

## **FUNDING OPPORTUNITY ANNOUNCEMENT**

### **I. AWARD INFORMATION.**

Federal Agency Name: U. S. Department of Labor  
Mine Safety and Health Administration

Funding Opportunity Title: Mine Health and Safety Grants

Announcement Type: Initial Announcement

Funding Opportunity Number: MSHA 2016-1

CFDA Number: 17.600

Opportunity Type: Grant

Number of awards: Up to 50 States and the Navajo Nation

Start date of project period: 10/01/2015

End date of project period: 09/30/2016

Estimated amount of funds  
to be awarded: \$8,441,000

### **II. FUNDING OPPORTUNITY DESCRIPTION.**

The Secretary of Labor's vision for the U.S. workforce is *Promoting and Protecting Opportunity*. One of the Department's strategic goals is to "improve workplace safety and health" through the strategic objective "secure safe and healthy workplaces, particularly in high-risk industries." MSHA's goal in accomplishing this objective is to "prevent death, disease, and injury from mining and promote safe and healthful workplaces for the Nation's miners." Under Section 503 of the Federal Mine Safety and Health Act of 1977 (Mine Act), Public Law 95-164, as amended, the Secretary of Labor through the Mine Safety and Health Administration (MSHA) may award grants to States to assist them in developing and enforcing State mining laws and regulations, to improve State workers' compensation and mining occupational disease laws and programs, and to improve safety and health conditions in the Nation's mines through Federal-State coordination and cooperation.

MSHA recognizes that State training programs are a key source of mine safety and health training and education for individuals who work or will work at mines. MSHA encourages State training programs to prioritize training for small mining operations. MSHA is also interested in supporting programs that include training on miners' statutory rights, including the right to be provided a safe working environment and the right to refuse an unsafe task. The Agency encourages recipients to focus on programs which include education and training related to occupational health hazards and diseases (such as black lung and silicosis), mine emergency evacuation training and transferring self-contained self-rescuers (SCSRs), and mine rescue team training.

The Agency also encourages recipients to focus training programs to address the causes of fatal accidents that occurred in the mining industry. More information about fatalities can be found on the MSHA website at [www.msha.gov/fatals](http://www.msha.gov/fatals).

### **III. ELIGIBILITY INFORMATION.**

#### **A. Eligible Applicants.**

Under Section 503(a) of the Mine Act, any State in which mining takes place may apply for a grant. Under this grant program, the Governor must designate the recipient of the State's grant. The recipient may be a State agency or other organization.

New applicants for a State grant must include documentation that the Governor has designated the applicant to apply for that State's grant funding.

Applicants other than States and State-supported or local government-supported institutions of higher education will be required to submit evidence of nonprofit status, preferably from the Internal Revenue Service. A nonprofit entity as described in 26 U.S.C. 501(c)(4), which engages in lobbying activities, is not eligible for a grant award. See 2 U.S.C. 1611.

#### **B. Matching.**

Under Section 503(g) of the Mine Act, MSHA may fund only 80% of the activities under a State grant program. The State must provide matching funds of no less than 20% of the total program costs. MSHA encourages grant recipients to use cash funding, rather than in-kind contributions, to meet their matching requirements. Changes in the amount

of matching funds provided by the non-Federal entity must be approved in advance by the Grant Officer.

### C. Other Eligibility Requirements.

#### 1. Data Universal Number System (DUNS).

Under 2 CFR 25.200(b)(3), every applicant for a Federal grant is required to include a DUNS number with its application. An applicant's DUNS number is to be entered into Block 8 of Standard Form (SF) 424. The DUNS number is a nine-digit identification number that identifies business entities uniquely. There is no charge for obtaining a DUNS number. To obtain a DUNS number, call 1-866-705-5711 or access the following website: <http://fedgov.dnb.com/webform>.

