



# BIA TCR Annual Awards Program 2023 Frequently Asked Questions (FAQs)

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## Eligibility Q&A

### **Question 1: Is this announcement open to all Tribes and non-profit organizations?**

**A:** This solicitation is open to all Federally recognized Tribes and Tribal organizations defined in 25 U.S.C. section 5304(I).

### **Question 2: Is a Tribal department or are multiple Tribal departments considered a Tribal organization?**

**A:** TCR considers Tribal departments as a "Tribe" whether it is a single Tribal department or multiple Tribal departments *of the same tribe working together*, since Tribal departments work under a single Tribal government. Refer to 25 U.S.C. 5304(I) for the definition of Tribal organization.

### **Question 3: Why is there only one solicitation, instead of separate ones for Tribes versus for Tribal organizations?**

**A:** We're using the following definition for eligibility: Federally recognized Tribes and entities falling under 25 U.S.C. § 5305(I) who are authorized to enter into 638 self-determination contracts and compacts. This definition is listed in the solicitation on the first page. Other entities may participate as sub-awardees. Tribal organization proposals will be reviewed and ranked *separately* from Tribal proposals, and *Tribal proposals will be given priority*.

### **Question 4: The announcement states that proposals from intertribal organizations will be evaluated interdependently from proposals directly from Tribes. Does this mean intertribal proposals will not be in competition with Tribes?**

**A:** Yes, proposals from Tribal organizations are not ranked with Tribal proposals, as mentioned above. Tribal proposals are given priority by ranking them together first. Once ranking drops based on reviewer scores, then Tribal organization proposals are ranked.

### **Question 5: Is there an envisioned allocation of funds between Tribes and Tribal organizations?**

**A:** No. This varies each year depending on the proportion and number of applications received from Tribes versus Tribal organizations. In general, Tribal proposals are prioritized and ranked together first. Once ranking drops based on reviewer scores, then Tribal organization proposals are ranked.

### **Question 6: Are State-recognized Tribes and Tribal NGOs (Non-Governmental Organizations) working with State-recognized Tribes eligible?**

**A:** No. The Bureau of Indian Affairs legally must serve Federally recognized Tribes, so only Federally recognized Tribes and Tribal organizations as defined by 25 U.S.C. § 5305(I) are eligible for this funding.

### **Question 7: If we have recently received a no-cost extension on a previously awarded TCR grant and are currently working with this funding, does this limit us from applying for 2023 funding?**

**A:** No, it does not limit the Tribe from applying, as long as the application submitted in 2023 proposes new work or is building off of and/or expanding previous work. In other words, as long as there is not a duplication of efforts, as the federal government cannot fund the same work twice. Tribes are eligible to apply for funding despite having already open TCR grants.



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### **Question 8: Does a Tribe have to have Trust lands along the coast to be considered a coastal Tribe?**

**A:** No, the Tribe could have ceded lands or Trust lands in proximity to a coastal watershed to the extent that there is strong influence and connection between the coast and the larger upstream watershed. This also includes Great Lakes Tribes. See the footnote in the solicitation regarding the terms *coastal zone* and *coastal waters*.

### **Question 9: Can any other type of plan (e.g. Habitat Management Plan, Hazard Mitigation Plan, Integrated Ecosystem Management Plan, Emergency Management Plan, Restoration Plan, etc.) be considered eligible for climate adaptation funding, or does it have to be specifically a Tribal Climate Adaptation Plan?**

**A:** A plan doesn't have to be specifically a "Tribal Climate Adaptation Plan" to be eligible for TCR funding. *Any plan that addresses or incorporates elements of climate change* can be considered eligible. It is beneficial for any Tribal plan to address how climate change risks could impact the Tribe and identify strategies for increasing resilience. However, it isn't advisable to propose funding the entire development of a program plan if it hasn't been developed yet, because this funding supports *plan components that incorporate climate change*.

### **Question 10: How are sovereign villages seen in all of this, away from the Tribe?**

**A:** If a given sovereign village is considered a Federally recognized Alaska Native Village/Tribe, then that entity will be listed in the most current version of the Federal Register. See the **ELIGIBILITY** section of the RFP: "*Federally recognized Tribes are eligible as listed in the current Federal Register, Notice of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs, which is the official listing of all Federally recognized Tribes in the U.S. pursuant to Section 104 under the Federally Recognized Indian Tribe List Act of 1994 (Pub. L. 103-454; 108 Stat. 4791-4792). The most recent Notice was published in the Federal Register, 87, FR 4636 (January 28, 2022).*"

### **Question 11: If a Tribe received a previous award for planning or implementation, can they apply for another planning grant during this new solicitation cycle? If so, can they apply up to the new funding limit, or are they only allowed to apply for the difference between what they have already received and the new funding cap?**

**A:** Yes, a Tribe may reapply for an additional and new planning award or implementation, as long as it is *expanding upon previous work and doing new work*. Tribes and Tribal organizations that have received past planning awards are ineligible to apply for the First Time Awardee Set Aside. All eligible applicants may apply up to the maximum award amount specified in the solicitation. Keep in mind, however, there shouldn't be any duplication of efforts of previously-funded work.

