

**Department of the Interior
Bureau of Indian Affairs**

ACTION: Solicitation of Proposals: Discretionary Funding

PROGRAM: Energy and Mineral Development Program (EMDP)

DESCRIPTION: Grant to Assess, Evaluate, and Promote Development of Tribal Energy and Mineral Resources

AGENCY: Bureau of Indian Affairs (BIA), Assistant Secretary-Indian Affairs (AS-IA), Office of Indian Energy and Economic Development (IEED)

SUMMARY:

The Secretary of the Interior (“Secretary”), through the Division of Energy and Mineral Development (DEMD), Office of Indian Energy and Economic Development (IEED) solicits grant proposals from federally recognized Indian tribes’ with Indian land and Tribal Energy Resource Development Organizations for projects that assess, evaluate, or otherwise promote the processing, use, or development of energy and mineral resources on Indian lands. Grants are funded under discretionary, non-recurring appropriations by Congress each year. Proposed projects must include resource inventories and assessments, feasibility studies, or other pre-construction studies that are necessary to promote the use and development of energy and mineral resources on Indian land.

The goal of the EMDP is to assist tribes by helping to expand tribal knowledge of energy and mineral resources on their lands and to bring tribal energy and mineral projects to the point where the economic benefits can be realized from the targeted resource in an economically efficient and environmentally sound manner.

Historically, the DEMD receives more EMDP grant proposals than can be funded under the discretionary program appropriated for that funding cycle. The DEMD, therefore, will award funds to the highest-ranking proposals, at its preference. Awards are based on the individual merit of the proposal, which is measured by well-defined criteria and established ranking procedures, as outlined in sections VI, VII and VIII to follow. The DEMD supports a wide assortment of project types and will always attempt to promote diversity in terms of both geographic location and tribal representation.

Resources available for funding include:

- Biomass – woody and waste
- Hydro
- Solar
- Wind
- Geothermal
- Oil

- Natural gas
- Coal bed gas
- Uranium
- Coal
- Industrial minerals (sand and gravel)
- Precious minerals (gold, silver, and platinum)
- Base minerals (lead, copper, and zinc)
- Ferrous metal minerals (iron, tungsten, and chromium)

EMDP projects may include:

- Performing initial resource exploration
- Defining potential targets for development
- Performing market analysis to establish production/demand for a given commodity
- Performing economic evaluation and analysis of the resource
- Other pre-construction studies necessary to promote the use and development of energy and mineral resources

DATES:

Grant proposals must be received before 5:00 p.m. Mountain Daylight Time, January 25, 2019. The DEMD will not consider grant proposals received after this date.

ADDRESSES:

The preferred method of submittal is via electronic mail. Files should include the proposal/statement of work, budget, tribal resolution, and other supporting documents. These should be sent electronically to: IEEDGrants@bia.gov. In the "Subject" line, attention the proposal to **Energy and Mineral Development Program**.

As an alternative, the DEMD will accept proposals that are submitted on a CD, DVD, or thumb drive and delivered via the United States Postal Service, FedEx, United Parcel Service, or the like. Submit the files to:

Division of Energy and Mineral Development
ATTN. Energy and Mineral Development Program (EMDP)
13922 Denver West Parkway
Suite 200
Lakewood, CO 80401

Fax paper copies of your proposal will not be accepted. Complete submissions must be received no later than the day and time previously described.

FOR FURTHER INFORMATION CONTACT:

The DEMD staff offers technical assistance and will provide feedback on draft proposals. Please contact the staff below to take advantage of this opportunity.

If you have administrative questions about the EMDP grant or the application process, please contact: Amy Wilson by phone at: 720-407-0623, or by email: amy.wilson@bia.gov.

If you have technical questions about the energy and mineral resources you wish to assess, evaluate or promote, please contact the appropriate technical staff listed below:

Commodity: Solid Minerals (metals, industrial minerals, sand and gravel, coal, etc.)

Name: Duane Matt

Email: duane.matt@bia.gov

Phone: 720-407-0605

Commodity: Fluid Minerals (oil, natural gas, geothermal, etc.)

Name: Jerry Cuzella

Email: jerome.cuzella@bia.gov

Phone: 720-407-0613

Commodity: Renewable and Distributed Energy (biomass, solar, wind, hydro, etc.)

Name: Jennifer Reimann

Email: jennifer.reimann@bia.gov

Phone: 720-407-0669

ONLINE INFORMATION:

The DEMD has made additional resources available, such as frequently asked questions, grant proposal best practices, informational documents, and reporting and resolution templates. The resources may be located at: <https://www.bia.gov/as-ia/ieed/division-energy-and-mineral-development/tribal-toolbox/tribal-funding>

OVERVIEW OF GUIDELINES AND INSTRUCTIONS:

- I. Background
- II. Definitions for the purpose of EMDP grants
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I. BACKGROUND

The DEMD, under IEED, is responsible for administering the EMDP grant. This solicitation seeks proposals for energy and mineral projects that conduct resource inventories and assessments, feasibility studies, or other pre-construction studies necessary to promote the use and development of energy and mineral resources. Energy and mineral resources may include: conventional energy resources such as: oil, natural gas, coalbed gas, coal, and uranium; renewable energy resources such as: wind, solar, biomass, hydro, and geothermal; industrial minerals such as: sand and gravel; precious metals such as gold, silver, platinum; base minerals such as lead, copper, and zinc; and ferrous metal minerals such as: iron, tungsten, and chromium.