After receiving a DUNS number, all grant applicants must register as a vendor with the System for Award Management (SAM) through the website [www.sam.gov](http://www.sam.gov). Grant applicants must create a user account and register online. Submitted registrations will take up to 10 business days to process, after which the applicant will receive an email notice that the registration is active. Once the registration is active in SAM it takes an additional 24-48 hours for the registration to be active in grants.gov. Registrations expire after one year. SAM will send notifications to the registered user via email prior to expiration of the registration. Under 2 CFR 25.200(b)(2), each grant applicant must maintain an active registration with current information at all times during which it has an active Federal award or an application under active Federal consideration. The Grants.gov website, through which applicants must apply for MSHA grants, advises that it will reject all applications that have an expired SAM registration.

#### 2. Legal Rules Pertaining to Inherently Religious Activities by Organizations that Receive Federal Financial Assistance.

The government generally is prohibited from providing direct Federal financial assistance for inherently religious activities. See 29 CFR Part 2, Subpart D. Grants under this solicitation may not be used for religious instruction, worship, prayer, proselytizing, or other inherently religious activities. Neutral, non-religious criteria that neither favor nor disfavor religion will be employed in the selection of grant recipients and must be employed by grantees in the selection of contractors and subcontractors.

#### **IV. APPLICATION AND SUBMISSION INFORMATION.**

##### **A. Application Forms.**

This announcement includes all information and links needed to apply for this funding opportunity. The full application is available through the Grants.gov website, [www.grants.gov](http://www.grants.gov). Click the "Applicants" tab, then click "Apply for Grants". The Catalog of Federal Domestic Assistance (CFDA) number needed to locate the appropriate application for this opportunity is 17.600. If an applicant has problems downloading the application package from Grants.gov, contact the Grants.gov Contact Center at 1-800-518-4726 or by email at [support@grants.gov](mailto:support@grants.gov).

The standard forms required for this grant, all of which are available through the Grants.gov website, are:

SF-424	Application for Federal Assistance
SF-424A	Budget Information for Non-Construction Programs
SF-424B	Assurances for Non-Construction Programs
SF-LLL	Disclosure of Lobbying Activities

##### **B. Period of Performance.**

The performance period for these State grants is October 1, 2015 through September 30, 2016. MSHA may approve a request for a no-cost extension to grantees for an additional period of time based on the success of the project and other relevant factors.

##### **C. Program Design.**

The application must include an Action Plan that proposes training and education programs or other activities permitted under Section 503 of the Mine Act. The Plan must identify and address problems or issues applicable to that State's mining industry.

1. The Plan must identify mine health and safety problems or issues that exist in that State and provide quantitative or qualitative documentation of the problem or issue. For example, a State mining problem might involve a lack of trained individuals or a high number of

"slips, trips, and falls of persons," haulage accidents, or "material handling" accidents.

2. The Plan must identify objectives and a work plan to resolve the problems. For example, if the Plan identifies that the root cause of numerous haulage accidents is the lack of equipment operator training, the Plan might propose to create a training program tailored to the types of equipment most involved or the types of mines most affected.

(a) The following are the minimum requirements for describing a training proposal:

1. A description of the training activities (e.g., curricula and training materials) planned and instructors (e.g., resume or other documentation demonstrating relevant experience and knowledge) to be used.

2. A description of how the planned activities and training are tailored to the needs and levels of the miners and employers to be trained. Any special constituency to be served through the grant program is described, e.g., small mines or limited English proficiency miners. Applicants proposing to develop materials in languages other than English also will be required to provide an English version of the materials.

3. If the proposal includes the creation of training materials, the work plan must include time for MSHA to review the materials for technical accuracy and suitability of content before the materials are used for training. If commercially-developed training products will be used for a training program, applicants also should plan for MSHA to review the materials before using the products in their grant programs.

4. A description of how any educational materials will be used in training.

5. A description of the outreach methods or processes to locate miners or trainees in need of the training.

6. If the proposal contains a train-the-trainer program, the Plan should describe the ongoing support the grantee will provide to new trainers.

