CLEAN WATER INITIATIVE PROGRAM
Ecosystem Restoration Grants
SFY 2018

Ecosystem Restoration Grants
Application Manual

Please note that this document will be updated on a regular basis. Check the date in the header to track updated versions.

General

Background and Purpose

The Vermont Department of Environmental Conservation's (DEC) Clean Water Initiative Program administers the Ecosystem Restoration Grants. The goal of the program is to support projects that will restore and protect Vermont's rivers, streams, lakes, ponds, and wetlands from nutrient and sediment pollution.

This manual provides guidance and examples for each section of the grant applications and each step of the grant application process. Please refer to this application manual while completing your grant application(s) and return to this manual for updates.

Application Timeline

Beginning in July 2017, DEC will accept applications on a rolling basis and will review them in batches on a quarterly basis. Batches will be reviewed and projects selected for funding following the schedule below (see Table 1). Applicants must use the application form and may only submit one application per project to facilitate the evaluation of submitted applications.

Notification of funding will be given as soon as possible following the quarterly review dates. Projects will be expected to start within 3 months of the date of contract signing.

Table 1. Ecosystem Restoration Grant Process Timeline

Grant Round	Deadline for Batch Review	Anticipated Notification of Awards[1]
Round 1	July 5, 2017	July 28, 2017
Round 2	October 2, 2017	November 15, 2017
Round 3 (pending availability of funds)	December 15, 2017	January 29, 2018
Round 4 (pending availability of funds)	March 15, 2018	April 16, 2018

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[1] **Notification dates are estimates and will be dependent on required approval by DEC and the State Treasurer's Office.**

Eligibility

Eligible Entities: Vermont municipalities, regional organizations, non-profit associations, citizen groups, and state agencies are eligible to apply for Ecosystem Restoration funding. An eligible applicant can apply for funding to complete a project on property owned by non-eligible entities, but the funds can only be used for project completion costs and cannot support the non-eligible entity.

Ineligible Entities: Individuals, for-profit entities, and federal agencies are not eligible to receive Ecosystem Restoration funding, but may partner/collaborate on a proposed project.

Project Eligibility Restrictions:

1. Land acquisition is ineligible, but may be acceptable as match.
2. Projects that solely address flooding problems and drainage are ineligible.
3. Projects that do not provide for nutrient, bacteria, or sediment pollutant reductions are ineligible.
4. Projects that can be funded through other sources must pursue those funds first and explain why they are applying for an Ecosystem Restoration grant.
   a. Agricultural-related projects may be eligible for funding through the Agency of Agriculture, Food and Markets or the U.S. Department of Agriculture programs.
   b. Road-related erosion or sediment control projects may be eligible for funding through the Vermont Agency of Transportation (VTrans) grant programs, such as the VTrans Better Roads Program.
5. Projects that address the requirement of the outreach minimum control measure of an MS4 permit are ineligible.
6. Projects that mitigate stormwater from new or expanded development are ineligible.

Funding Sources

Ecosystem Restoration Grants are supported by State Capital Funds and the Clean Water Fund.

Table 2. Clean Water Initiative Program Ecosystem Restoration Grants FY2018 Spending Plan

CLEAN WATER INITIATIVE PROGRAM ECOSYSTEM RESTORATION GRANTS FY2018 SPENDING PLAN			Capital Bill	Clean Water Fund	General Funds	Total
I. Grants in Aid Pilot Project - Municipal Roads			$ 2,500,000	$ -	$ -	$ 2,500,000
II. Ecosystem Restoration Standard Grants - (4 rounds, rolling application process)						
	SUBTOTAL (II)		$ 2,825,000	$ 562,253	$ -	$ 3,387,253
III. Partner Support Grants (Request for Proposals to be issued by October, 2018)						
	SUBTOTAL (III)		$ -	$ 592,600	$ -	$ 592,600
IV. Direct Grants						
	SUBTOTAL (IV)		$ 50,000	$ 197,000	$ 50,000	$ 297,000
V. River Corridor Easement Grant (Proposals Due 6/21/2017)			$ 325,000	$ -	$ -	$ 325,000
VI. Block Grant - Multi Sector to Implement Projects on the "Go List"						
	SUBTOTAL (VI)		$ 2,000,000	$ -	$ -	$ 2,000,000
VII. Contracts						
	SUBTOTAL (VII)		$ -	$ 364,525	$ -	$ 364,525
	TOTAL		$ 7,700,000	$ 1,716,378	$ 50,000	$ 9,466,378

Funding Priorities

DEC uses the following criteria to drive project selection via the Ecosystem Restoration Grants:

- Tier 1 Costs: Regulatory cost of compliance with federal and state-required clean water plans, known as total maximum daily loads, or TMDLs, compliance with Act 64 of 2015, and the 2016 Combined Sewer Overflow Policy;
- Identified in the Tactical Basin Planning: The process by which DEC ensures that funds are directed to the highest merit implementation opportunities based on identification, targeting, and treatment of specific sites at greatest risk of delivering excess nutrients and sediments to surface waters.
- Pollution Reduction Potential: The estimated nutrient pollutant reduction (i.e. phosphorus or nitrogen) expected to occur through project implementation. Nutrient pollutant reduction estimates are modeled using DEC's Best Management Practice (BMP) Accounting and Tracking Tool (BATT) within the Watershed Projects Database.
- Project Readiness: The determination of a project's readiness for timely implementation, with consideration of the ability to permit the project if a permit is required, confirmation of state support, and documentation of local support for project implementation and long term operation and maintenance.