EMDP grants are funded through non-recurring appropriations made by the United States Congress in the Federal budget. These funds are provided on a year-to-year basis, and may or may not be provided in future years. The number of EMDP proposals has historically exceeded DEMDs available budget for the grant program. The DEMD has discretion to award funds to a limited number of the highest-rated proposals. Therefore, the available budget levels may limit what, if anything, the DEMD is able to award to grant recipients. To award funds in an equitable and fair manner, the DEMD has developed ranking procedures with well-defined criteria for rating the overall merit of the proposal. *Please refer to sections VI and VII.*

In addition to the following authorizing statutes, the Energy Policy Act of 2005 (25 USC §3501 et seq.) is the enabling statute for the EMDP. The statute requires the Secretary to:

“establish and implement an Indian energy resource development program to assist consenting Indian tribes and tribal energy development organizations.” It also requires the Secretary to, “provide grants to Indian tribes and tribal energy resource development organizations for the use in carrying out projects to promote the integration of energy resources, and to process, use, or develop those energy resources on Indian land...”

Additional authorizing statutes for the program include:

- The Snyder Act of November 2, 1921, as amended (25 U.S.C. § 13, 42 Stat. 208, P.L. 67-85; 90 Stat. 2233, P.L. 94-482)
- The Indian Reorganization Act of 1934, as amended (25 U.S.C. § 461 et seq., 48 Stat. 984, P.L. 73-383, P.L. 103-263)
- The Indian Self-Determination and Education Assistance Act of 1975, as amended (25 U.S.C. § 450, 88 Stat. 2203, P.L. 93-638, P.L. 100-472; 102 Stat. 2285, P.L. 103-413)
- The Indian Mineral Development Act of 1982, as amended (25 U.S.C. § 2106, 86 Stat. 1940, P.L. 97-382)
- The Umatilla Basin Project Act (16 U.S.C. § 1271 et seq., P.L. 100-557)

- The Energy Policy Act of 2005, as amended (25 U.S.C. § 3501, 119 Stat. 594, P.L. 102-486; 25 U.S.C. § 2601, 106 Stat. 2776, P.L. 109-58; title V § 503(a), Aug. 8, 2005, 119 Stat. 764)

II. DEFINITIONS FOR THE PURPOSE OF THE EMDP

“Comprehensive application” refers to the method by which multi-project proposals for the EMDP are accepted by the DEMD for evaluation. The comprehensive application is the conglomerate of the individual project proposals that create a multi-project proposal. The comprehensive application is required to be organized by commodity group and project, contain a title page that identifies the applicant, and a detailed table of contents. The comprehensive application will not be evaluated as an entire application, rather the DEMD will evaluate each individual project proposal using the same standards as those evaluated as a single-project proposal.

“Indian land” for the purpose of the EMDP means any land or tract or interest therein, in which the surface or mineral estate is owned by one or more Indian tribes and held in trust or restricted status.

“Multi-project proposals” refer to situations where the same applicant is submitting proposals for two or more stand-alone projects to evaluate either: (1) the same energy resource, or (2) different energy resource using (a) the same methods for evaluation, or (b) different methods for evaluation. Multi-project proposals are required to be broken down and presented within a comprehensive application as individual project proposals. The individual project proposals will mirror “single-project proposals,” and must adhere to the same requirements that would otherwise apply.

“Single-project proposals” an application containing a single proposal for the evaluation of one energy resource.

“Tribal Energy Development Organizations” an organization comprised of two or more entities, at least one of which being a tribe, who has written consent, through tribal resolution, of the governing bodies of all Indian tribes’ participating in the organization to apply for a grant or other assistance.

III. ITEMS TO CONSIDER BEFORE PREPARING AN APPLICATION FOR EMDP

a. History and Compliance

The DEMD will monitor all EMDP grant awards for statutory and regulatory compliance. Tribes that misuse funds may forfeit remaining funds in that year and future EMDP years. The DEMD may only review the use of any prior awards before deciding to fund current year proposals, and may request further explanation from

tribes with outstanding project funds from previous years. Refer to III(c) for further explanation.

Tribes that are currently under the Bureau of Indian Affairs (BIA) sanction at Level 2 or higher resulting from non-compliance with the Single Audit Act are ineligible for an EMDP grant award. Tribes at Sanction Level 1 may be considered for funding.

b. What Cannot be Funded

EMDP funds are specifically for energy and mineral pre-development project work only. Examples of elements that cannot be funded include:

- Establishing or operating a tribal office, and/or purchase of office equipment
- Salaries or fringe benefits for tribal employees, except for clearly defined technical related tasks. Salary requests must comply with the detailed budget component as described under **Mandatory Component No. 3**.
- Indirect costs as defined by the Federal Acquisition Regulation (FAR), and overhead costs
- Purchasing resource assessment equipment such as anemometer (Met) towers and the like to perform pre-development activities. *However, leasing these types of equipment for pre-development activities is permitted.*
- Purchasing or leasing equipment to develop energy and mineral resources, such as solar panels, well drilling rigs, backhoes, bulldozers, cranes, vehicles, computers, etc.
- Drilling wells for the sale of hydrocarbons, geothermal resources, and other fluid or solid minerals. *Funds may be used for drilling exploration holes for testing, sampling, coring, or temperature surveys.*
- Legal fees
- Application fees associated with permitting
- Academic research projects
- Development of unproven technologies
- Training
- Contracted negotiation fees
- Purchase of data available through DEMD
- Studies directly related to meeting NEPA requirements for project development. *The EMDP will support preliminary environmental issue analysis used to evaluate project feasibility.*
- Attending conventions, or travel to foreign countries. *In some cases, domestic conventions that have relevance to the scope of the EMDP project will be allowed. This will be evaluated on a case-by-case basis and will require written justification within the proposal.*
- Any other activities not authorized by the tribal resolution or the award letter

c. Multi-Year Projects

Due to non-recurring annual appropriations for the EMDP funding, the DEMD can only fund single-year projects for the program. The DEMD is aware that many projects require several years of studies before development can occur. Therefore, if a tribe has received an EMDP grant in a previous year for previous or primary work, the tribe may submit an EMDP proposal that establishes a newly formed scope of budget for the current year. The DEMD will competitively evaluate the new proposal based on the same criteria applied to the other proposals, and the previous year funding will not guarantee current funding.

d. Completion of Projects Previously Funded through EMDP

The DEMD will not usually consider funding new EMDP proposals where the applicant has open EMDP projects, granted under any previous funding cycle. The DEMD does, however, understand that delays beyond the control of the applicant sometimes occur. The DEMD will consider any explanation provided in conjunction with the new EMDP grant proposal. The explanation should describe the reasons why the previous project is delayed and successfully justify or demonstrate that the delay is at no fault of the applicant.

e. Multiple Projects

DEMD will accept multi-project proposals. Multi-project proposals must be submitted as one comprehensive application. Multi-project proposals may contain proposals for energy and mineral projects under various energy and mineral commodity groups, or within the same commodity group. An application that is proposing multiple projects under the same commodity group will additionally be accepted. Similar to single-project proposals, multi-project proposals may include a more comprehensive evaluation of an already known or confirmed energy or mineral resource to better define a resource through further exploration work or analysis. The tribe may also conduct additional analysis, but for a distinctly different or separate tract of land.

Each project will require its own stand-alone proposal, budget, and tribal resolution that generally describes the proposed project and authorizes the tribe to submit the proposal for the EMDP. Each proposal within the comprehensive application will be evaluated based on its own merit, as a stand-alone project. The comprehensive application will not be evaluated as an entire application, rather the DEMD will evaluate each individual project proposal using the same standards as those evaluated as a single-project proposal.

f. Use of Existing Data

The DEMD maintains extensive data and information on tribal energy and mineral resources, including digital land grids, geographic information system (GIS) data, and imagery data for many reservations. The DEMD can often help with common requests such as well and production data, geophysical data (including seismic data),

geology, and engineering data. The DEMD will provide the tribe with available data upon requests.

Correspondingly, DEMD will not allow budget line items for securing data or products already available to the DEMD. If the DEMD does not have a particular data set, EMDP funds may be used to acquire such data. There may also be other places an applicant can secure existing data, thereby avoiding some or all of the cost of securing new data. Before submitting an EMDP proposal that includes acquiring new data, applicants should search thoroughly for preexisting data. Even older data may still have considerable value. Modern data processing and interpretation techniques may allow for updating or improving older data. Applicants may contact the DEMD technical staff or with a reputable consultant for assistance in the investigation any existing data.

g. Performance of EMDP Projects

At the applicant's discretion, EMDP projects can be performed a number of ways, including by:

- Qualified tribal personnel
- A Federal government agency, such as the DEMD, the U.S. Geological Survey (USGS) or the U.S. Department of Energy (DOE)
- A state government agency, such as a state geological survey
- One or more qualified consultants
- A private company or firm

We place no requirements or restrictions on how an applicant may contract with outside parties to perform EMDP functions, except that the applicant must adhere to its own grant policies and procedures, as adopted through tribal laws. In addition, applicants should avoid EMDP projects that place inexperienced personnel in key positions or create or continue existing conflicts of interest, such as having a resource assessment performed by an outside consultant that is also competing for development rights in the resources being studied.

h. Technical Services Provided by DEMD

The DEMD offers tribes many in-house technical capabilities and services at no charge. Tribes may maximize the value of the EMDP projects by fully using the DEMDs services or by using the DEMDs services in conjunction with reputable consultants. Services that may be provided include:

- Searching nearby reference materials for technical literature on previous investigations and work performed in and around reservations, such as the USGS library in Denver, Colorado, or the Colorado School of Miners library in Golden, Colorado
- Furnishing well production history analysis, decline curve and economic analysis of data obtained through the DEMDs in-house databases

- Providing well log interpretation, including correlation of formation tops, identification of producing horizons, and generation of cross-sections
- Supplying technical mapping capabilities, using data from well log formation tops and seismic data
- Providing contour mapping capabilities, including isopachs, calculated grids, color-fill plotting, and posting of surface features, wells, seismic lines, and legal boundaries
- Furnishing seismic data interpretation and data processing
- Supplying three dimensional modeling of mine plans
- Providing economic analysis and modeling for energy and mineral projects
- Supplying marketing studies for various energy and mineral commodities
- Preliminary opportunity assessment for renewable energy resources

IV. APPLICATION COMPONENTS AND PREPARATION INSTRUCTIONS

A complete EMDP grant proposal must contain each of the following **mandatory components** (described in subsections (1-4) below):

- A current tribal resolution authorizing the proposed project
- A proposal describing the planned activities and deliverable products
- A detailed budget estimate
- Designate tribal project lead

A funding request that does not contain all of the mandatory components will be considered incomplete and returned to the tribe with an explanation. An applicant whose proposal is returned for this reason will be allowed to address the incompleteness and resubmit for consideration, provided all issues are addressed and the application is deemed complete prior the application deadline listed above.

