



**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 2024/2025***

Request for Applications

Application Open date:

January 08, 2024, 12:00 noon

Application Closing date:

February 16, 2024, 12:00 noon

Applications MUST BE submitted via email in PDF format to:

Brenda Salinas

bsalinas@lrgvdc.org

cc:

Melisa Gonzales-Rosas

melisa.gonzales@lrgvdc.org

Subject Title should read:

FY 2024-2025 Solid Waste Grant Sub-Grantee Application_ APPLICANT ENTITY NAME

Applications submitted after the 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

Purpose3.

Application Timeline & Eligible recipients4.

Funding, Workshop & SWAC Scoring/Ranking Meeting5.

Source Reduction & Recycling6.

Eligible Expenses Under Source Reduction & Recycling7.

Litter and Illegal Dumping Cleanup and Community Collection Events8.

Eligible Expenses Under Litter & Illegal Dumping Cleanup & Comm. Collection9.

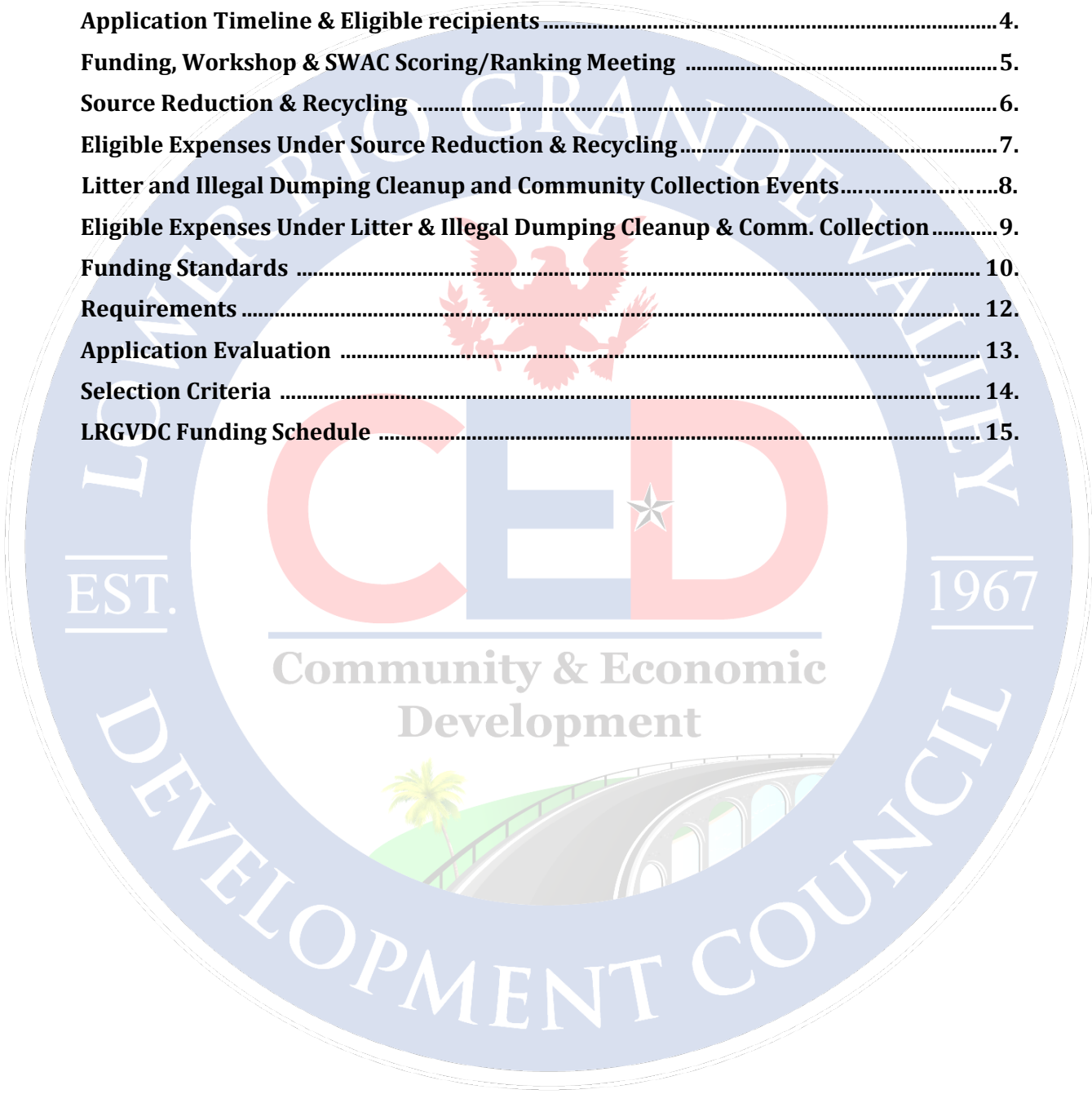
Funding Standards 10.

Requirements 12.

Application Evaluation 13.

Selection Criteria 14.