- Budget and Cost-Effectiveness: Screening for projects that achieve maximum pollutant reduction results and environmental co-benefits, such as flood resilience and habitat function, for the lowest possible cost.
- Targets Impaired Waters: Addresses sources of water pollution in waters listed as impaired (VT DEC assessment of Vermont waters)

Projects on Private Land

Applications to construct clean water improvement projects on private land are eligible for Ecosystem Restoration Grants. Some project types are typically sited on private land, such as floodplain restoration, woody buffer restoration, and agricultural controls on farmland. However, with respect to stormwater and road-related mitigation projects, DEC places municipal project proposals at a higher priority for funding than similar projects on private property. Applicants seeking Ecosystem Restoration Funds for stormwater mitigation projects on private land or for road BMPs on private roads will need to: (a) demonstrate that the project will address a significant water quality concern; (b) ensure that the project is not for achieving compliance with a state permit or state order; and (c) include an operations and management plan for the life of the project (a minimum of 10 years). Projects on private land that have municipal support for operations and maintenance will be a higher priority.

Equipment Purchase

Equipment that enhances local BMP implementation and maintenance, such as hydroseeders or high efficiency vacuum street sweepers and vacuum (vactor) trucks or trailers are eligible for Ecosystem Restoration Funds. Larger municipalities (>5,000 persons) will be considered for individual ownership and must provide 50% match. Smaller municipalities (<5000 persons) must share the equipment with at least 2 other towns. However, the applicant may request a waiver to this requirement if circumstances do not allow for sharing equipment in a cost-effective manner. The applicant is encouraged to request this waiver with documentation prior to submission of the application.

Grant recipients will be required to submit an equipment operation and maintenance plan for approval.

In SFY 2018, a total of $100,000 is available for equipment purchase projects because of legislative guidance. The demonstration of continued value from this type of equipment will be crucial to the continued use of capital funds for this expense.

Funding Match Requirements

Ability to provide match, through in-kind services or cash, is a factor in grant scoring criteria. Grant recipient will be required to document committed match cash in the project final

performance report. Eligible sources of match funds are specified in Table 4, below. Note that future grant rounds may require match.

Stormwater treatment projects located within a Municipal Separate Storm Sewer System (MS4) community that would ultimately support the MS4 in meeting permit requirements such as Flow Restoration Plan or a Phosphorus Control Plan must provide 50% match. MS4 permittees include:

- *City of St Albans*
- *Town of St Albans*
- *City of Burlington*
- *Burlington International Airport (BTV)*
- *Town of Colchester*
- *Town of Essex*
- *Village of Essex Junction*
- *Town of Milton*

- *Town of Rutland*
- *Town of Shelburne*
- *City of South Burlington*
- *University of Vermont*
- *Town of Williston*
- *City of Winooski*
- *Vermont Agency of Transportation*

Eligible Match Funds:

- In-kind contributions such as time, labor, transportation, and other organizational costs directly related to the project
- Cash contributions from other funding sources
- Equipment
- Vermont Pollution Control Grants
- Low interest loan from State Revolving Loan Funds
- Land acquisition

Ineligible Match Funds:

- Labor and expenses for scoping the project prior to the execution of the grant agreement

Calculating Percentage of Project Match

Percentage of project match is calculated by dividing total match funds by the total project costs (requested grant funds plus the matching funds). For example: If you have a project that costs $15,000 and are requesting $10,000 of grant funds while providing $5,000 in matching funds, your match is 33%.

Total match/total project costs = percent match

$5,000/$15,000 = 0.33 = 33%

Tactical Basin Planning and the Watershed Projects Database

DEC relies on Tactical Basin Plans (TBP) to ensure that funds are directed to priority clean water improvement projects. Priority projects are listed in the TBP online implementation table, the Watershed Projects Database (WPD).

Applicants must indicate the Project Identification Number on the cover page of their application. All projects can be viewed by leaving the search fields blank and selecting the "search" button.

The Project Identification Number is listed under the first column, labeled "ID", on the page linked above.

