



**COLORADO**

**Front Range Waste Diversion  
Enterprise Board of Directors**

Department of Public Health & Environment



**FRWD**

**Front Range  
Waste Diversion**

# **WASTE DIVERSION ON THE FRONT RANGE**

**Request for Applications (RFA) #SF061423**

**Application Due: June 14, 2023 by 3:00 p.m.**

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## I. BACKGROUND AND OVERVIEW

The Colorado State Legislature established the Front Range Waste Diversion Enterprise (FRWD, or “forward”) in 2019 to advance sustainable waste diversion across the Front Range. The FRWD Enterprise consists of the FRWD board of directors and staff from the Colorado Department of Public Health & Environment, and provides grants and technical assistance to Front Range communities to increase waste diversion to achieve the following waste diversion goals: 39% by 2026, and 51% by 2036. The FRWD enterprise fund is financed by an increase in user fees at Front Range landfills. Reaching Colorado’s ambitious waste diversion goals will take the active participation of every Front Range community, resident, and business.

The board prepares grant opportunities; board members and organizations with whom the board members are associated, may ultimately apply. To ensure the grant process remains competitive, board discussions of requests for applications occur at open meetings. Members of the public can contact the Board Administrator, [deborah.nelson@state.co.us](mailto:deborah.nelson@state.co.us), if they ever have a question.

This RFA focuses on advancing waste diversion through the following means:

- Construction and demolition (C&D) waste diversion and reduction, including infrastructure development for feasible and cost-effective methods such as manual separation at the source of generation (demolition projects, construction sites) or at another point the process, or mechanical separation processes.
- Organic waste projects to include infrastructure to increase collection and processing of organic waste.
- Recycling infrastructure and collections projects.

For this RFA, projects must reuse, reduce, or divert a minimum of 1,000 additional tons per year upon project implementation. See section III Project Requirements below for additional information and eligible exceptions.

Applicants who are shovel-ready with projects meeting the minimum tonnage diversion requirements (or are eligible for the noted exceptions) are invited to apply. Approximately \$5,000,000.00 is available in this funding cycle to support multiple projects. Applications must request a minimum of \$50,000 in FRWD grant funds and a maximum of \$5,000,000.00 to be eligible for this opportunity.

## II. ORGANIZATIONAL ELIGIBILITY

Entities that are eligible to apply include:

- Municipalities, counties, and cities and counties;
- Nonprofit and for-profit businesses involved in waste disposal or waste diversion; and
- Institutions of higher education and public or private schools.

For-profit businesses and nonprofit organizations must be registered to do business in Colorado with the Secretary of State’s Office. Registered status can be found at the [Secretary of State Database](#) website.

Applicants who have applied and received grant funding from the FRWD program in the past are eligible to apply again.

The Applicant's compliance history with CDPHE, the U.S. Environmental Protection Agency, and the U.S. Occupational Safety and Health Administration will be a factor in the selection process. Prospective grantees found to be out of compliance, regardless of whether the compliance issues pertain to the proposed project, are not eligible for a grant.

### III. PROJECT REQUIREMENTS

To be eligible for a grant award, projects must be based in one of the thirteen identified Colorado Front Range counties and divert waste from Front Range landfills. Projects must consist of C&D, organics, or recycling infrastructure and collection projects as listed in Section I. Additional project requirements include:

- Applicants must show reuse, reduction, or diversion of a minimum of 1,000 additional tons<sup>1</sup> per year upon implementation of the proposed project for the following counties: Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, El Paso, Jefferson, Larimer, and Weld.
  - In order to encourage projects advancing waste diversion in Teller, Pueblo, and Elbert Counties, these counties are not subject to the minimum tonnage requirements.
  - If lightweight materials are being diverted and tonnage is not an appropriate metric, the applicant should also include volume. Volume should be measured by using the volume-to-weight conversion factors prepared by the US Environmental Protection Agency (EPA) as referenced on this [website](#).
- Projects must be shovel-ready<sup>2</sup>.
  - You will be required to complete a series of eligibility questions as a part of the application to determine if your project is shovel-ready. Answering “no” to any of the questions does not disqualify your application from moving forward; however, CDPHE maintains the right to determine that your project is not shovel-ready and therefore ineligible to move forward during the required technical review process. Moreover, the FRWD board of directors may decline the application or require additional details upon review.
  - If permits are necessary for implementation of your project, it is the responsibility of the applicant to understand all permitting, compliance, and regulatory requirements before applying. Applicants are encouraged to apply for FRWD funding after they have received the permit or started the permit application process. This may be demonstrated by a letter of engagement from the permitting authority, or other justification. Failure to disclose or understand permitting requirements may disqualify your application.

