

Drinking Water Planning and Design Funds for PFAS Treatment

Request for Proposals (RFP)

Proposals are requested from eligible applicants for planning and design of long-term treatment solutions for public drinking water contaminated with Per- and polyfluoroalkyl Substances (PFAS). The rolling application form, sample grant agreement, and other relevant documents are on the [Drinking Water Planning and Design Funds for PFAS Treatment webpage](https://www.pca.state.mn.us/grants-and-loans/drinking-water-planning-and-design-funds-for-pfas-treatment) (<https://www.pca.state.mn.us/grants-and-loans/drinking-water-planning-and-design-funds-for-pfas-treatment>).

1. Overview

The legislature approved a one-time appropriation for the planning and design for long term treatment of public drinking water contaminated with PFAS. This is a one-time appropriation and must be spent by June 30, 2027.

This funding opportunity provides up to \$22,000,000 (twenty-two million dollars) total to support planning and design of drinking water treatment systems for those communities that meet the eligibility criteria.

2. Funding

A total of \$22,000,000 in funding is available. This RFP will remain open, and applications will be accepted on a rolling, first come, first serve basis until all dedicated funds have been awarded or **4:00 pm Central Time on Friday, June 28, 2024**, whichever occurs first. The level of funds awarded will be based on cost effectiveness, eligibility of projects, and the maximum grant amount categories as outlined in the table below. Minnesota Pollution Control Agency (MPCA) reserves the right to award less funding than is requested if outlined project costs are not detailed or not within project scope. All project work must be completed by June 30, 2027.

Estimated system flow rate	Category A	Category B	Category C	Category D	Category E
Gallons per minute (gpm)*	Less than 1,000	1,000 to 2,000	2,000 to 3,500	3,500 to 5,000	Greater than 5,000
Million gallons per day (MGD)*	Less than 1.44	1.44 to 2.88	2.88 to 5.04	5.04 to 7.2	Greater than 7.2
Maximum grant award amount	\$800,000	\$2,000,000	\$2,800,000	\$3,500,000	\$4,600,000

*Not to exceed reasonable demand estimates up to the year 2040. If estimated design flow rate is unknown, current flow rates will be used.

Reimbursement schedule: Grant funds will not be distributed up front. Grant funding for eligible costs will be paid on a reimbursement basis upon submission of approved invoices on an agreed-upon schedule between the grant recipient and MPCA.

3. Eligible and ineligible applicants

Eligible applicants

- Must be owners or operators of community drinking water supply systems in Minnesota.

- Must have a minimum of four quarters of samples taken from entry points using Environmental Protection Agency (EPA) methods 533 or 537.1.
- Must have a four-quarter rolling average that exceeds the EPA Draft maximum contaminant level (MCL) value of 4 parts per trillion (ppt) for Perfluorooctanesulfonic acid (PFOS) or Perfluorooctanoic acid (PFOA) or exceeds the Hazard Index MCL of 1.0.

Ineligible applicants

- Entities that are currently eligible for the Minnesota 3M PFAS Settlement.
- Entities that do not meet the eligibility criteria above. The MPCA may also deem an applicant ineligible because of, but not limited to, environmental enforcement issues or tax status.
- Entities that are currently suspended or debarred by the State of Minnesota and/or the federal government.

4. Eligible and ineligible projects

Eligible projects

- Eligible projects must plan and/or design drinking water treatment systems to address PFAS contamination for public water supplies. Costs should include PFAS treatment, necessary pretreatment for PFAS treatment, and water distribution system upgrades associated with PFAS treatment.
- Note:
 - The system design will need to be approved by the Minnesota Department of Health's (MDH) Drinking Water Protection Section, as required under Minnesota Rule 4720.0010. <https://www.revisor.mn.gov/rules/4720.0010/>
 - The design will need to meet the requirements of the most recent edition of the Great Lake's Upper Mississippi River Board's Recommended Standards for Water Works (10 States Standards) and the policies of MDH. <https://www.health.state.mn.us/communities/environment/water/tenstates/index.html>

Ineligible projects

- Construction of treatment systems.
- Costs for additional upgrades to the drinking water treatment facility not associated with PFAS treatment.

5. Eligible and ineligible costs

Eligible costs

- Staff and consultant time for planning and designing of treatment systems.

Ineligible costs

Ineligible costs include costs that are not directly related to the project. The following costs, including but not limited to, are ineligible even if they are directly related to the project:

- Any expenses incurred before the grant agreement is fully executed, including applicant's expense for preparing the eligibility and cost applications or any expenses incurred during work plan application and final work plan development.
- Costs for additional upgrades to the drinking water treatment facility not associated with PFAS treatment.

- The cost of any of the following: fundraising; lobbying, lobbyists, and political contributions; entertainment, gifts; and bad debt, late payment fees and finance charges.

6. Application submission instructions

All applicants must submit the Rolling Application Form. Applications must be received electronically by the MPCA **no later than 4:00 pm Central Time on Friday, June 28, 2024**. The email properties header will reflect the date and time submissions are received. Application submissions received after the deadline will be ineligible. Email applications to grants.pca@state.mn.us with the subject line: **“Drinking Water PFAS Treatment Planning Application”**. The MPCA is not responsible for any errors or delays caused by technology-related issues.