(b) If the Plan calls for the purchase of any equipment, the proposal must describe the health and safety need addressed through the use of the equipment (e.g., mine rescue equipment for small mines), who will benefit from the equipment, and where the equipment will be used and/or stored. Also, the proposal should describe any training required to use the equipment and instructors needed to teach the use of the equipment.

3. The Plan must address how the proposed project will contribute to the Department of Labor's Strategic Goal to "Improve workplace safety and health" and MSHA's goal to "Promote safe and healthful workplaces for the Nation's miners." MSHA recognizes the importance of training miners and others to prevent injury and illness at mines. The Plan must include a method of measuring the outcomes and, for training proposals, should estimate the number of individuals to be trained. For train-the-trainer programs, the Plan should estimate the number of courses/classes to be conducted and the number of students to be trained by the new trainers, as well as a description of how the grantee will obtain data from the new trainers documenting their classes and student numbers (for courses/classes conducted during the grant period).

On a quarterly basis, the grantee must provide the following information, as applicable:

**Number of trainers trained**

**Number of courses/classes conducted by the new trainers**

**Number of students trained by the new trainers**

**Number of new individuals trained in Parts 46 and 48**

**Number of individuals provided with annual refresher training in Parts 46 and 48**

**Number of individuals trained in Parts 46 and 48 from mines with 5 or fewer miners**

**Number trained as responsible persons**

**Number trained in Part 49 mine rescue**

**Cost (\$) of equipment and supplies in support of mine rescue training, and amount (\$) expended in support of mine rescue training events**

**Number trained in certification or qualification programs during the reporting period**

**Number tested in certification or qualification programs during the reporting period**

**Description of training materials created, to include target audience, goals and objectives.**

7. The Action Plan should describe milestones or other methods of evaluating the grantee's progress in accomplishing the Plan's goals. For training proposals, the Plan must include how the applicant will evaluate students after the training to determine the effectiveness of the training. The proposal should include a plan to follow up with trainees to determine the impact the program has had in abating hazards and reducing miners' injuries and illnesses, thus securing a safer and healthier workplace.

D. Submission of Applications.

In the final awards, MSHA will authorize recipients to use FY 2016 Federal funds for allowable expenses incurred by the recipient or any of its contractors between October 1, 2015 and September 30, 2016.

The closing date for receipt of applications under this announcement is January 11, 2016 (no later than 11:59 p.m. EST). Grant applications must be submitted electronically through the Grants.gov website. The Grants.gov site provides all the information needed to submit an application electronically through the site. Interested parties can locate the downloadable application package using the CFDA No. 17.600.

Applications received by Grants.gov are date and time stamped electronically. Once an interested party has submitted an application, Grants.gov will notify the interested party with two e-mails: the first is an automatic notification of receipt and the second is a notice that the application either is validated and ready to be sent to the grantor agency or is rejected because of errors. **An application must be fully uploaded and validated by the Grants.gov system before the application deadline.**

E. Financial Plan and Forms.

This section addresses the forms and budget section of the application. A person with authority to bind the applicant (authorized organization representative or AOR) must sign the application and forms. Applications submitted electronically through Grants.gov do not need to be signed manually; the form will automatically affix an electronic signature for the authorized person identified. Information on the AOR is at <http://www.grants.gov/web/grants/support/technical-support/troubleshooting/checking-aor-status.html>.

The Grants.gov application must include the following (forms are available through and are a part of the application package at Grants.gov):

1. Completed SF-424, "Application for Federal Assistance."
2. Completed SF-424A, "Budget Information for Non-Construction Programs." The budget should demonstrate that the total amount and distribution of funds is sufficient to cover the cost of all major activities identified by the applicant in its proposal, and must comply with the Federal cost principles and the administrative requirements set forth in this Funding Opportunity Announcement (FOA).
3. Budget Narrative. The applicant must provide a concise narrative explaining the request for funds. The budget narrative should separately attribute the Federal and matching funds to each of the activities specified in the technical proposal (Action Plan) and it should discuss precisely how any administrative costs support the project goals.