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<sup>1</sup> For the purpose of this RFA “additional tons” is defined as tons of materials, not currently being diverted from landfills, annually upon implementation of project. Applicants will be required to explain where the new or additional tons are coming from and demonstrate how the new or additional tons were previously being landfilled.

<sup>2</sup> For the purposes of this RFA, “shovel-ready” is defined as a project where planning and engineering is advanced enough that with sufficient funding the project can begin immediately upon contract execution. This includes having a site determined with a lease in place if necessary, an understanding of all permitting requirements including local and state requirements, and financial means to fund the project upfront.

The following projects are **not** eligible for funding under this RFA:

- Research and development projects
- Waste-to-energy projects including, but not limited to, technologies such as mass burn, gasification, pyrolysis, plasma arc, and other thermal technologies, with the exception of anaerobic digesters.

#### IV. BUDGET REQUIREMENTS

##### A. Funding Period

Projects are anticipated to start November 15, 2023. CDPHE will determine the length of the contract based on the requirements of the project. Contract length will be a minimum of 18 months. No contract will exceed five (5) years in duration. The term of the contract may be longer for monitoring purposes as deemed necessary by CDPHE.

Although projects must be advanced enough to begin work immediately upon notification of a fully executed contract or purchase order, budget items covered by FRWD funding **cannot be paid for (including down payments), nor can possession of items occur prior to contract execution.**

##### B. Budget Requirements

Applications must request a minimum of \$50,000 in FRWD grant funds and a maximum of \$5,000,000.00 to be eligible for this opportunity.

Eligible expenses under this RFA are listed in the table below. All project budgets are required to use the following budget categories where applicable. Restrictions on how grant funds may be allocated in a project budget are indicated below.

Budget Category	Description
Staffing/ Personnel Costs	All staff directly working on the grant project. Indicate whether gross or net pay is being requested for funding. Include a separate line item for requested fringe benefits such as health insurance, retirement funds, FICA, etc. <i>(*Staff costs must tie to deliverables as outlined in the project application proposal.)</i>
Supplies	Includes peripheral items such as recycling carts, printed outreach materials, compostable bags, etc., and associated shipping/freight charges. Generally, items worth less than \$5,000 or those that are not tracked for depreciation can be considered in this category.
Equipment and Infrastructure	Includes capital equipment such as, balers, sorting equipment, trailers, roll-off dumpsters, vehicles or vehicle modifications, forklifts, etc.; costs for shipping/freight, fabrication, and retrofits. Generally, items worth over \$5,000 or those that are tracked for depreciation can be considered in this category.  <i>*5% contingency may be added to this category for increase of costs related to equipment and infrastructure. Proof of increases after the application period but before request for reimbursement must be provided to CDPHE. Contingency amount cannot be reallocated to other budget line items or categories.</i>