In the event an applicant is submitting a comprehensive application that includes multi-project proposals, each individual project will require a proposal that includes mandatory components two (2), three (3), and four (4), as previously outlined. The comprehensive application will require that a detailed Tribal resolution, authorizing the tribe to apply to the EMDP, be included.

1. Tribal Resolution

Tribal resolutions should not specify a starting date for the project to avoid complications in the event of funding delays or similar contingencies. Each tribal resolution must include:

- A description of the energy and mineral resources to be studied
- A statement that the tribe is willing to consider developing any potential energy and mineral resource discovered
- A statement describing how the tribe wishes to have the EMDP project performed (i.e. by whom)

NOTE: Tribal Energy Resource Development Organization applicants are required to have a tribal resolution authorizing the tribe participating in the organization to apply for grant assistance.

MULTI-PROJECT PROPOSALS

In the instance that a comprehensive application will be submitted, the multi-project proposal will need one tribal resolution, that identifies each individual project being proposed, and describes the energy or mineral resource to be studied under that proposal. The resolution should include a statement that that tribe is willing to consider developing any potential energy and mineral resource discovered, and a statement describing how the tribe wishes to have the EMDP project preformed.

The DEMD recommends including in the resolution a statement to the effect that the tribe will consider public release of information obtained from the EMDP project. Information **does not** include any detailed proprietary data or reports to any individual, private company, or government agency without the written consent of the tribe; information, does, however, refer to that may be suitable for press releases, or presentation at government or private meetings and conferences.

NOTE: Any information in the possession of the DEMD or submitted to the DEMD throughout the EMDP process, including final work product, constitute as government records and may be subject to disclosure to third parties under the Freedom of Information Act (FOIA) 5 U.S.C. 552, and the Department of the Interior's FOIA regulations at 43 C.F.R. part 2, unless a FOIA exception or other exception and provisions of the law otherwise protect the information.

2. EMDP Proposal

The EMDP grant proposals must be as brief and clear as possible, with a project proposal statement of work, description of deliverable products, and budget not to exceed twenty (20) letter-sized pages. Visual materials, including: charts, graphs, maps, photographs and other pictorial presentations are included in the twenty (20) page limit.

An applicant may use appendices for supplemental material, such as:

- An overview of a tribe's history, location, government structure, demographics, etc.
- Descriptions of previous work performed relating to the EMDP grant proposal, including work done under any previous or existing EMDP grant award, rather closed-out or not
- Further detail on technologies or methodologies in the proposal with which the DEMD reviewers may be unfamiliar

Tribes that do not have a staff geoscientist, engineer, or private consultant available to prepare the technical portion of the EMDP grant proposals may contact the DEMD for guidance. The DEMD is limited to the extent to which assistance may be provided, due to any real or perceived conflict of interest, however, the DEMD may assist in identifying outside companies or consultants to assist Tribes if desired. If proposal assistance is needed, contact the DEMD as indicated in the “**FOR FURTHER INFORMATION CONTACT**” section of this notice. Applicants are advised to make their requests as early as possible to give the DEMD time to help well before the application deadline.

MULTI-PROJECT PROPOSALS:

Multi-project proposals are required to be broken down and presented as individual single-projected proposals. Each single-project proposal within the multi-project proposal must adhere to the twenty (20) page limit and other requirements, as listed above. Corresponding appendices are allowable, as they would be for standard single-project proposals.

The conglomerate of individual or single-project proposals that make up a multi-project proposal, is required to be combined and submitted as a comprehensive application package. The comprehensive application is required to be organized by commodity group and project, contain a title page that identifies the applicant, and a detailed table of contents. A tribal resolution authorizing the tribe to apply for the multi-project proposals must be included in the comprehensive application. *Refer to section IV(1) “Tribal Resolution” above.*

The EMDP proposal should include the following sections:

- a. Overview and Technical Summary of the Project: prepare a brief overview of the proposal, no longer than one (1) page to include:
 - Description of the elements of the proposed project
 - Reasons for the project
 - Description of the anticipated outcomes that will result if the project were to be funded
 - Total funding amount requested
 - EMDP tribal project lead authorized to make decisions on the day-to-day grant activities

- b. Project Objective, Technical Description, and Scope of Work: Describe the following to the greatest extent possible:
 - The resource to be examined, such as particular oil or gas deposit, or the regional market for the use of renewable power
 - The location on Indian lands where the energy and mineral resource is located, and where the project is to be performed. Include relevant page size maps and graphs

