

#### 4. Justification, Clarity, and Allocation of Project Costs

The proposed costs and overall budget of the project will be evaluated in terms of the work proposed. The itemized costs and the overall budget must be justified, clear to the reviewer, and consistent with fair market values for similar items or services. (Numeric scores of 1–100; Assigned weight of 15 percent)

#### E. Merit Review

After proposals have undergone review, the MMHSRP staff, NMFS Regional Administrators (RAs) and Office Directors (ODs) will conduct a merit review in consultation with the Marine Mammal Commission and U. S. Fish and Wildlife Service, to consider the review results and develop recommendations for funding. Only those proposals having an average weighted score higher than 60 points in either the on-line or peer review will be evaluated.

In order to make recommendations regarding equitable distribution of funds among regions and to justify any discrepancies between the reviewers' comments and the merit reviewers' recommendations, merit reviewers will review the on-line and peer review comments, discrepancies between the on-line and peer review average, weighted scores, numeric ranking of proposals by the peer reviewers, required proposal elements, stranding statistics by region (i.e., geographic need for proposed projects), environmental assessments or documentation, and the number of applications received by region and by funding year.

Equitable distribution will be determined by review of proposals by stranding region using the best available data on episodic, anomalous or unusual stranding events, average annual strandings and mortalities, and sizes of marine mammal populations within each region. Merit reviewers will also consider the actual stranding statistics per region for the previous 5 non-El Nino years and for the last El Nino year. After proposals are prioritized within the regions using the best available data, preference will be given to facilities within each region that have established records for rescuing or rehabilitating sick or stranded marine mammals and whose activities are planned so that they minimize any potential adverse impacts on the environment.

The merit review team will prepare a written justification for any recommendations for funding that fall outside the peer reviewer's numerical ranking or the equitable distribution

order, and for any cost adjustments. In addition, the merit review team will prepare written recommendations regarding additional policy factors that the NMFS AA should consider in making final funding selections.

#### F. Final Selection Procedures

The NMFS AA will review the funding recommendations from the merit review, comments of the reviewers, and select the projects to be funded. In making the final selections, the AA will consider costs, geographical distribution, financial need, duplication with other federally funded projects, potential environmental impacts, equitable distribution of funds among the designated stranding regions, and other policy factors. As a result, awards are not necessarily made to the highest technically ranked projects.

#### G. Project Funding

The final, exact amount of funds, the scope of work, and terms and conditions of a successful award will be determined in pre-award negotiations between the applicant and NOAA/NMFS representatives. The funding instrument (grant or cooperative agreement) will be determined by NOAA Grants Management Division. If the proposed work entails substantial involvement between the applicant and NMFS, a cooperative agreement will be utilized. Work requiring substantial involvement between the applicant and NMFS includes the planning and upgrading of rehabilitation facilities, the development of protocols, and other types of projects where a high level of cooperation is necessary to ensure that the applicant is achieving the broader goals of the MMHSRP. Applicants should not initiate any project in expectation of Federal funding until they receive a grant award document signed by an authorized NOAA official in the Grants Management Division.

#### V. Administrative Requirements

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917), as amended by the **Federal Register** notice published on October 30, 2002 (67 FR 66109), is applicable to this solicitation. Copies of this notice can be obtained from the Government Printing Office Website: [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html) or the Prescott Stranding Grants Program Website: [http://www.nmfs.noaa.gov/prot\\_res/PR2/Health\\_and\\_Stranding\\_Response\\_Program/Prescott.html](http://www.nmfs.noaa.gov/prot_res/PR2/Health_and_Stranding_Response_Program/Prescott.html)

If costs are incurred prior to receiving an award agreement signed by an authorized NOAA official, applicants do so solely at their own risk of not being reimbursed by the Government.

Notwithstanding any verbal or written assurance that applicants have received, the Department of Commerce has no obligation to cover pre-award costs.

Proposals that are not accepted for funding in the 2003/2004 cycle will be filed in the Prescott Grant Program office for a minimum of 3 years from date of receipt.

#### A. Obligations of Recipients (Successful Applicants)

Applicants awarded a grant or cooperative agreement for a project must:

1. Manage the day-to-day operations of the project, be responsible for the performance of all activities for which funds are granted, and be responsible for the satisfaction of all administrative and managerial conditions imposed by the award.

2. Keep records sufficient to document any costs incurred under the award, and allow access to these records for audit and examination by the Secretary of Commerce, the Comptroller General of the United States, or their authorized representatives; and, submit financial status reports (SF 269) to NOAA's Grants Management Division in accordance with the award conditions.

3. Submit semi-annual and annual reports, and for projects extending beyond a year, final reports within 90 days after completion of each project, to the individual identified as the NMFS Program Officer in the funding agreement. The final report must describe the project and include an evaluation of the work performed and the results and benefits in sufficient detail to enable us to assess the success of the completed project.

We are committed to using available technology to achieve the timely and wide distribution of final reports to those who would benefit from this information. Therefore, we request submission of final reports in electronic format, in accordance with the award terms and conditions, for publication on the NMFS Protected Resources Home Page. Awardees can charge the costs associated with preparing and transmitting their final reports in electronic format to the grant award.

4. In addition to the final report, we request that awardees submit any publications printed with award funds (such as manuals, surveys, etc.) to the NMFS Program Officer for dissemination to the public. These publications should be submitted either