Indirect administrative costs for these grants may not exceed 15%. Administrative cost proposals must be supported with a copy of an approved Federal Indirect Cost Rate Agreement. Indirect costs are those costs that are not readily identifiable with a particular cost objective but nevertheless are necessary to the general operation of an organization.

If the applicant anticipates receiving program income, the budget narrative should account for this. Program income is gross income



earned by the grantee which is directly generated by a supported activity, or earned as a result of the award.

4. Completed SF-424B, "Assurances for Non-Construction Programs."

5. Supplemental Certification Regarding Lobbying Activities. All applicants must comply with 29 CFR Part 93 and provide the certification required in 29 CFR Part 93 Appendix A.

6. Evidence of non-profit status. New applicants must provide evidence of non-profit status, preferably from the Internal Revenue Service (IRS), if applicable. (This requirement does not apply to States or State government-supported institutions of higher education.)

7. Accounting System Certification. Under 2 CFR 200.207, a new applicant that receives less than \$1 million annually in Federal grants must attach a certification stating that the organization (directly or through a designated qualified entity) has a functioning accounting system that meets the criteria below. The certification should attest that the organization's accounting system provides for the following:

- (a) Accurate, current, and complete disclosure of the financial results of each federally sponsored project.
- (b) Records that adequately identify the source and application of funds for federally sponsored activities.
- (c) Effective control over and accountability for all funds, property, and other assets.
- (d) Comparison of outlays with budget amounts.
- (e) Written procedures to minimize the time elapsing between transfers of funds.
- (f) Written procedures for determining the reasonableness, allocability, and allowability of costs.
- (g) Accounting records, including cost accounting records that are supported by source documentation.

F. Intergovernmental Review.

This program is eligible for coverage under Executive Order 12372, "Intergovernmental Review of Federal Programs." The Office of Management and Budget (OMB) maintains a list of official State entities (Single Points of Contact -- SPOCs) designated by the States to review and coordinate financial assistance and development from various Federal sources. If a State has a SPOC, the applicant must contact that SPOC to determine whether MSHA's State Grants are among the Federal

programs the State has selected for review and coordination and, if so, for more information on any additional processes the State requires to be followed in applying for these grants. Names and addresses for the SPOCs are listed on the OMB web site at:

[http://www.whitehouse.gov/omb/grants\\_spoc/#TB inline?height=220&width=370&inlineId=tb\\_external&linkId=16](http://www.whitehouse.gov/omb/grants_spoc/#TB_inline?height=220&width=370&inlineId=tb_external&linkId=16)

## **V. ADMINISTRATIVE, FINANCIAL, AND NATIONAL REQUIREMENTS.**

### **A. Administrative and National Policy Requirements.**

All grantees will be subject to applicable Federal laws and regulations (including provisions of appropriations law) and applicable OMB Circulars. The grants awarded under this program will be subject to the following administrative standards and provisions, if applicable:

**2 CFR Part 25**, *Universal Identifier and Central Contractor Registration.*

**2 CFR Part 170**, *Reporting Sub-Awards and Executive Compensation Information.*

**2 CFR Part 175**, *Award Term for Trafficking in Persons.*

**2 CFR Part 200**, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.*

**29 CFR Part 2, Subpart D**, *Equal Treatment in Department of Labor programs for Religious Organizations, protection of religious liberty of Department of Labor social service providers and beneficiaries.*

**29 CFR Part 31**, *Nondiscrimination in federally assisted programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964.*

**29 CFR Part 32**, *Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance.*

**29 CFR Part 33**, *Enforcement of non-discrimination on the basis of handicap in programs or activities conducted by the Department of Labor.*

