



TEXAS DEPARTMENT OF AGRICULTURE
BIOFUEL INFRASTRUCTURE PARTNERSHIP
Request for Application

COMMISSIONER SID MILLER

Table of Contents

Statement of Purpose and Authority3
Eligibility3
Funding Parameters.....3
Application Requirements3
Deadline for Submission of Responses4
General Information.....4
General Compliance Information.....5

Please read all materials before preparing and submitting the application. Failure to follow the instructions and requirements described in this Request for Grant Application (RFGA) may result in the disqualification of the application.

NOTICE REGARDING THE INCLUSION OF CONFIDENTIAL, PROPRIETARY, TRADE SECRET OR PRIVILEGED INFORMATION IN A APPLICATION

Please take notice of the following:

If it is necessary for Respondent to include proprietary or otherwise confidential information in its application or other submitted information, Respondent must clearly mark and label all confidential, proprietary, trade secret or privileged material in 14 point or higher bold font on each page as it appears, and identify the specific exception to disclosure in the Texas Public Information Act (PIA) for each specific piece of confidential, proprietary, trade secret or privileged information. Additionally, all confidential, proprietary, trade secret or privileged information must be segregated in a separate and discrete section of the application, which must be able to be conveniently separated and detached from the other sections of the application. Failure to properly label, identify and segregate any confidential, proprietary, trade secret or other privileged information in the application may result in all such information or material being disclosed as public information. Merely making a blanket claim that the entire application is protected from disclosure because it contains any amount of confidential, proprietary, trade secret or privileged information is not acceptable, and shall make the entire application subject to release under the PIA. In order to initiate the process of seeking an Attorney General opinion on the release of confidential, proprietary, trade secret or privileged information, the specific provisions of the application that are considered by Respondent to be confidential, proprietary, trade secret or privileged and confidential must be clearly labeled and segregated as described above. Any information which is not clearly identified as confidential, proprietary, trade secret or privileged shall be deemed to be subject to disclosure pursuant to the PIA.

BIOFUEL INFRASTRUCTURE PARTNERSHIP REQUEST FOR APPLICATION

STATEMENT OF PURPOSE AND AUTHORITY

Pursuant to Texas Agriculture Code, section 12.002, the Texas Department of Agriculture (TDA) hereby requests applications for the Biofuel Infrastructure Partnership designed to increase consumption of biofuel in the form of ethanol.

The Biofuel Infrastructure Partnership (BIP) is authorized under Sections 5(b) and 5(e) of the Commodity Credit Corporation (CCC) Charter Act (15 U.S.C. 714c(b) and 714c(e)).

ELIGIBILITY

Texas is seeking additional fueling station partners to expand the infrastructure for renewable fuels derived from agricultural products produced in the United States. Each grant will fund a portion of the costs related to the installation of fuel pumps and related infrastructure dedicated to the distribution of higher ethanol blends, for example “E15” and “E85,” at vehicle fueling locations, including, but not limited to, local fueling stations, convenience stores (CS), hypermarket fueling stations (HFS), or fleet facilities in Texas.

FUNDING PARAMETERS

Applications must be complete and have all required documentation to be considered. Applications missing documentation or otherwise deemed incomplete will not be considered for funding until sufficient information has been received by TDA within a timeframe set forth by the agency.

Federal funds made available under BIP may only be used for infrastructure to support higher ethanol blend utilization, including:

- Blender pumps that can dispense a range of ethanol blends including E85 (new pumps or retrofit of existing pumps), capped at 50 percent federal share per pump;
- Dedicated E15 or E85 pumps (new pumps or retrofit of existing pumps), capped at 50 percent federal share per pump; and
- New storage tanks and related equipment associated with new facilities or additional capacity (replacement is not included), capped at 25 percent federal share per tank.

Additional matching funds may be used to support higher ethanol blend utilization through:

- Any activity for which federal funds may be used;
- Marketing and educational expenses associated with BIP; and
- Data collection and program evaluation costs associated with BIP.

APPLICATION REQUIREMENTS

Applications must be submitted on the form provided by TDA. The application is available on TDA’s website at www.TexasAgriculture.gov, under the “Grants & Services” tab, Biofuel Infrastructure Partnership program web page, or available upon request from TDA by calling (512) 463-6616.

A complete application shall include the following documents:

1. BIP Application (Word Doc.)
2. BIP Funding Request (Excel Doc.)

DEADLINE FOR SUBMISSION OF RESPONSES

LATE OR INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

Applications must be submitted electronically via email to Grants@TexasAgriculture.gov. Applicants must submit one complete, signed application. The application packet will be available and **accepted until all funds made available through USDA have been allocated.**

For questions regarding submission of the proposal and/or TDA requirements, please contact TDA's Grants Office, at (512) 463-6616, or by email at Grants@TexasAgriculture.gov.