### **Question 12: Can two Federally recognized Tribes sharing a reservation each apply separately for the awards if they are not duplicating efforts?**

**A:** Yes, each Federally recognized Tribe is allowed one application per Category, thus may be awarded respectively. We are aware that are Tribes whom share jurisdictional boundaries, however, funding will be awarded in contracts to *separate legal entities*. Please keep in mind that awards are case-dependent. For example, P.L. 93-638 contracts that are awarded for either Tribe on the Wind River Reservation must be signed by the joint council.



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**Question 13: What is the max amount of awards Tribes and Tribal organizations can receive?**

**A:** A Tribe or Tribal organization may receive up to two planning and one implementation awards. See the funding limitations section of the solicitation for more information.

**Question 14: How do I know if I'm eligible for the RMP Coordinator Set Aside?**

**A:** Tribes that have received an award for RMP Coordinator in FY22 do not need to apply again. These awards are designed to prioritize high risk communities facing threats from intensifying coastal or riverine erosion, flooding, permafrost degradation, sea level rise, increased frequency and intensity of wildfire and resulting impacts, or other similar climate-related threats.

**Question 15: How do I know if I'm eligible for the First Time Awardee Set Aside?**

**A:** Only Tribes will be eligible to receive the First Time Awardee Set Aside, not Tribal organizations. Only Tribes who have not received a past planning or implementation award will be eligible. Consultants are not eligible as sub awardees, as the intent of this funding is to build internal Tribal staff capacity.

**Question 16: What projects are eligible for the Habitat Restoration and Adaptation Set Aside?**

- **A:** A Tribe may only receive one award in this Set Aside with a total of 34 million available nationally. Habitat Restoration and Adaptation awards may be considered either planning or implementation, and will count toward the planning/implementation funding limitations. Examples include restoration of coastal, wetlands, marine systems, fire prone arid ecosystems, forests, and other critical ecosystems; Emergency Restoration; Nature-based Solutions; and cost-share opportunities. For more information, see the set aside in the solicitation.



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## Application Resources Q&A

### **Question 1: Where are the funding opportunity and application materials located?**

**A:** Applicants can find the solicitation announcement and the application portal on the TCR Annual Awards Program site page (<https://www.bia.gov/service/tcr-annual-awards-program>) and *must apply* through this site.

### **Question 2: Is there a specific format we must use for our proposal?**

**A:** There aren't exhaustive formatting requirements, but here are some recommendations:

- 12-pt font
- Single space, double space between paragraphs
- Use 1-inch margins all around
- Use one font throughout, recommended: Times New Roman, Arial, Georgia, Helvetica, or Palatino Linotype
- Do a final edit, including spell-check and number all pages

### **Question 3: Where are the standards used to score proposals?**

**A:** See the full solicitation section **D. Activity Standards and Evaluation**. Each funding Category and Set-aside type have their own unique set of activity standards that the reviewers will use to score proposals. For example, general planning Category 1, general implementation Category 2, First Time Awardee Set Aside, Habitat Restoration and Adaptation Set Aside (either planning or implementation), and Relocation, Managed Retreat, or Protect-in-Place (RMP) Coordinator Set Aside each will have unique activity standards.

### **Question 4: What is new in the 2023 solicitation?**

**A:** There are several changes in 2023 to be aware of:

1. There will be only two categories which are Planning and Implementation – these Categories allow for Adaptation Planning, Ocean and Coastal Management Planning, Relocation, Managed Retreat, and Protect-in-Place (RMP) Planning, Training or Workshops, Internships and/or Youth Engagement, Climate Adaptation Implementation Projects, and Relocation, Managed Retreat, and Protect-in-Place (RMP) Implementation.
2. Category 1 (Planning) maximum amount is \$250K to allow for completion of projects. Category 2 (Implementation) maximum amount is \$4,000,000 due to complexity of projects.
3. There will be three Set Asides – these Set Asides will be First Time Awardee, maximum amount of \$250K; Habitat Restoration and Adaptation, no maximum amount per award but only \$34 million is available; and Relocation, Managed Retreat, or Protect-in-Place (RMP) Coordinator, maximum amount of \$150K per year for up to three years.
4. Applicants must create an account on the application portal site and apply on this website (**do not email it to [resilience.funding@bia.gov](mailto:resilience.funding@bia.gov)**, but please feel free to continue to submit questions to this email).
5. Similar to FY 2022, funding for FY 2023 will be awarded through P.L. 93-638 Contracts and Compacts.



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### **Question 5: What file format should we use to submit our application?**

**A:** Some of the application content requirements should be filled in online directly to the application portal, while all of the remaining content requirements such as the budget files and the proposal will be uploaded to the portal. Budget tables are preferred in Excel format, though Word files will also be accepted. Please use either Word or pdf for all other files.

### **Question 6: What is the total amount of funding available for FY 2023?**

**A:** The amount varies from year to year, and is dependent upon Congressional Appropriations. This year, the estimate is ~\$120 million total. Please see previous Award Summaries to get an idea of the past total amounts, here: <https://www.bia.gov/bia/ots/annual-awards-program>. Also, consider Bipartisan Infrastructure Law appropriations which will increase Annual Awards Program funding from 2022-26, here: [https://www.bia.gov/sites/bia.gov/files/assets/as-ia/opa/pdf/Indian%20Affairs%20BIL%20Spend%20Plan\\_FINAL.pdf](https://www.bia.gov/sites/bia.gov/files/assets/as-ia/opa/pdf/Indian%20Affairs%20BIL%20Spend%20Plan_FINAL.pdf) and the Inflation Reduction Act, here: <https://www.bia.gov/service/tribal-consultations/inflation-reduction-act>.