- Any existing energy and mineral resource information pertinent to the application and provide references. If the energy and mineral resource is known to exist or is being produced nearby, discuss the possible extension or trend of the deposit onto the Indian lands identified in the proposal. *The proposal should not seek to create data or information already in existence.*
 - Whether the project is new or builds on previous work that is partially complete. Explain how the project is phased, how long it is expected to take through completion, and what element the current project is intended to satisfy. *Note: EMDP grant funding is appropriated annually. There is no guarantee that funding for a multi-stage project will be available or awarded from one fiscal year to the next.*
 - Whether the project proposal involves work or resources located in an archeological, environmentally or culturally sensitive area. *The applicant must cooperate with the DEMD when considering and addressing any such concerns.*
 - The tribe's motivation to develop the proposed energy and mineral resource, including any short and long term benefits to the tribe
 - Project goals and objectives
 - Detailed description of the scope of work and explain the selection of the proposed methodology. For example, if the project involves a geochemical sampling survey, explain how and why the applicant decided upon the quantity of samples to be obtained, what type of sampling to target, the soil horizons to be tested, the general location of sampling, how the samples are to be analyzed, and why the applicant chose geochemistry as its exploration technique. Furnish similar explanations and details for geophysics, geologic mapping, core drilling, or any other type of assessment planned.
- c. Deliverable Products: Describe all deliverable products the proposed EMDP project is to generate, including all technical data to be obtained during the study. Describe any maps to be generated and how they will help define energy and mineral resource potential. Discuss the content of any planned status reports as well as the final EMDP project report.
- d. Resumes of Key Personnel: Provide the resumes of key personnel intended to perform EMDP project work and the nature of their involvement, including their relationship to the applicant as tribal staff, consultant, subcontractor, etc.

3. Detailed Budget Estimate

The EMDP budget must be sufficiently detailed for the DEMD technical staff to gain a reasonable understanding of all elements of the project proposal, plus the relative emphasis placed on each element. Budget details should reflect all reasonably anticipated costs and contingencies, be internally consistent with the rest of the proposal, and allow the review panel to analyze the benefit of all project components. The budget breakdown and organization must indicate that the EMDP project proposal has been closely considered, and would neither waste funds nor fail to support important project elements.

Where the EMDP proposal has distinct phases, elements handled by different persons, or discrete categories of expenses, the budget should be organized so that sub-budgets that emphasize those phases, elements, or categories are presented. For instance, contract and consulting fees, fieldwork, lab and testing fees, travel and similar categories of expense should be grouped in a budget summary, even if they would not occur sequentially as the project proceeds, so that reviewers can evaluate the overall reasonableness of these expenses against the value of the EMDP proposal as a whole.

In particular, a well-presented budget will clearly show the following costs, grouped into appropriately distinct phases or elements of the project:

- a. Contracted Personnel Costs: All contracted personnel and consultants must be identified in the budget, along with their respective positions and the hours allocated for their proposed function(s). The function and qualifications of any consultant or contracted personnel must be clearly identified in **Mandatory Component 2: EMDP Proposal**. If hired for a fixed fee, the contracted personnel's or consultant's expenses should be itemized as part of the project budget. If not hired for a fixed fee, provide the estimated cost of their activities and the basis of that estimate.
- b. Travel estimates: Provide estimates for airfare, vehicle rental, lodging, and/or per diem, based on the current Federal government per diem schedule for the applicable region of the country and time of travel.
- c. Data Collection and Analysis Costs: Itemize these costs in sufficient detail for reviewers to evaluate the charges. For example, break down drilling and sampling costs in relation to mobilization costs, footage rates, testing and lab analysis costs per core sample.
- d. Other Expenses: Separately identify computer or equipment rental, report generation, drafting, advertising, and similar costs for the proposed project.

4. Designated Tribal Lead

The EMDP grant proposal must identify a designated tribal representative to oversee the project work, make authorized decisions during the course of the project, and be responsible for submitting quarterly and final progress reports, plus financial status reports, as discussed later in this announcement. This person will be referred to as the “Tribal Project Manager.” The designated tribal project lead may not be a consultant.

MULTI-PROJECT PROPOSALS

Multi-project proposals should identify a designated tribal lead for each of the individual projects being proposed. It is not automatically assumed that the individual serving as the Tribal Project Manager for one of the individual projects within the multi-project proposal will additionally serve as the designated tribal lead for the remaining projects. The tribe should determine the designated tribal lead at its own discretion, based on who the most appropriate individual is to oversee the day-to-day functions of that particular proposal.

Include the following contact information:

- Name and title of the designated tribal project lead
- Mailing address
- Telephone number
- Fax-number
- Email address

V. APPLICATION SUBMITTAL INSTRUCTIONS

- a. Submission of Application in Digital Format: Submit the entire EMDP grant proposal, including the budget, in digital form. Applicants are required to submit the application in four separate files: 1) EMDP Proposal 2) Tribal Resolution 3) Estimated Budget; and 4) Designated Tribal Project Lead. Please include the Tribal Name in all electronic submissions. For example: (Name of tribe) EMDP Proposal, (Name of tribe) Tribal Resolution, (Name of tribe) Tribal Budget, and (Name of Tribe) Designated Tribal Project Lead.