Subcontractors	Outside labor for construction, marketing, outreach, etc. Professional services directly related to the project (i.e. - consultants). Budget breakdown for each service provider is required.
Other Direct Costs	Expenses related to educating school groups, businesses, organizations, etc. Tuition, membership fees, etc. In-state resident rates only. In state travel including mileage, lodging, and meals. Other costs not covered by any other budget category.
Business Personal Property Tax (BPPT)	<p>Because the market value of equipment is highest immediately after installation, the resulting Business Personal Property Tax (BPPT) is often the highest at a time when a business is being established or in the early stages of growth. While there is no need to include this cost in the application budget, it is important to consider this expense as you create a financial plan for your project. As the equipment depreciates, BPPT is subsequently reduced. Applicants should contact the local county assessor where the equipment will be located for more information. Counties are responsible for valuation of equipment, and collection of owed taxes. Currently, a BPPT credit is allowed under C.R.S. 39-22-537.5. Find more information at <a href="#">personal property assessment link</a>.</p> <p>Entities may claim BPPT expense as a budget line item; however, it may be difficult to estimate the exact cost prior to taking possession of the equipment. For this reason, the awardee would be limited to the amount approved in the contract budget exhibit, and documentation such as a county tax notification statement and proof of payment, must be submitted to the CDPHE Grant Monitor to receive reimbursement.</p>
Indirect Costs	<p>Indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective or grant account. Indirect costs may be called Facilities and Administration costs (F&amp;A) at some agencies. Indirect costs are different from administrative costs in most cases. For example, a program employee can be considered administrative and not be included in an agency's indirect costs. Costs classified as indirect can differ depending upon your organizational structure and accounting practices, but some common examples include depreciation on buildings and equipment, operating and maintenance costs of facilities, and general administrative expenses, such as the salaries and expenses of executive officers and accounting or legal staff.</p> <p>If Applicant's agency/business maintains an indirect or F&amp;A rate and Applicant chooses to include this cost on the application budget, it is expected that the amount budgeted will reflect the agency's/business' approved rate. Be prepared to submit one of the following if awarded:</p> <ul style="list-style-type: none"> <li>● Federally Negotiated Indirect Rate Agreement - An entity that receives funding directly from the federal government is eligible to recover indirect costs by using a federally negotiated indirect cost rate from their Federal cognizant agency.</li> <li>● CDPHE Negotiated Indirect Rate Agreement- An entity that does not have a current negotiated indirect cost rate with a federal agency AND does not receive federal funds directly from a federal agency can negotiate an indirect cost rate with the internal audit unit at CDPHE.</li> </ul>

	<p>Alternatives to a negotiated indirect cost rate:</p> <ul style="list-style-type: none"> <li>• de minimis indirect cost rate - The de minimis rate of 10 percent of modified total direct costs (MTDC) is available to all non-Federal entities (2 CFR 200.414(f))</li> <li>• Direct Charge All Expenses - Organizations may elect to direct charge all allowable expenses on their billings for each award. Billed costs will be subject to field review by CDPHE.</li> </ul>
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\*5% contingency is only available for equipment and infrastructure for any potential cost increases from the time the quotes are provided during the application submission until time of purchase. Proof of increases must be provided to CDPHE. In the event that the line items do not experience a price increase, the contingency will be forfeited by the awardee. The contingency amount must be included in the application budget to be included in the grant total. This expense is optional.

The FRWD board of directors reserves the right to deny requests for any item listed in the budget that is deemed unnecessary for the implementation of the project. The board also reserves the right to partially fund a project, award funding for specific line items, and propose itself, or request from the applicant, alternate budget options. It is incumbent on the applicant to identify items that are absolutely necessary for the success of the project. These items should also be clearly identified (e.g., with an asterisk, or bold text) in the budget table.

Ineligible expenses under this RFA include:

- Financed vehicles, equipment, supplies, etc. funded by a loan where the awardee does not hold the title or rights to the item will not be reimbursed. For example, a truck financed through a bank or a dealership where the financier holds the title will not be reimbursed until the loan is paid in full and the applicant holds the title free and clear.
- Grant funds are not available and should not be requested for leases, lease to own, rent, or real property including land, office space, etc.

**C. Reimbursement Requirements**

Funding under this RFA is anticipated to be provided via two options. **The majority of selected grantees are expected to use option one.** In order to be eligible for option two (advanced payments), the grantee agency must meet the eligibility criteria established by the CDPHE. Eligibility for option two will be determined after applications are approved for funding.

Option 1: Cost-Reimbursement

Funds will be given on a cost-reimbursement basis only. This means that the selected awarded applicants must be financially able to pay for expenses and request reimbursement from CDPHE. All expenditures must be reasonable, necessary, and approved by CDPHE for the completion of approved grant activities, and must comply with state of Colorado fiscal rules. Source documentation demonstrating actual expenses

incurred will be subject to review. Reimbursement may be requested once the applicant has taken receipt of equipment, supplies, or services, and proof-of-payment can be demonstrated. Reimbursement requests must include supporting documentation of payment such as paystubs, receipts, or invoices with zero balances. All billing and reimbursements will be performance-based. Please note that the CDPHE will not reimburse any costs incurred by selected grantees prior to the issuance of a legally executed contract or purchase order.

Five percent (5%) of the awarded funds for all awardees will be withheld from each reimbursement until specific project deliverables of the executed agreement are deemed to be complete by CDPHE. No exceptions will be made to this process.