**29 CFR Part 35**, *Nondiscrimination on the basis of age in programs or activities receiving federal financial assistance from the Department of Labor.*

**29 CFR Part 36**, *Nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance.*

**29 CFR Part 93**, *New Restrictions on lobbying.*

**29 CFR Part 94**, *Government-wide requirements for drug-free workplace (financial assistance).*

**29 CFR Part 98**, *Government-wide debarment and suspension (non-procurement).*

**Federal Acquisition Regulation (FAR) Subpart 31.2, Contracts with commercial organizations (Codified at 48 CFR Subpart 31.2).**

Except as specifically provided, MSHA's acceptance of a proposal or MSHA's award of Federal funds to sponsor any program does not constitute a waiver of any grant requirement or procedure. For example, if an application identifies a specific contractor to provide certain services, the MSHA award does not constitute a justification to sole-source the procurement (to avoid competition).

**B. Funding Restrictions.**

MSHA will determine whether costs are allowable under the applicable Federal cost principles identified in Part V.A. and other conditions contained in the grant award.

**1. Allowable Costs.**

Grant funds may be spent on conducting training and outreach, developing educational materials, recruiting activities (to increase the number of participants in the program), and on necessary expenses to support these activities to improve safety and health conditions in the Nation's mines. Grant funds also may be spent on equipment and other resources permitted under Section 503 to assist grantees with their training programs, in developing and enforcing State mining laws and regulations and in improving State workers' compensation and mining occupational disease laws and programs.

In addition to the training courses conducted for the mining industry, the funds may be used to provide other assistance to the mining industry. Other assistance may include, but is not limited to, conducting compliance assistance visits, assistance in preparing training plans, conducting inspections of mines, conducting informational workshops which target one or more particular groups of mining operations in the State's mining industry, or other activities that would improve the health and safety of miners.

**2. Program Income.**

If an applicant anticipates earning program income during the grant period, the application must include an estimate of the income that will be earned. Program income earned must be reported on a quarterly basis.

Program income earned during the award period shall be retained by the recipient, added to funds committed to the award, and used for the purposes and under the conditions applicable to the use of the grant funds. See 2 CFR 200.80 and 200.307.

3. Use of MSHA's Grants.

In all cases, MSHA grants are intended to supplement, not supplant, existing State mine health and safety programs.

C. MSHA review of educational materials.

MSHA will review all grantee-produced educational and training materials for technical accuracy and suitability of content during development and before final publication. MSHA also will review training curricula and purchased training materials for technical accuracy and suitability of content before the materials are used. Grantees developing training materials must follow all copyright laws and provide written certification that their materials are free from copyright infringements.

When grantees produce training materials, they must provide copies of completed materials to MSHA before the end of the grant period. Completed materials should be submitted to MSHA in hard copy and in digital format. Two copies of the materials must be provided to MSHA. Acceptable formats for training materials include Microsoft Word (XP or later version), PDF, PowerPoint, and any other format agreed upon by MSHA.

D. License.

As stated in 2 CFR 200.315, the Department of Labor has a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use for Federal purposes any work produced, or for which ownership was acquired, under a grant, and to authorize others to do so. Such products include, but are not limited to, curricula, training models, technical assistance products, and any related materials. Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronic or otherwise.

E. Acknowledgement on Printed Materials.

All approved grant-funded materials developed by a grantee shall contain the following disclaimer: "This material was produced under grant number XXXXX from the Mine Safety and Health Administration, U.S.

Department of Labor. It does not necessarily reflect the views or policies of the U.S. Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government."

When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds must clearly state:

1. The percentage of the total costs of the program or project that will be financed with Federal money;
2. The dollar amount of federal financial assistance for the project or program; and
3. The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

F. Use of U.S. Department of Labor (USDOL) and MSHA Logos.

With written permission from MSHA, the USDOL or the MSHA logo may be applied to grant-funded materials including posters, videos, pamphlets, research documents, national survey results, impact evaluations, best practice reports, and other publications. The grantees must contact MSHA to request this written permission.