### **Question 7: Where can I find contacts who will help me?**

**A:** On the BIA Branch of Tribal Climate Resilience [website homepage](#), click the [Contact Us](#) site page to access TCR Regional Coordinator contacts and Regional Tribal Climate Resilience Liaisons on a [printable page](#). These contacts know about the program, the awards process, and may even provide application assistance.

### **Question 8: If I apply for the TCR solicitation, how will the Tribe's information be protected from a Freedom of Information Act (FOIA) request?**

**A:** A FOIA request is for an *agency record*, meaning something that is in possession of the Federal government as a part of the documentation process (e.g., submitted reporting on a grant). Please note that TCR does *not* require that culturally sensitive information be submitted. It is up to the Tribe to determine what goes into submissions. When an entity accepts funds from the Federal government (including P.L. 93-638 contracts, Self-Governance compacts, Federal grants, and cooperative agreements), this automatically allows for the Federal government to view the entity's *business practices*- basically, what an audit would entail. According to 25 CFR 900.2(d), the Freedom of Information Act does not apply to records maintained solely by Indian tribes and tribal organizations. For more information, including FOIA exemptions, see the FOIA FAQs at: <https://www.foia.gov/faq.html>

### **Question 9: If we are a non-profit working with Tribal entities, does a cover letter suffice, or do we need the support of the Tribal government as well?**

**A:** See **ELIGIBILITY** description in the RFP. Proposals need to come from the Tribe. Support of Tribal government / leadership is required as they will be the entity receiving the funds and administering the contract.

### **Question 10: In the RFP it states that Tribal organizations who are proposing to develop a product on behalf of a Tribe must have a resolution from the Tribe. Do we need one if we are applying for the**



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### planning Category (1 or 2) applications?

**A:** Tribal organizations must have P.L. 93-638 contracting authorities to apply. Tribal resolutions are only required to enter into P.L. 93-638 contracts, if the proposal is selected for award.

### Question 11: If you submit a proposal prior to the deadline and are missing anything, will you be notified?

**A:** If you submit the proposal *at least two weeks* prior to the deadline, we will try to have extra eyes on it to see if anything has been missed. For proposals submitted less than two weeks prior to the deadline, this will **not** be the case. See the RFP language in the **DATES AND ADDRESS TO SUBMIT APPLICATION** section for more information about how to apply.





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## Definitions Q&A

### **Question 1: How is "Tribal organization" defined in terms of eligibility?**

**A:** Per the 25 U.S.C. section 5304(l) definition, Tribal organizations that serve Federally recognized Tribes and are authorized to enter into 638 self-determination contracts and compacts are: *"legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities: Provided, that in any case where a contract is let or grant made to an organization to perform services benefiting more than one Indian Tribe, the approval of each such Indian Tribe shall be a prerequisite to the letting or making of such contract or grant"*. Tribal consortia which fit this definition are eligible to apply to Categories other than capacity building and implementation.

### **Question 2: Is there a working definition of "resilience"?**

**A:** There is no over-prescriptive definition of resilience; we refer to the general view that climate resilience is the ability to *prepare for, recover from, and adapt to* climate impacts.

### **Question 3: What does "riverine communities" refer to in the Relocation, Managed Retreat, or Protect-in-Place (RMP) related projects?**

**A:** The "riverine communities" component refers to Tribal communities facing threats due to proximity to a river, floodplain, or wetland area (including Great Lakes). These threats associated with proximity to these areas would cause Tribal communities to face decisions regarding managed retreat/partial relocation, expansion, protect-in-place, and community-led relocation. Applicants need to describe the geographic location including proximity to coastal or riverine area, as well as the challenges that the Tribe is facing from climate change. Challenges may include intensifying riverine erosion, flooding, permafrost degradation impacts, sea level rise (coastal riverine), and similar impacts. See further information in the solicitation **D. Activity Standards and Evaluation** section.

### **Question 4: How does TCR define "construction"?**

**A:** TCR uses the [48 C.F.R. § 2.101](#) definition, which defines "construction" as: *"construction, alteration, or repair (including dredging, excavating, and painting) of buildings, structures, or other real property. For purposes of this definition, the terms "buildings, structures, or other real property" include, but are not limited to, improvements of all types, such as bridges, dams, plants, highways, parkways, streets, subways, tunnels, sewers, mains, power lines, cemeteries, pumping stations, railways, airport facilities, terminals, docks, piers, wharves, ways, lighthouses, buoys, jetties, breakwaters, levees, canals, and channels. Construction does not include the manufacture, production, furnishing, construction, alteration, repair, processing, or assembling of vessels, aircraft, or other kinds of personal property (except that for use in subpart 22.5, see the definition at 22.502)."*