Acceptable formats are Adobe Acrobat PDF and Microsoft Word and Excel. The budget should be in table format in Microsoft Excel. Files must have descriptive file names to help DEMD quickly locate specific components of the proposal, and use file name extensions that clearly indicate the software application used to prepare the documents (e.g., doc, docx, pdf). Documents that require an original signature, such as cover letters, tribal resolutions and other letters of tribal authorization should be scanned and submitted electronically as a PDF.

MULTI-PROJECT PROPOSALS

Submit multi-project proposals as a comprehensive application. Applicants are required to submit each proposal within the comprehensive application in manner that is consistent with the above requirements. Multi-project proposals require three (3) additional elements when submitting a comprehensive application. The comprehensive application is required to include the following additional elements: (1) a title page identifying the applicant, (2) detailed table of contents, and (3) a tribal resolution authorizing the tribe to apply to EMDP. Refer to the area identified as “**MULTI-PROJECT PROPOSALS**” under section IV(1)(2) for additional information.

If the files are too large to send as one email, in addition to requirements for digital submittals, as described in the “**ADDRESSES**” section above.

MULTI-PROJECT PROPOSALS

Applicants submitting comprehensive applications are required use the “subject line” to identify each of the emails by numbering in sequential order.

For example:

Email no. 1:

Attn: Energy and Mineral Development Program ([insert tribe’s name] email 1 of 5)

Email no. 2:

Attn: Energy and Mineral Development Program ([insert tribe’s name] email 2 of 5)

- b. Submission of Application in Hard Copy Format: The DEMD will accept proposals that are submitted on a CD, DVD, or thumb drive and delivered via the United States Postal Service (USPS), FedEx, United Parcel Service (UPS), or the like. Submit the files to:

Division of Energy and Mineral Development
ATTN. Energy and Mineral Development Program (EMDP)
13922 Denver West Parkway
Suite 200
Lakewood, CO 80401

Fax paper copies of your proposal will not be accepted. Complete submissions must be received no later than the day and time previously described under the “**DATES**” section above.

VI. ADMINISTRATIVE REVIEW

Upon receiving an EMDP grant proposal, the DEMD will perform a preliminary review to determine if it contains the four (4) mandatory components, appears to have enough technical and scientific information to permit an evaluation, and does not duplicate or

overlap previous or currently funded EMDP projects. The administrative review will also confirm that the project location meets the Indian land requirement as defined in section II and titled “DEFINITIONS FOR THE PURPOSE OF EMDP.”

The DEMD will send a notification of receipt, along with a determination of whether or not the application is complete. The DEMD staff may return a proposal that it deems incomplete or ineligible. In appropriate circumstances it may retain the proposal but request additional information.

VII. RANKING CRITERIA

The review panel will rank each complete EMDP grant proposal using these four (4) criteria:

a. Resource Availability

Based on both information provided by the applicant and other available data sources, reviewers will score the proposal according to the extent that the tribe has identified a specific energy resource for evaluation, processing, use, or development on Indian land, and that the resource exists in meaningful values to warrant development.

It is critical to provide all pertinent information needed to help convince the panel that the identified resource actually exists in meaningful quantities pertinent to the identified development objective. The DEMD understands that many tribes and tribal energy resource development organizations have little resource data concerning their Indian lands, and that in some cases such resource data does not exist. However, data may exist on areas surrounding Indian lands and can provide meaningful evidence of the existence of a resource in the applicants region.

For example, with respect to solid minerals and fluid minerals, many times a producing resource or deposit exists outside but near a reservation’s boundary. The geologic setting containing the resource may extend onto the reservation, regardless of the reservation’s size. This would suggest the potential of finding similar resources on the reservation. In some cases, available data on non-reservations lands may allow for a scientifically acceptable projection of favorable trends for energy or mineral occurrence on adjacent Indian lands. In the instance of renewable and distributed energy projects, it is understood that in some cases the identified resource is not solely owned by the tribe. In this case the tribe must demonstrate the ability, or plan, to secure rights to access, use and/or develop the resource. For example, biomass supply agreements for use in a power plant located on Indian lands, or the right to develop hydropower at an existing dam. In these situations, reviewers will evaluate the progress the tribe has made in obtaining the appropriate rights to develop the resource, in addition to the extent that the resource exists in meaningful values.

Consider that the DEMD ranking panels will be asking questions during its review such as: Does the proposal adequately identify or predict the existence of a meaningful level of the resource on or near the reservation, and provide enough supporting technical evidence? To what extent are the resource requirements for the project clearly defined and understood? What level of progress has been made to analyze and evaluate the quantitative and qualitative characteristics of the resource in question?

b. Project Concept and Viability

The DEMD seeks to fund studies for projects that have a reasonable chance of being viable and that will support informed economic development decisions. Reviewers will therefore rate the proposals based on the overall viability of the proposed project and the likeliness that the project will be completed. To receive a high score in this ranking criterion, the proposal should clearly discuss barriers that could impact the viability of the project and the progress that has been made to address and mitigate those barriers. These barriers may include issues regarding marketability, permitting, economics, financing, technology readiness, environmental impacts, and social perceptions.

The DEMD's ranking panels will also consider the project's stage of development, the time and expense needed for it to be completed, and the likelihood that the study will result in a completed project. The panel will rank more highly projects closer to fruition and more likely, in the near term, to result in economic benefits to the tribal community.