LRGVDC Funding Schedule 15.



LRGVDC/TCEQ Announces Availability of Municipal Solid Waste Grant Funding for FY 2024/2025

This is a Request for Application (RFA) for LRGVDC's FY 2024/2025 Solid Waste Grants Program.

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>. A separate application form must be submitted for each individual project proposed (**only one project will be awarded per entity per biennium**).

LRGVDC Regional Solid Waste Management Plan (RSWMP) Goals:

Regional Solid Waste Management Plan 2022-2042 Volume I & II can be found in the LRGVDC website www.lrgvdc.org under Community & Economic Development, Solid Waste tab.

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

Goal 1) Maximize beneficial resource use.

Goal 2) Responsibly manage problematic waste.

Goal 3) Maximize proper disposal.

Goal 4) Lead regional planning.

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 the application was received. Applications submitted after the deadline will not be considered.

If you have any questions, you may contact the following LRGVDC staff:

Melisa Gonzales-Rosas
Community & Economic
Development Assistant Director
(956) 682-3481 ext. 163
melisa.gonzales@lrgvdc.org

Brenda Salinas
(956) 682-3481 ext. 123
bsalinas@lrgvdc.org

Valerie Ramos
(956) 682-3481 ext. 114
vramos@lrgvdc.org

2024/2025 Solid Waste Grant Funding Application Timeline

January 08, 2024, 12:00 noon	Release for Application & Application Forms (can be found on the LRGVDC website under the Solid Waste tab)
January 23, 2024, 2:00 p.m.	Solid Waste Grant <i>Virtual</i> Workshop attendance to qualify for 10 points
February 16, 2024, 12:00 noon	Deadline for Application
February 19 – March 01, 2024	Public Review
March 05, 2024, 10:00 a.m.	SWAC Scoring & Ranking (<i>In Person</i>) Meeting
March 27, 2024, 12:00 noon	LRGVDC Board of Directors Approval
April 2024	TCEQ Approval of Solid Waste Projects
May 2024	FY 2024 Contracts to be issued from May 2024 - May 2025
September 2024	FY 2025 Contracts to be issued from September 2024 - July 2025

Eligible Recipients

Only those local and regional political subdivisions located within the State of Texas are eligible to receive funding from the Council of Government (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 apply for grant funding. However, private and non-profit entities may partner up with an eligible entity 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 Texas Grants Management Standards, 1 TAC §§5.141 et. seq. (collectively, "TxGMS").

Funding

Funding Categories:

- ❖ Source Reduction & Recycling or
- ❖ Litter and Illegal Dumping Cleanup and Community Collection Events

Total Funding for FY 2024/2025 - \$120,000.00

FY 2024 - Two Projects will be awarded- \$60,000.00

FY 2025 - Two Projects will be awarded- \$60,000.00

Funding Caps Per Application: \$30,000.00

- ❖ If submitting more than one application, only one project may be funded per entity per biennium.

Solid Waste Grant Virtual Workshop

The entity that attends will receive 10 points the day of the scoring meeting. **A consultant or contracted grant writer CANNOT be the sole representative of the applying entity.** If the entity does not attend the workshop, you will not be eligible to receive 10 points at the scoring and ranking meeting.

Solid Waste Grant **Virtual** Workshop

Tuesday, January 23, 2024

2:00 PM

<https://meet.goto.com/111696285>

You can also dial in using your phone.

United States: [+1 \(312\) 757-3121](tel:+13127573121)

Access Code: 111-696-285

The workshop will include an overview of the Solid Waste Grant Program, LRGVDC Solid Waste Advisory Committee (SWAC), project priorities, tips, and qualities of good applications.

Solid Waste Advisory Committee Scoring & Ranking Meeting

LRGVDC staff will contact qualifying applicants to attend the scheduled SWAC meeting. **The applicant 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 (**In Person Meeting**)

Tuesday, March 05, 2024

10:00 AM

LRGVDC Ken Jones Executive Board Room (Bldg. B)

301 W. Railroad, Weslaco Texas

All grant applications received will be reviewed for administrative completion by the LRGVDC staff. Only Administratively complete applications will move forward in the application process to the SWAC for Scoring & Ranking.

Source Reduction and Recycling

Funds may be used for projects that provide 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 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 of all the items listed to be recycled (what company is taking the recycled items).

Non-Allowable Expenses:

- ❖ Conferences, training, and educational 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 recycling.
- ❖ Printing and advertisement expenses

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Eligible Expenses – Source Reduction & Recycling

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: 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 expenditure 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 Expenses: Equipment necessary and appropriate for the proposed project may be authorized. The COG must carefully evaluate all requests for equipment to determine the 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 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 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 with TCEQ & LRGVDC logos.**

Construction Expenses: Appropriate construction costs may be authorized. Expenses 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 contracts 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 Additional 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

Litter and Illegal Dumping Cleanup and Community Collection Events

Funds may be used for ongoing and periodic activities to clean up litter and illegal dumping of municipal solid waste.