### Option 2: Advanced Payments<sup>3</sup>

With this option, there are two steps:

1. Up to twenty-five percent (25%) of the total award may be given as an initial payment to assist selected applicants with launching approved activities. The CDPHE pre-approval of advanced payments is required as not all applicants nor all budget expenses are eligible for advanced payments.
2. The remaining funds will be given on a cost-reimbursement basis only. See Option 1: Cost-Reimbursement above for more information.

CDPHE is finalizing the eligibility and process for option two (advanced payments); therefore, applicants are required to prioritize their budget expenses on Attachment 3: Budget (within the description of item column) for an advanced payment, if selected as a grantee and approved by CDPHE. More information will be provided as it becomes available to those selected for funding. If advanced payments are not approved, then all funding will be distributed as a cost-reimbursement only (see option one above).

## **V. APPLICATION REQUIREMENTS**

All applications must include the following:

### **1. Application Narrative Responses**

Answer all questions in the online Application Portal. Application narrative questions are provided in Attachment 1: [Application Narrative Questions](#) for your reference.

### **2. Work Plan**

Template and instructions provided in Attachment 2: [Work Plan](#).

### **3. Project Budget and Narrative**

Templates and instructions provided in Attachment 3: [Budget](#).

### **4. Vendor Quotes**

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<sup>3</sup> Applicants must be classified as a nonprofit organization or a charitable organization by the federal internal revenue service and have submit written proof of such classification to CDPHE.

Quotes (dated within 60 days of application submission) must be provided for all expenses listed in the budget table. (Links to websites in lieu of vendor quotes are not acceptable.)

#### **5. Material Tonnage Spreadsheet**

Provide calculations for the tonnage numbers that will result from this project. Include current tons diverted, additional tons that will be diverted, and new (expected) total tons diverted from the landfill per year once the project is fully implemented. It is important to provide accurate tonnage estimates as the current and expected tonnage included in the application will be utilized to track project progress and performance. List all weights in metric tons. If weight is unknown OR if lightweight materials are being diverted and tonnage is not an appropriate metric, utilize the volume-to-weight conversion factors prepared by the US Environmental Protection Agency (EPA), referenced on this [website](#).

#### **6. Biographies of Key Personnel**

Provide short executive biographies of each relevant key personnel and their roles on the project team, including relevant experience and perspective they will bring to the project. Biographies should be no longer than one page.

#### **7. Map**

Attach a map of the existing or anticipated service area that this proposed project will benefit. The map must be specific to the service areas for this project in Colorado.

#### **8. Letters**

Indicate at the top of each letter if it is a Letter of Engagement or a Letter of Support.

**Letters of Engagement:** Letters of engagement are **required** if the project requires the participation of other entities for it to be successfully implemented, such as local government agencies. Attach letters of engagement that state active participation in the project by an entity that will play an important role in the project's implementation. Letters of engagement specify resources that the entity will commit to the project and identifies what role it will play in achieving the project's goals. These letters are not assumed to be legally binding. The intent is to clarify the anticipated roles and responsibilities of partners in a project for the benefit of the application evaluation team. Your application may not be considered if the required letters of engagement are not provided.

**Letters of Support:** If applicable, upload up to three (3) letters of support from community groups or other entities that confirm that the proposed project has the support of local or regional leaders. Letters of support from key business partners or current or potential customers may also be submitted.

## **VI. EVALUATION, SELECTION, AND AWARDS**

### **A. Evaluation**

A carefully designed scoring rubric has been established to ensure fair selection of the best-qualified applicants and is provided in [Attachment 4: Scoring Rubric](#). The criteria for scoring are in direct correlation to the required application components.



## **B. Selection**

The review committee members will review the applications received; applications with the highest scores are considered finalists. The number of finalists will vary depending on the amount of funding available to award and the total number of applications received. The review committee reserves the right to ask each finalist clarifying questions and for additional documentation in the event that there are sections within an application that are unclear or lacking detail. The review committee may adjust an application's initial score based on the answers received from each finalist, which will influence the committee's final decision to award or to reject a particular application. There is no guarantee that a finalist will be asked to answer questions. If a finalist fails to respond to the review committee's questions by the established deadline, the proposal may be disqualified. To ensure a transparent process, all questions and answers will be documented via email correspondence and will become part of the finalist's application. The review committee also reserves the right to request a meeting with an applicant to discuss answers. Minutes from the meeting will be recorded and will also become part of the finalist's application. Program staff will call a finalist within 48 hours to ensure questions were received if the finalist does not confirm receipt of the questions.