### **Question 5: How are construction "phases" defined, and what phases does TCR implementation cover?**

**A:** Construction programs generally include the following activities: I) the preplanning phase – initial assessment and determination of project need is made and supporting information collected for presentation in a project application; II) the planning phase – conducting and preparing a detailed





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needs assessment, developing justification documents, completing and/or verifying master plans, conducting predesign site investigations and selection, developing budget cost estimates; conducting feasibility studies, and developing a Program of Requirements (POR); III) the design phase – licensed design professional(s) using the POR as the basis for design of the project, prepare project plans, specifications, and other documents that are a part of the construction documents used to build the project. Site investigation and selection activities are completed in this phase if not conducted as a part of the planning phase.; IV) the construction phase – includes providing the labor, materials, equipment, and services necessary to complete the work in accordance with the construction documents prepared as part of the design phase. **BIA TCR funds Phase I, Phase II and sometimes elements of Phase III through the planning Category. The implementation Category will fund Phase III and Phase IV activities.** *Note: please see [25 C.F.R. § 900.112](#) for more information.*



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### Funding Categories Q&A

#### **Question 1: Can Tribes and Tribal organizations apply to multiple funding Categories?**

**A:** Yes. However, there are some limitations. There is a limit of two planning awards and one implementation and/or construction award per funding Category per Tribe. The reason for this is so that TCR will be able to spread the benefits more widely across Indian Country and Alaska Native villages. The First Time Awardee Set Aside are limited to Federally recognized Tribes only that have not received a past planning or implementation award, *not* Tribal organizations since these funding Categories are meant to build internal Tribal staff capacity. Finally, recipients of any set-aside are limited to one award in that set-aside to promote equity across all awards and spread the benefits across Tribes.

#### **Question 2: If a Tribe wants to submit proposals to multiple Categories, are different applications needed for each Category? In other words, can we submit the same proposal to multiple Categories?**

**A:** A Tribe may apply to more than one Category, however, the Tribe *must submit separate and different* proposal applications to each Category. Additionally, Tribes should only submit *one* proposal per Category, since only one proposal per Category will be funded. Please see the **FUNDING LIMITATIONS** section in the full solicitation for more information.

#### **Question 3: Can I submit multiple proposals for components of the same large project into different Categories?**

**A:** No. If the Tribe or Tribal organization is submitting multiple proposals, please provide separate applications (proposals) that aren't dependent on one another being awarded, in the case that they are not all funded. Projects should *not* be dependent on one another. Projects may be integrated but should provide stand-alone work, therefore separated into different Category proposals. Each request amount should not exceed the maximum limit.

#### **Question 4: Can a planning Category 1 proposal include travel? E.g., "I want to send all the Tribal planning team to a workshop."**

**A:** Yes. Funds may support travel costs for Tribal leadership or staff participation in, coordination of, and/or to provide access to training and technical workshops. *Note: Proposals to host trainings and support travel for other Tribes to attend **must** append Tribal Resolutions from all benefitting and/or participating Tribes.*

#### **Question 5: Does there already need to be a plan in place in order to apply for planning Category 1?**

**A:** No, there does not need to be a plan already in place for Category 1 since this Category is focused on planning. However, implementation applicants (Category 2) should already have a plan in place to identify proposed actions. Tribes facing high risks (must have a formal assessment as justification) can still apply as long as some preliminary work has been done beforehand- see RFP criteria for more information.



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### **Question 6: My proposal is for an implementation project, what Category is that?**

**A:** Implementation projects will be funded under Category 2 or Habitat Restoration and Adaption Set Aside. Category 2 Implementation, maximum: \$4,000,000 and Habitat Restoration and Adaptation Set Aside, maximum: no maximum, however total available nationally is \$35,000,000.

### **Question 7: Is developing a climate monitoring plan eligible for funding under Category 1?**

**A:** Yes, as long as it is not for baseline monitoring (such as for general baseline monitoring programs of a Tribal environmental program, e.g., Air Quality monitoring). Monitoring should be climate-focused and supplementary to existing/routine programs. A monitoring plan should be focused on answering a specific management question relating to climate adaptation.

### **Question 8: Can we develop a pipeline project where the process would carry over from Category 1, planning, into Category 2, implementation? For instance, the Tribe plans under Category 1 and then can easily transition to implementation from planning efforts to Category 2.**

**A:** Yes, Category 1 plans and designs can serve as a basis to strengthen Category 2 proposals in subsequent funding cycles, though future funding is not guaranteed from previous proposal submissions. Proposals should have projects that are not dependent upon one another being awarded, in the case that they are not all funded.

### **Question 9: Are Tribes encouraged to secure a First Time Awardee Set Aside first before applying for other Categories in future funding rounds?**

**A:** Applying for a First Time Awardee Set Aside award prior to other Categories is **not** required but can be a great steppingstone for building internal Tribal capacity to develop proposals in future funding cycles.

### **Question 10: Assuming a Tribe has multiple phases of climate adaptation, with the first phase being construction-ready, and the subsequent phases still requiring additional planning efforts - in this scenario, can a Tribe submit both an implementation grant for the construction ready phase, and a planning grant for climate adaptation phases that are not yet construction ready?**

**A:** Yes, please see the answers to Questions 2 and 8 in this section, above.

### **Question 11: Are Category maximum amounts per request or total available for the Category? Further, are there any total funding levels associated with each Category?**

**A:** The Category maximum amounts are per individual request, and are **not** indicative of overall funding available by Category. Likewise, the number of Tribes that are funded in each Category varies depending on how many requests we receive, and on how much each of the requests are for. In other words, we do **not** have a set number of awards that we distribute by Category, either.