The MPCA may choose not to award all funding. This RFP does not obligate the State to award a grant, and the State reserves the right to amend, modify, or cancel this solicitation if it is considered to be in its best interest.

7. Application questions

The MPCA is obligated to be transparent in all aspects surrounding grant work. To meet this obligation, all questions must be submitted in the same manner. Applicants who have any questions regarding this RFP must email questions to grants.pca@state.mn.us by 4:00 pm Central Time on Friday, June 21, 2024, using the subject line: **“Drinking Water PFAS Treatment Planning Application”**.

Answers to questions will be posted frequently on the [Drinking Water Planning and Design Funds for PFAS Treatment webpage](#). It is the applicant’s responsibility to check the MPCA website for the most recent updates about an open RFP, including questions, answers, and addendums. Please do not contact MPCA or MDH staff directly with your questions as all questions and answers must be recorded within the posted Questions and Answers document.

8. Application review process

Applications received by the grant deadline will be reviewed by MPCA and MDH staff based upon the Application Eligibility Assessment sheet in Exhibit A. Applicants must meet all requirements to be considered for funding. Applications will be reviewed on a rolling basis as they are received and awarded on a first come, first served basis.

All applicants will be notified of their award status by MPCA staff within approximately 30 days of application submission. Applicants selected for funding will be contacted concerning the next steps in the award process, including execution of the grant agreement.

9. Grantee responsibilities

Awardees are required to be a registered vendor in SWIFT. To register, go to the Supplier Portal webpage of [SWIFT](#) and click on the Register for an Account link and then Register as a Supplier.

Grant agreement

Each grantee must enter into an agreement and will sign the grant agreement using DocuSign. The agreement will address the conditions of the award, including implementation of the project. Once the agreement is signed, the recipient is expected to read and comply with all conditions of the agreement.

Grant funds will only be distributed for grantees after the date of the fully executed grant agreement.

A sample State of Minnesota agreement can be found on the [Drinking Water Planning and Design Funds for PFAS Treatment webpage](#) for your reference. Much of the language reflected in the agreement is required by statute.

Reporting and invoice submittal requirements

Grantees will be required to submit a final report at project completion and invoices no more frequently than quarterly.

Public data

Applications are private or nonpublic until opened. Once the applications are opened, the name and address of the applicant and the amount requested is public. All other data in an application is private or nonpublic data until all agreements are fully executed. After all agreements are fully executed, all remaining data in the applications is public with the exception of trade secret data as defined and classified in Minn. Stat. § 13.37. A statement that the application is copyrighted or otherwise protected does not prevent public access to the application (Minn. Stat. § 13.599, subd. 3).

Conflict of interest

The MPCA will take steps to prevent individual and organizational conflicts of interest, both in reference to applicants and reviewers per [Minn. Stat. § 16B.98](#) and [Conflict of Interest Policy for State Grant-Making](#).

Organizational conflicts of interest occur when:

- A grantee or applicant is unable or potentially unable to render impartial assistance or advice to the department due to competing duties or loyalties.
- A grantee's or applicant's objectivity in carrying out the awarded project is or might be otherwise impaired due to competing duties or loyalties.

In cases where a conflict of interest is suspected, disclosed or discovered, the applicants or grantees will be notified and actions may be pursued, including but not limited to disqualification from eligibility for the award or termination of the agreement.

Audits

Per [Minn. Stat. § 16B.98, subd. 8](#), the grantee's books, records, documents, and accounting procedures and practices of the grantee or other party that are relevant to the award or transaction are subject to examination by the awarding agency and either the legislative auditor or the state auditor, as appropriate. This requirement will last for a minimum of six years from the agreement end date, receipt, and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

Affirmative action and non-discrimination requirements

- A. Race, color, creed, religion, national origin, sex, marital status, status in regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age in regard to any position for which the employee or applicant for employment is qualified. [Minn. Stat. § 363A.02](#). The grantee agrees to take affirmative steps to employ, advance in employment, upgrade, train, and recruit minority persons, women, and persons with disabilities.
- B. The grantee must not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The grantee agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled persons without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. [Minn. R., pt.5000.3500](#)
- C. The grantee agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.

Voter registration requirement

The grantee will comply with [Minn. Stat. § 201.162](#) by providing voter registration services for its employees and for the public served by the grantee.

Exhibit A: Application eligibility assessment sheet

Applicants must meet the following to be considered for funding:

Requirements	Meets/Does not meet
<p>Eligible applicants:</p> <ul style="list-style-type: none">• Eligible applicants must be owners or operators of publicly owned drinking water supply systems in Minnesota; and• Eligible applicants must have a minimum of four quarters of samples taken from entry points using EPA methods 533 or 537.1; and• Eligible applicants must have a four-quarter rolling average that exceeds the EPA Draft MCL value of 4 ppt for PFOS or PFOA or exceeds the Hazard Index MCL of 1.0	
<p>Eligible projects:</p> <p>Planning and designing of treatment systems to address PFAS contamination for public water treatment systems.</p>	