Funded activities may include:

- ❖ Waste removal: disposal or recycling of removed materials.
- ❖ Fencing and barriers; and signage.
- ❖ 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 cleaned up under this program, to the extent feasible. **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**
- ❖ Funds may also be used for periodic community collection events, held not more frequently than four times per year, **(EXAMPLE: 4 CONSECUTIVE WEEKENDS NOT INCLUDING WEEKDAYS; OR ALTERNATE WEEKENDS OVER THE COURSE OF THE YEAR, NOT INCLUDING WEEKDAYS)** to provide for collection of residential waste materials for which there is not a readily-available collection alternative, such as large and bulky items that are not picked up under the regular collection system.

Non-Allowable Expenses:

- ❖ Conferences, training, and educational outreach material are not allowable.

Examples of Expenses That May Be Appropriate:

- ❖ Equipment, such as trailers and trucks
- ❖ Program administration expenses, such as office supplies and equipment, and vehicle maintenance
- ❖ Subcontract expenses
- ❖ Protective gear and supplies
- ❖ Fencing, barriers, and signage
- ❖ The only allowable expense for education and outreach would be the creation/graphic design of brochures and pamphlets to reduce waste and recycle/promote event.

Eligible Expenses – Litter and Illegal Dumping Cleanup and Community Collection

Supplies Expenses: 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 expenditure 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 Expenses: Equipment necessary and appropriate for the proposed project may be authorized. The COG must carefully evaluate all requests for equipment to determine the 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 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 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 with TCEQ & LRGVDC logos.**

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 Additional 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 those 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 includes 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.

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DEVELOPMENT COUNCIL

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 private sector that are providing services within the geographic service area that the project intends to serve, prior to making the application. A list of private sectors within the region is available on the LRGVDC website, <http://www.lrgvdc.org/solidwaste.html>.
- ❖ Inform private sectors of the basic details of the proposed project and consider any input and concerns from the private sector about the project when completing the project proposal.
- ❖ Consider, where appropriate, meeting directly with private sector that may have a concern about the proposed project to attempt to resolve any concerns before an application is submitted.

Resolution Requirements

- ❖ A Resolution authorizing the application must be approved by the governing body of the applicant.
- ❖ The person designated in the Resolution must be the person who signs the grant application.
- ❖ Any application submitted without a Resolution will be disqualified. A sample Resolution is included in the grant application (**Refer to Section C of the grant application document**).

Expending Fund Requirements

- ❖ 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 on 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 entity's Procurement Policy's when submitting reimbursement therefore, you will need to submit a copy via email of your entity's Procurement Policy procedures.

Application Evaluation

Administratively complete applications will be reviewed, scored, and ranked by the LRGVDC Solid Waste Advisory Committee, 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.

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 quarterly 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 LRGVDC Regional Solid Waste Management Plan and must directly support implementation of the regional plan.

Selection Criteria

The proposed project will be evaluated by the LRGVDC Solid Waste Advisory Committee (SWAC) to ensure that the project meets all the applicable screening criteria. The following is the selection criteria for a possible total score of 100 points.

1. Population to be served (0-20 Points)

- ❖ Indicate area/geography covered by this project.
- ❖ Include data & demographics.
- ❖ Regional Partnerships

2. Statement Need & Sustainability (0-30 Points)

- ❖ Program Summary & Objectives
- ❖ Intention to sustain the project.
- ❖ Cash Match or In-Kind match (not required but encouraged)

3. Work Program – (0-40 points)

- ❖ Project feasibility
- ❖ Supporting documentation
- ❖ Staff qualifications
- ❖ Budget
- ❖ Project Calendar & purchasing

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

LRGVDC will verify reports submitted between 2019-2023.

- ❖ Submitting of Reports (subtract 5 points)
- ❖ Expenditure of Funds (subtract 5 points)

5. Virtual Workshop provided by LRGVDC staff (Optional - to qualify for 10 points.)

- ❖ The entity that attends will receive 10 points the day of the scoring meeting. If the entity does not attend the workshop, you will not be eligible to receive 10 points.

Grant Contracts

Grant recipients will be required to enter 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 2024/2025 Funding Schedule for Solid Waste Sub-Grantee Grants Awarded

Contract Term - FY 2024 Projects	May 1, 2024 – May 31, 2025
Contract Term - FY 2025 Projects	September 1, 2024 – July 31, 2025
Progress & Results Reports	Due Quarterly via email to LRGVDC, Brenda Salinas, bsalinas@lrgvdc.org
Reimbursements	As necessary until funds are expended (refer to page 12 of this document)
SWAC Meeting to ensure Compliance with Project	Funded entity will be notified a week in advance to present at a SWAC meeting to provide a report on project status.
Site Visits on Projects Funded	LRGVDC staff will conduct a site visit to see and evaluate progress on funded equipment or facility.
Results & Follow-up Results	Results Reports due - December 31, 2025 Follow up Results Reports due a year after the end of your contract to TCEQ - October 15, 2026