### **Question 12: We are having to move our Tribal Community upland due to erosion, storm surges, and sea rise. We have identified that we need to create a department to coordinate the existing departments and implement the move. It was identified in an already-developed plan under a previous TCR award that we need to move. Can the development of a new Tribal department to coordinate and implement the move be funded? This might cover the cost of a director that has the knowledge to support all of the needs of move, along with other costs to implement the move.**



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**A:** Relocation, Managed Retreat, and Protect-in-Place (RMP) Coordinator Set Aside is for that purpose and can fund one coordinator position for three years (contingent upon Bipartisan Infrastructure Law appropriations), but not the standing up of an entire Tribal department. Keep in mind that this funding is not guaranteed. These funds cannot be relied upon for continued support into the future, as would be needed to initiate and sustain an entirely new Tribal department. Also, please be aware that the **C. Disallowed Costs** section of the RFP does not allow establishing or operating a Tribal office. Please review the RMP Coordinator activity standards in the full solicitation and contact us with any further questions.

**Question 13:** I see that the RFP states under Category 2 that renewable energy projects will not be funded because renewable energy implementation projects can be funded through the Department of Energy's (DOE) Office of Indian Energy (OIE). Is that still the case since the DOE has not opened the renewable energy deployment grant opportunity and there is no timeline for when it would be open again?

**A:** There are a variety of DOE-OIE funding opportunities open: <https://www.energy.gov/indianenergy/current-funding-opportunities>. Please browse these funding opportunities, and if there is a gap or lack of funding for your Tribal energy needs, see the solicitation Implementation Activity Standards, Note 2, to decide whether or not applying would be in the best interest of the Tribe. Reviewers will consider the last date of application open period on other funding opportunities and the need that is lacking, and will then decide whether the TCR application might be considered an eligible funding source for the project(s).



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## Project Conditions Q&A

### **Question 1: Can the Tribe apply for more money to continue a previously funded project?**

**A:** Yes, as long as the project tasks are *new* to the previously completed work (the government can't fund the same work twice). Describe how the new work you are doing builds upon past efforts. Also, a project *can* have an overall cost greater than the maximum amount allowed, but the amount beyond the maximum must be covered by *other sources*. Do not include costs charged to other sources in the amount requested from BIA-TCR in either the proposal or budget.

### **Question 2: Is greenhouse gas (GHG) mitigation planning an eligible project for this funding?**

**A:** Yes, however, GHG mitigation is often more associated with the mission and funds of other agencies and offices (e.g., the Dept. of Energy's Office of Indian Energy, National Renewable Energy Labs, and/or the Weatherization Assistance Program, as well as BIA's Division of Energy and Mineral Development). If the proposed work is generally funded by another specific Federal funding source, please provide a rationale as to why the applicant is not applying to that existing Federal program and/or has been unable to access funding from that source. TCR cannot fund duplicative work.

### **Question 3: Can fire and fuels mitigation (implementation) be funded through this solicitation?**

**A:** Yes, however, the BIA Branch of Wildland Fire Management currently includes a fuels program and has authorities and established protocols that the TCR does not, and duplication of those efforts is not allowable. Supplemental planning support is allowable, but if the proposed work is generally funded by another specific Federal funding source, please provide a rationale as to why the applicant is not applying to that existing Federal program and/or has been unable to access funding from that source. Also, TCR encourages supplemental monitoring, planning, and actions for *adaptive modifications* to Integrated Resource Management Plans or to multiple Forest, Fire, Rangeland, Water, Air and GHG Emissions- related Management Plans. Adaptive modifications to Tribal program plans may also assist the Tribe in the process of creating an overarching Tribal Adaptation Plan.

### **Question 4: Can this funding support Unmanned Aircraft System (UAS) or drone work?**

**A:** Any acquisition, purchase or use of UAS (e.g. drones) with Federal funding must comply with all federal regulations and policies. The Department of Interior (DOI), Bureau of Indian Affairs, National Aviation Office (NAO) is not authorized or responsible for determining allocations or appropriate instruments for federal award. The NAO recommends contacting the respective P.L. 93-638 Office, Grants and Agreements Office, Self-Determination Office, Self-Governance Office, Awarding Official, or Solicitor for the proper funding mechanism and applicable policies and restrictions related to federal awards. See Appendix for specific aviation policies and guidance related to DOI aviation and Uncrewed Aerial Systems (UAS).

### **Question 5: Can an implementation proposal include multiple tasks that are not related as long as they are identified in an existing adaptation, relocation, partial relocation, protect-in-place or other related plan (and come in under the max amount allowed)?**

**A:** Yes, an implementation proposal can include multiple tasks that may not necessarily be related to



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one another, as long as they are mentioned in an existing planning document. We would caution however that the Tribe be aware that the implementation categories of funding are likely to be a very competitive. Each task will need to be responsive to the activity standards (criteria) within the RFP. If some tasks are less ready than others, be aware that it could end up bringing the overall score down.