G. Reporting.

Grantees are required by U.S. Department of Labor regulations to submit financial and project reports, as described below. Grantees also are required to submit final reports no later than 90 days after the end of the grant period.

1. Financial Reports. The grantee shall submit financial reports on a quarterly basis. Recipients are required to use the U.S. Department of Labor's Grantee Reporting System's electronic SF-425 (Federal Financial Report), at [www.eta-reports.doleta.gov](http://www.eta-reports.doleta.gov), to report the status of all funds awarded and, if applicable, program income received and expended, during the funding period. All reports are due no later than 30 days after the end of the reporting period.

2. Performance Reports. A grantee must submit a quarterly technical report no later than 30 days after December 31, 2015, March

31, 2016, June 30, 2016, and September 30, 2016, respectively. The technical report provides both quantitative and qualitative information and a narrative assessment of performance under the grant. This report will contain the following information:

- (a) A comparison of actual accomplishments to the objectives established for the period.
- (b) Reasons for any objectives not met.
- (c) Description of any significant developments or problems affecting the organization's ability to accomplish the work.
- (d) An evaluation of the impact or results of the program's activities.
- (e) The performance data required by Part IV.C.3.

Between reporting dates, the grantee shall immediately inform MSHA of significant developments or problems affecting the organization's ability to accomplish work.

3. Final Reports. No later than 90 days after the end of the grant period, each grantee must provide a final financial report, a summary of its progress (including performance data), and an evaluation report.

#### H. Freedom of Information.

Any information submitted in response to this FOA will be subject to the provisions of the Freedom of Information Act, as appropriate.

### **VI. APPEAL RIGHTS.**

All approved applications will be funded consistent with law and availability of funds. Appeal rights are set forth in Section 503 of the Mine Act.

### **VII. AGENCY CONTACTS.**

Any questions regarding this FOA (MSHA 2016-1) should be directed to:

Program Office:

Ms. Janice Oates  
Management and Program Analyst  
Educational Policy and Development  
Mine Safety and Health Administration  
U.S. Department of Labor  
201 12<sup>th</sup> Street South, 5<sup>th</sup> Floor  
Arlington, Virginia 22202

(202) 693-9573  
(202) 693-9571 (FAX)  
Oates.Janice@dol.gov

Ms. Teresa Rivera  
Management Officer  
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U.S. Department of Labor  
201 12<sup>th</sup> Street South, 5<sup>th</sup> Floor  
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(202) 693-9581  
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Grants Office:

Ms. Paulette Collier  
Grants Management Specialist  
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201 12<sup>th</sup> Street South, 4<sup>th</sup> Floor  
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(202) 693-9801 (FAX)  
Munnerlyn.Travis@dol.gov

The telephone numbers listed above are not toll-free numbers.

**VIII. OFFICE OF MANAGEMENT AND BUDGET INFORMATION  
COLLECTION REQUIREMENTS.**

This FOA requests information from applicants. This collection of information is approved under OMB Control No. 1225-0086 (expires January 31, 2016).

In accordance with the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for the grant application is estimated to average 10 hours per response, for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Each recipient who receives a grant award will be required to submit four technical performance reports, four financial reports, and a final report to MSHA. The Federal Financial Report (SF-425) burden is approved under OMB Control No. 4040-0014.

Send comments regarding the burden estimated or any other aspect of this collection of information, including suggestions for reducing this burden, to the OMB Desk Officer for MSHA, Office of Management and Budget, Room 10235, Washington DC 20503 and to MSHA, electronically to [Janice Oates at Oates.Janice@dol.gov](mailto:Janice.Oates@dol.gov) or by mail to Janice Oates, 201 12<sup>th</sup> Street South, 5<sup>th</sup> Floor, Arlington, Virginia 22202.

This information is being collected for the purpose of awarding and administering a grant.