## **C. Notification of Award**

All Applicants will be notified of application results via email to the email address provided in the application. Please refer to the Schedule of Activities for the expected date of notification.

CDPHE will determine if the awardee's agreement will be a [contract](#) or [purchase order](#) based on dollar amount awarded and determined risk. Terms and Conditions in both instances will not be modified. Your application submission will be considered an agreement to the terms and conditions as set forth in both documents.

## **VII. HOW TO APPLY**

Responses must be submitted as specified in this announcement. Applications that fail to follow all of the requirements may not be considered.

This RFA is issued by CDPHE. The CDPHE contact listed in these instructions is the sole point of contact concerning this RFA. During the solicitation process for this RFA, all official communication with applicants will be via notices on the [FRWD program website](#) listed in the schedule of activities. Notices may include any modifications to administrative or performance requirements, answers to inquiries received, clarifications to requirements, and the announcement of the apparent winning applicant(s). Applicants are responsible for monitoring for publication of modifications to this solicitation. It is incumbent upon applicants to carefully and regularly monitor for any such notices. Applicants are not to contact any other state office or individual regarding this RFA or this project. Applicants are not to rely on any other statements that alter any specification or other term or condition of the solicitation.

Applications must be received on or before the due date and time as indicated in the Schedule of Activities. Late applications will not be accepted except where there is proof of technical issues preventing submission and acknowledgement from CDPHE staff prior to the

deadline. For such technical issues, please immediately notify a member of CDPHE staff by email at [cdphe\\_recycling\\_grants@state.co.us](mailto:cdphe_recycling_grants@state.co.us) AND via telephone at 720-588-0033.

All materials submitted shall become the property of the CDPHE and will not be returned.

## Instructions for Electronic Applications

Start a new online application for this RFA by clicking on the link below:

[Start New Application for RFA #SF061423](#)

Applicants will be prompted to create an account if they do not already have one. Once an account has been created and a new application has been started, Applicants may save an application and return to it later by signing-in via the program's application portal by clicking on the link below:

[Application Portal](#)

Once you submit your application, you will receive a confirmation email from [mail@grantapplication.com](mailto:mail@grantapplication.com). Notify the designated contact below if you have not received confirmation within one business day of submitting your application. Faxed or emailed applications will not be accepted.

If you have problems with the portal, or you are unable to submit your application online, please contact [cdphe\\_recycling\\_grants@state.co.us](mailto:cdphe_recycling_grants@state.co.us).

## Questions and Inquiries

Applicants may make written inquiries via email to obtain clarification of requirements concerning this RFA. No inquiries will be accepted after the date and time indicated in the Schedule of Activities. Send all inquiries to:

- Program contact name: Megan Vinet
- Program contact email: [cdphe\\_recycling\\_grants@state.co.us](mailto:cdphe_recycling_grants@state.co.us)

Clearly identify your inquiries with:

- RFA Number
- RFA Title
- The section number and paragraph number to which the inquiry applies.

Responses to applicant inquiries will be published as outlined in the Schedule of Activities by close of business on the date indicated. Applicants are not to rely on any other statements that alter any specification or other term or condition of the RFA.

## VIII. Schedule of Activities

All documents and communication will be posted on the FRWD [program website](#) and all email inquiries must be sent to [cdphe\\_recycling\\_grants@state.co.us](mailto:cdphe_recycling_grants@state.co.us).

<b>Activity</b>	<b>Date and Time</b> <i>(Late submissions will not be accepted.)</i>
Virtual Q&A session (registration details to be provided as soon as available)	April 21, 2023
RFA Published on FRWD website	April 26, 2023
Q&A Round 1: Deadline for applicants to submit written inquiries to CDPHE	May 10, 2023 @ 3:00 p.m.
Q&A Round 1: Answers to written inquiries published	May 17, 2023
Q&A Round 2: Deadline for applicants to submit written inquiries to CDPHE	May 24, 2023 @ 3:00 p.m.
Q&A Round 2: Answers to written inquiries published	May 31, 2023
Application submittal deadline	June 14, 2023 @ 3:00 p.m.
Deliberation meeting	July 20, 2023
Oral presentations (if requested)	August 2, 2023
Estimated notification of award	August 11, 2023
Estimated contract effective date	November 15, 2023