### **Question 6: What is the period of funding for the 2023 grant?**

**A:** The estimated timeline for Tribes to receive awards is expected to be around January 2024. The project period of funding will be clearly listed on the PL 93-638 Award document, once awarded. Contract periods of performance are set up individually at the regional level, not to exceed either the work plan or five (5) years. Proposal project timelines should be written to be completed in one to two years.

### **Question 7: With so much more funding and several new categories, what is a realistic date BIA Tribal Climate Resilience will be able to announce awards?**

**A:** TCR anticipates that all funding announcements should be made around January 2024.

### **Question 8: If successful with an award, we can obligate through our multi-year funding agreement (MYFA) through Self-Governance, using the P.L. 93-638 contracting process?**

**A:** The funds will either route through the Office of Self-Determination to be awarded as a P.L. 93-638 Contract, or through the Office of Self-Governance to be added to the MYFA compact.

### **Question 9: Could the funding be utilized to improve resilience post-wildland fire response by doing other restoration work i.e., seeding, beaver dam analogs (BDA) to reduce sedimentation loss, etc.?**

**A:** Yes, this seems like an implementation project under Category 2, as long as it does not duplicate work that may be covered under other funding resources (e.g. BIA-NIFC Burned Area Emergency Response, BIA Fire and Fuels programs, etc.). See Question 3 response for more information about wildland fire-related implementation.

### **Question 10: Our proposed project would collect novel data to develop a river flow model that supports maintenance of riverine forests under climate change scenarios. Which Categor(ies) would fund this project?**

**A:** Yes, the Planning Category would cover supplemental data collection and analysis. A key question to keep in mind, though, for a monitoring or modeling project to consider is, "*will this directly support a management decision?*". Please refer to the [Contact Us](#) page within the BIA TCR website for technical question support from BIA Regional Coordinator or Regional Liaison Network contacts who should be able to review and provide feedback on potential proposal project eligibility.

### **Question 11: Can fish ladders or fish passage projects be funded through TCR?**

**A:** Yes, if the project is directly tied to climate impacts and/or for habitat restoration and adaptation efforts, it may still be considered for TCR funding. Fish ladders and/or fish passage actions are generally funded through the BIA Branch of Fish, Wildlife and Recreation discretionary funding. If the proposed work is generally funded by another specific Federal funding source, please provide a rationale as to why the applicant is not applying to that existing Federal program and/or has been unable to access funding from that source. TCR cannot fund duplicative work. Please reach out to your BIA Regional Fish, Wildlife and Recreation point of contact for more information about this program funding and technical



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assistance for these actions.

**Question 12: Can projects such as the development of an existing artesian well to capture drinking water on Tribal lands be covered through TCR's implementation Categories?**

**A:** Yes, however, potable water is the responsibility of the Indian Health Service (IHS); however, the Bureau of Reclamation may also be able to assist, as they assist with some of the Navajo Gallup water supply projects and other similar pipelines in the Dakotas. If the proposed work is generally funded by another specific Federal funding source, please provide a rationale as to why the applicant is not applying to that existing Federal program and/or has been unable to access funding from that source. TCR cannot fund duplicative work.





# BIA TCR Annual Awards Program 2023 Frequently Asked Questions (FAQs)

## Implementation and Construction Q&A

### **Question 1: Which Categories fund implementation projects?**

**A:** Implementation projects will be funded under the TCR Solicitation within Category 2 and Set Aside for Habitat Restoration and Adaptation due to appropriations received from the Infrastructure Reduction Law. Category 2, Implementation (maximum: \$4,000,000); Set Aside Habitat Restoration and Adaptation (maximum: No Maximum), Implementation applicants should have a plan in place identifying the proposed implementation projects. *Note: Implementation projects are subject to construction 25 CFR subpart J criteria for P.L. 93-638 Contracts.*

### **Question 2: Can implementation occur off-reservation to address climate threats? Can project-specific NEPA be included in implementation funding?**

**A:** If the Tribal resolution states this, as well as all other partners (e.g., private entities, State, Federal, etc. if relevant to their jurisdiction). Keep in mind all regulations, codes, etc. relevant to the land jurisdiction would need to be addressed. NEPA is a good tool to pull the information together.

### **Question 3: What should construction contract proposals include (under Category 2 and Habitat Restoration and Adaptation)?**

**A:** Construction contract proposals should contain the following, per [25 C.F.R. 900.125](#). In addition to the full name, address, and telephone number of the Tribe submitting the construction proposal: the use of licensed and qualified architects; applicable health and safety standards; adherence to applicable Federal, State, Tribal or local building codes and engineering standards; structural integrity; accountability of funds; adequate competition for subcontracting under Tribal or other applicable law; the commencement, performance, and completion of the contract. There are many more content requirements of construction contracts. Please refer to [25 C.F.R. § 900.125](#) for more information.