Consider that the DEMD ranking panels will be asking questions during its review such as: Are the economic development goals and objectives of the project clearly defined? Is the proposed project economically viable? (To what extent have the off-take markets been identified? What level of progress has been made to define costs and revenues of the project?) To what extent does the proposal quantify the economic benefits expected to result from project completion (employment rates, increased income levels, energy costs savings, etc.). How certain are these various benefits? What level of progress has the project made in developing the organizational business structure and business plan? What level of progress has the tribe made in obtaining or planning project financing? What level of progress has the project made in completing the necessary development permits, contracts and agreements? Is the proposed project technically viable? (Will the project be incorporating commercially proven technologies? What level of progress has been made towards final engineering designs?)

c. Goals and Commitment of the Project

To make wise use of limited funding, the DEMD seeks to provide funding to applicants that display strong sense of commitment to the goals of the EMDP and that they are seriously willing to consider developing the proposed project.

Concerning an applicant's willingness to develop, the proposal should include a willingness- to-develop statement that sufficiently explains the applicant's attitude towards developing its resources and its commitment level. The DEMD will also evaluate an applicant's willingness to develop based upon its willingness to release project data to potential development partners (assuming the applicant does not have sufficient in-house expertise to undertake development on its own).

To demonstrate the applicant's commitment to the project, the applicant should explain how the tribe will participate in the study, including the level of involvement and technical expertise of its project representatives and contact persons, and whether the project will involve direct contact with the applicant's natural resource department, tribal council, energy office, etc. The proposal should also clearly explain the current status of the proposed project and specific contributions the applicant has made towards the project to date.

If an applicant has a strategic development plan outlining long term objectives, goals, and methodology for creating sustainable tribal economic development, the applicant should discuss it in the EMDP grant proposal, in addition to how the proposal fits within that strategic plan. Similarly, if the applicant has some other overall plan of action into which the EMDP grant proposal fits (such as pertinent tribal resolutions, economic development plans, planned housing development, construction projects, etc.), that too should be described.

Consider that the DEMD ranking panels will be asking questions during its review such as: Does the proposal explain how committed the applicant is to the project? Is the tribe's willingness to develop the renewable energy resource clearly stated in the tribal resolution supporting the EMDP grant application and does the full council support the development? Does the applicant have an existing strategic development plan and/or plan of action that includes developing its energy or mineral resources? Is the tribe's current business environment conducive to development? Who has the applicant designated as performing the scope of work activities, and what are that person's credentials? What financial and/or non-financial resources is the applicant committing to this project and are these commitments clearly reflected in the budget and scope of work? Which tribal departments will be involved to some extent in the proposed project activities? What impact will DEMD funding have on the project's goals and objectives? What is the applicant's prior experience with renewable energy development? To what extent does the proposal quantify other project benefits that are important to the tribe's long-term strategic goals? (environmental benefits, energy security, etc.) Does the proposal otherwise clearly demonstrate the tribe's willingness to develop and commitment to the project?

d. Appropriateness of the Technical Proposal and Statement of Work

Reviewers will rate the overall proposal and budget request for completeness, organization, and appropriateness in the context of achieving the stated goals and objectives of the project. Reviewers will also consider the extent to which the budget reflects allowable expenses and that the proposal is in conformance with industry standards for project development. To receive a high score in this criterion, the applicant must clearly justify why the proposed methodology and related costs are appropriate uses of EMDP funding.

The applicant should be aware that if the proposal includes un-allowable expenses, as described in the guidelines of this solicitation, those line items will be subtracted from the budget should it be selected for award. However, if the DEMD determines that the proposal in its entirety is not an allowable use of funds, the proposal will be declined.

Consider that the DEMD ranking panels will be asking questions during its review such as: Does the proposal clearly explain whether the project is new or builds on previous work, how the project is phased, the timeline to completion, and what element the current proposal will satisfy? Is it clear that the proposal is not duplicating previous work? Does the proposal clearly describe the project deliverables? Is the proposal well organized and does it address all of the elements listed in Mandatory Component #2 from the solicitation guidelines? Does the budget comply with Mandatory Component #3 from the solicitation guidelines? Is the budget detailed enough to explain how and when funds are to be spent? Are line item budget numbers appropriate and reasonable to complete the proposed tasks? Are specified techniques and methodologies reasonable and in conformance with best practices? Does the proposal adequately explain how the techniques and methods to be used in the project meet the goals and objectives of the proposal? Are the stated scope of work tasks and deliverables achievable within the one year time period of the grant? Are key personnel appropriately qualified to complete the stated deliverables? Is a logical project management structure in place to ensure that work will be completed on time and on budget? Does the proposal appropriately account for the use of the DEMD's in house technical capabilities and information data sets?

VIII. RANKING OF PROPOSALS

Complete EMDP grant proposals will be reviewed and ranked within separate resource commodity groups: Solid Minerals, Fluid Minerals, or Renewable and Distributed Energy. Each group will have a separate review panel and will rank EMDP proposals using the selection criteria outlined above according to the weights shown in the following table.

Criteria	Renewable & Distributed Energy	Solid Mineral	Fluid Minerals
Resource Availability	10%	10%	10%

Project Concept and Viability	30%	30%	30%
Goals and Commitment to the Project	30%	30%	20%
Appropriateness of the Technical Proposal and Statement of Work	30%	30%	40%

While DEMD seeks to award EMDP grants to the greatest extent possible based on the criteria described herein, it reserves the option, in particular circumstances, to prefer a lower ranked applicant in order to ensure that applicants from diverse geographic areas are treated equitably.