The e-mail subject line must reference the RFA title and applicant (Ex: BIP – ABC Co.) The applicant is solely responsible for ensuring that their complete application, regardless of method of delivery, is sent to, and actually received by, TDA in a timely manner and at the proper destination server.

IMPORTANT NOTE: TDA recommends a limit on the attachments to 10MB each. This may require applicants to submit one application in multiple e-mails, so that all required attachments may be submitted without exceeding TDA's 10 MB attachment limit. Applicants must make sure that each email subject line references the RFA title and applicant. Unreadable submissions may be deemed unresponsive and will not be reviewed for funding consideration.

TDA takes no responsibility for electronic submissions that are captured, blocked, filtered, quarantined or otherwise prevented from reaching the proper destination server by any TDA anti-virus or other security software.

Upon receipt of an application, TDA program staff will send an acknowledgement email to applicant as soon as administratively possible containing an application ID number.

GENERAL INFORMATION

All grant awards are subject to the availability of appropriations and authorizations by the Agricultural Marketing Service, USDA and TDA.

Right to Amend or Terminate Program

TDA reserves the right to alter, amend, or clarify any provisions, terms, or conditions of this program or any grant awarded as a result thereof, or to terminate this program at any time prior to the execution of an agreement, if TDA deems any such action to be in the best interest of TDA and of the State of Texas. The decision of TDA will be administratively final in this regard.

Proprietary Information/Public Information

The Applicant is responsible for clearly designating any portion of the application that contains proprietary or trade secret information and must state the reason(s) the information is designated as such. Merely making a blanket claim the entire application is protected from disclosure because it contains proprietary or trade secret information is not acceptable, and shall make the entire application subject to release under the PIA.

In the event that a public information request for the application is received, TDA shall process such request in accordance with § 552.305 of the Texas Government Code. Applicants are advised to consult with their legal counsel regarding disclosure issues and to take appropriate precautions to safeguard trade secrets or any other proprietary information.

All applications submitted under this program are subject to release as public information, unless the application or specific parts of any such application can be shown to be exempt from disclosure under the Texas Public Information Act, Chapter 552 of the Government Code.

Conflict of Interest

The Applicant is required to disclose any existing or potential conflicts of interest relative to this grant program. Failure to disclose any such relationship may result in the Applicant's disqualification or termination of agreement.

GENERAL COMPLIANCE INFORMATION

1. Grantee (a recipient of a grant) must comply with TDA's reporting requirements and financial procedures outlined in the grant agreement. Any delegation by the Grantee to a subcontractor regarding any duties and responsibilities imposed by the grant award must be approved in advance by TDA and shall not relieve the Grantee of its responsibilities to TDA for their performance.
2. All grant awards are subject to the availability of funds appropriated and authorized by the Texas Legislature.
3. Grantees must remain in full compliance with state and federal laws and regulations. Non-compliance may result in termination of the grant or ineligibility for reimbursement of expenses.
4. Grantees must keep separate records and a bookkeeping account (with a complete record of all expenditures) for a project. Records shall be maintained for a minimum of three (3) years after the completion of the project, or as otherwise agreed upon with TDA. If any litigation, claim, negotiation, audit or other action is initiated prior to the expiration of the three-year retention period, then all records and accounts must be retained until their destruction is authorized by TDA. TDA and the Texas State Auditor's Office (SAO) reserve the right to examine all books, documents, records, and accounts relating to the project, including all electronic records, at any time throughout the duration of the agreement until all litigation, claims, negotiations, audits or other action pertaining to a grant is resolved, or until the expiration of the three-year retention period or a final judgment in litigation, whichever is longer. TDA and the SAO shall have access to: all electronic data or records pertaining to the grant project; the physical location where records are stored; and all locations related to project activities.
5. If the Grantee has a financial audit performed during the time the Grantee is receiving funds from TDA, upon request, TDA shall have access to information about the audit, including the audit transmittal letter, management letter, any schedules, and the final report or result of such audit.
6. Grantees must comply with Texas Government Code, Chapter 783, Uniform Grant and Contract Management, and the Uniform Grant Management Standards (UGMS), 2 CFR 215, 2 CFR 220, 2 CFR 225, and 2 CFR 230, if applicable.

AWARD AGREEMENT INFORMATION

All recipients will be required to enter into an agreement with TDA. Please review the draft award agreement posted on TDA's website (www.TexasAgriculture.gov) on the BIP program page.