### **Question 4: How do I arrive at an overall fair and reasonable price for the performance of a construction contract?**

**A:** A fair and reasonable price construction contract contains a level of detail appropriate to the nature and Phase of the work, as well as sufficient detail to allow estimate comparisons. The price should be prepared and, in a format, coordinated with the Tribe. There will be an independent government cost estimate to the Tribe and appropriate revisions will be made based on concerns raised or information provided by the Tribe. The BIA and the Tribe shall continue to revise, as appropriate, their respective cost estimates based on changed or additional information. If the Tribe elects to submit a final proposal, the Secretary may decline the proposal under section 105(m)(4)(C)(v) of the Act or if the contract has been awarded, dispute the matter under the Contract Disputes Act. If requested by the Tribe, both parties may either: 1) explore methods of expanding available funds through the use of contingency funds, advance payments, re-budgeting, or seeking additional appropriations; 2) the Tribe may elect to propose a reduction in project scope to bring the project price within available funds, or; 3) Both parties may agree that the project be executed in Phases. Refer to [25 C.F.R. § 900.129](#) for more information.

### **Question 5: What additional information do we need to submit to fulfill requirements of 25 C.F.R.**



## BIA TCR Annual Awards Program 2023 Frequently Asked Questions (FAQs)

### **subpart J for construction contracts if we're applying for implementation?**

**A:** Follow the full solicitation content requirements and activity standards for now. If the proposal is successful, the BIA Regional Self-Determination or Office of Self-Governance staff will reach out to continue construction contract negotiations.

### **Question 6: 25 C.F.R. subpart J construction contracts require a Program of Requirements (POR): a project scoping document. Has BIA TCR established a template POR for climate adaptation and/or disaster resilience?**

**A:** There is no Standardized POR template for TCR awards. This will be developed during the contracting phase for successful applicants.

### **Question 7: At the end of a self-determination construction contract, what happens to savings on a cost-reimbursement contract?**

**A:** The savings will be used by the Tribe to provide additional services or benefits under the contract. Unexpended contingency funds obligated to the contract, and remaining at the end of the contract, are savings. No further approval or justifying documentation by the Tribe will be required before expenditure of funds. Refer to [25 C.F.R. § 900.134](#) for more information. Please ensure budgets are as reasonable as possible since the budget criteria are 20 points.

### **Question 8: Is there technical assistance from BIA that Tribes can access regarding help with engineering or other infrastructure?**

**A:** BIA has a small number of Tribal Climate Resilience engineer, construction, and environmental contractors that may be able to provide technical input on Relocation, Managed Retreat, and Protect-in-Place projects, but they will not be able to write proposals.

### **Question 9: I understand that Implementation projects must have been previously identified in an existing "Plan". Does this Plan have to be a specific climate plan, or can it be a plan (e.g., salmon recovery plan) that integrated climate change in some way?**

**A:** As mentioned in the Eligibility section, Question 9, a plan does not need to be specifically a "Tribal Climate Adaptation Plan" to be eligible for TCR funding. Any plan that addresses or incorporates climate change can be considered eligible. It is beneficial for any Tribal program plan to address how climate change risks could impact the program and identify strategies for being more resilient in the face of such change. However, it isn't advisable to propose funding the entire development of a program plan if it hasn't been developed yet, because this funding supports plan components that incorporate climate change.

### **Question 10: We want to apply for a construction contract, but what if our final costs exceed our initial budget?**

**A:** There is no guarantee additional funds will be available if the Tribe or contractor exceeds the initial budget request significantly. Please attempt to develop as robust and reasonable budget as possible that is within the maximum for each Category or Set Aside to avoid potential overruns for which there may not be additional funds to support.



## BIA TCR Annual Awards Program 2023 Frequently Asked Questions (FAQs)

### **Question 11: What should be included in the construction contract budget?**

**A:** The costs incurred will vary depending on which Phase of the implementation (Phase III, Design or Phase IV, Construction) process that the Tribe is conducting, and the type of contract that will be used. Please refer to [25 C.F.R. § 900.127](#) for more information.

### **Question 12: What are the construction phases, and what phases does TCR implementation cover?**

**A:** Construction programs generally include four Phases: I) preplanning, II) planning, III) design, and IV) construction. *Note: please see [25 C.F.R. § 900.112](#) for more information about each of these Phases.*

- ▶ TCR funds Phase I through the First Time Awardee set aside for scoping efforts; Phase I, Phase II and sometimes elements of Phase III through the planning Category 1; and Phase III and Phase IV activities through the implementation Category 2.



# BIA TCR Annual Awards Program 2023 Frequently Asked Questions (FAQs)

## Partnerships Q&A

**Question 1: If we are proposing to work with Tribal partners, do we need a resolution from these partnering Tribes?**

**A:** If the proposed work is to develop a framework, plan, assessment or dataset for *multiple Tribes, and the applicant wants to receive the supplemental points for "broad benefits"*, a resolution or letter of support from each of these Tribes is required. This ensures partnerships are formalized, active, and that proposed work will truly be used by and benefit the partnering Tribe(s). If existing resolutions indicate this and are still in effect, provide these. *Note: Proposals to host trainings and support travel for other Tribes to attend **must** append Tribal Resolutions from all benefiting and/or participating Tribes in order to receive funding. This does not apply to authorized Tribal organizations which already have resolutions from member Tribes.*

**Question 2: If we are partnering with different Tribes, can we submit multiple proposals to a single Category and potentially be awarded multiple times in a single Category?**

**A:** A Tribe may partner on multiple project proposals submitted to a single Category, however, a Tribe may only be the lead on one of those project proposals. There is a limit of two planning awards and one implementation and/or construction award per funding Category per Tribe. Therefore, if each of the project proposals submitted to a given Category have a different Tribe or Tribal organization to take the lead on managing the project, then yes, a Tribe can partner on another project.