The DEMD will forward the top rated requests to the Acting Director of IEED and appropriate official(s) in the Office of the Assistant Secretary and Office of the Secretary, for approval.

IX. NOTIFICATION OF AWARD

Applicants receiving an award will receive a written notification of funding. The letter will demonstrate the DEMDs intent to partially fund the project, or to fund it in full. In the event the DEMD has chosen to partially fund the project, an explanation will be included. Subsequent to notification of funding, a grant agreement will be made available to the tribe for the review and signature. Once the Grant Officer has received the executed agreement, funds will be released to the tribe’s Automated Standard Application for Payments (ASAP) account. Those applicants not receiving an award will also be notified promptly in writing.

X. FUNDING AND TRANSFER OF FUNDS

The DEMDs obligation under this solicitation is contingent on receipt of congressionally appropriated funds. No liability on the part of the U.S. Government for any payment may arise until funds are made available to the Grant Officer for this grant and until the recipient receives notice of such availability, to be confirmed in writing by the Grant Officer.

a. ASAP

All payments under this Grant will be made by electronic funds transfer through the Treasury Financial Management Service, Automated Standard Application for Payments (ASAP) site at <http://www.asap.gov/>. The Recipient must be registered with the BIA in ASAP.

b. Invoice

The Recipient will submit all official invoices to the Bureau Project Officer, not more than once per month.

c. System for Award Management

All payments will be deposited in the banking information designated by the Recipient in the System for Awards Management (SAM).

XI. REPORTING REQUIREMENTS FOR AWARD RECIPIENTS

a. Quarterly Reporting Requirements

Quarterly narrative and financial status reports are to be submitted to the DEMD project monitor named in the award letter for the project, as well as the Grant Officer listed in the grant award. The quarterly narrative report can be a one- to two-page summary of events, accomplishments, problems and results that took place during the quarter. The quarterly financial status report should be submitted as Federal Financial Report, SF 425, and include a listing of the funds expended during the quarter, how the funds were spent, and the amount remaining. Quarterly reports are due thirty (30) days after the end of a project's quarter.

b. Final Reporting Requirements

Final narrative and financial reports are to be submitted to the DEMD project monitor named in the award letter for the project, as well as the Grant Officer listed in the grant award. The final narrative report should include all products generated by the EMDP studies. Products include all reports and technical data obtained during the study such as geophysical data, geochemical analyses, core data, lithologic logs, assay data of samples tested, results of special tests, maps and cross sections, and the technical report describing results. The final financial status report should be submitted as Federal Financial Report, SF 425, and include a listing of the funds expended during the project, how the funds were spent, and any amount remaining. Final reports are due ninety (90) days following the end of the project's period of performance.

All products generated by EMDP studies belong to the applicant and cannot be released to the public without the applicant's written approval.

c. Format Requirement for Reports and Data

The DEMD requests that all reports be delivered in digital format. Reports and data can be provided in either Microsoft Word or Adobe Acrobat PDF format. Spreadsheet data can be provided in Microsoft Excel, Microsoft Access, or Adobe PDF formats. All vector figures and images should be converted to PDF format. Do not convert vector figures to raster images. If files are too large to be submitted through electronic mail, they may be copied to a CD, DVD or thumb drive and mailed.

XII. REQUESTS FOR TECHNICAL ASSISTANCE

The DEMD technical staff may provide, with a written request, technical assistance to applicants, such as working directly with tribal staff on a proposed project, providing support documentation and data, and suggesting ways a tribe may obtain other assistance,

such as from a company or consultant with special expertise. However, the applicant or its consultant must design, organize, and write the EMDP grant proposal, including its proposed budget.

If an applicant needs the DEMDs assistance with some aspect of the EMDP grant application process, and the DEMDs help would not create a conflict of interest, please submit a written request. Submit requests to the Division Chief, DEMD well in advance of the proposal deadline established in the “**DATES**” section of this solicitation to allow the DEMD staff time to provide the appropriate assistance.

Applicants not seeking technical assistance should also submit their EMDP proposals as far as possible in advance of the application deadline, to allow the DEMD staff time to provide feedback concerning any possible deficiencies, and allow for timely application revisions if necessary.

XIII. PAPERWORK REDUCTION ACT STATEMENT

The information collection requirements contained in this notice have been renewed by the Office of Management and Budget (OMB) under 44 U.S.C. 3504(h). The OMB control number is 1076-0174. The authorization expires on August 31, 2019. An agency may not sponsor, and you are not required to respond to, any information collection that does not display a currently valid OMB Control Number.

The information collected is used to identify eligible recipients of the EMDP grants and to obtain progress reports from selected EMDP grant recipients. The information is supplied by the respondents to obtain a benefit. The public reporting burden is estimated to be 100 hours per application and 1.5 hours per progress report per respondent. This includes the time needed to understand the requirements, gather the information, complete the application and progress report, and submit to the Department. Comments regarding the burden or other aspects of the information collection may be directed to the Information Collection Clearance Officer – Indian Affairs, 1849 C Street, NW, MS-4660, Washington D.C. 20240.