LRGVDC and/or the TCEQ.
- As appropriate to the project, the grant recipient will also be asked to commit to monitoring the result of the project beyond the grant term, and periodically provide the LRGVDC and/or the TCEQ additional reports on the status of the project.
- Grant recipients must agree to allow staff of the LRGVDC and/or the TCEQ to perform on-site visits to monitor the progress of projects.
## FY 2020/2021 Funding Schedule for Solid Waste Grants

<table>
<thead>
<tr>
<th>Contract Term - FY 2020 Projects</th>
<th>May 1, 2020 – May 31, 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Term - FY 2021 Projects</td>
<td>September 1, 2020 – July 31, 2021</td>
</tr>
<tr>
<td>Progress &amp; Results Reports</td>
<td>Due monthly to LRGVDC</td>
</tr>
<tr>
<td>Reimbursements</td>
<td>Monthly or as necessary until funds are expended.</td>
</tr>
<tr>
<td>SWAC Meeting to ensure Compliance with Project</td>
<td>Funded Entity will be notified a week in advance to present at a SWAC meeting and provide a report on project status.</td>
</tr>
<tr>
<td>Site Visits on Projects Funded</td>
<td>LRGVDC staff will conduct a site visit to see and evaluate progress on funded equipment or facility.</td>
</tr>
<tr>
<td>Follow-up Results</td>
<td>October 15, 2022 Results Reports are due a year after the end of your contract to TCEQ</td>
</tr>
</tbody>
</table>