# BIA TCR Annual Awards Program 2023 Frequently Asked Questions (FAQs)

## Budget Q&A

### **Question 1: Is there a standard template for the budget we should use?**

**A:** Budget tables are preferred in Excel format, though Word files will also be accepted. Please use either Word or pdf for all other files. There is no standard budget template, but please adhere to the RFP budget activity standards (including budget table and budget narrative). Describe line items in the budget in the budget narrative. Append any contractor budget estimates if they any. See RFP for full language.

### **Question 2: Are fringe benefits and employment costs allowed?**

**A:** Fringe benefits and employment are allowable *only for those directly involved* in the project. This is meant to avoid cost-shifting awards toward base program funding and/or toward positions that are not directly involved in the project.

### **Question 3: Is food an allowable expense?**

**A:** See the solicitation section **C. Disallowed Costs**. For remote training or conference locations where eating establishments are not within a reasonable distance, food costs are allowable, but should not exceed \$17,500 or 7% of the total requested amount (whichever is less). Refreshments for non-remote training or conference locations are allowable up to \$1,700. All other food costs are disallowed.

### **Question 4: Can all of the Categories fund salaries?**

**A:** Both Categories and each Set Aside may fund salaries, namely: Each Category and Set Aside can fund salaries and fringe as long as those positions are directly related to the proposed work, and as long as they are *not for positions already fully funded* (no "double-dipping"). It is also allowable to include some of the mentor, director, or supervisor's time in the budgets for Youth proposals per the solicitation language. However, keep in mind that Youth proposals should have the *majority* of funds dedicated to intern(s) and youth engagement projects, thus are **not** meant to fund entire mentor salaries.

### **Question 5: Is there a match requirement for any of the awards?**

**A:** No, there is not a requirement for a Tribe to have a match. However, once awarded, the Tribe may use the P.L.93-638 funds as match when applying for other Federal funds, as long as the funds are spent within the originally proposed scope of the project.

### **Question 6: We want to apply for a construction contract, but what if our final costs exceed our initial budget?**

**A:** There is no guarantee additional funds will be available if the Tribe or contractor exceeds the initial budget request significantly. Please attempt to develop as robust and reasonable budget as possible that is within the maximum for the implementation Category to avoid potential overruns for which there may not be additional funds to support.



# BIA TCR Annual Awards Program 2023 Frequently Asked Questions (FAQs)

## Post-Award Q&A

### **Question 1: When would the funding get to me?**

**A:** We anticipate sending the funding to the Office of Self Governance/Regional BIA Office to place into P.L. 93-638 contracts around January 2024 after a rigorous review and ranking process. Once award letters are received by the awardee, the awardee will then be required to submit all necessary documents to the Regional Office to enter into an agreement.

### **Question 2: Will BIA let applicants who were not selected for funding know more about why they were not awarded?**

**A:** An applicant may request feedback on their proposal if it is not successful, in order to strengthen it for future potential application submissions. Applicants may email [resilience.funding@bia.gov](mailto:resilience.funding@bia.gov). Feedback is combined from reviewer commentary throughout the review process.

### **Question 3: Can I make changes after the award is made?**

**A:** Yes, things change. Contact the BIA Awarding Official's Technical Representative (AOTR) and the Office of Self-Determination/Office of Self-Governance Awarding Official to work out the *within scope* modification and get that into the award file. However, changes *cannot* be made to the overall scope of work since proposals were reviewed and selected largely based on their proposed scope.

### **Question 4: Could we provide a one-year workplan and period of performance as long as the request is still within the maximum amount?**

**A:** Yes, but P.L.93-638 contracts and Self-Governance compacts generally are open for five years, though the work-plans typically last one to two years. It is okay to finalize the work sooner than the five-year open period of the contract/compact.

### **Question 5: Can we provide a resolution after we know if the proposal is successful?**

**A:** Yes, Tribal resolutions are required to enter into a P.L. 93-638 contract, if the proposal is selected for award. Signed Tribal resolutions must summarize interest and intent. Self governance (compact) Tribes are to submit a cover letter summarizing interest and leadership support but *do not* need to submit a resolution. For Tribal organizations proposing to develop a product (e.g., plan, assessment, etc. such as for a Category 1 proposal) on behalf of a Tribe, or trainings and support travel they must have a resolution from the participating Tribes.

### **Question 6: If the Tribe already has an existing P.L. 93-638 contract, would they need to develop a new contract?**

**A:** The TCR award can be added under the existing contract or a new contract. However, the Awarding Official and the Awarding Official's Technical Representative must be made aware, as they will be managing the award.



## BIA TCR Annual Awards Program 2023 Frequently Asked Questions (FAQs)

Thank you!

Please email [resilience.funding@bia.gov](mailto:resilience.funding@bia.gov) for further questions. The 2023 Annual Awards Program FAQ presentation will be recorded and archived for those unable to attend the live session on the [ITEP website](#), and will be made available following the live webinar session under “archived webinars”.