Projects can be selected by name, project type, basin plan, status, county, town, and project identification number by using the search fields at the top of the page. If the proposed project is already in the database, verify the Project Identification Number with your Basin Planner. If the proposed project is not already in the database, contact the Basin Planner to add the project to the database and obtain the Project Identification Number before submitting an application. **Applications that do not include a Project Identification Number will not be considered for funding.** Refer to the linked map for Basin Planner contact information: http://dec.vermont.gov /sites/dec/files/wsm/mapp/docs/TBP%20Contacts%20Map.pdf).

Guidance on Application Sections

I. Cover Page

1. Project Title

A satisfactory project title includes specific information on the project type and location.

Examples:

- Winooski Watershed Floodplain and Woody Buffer Restoration
- Swanton Village Stormwater Treatment Engineering Design
- Smith River Corridor Easement in Johnson

2. Watershed Projects Database Project Identification Number

Insert the Project Identification Number assigned to this project in the Watershed Projects Database. See section on Tactical Basin Planning and the Watershed Projects Database.

3. Project Location

Town

Indicate the town(s) where the project(s) will take place.

Watershed

Applicants must select the *waterbody identification number (WBID) watershed* (e.g., VT08-17 Dog River) where their project is located. If the project spans multiple WBID watersheds, applicants may select the *basin* where their project is located (e.g., VT08 Winooski River Basin). Basins and WBID watersheds (i.e., sub-basins) are listed in the drop-down menu by name and number. Select the appropriate one.

For further information, WBID watersheds are also available as a layer on the ANR Atlas (http://anrmaps.vermont.gov/websites/anra5/) under Watershed Protection > Waterbody Identification Number (WBID) > WBID Watersheds, however this step is not necessary to be able to respond to the question.
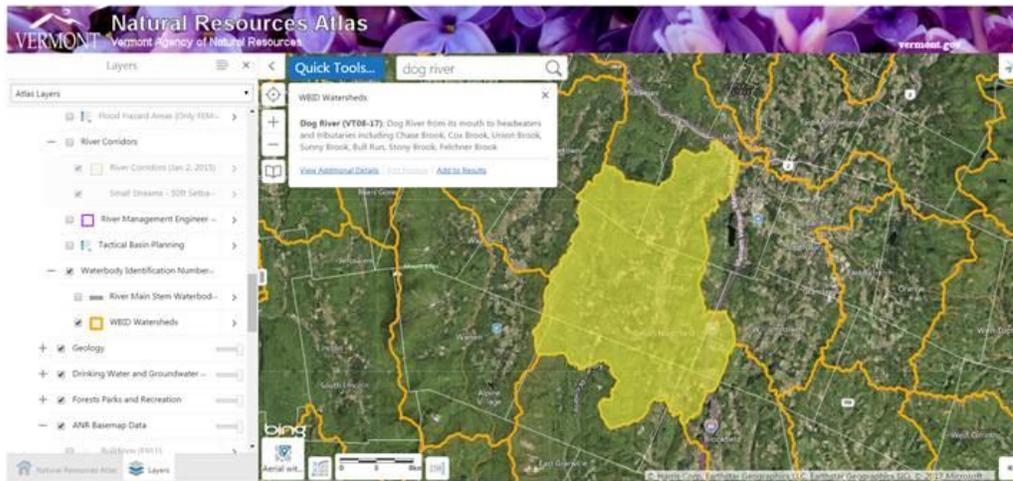
4. Project Type

Select the applicable project type. Refer to Appendix 2: Project Types, Definitions, and Performance Measures for a listing of project types available for funding through ecosystem restoration grant program. Each application should only have one project type.

If the project incorporates multiple engineering design and construction steps in the same application (e.g. 100% engineering design and implementation), choose the project type for most advanced project category (e.g. implementation or step closest to implementation).

If the proposed project involves more than one component, the applicant should pick the primary project type (e.g. if a project involves implementing a river corridor easement and installation of a woody buffer, the primary project type is the "River Corridor Easement – Implementation").

5. Is this proposal the next step of a previously awarded Ecosystem Restoration Grant?

If this proposal is the next step of a previously awarded Ecosystem Restoration Grant, provide the previously awarded grant number.

6. Applicant Information

Name and address of the organization applying for funding and responsible for executing terms of the grant agreement.

7. Point of Contact

Primary contact information for the person who will oversee the grant. This person will submit deliverables, as specified in the grant agreement, to the DEC Grant Manager.

8. Type of Organization

Select the appropriate category for your organization from the drop-down menu.

9. Funding Request and Project Cost

Indicate the total project cost, the amount of funding being requested, and the match amount being committed in this application. These fields should be updated after the Budget Template is complete. The totals must exactly match the totals in the budget worksheet template.

10. Project Visibility

Per Section 35a of the Vermont Legislature Capital Bill (H. 519), display of a clean water project sign in a publicly visible location during a project's construction phase may be required. Any implementation project with public visibility, as indicated in the grant application, would be considered for signage. Sign production costs would be covered by the State, and do not need to be included in the project budget. Additional details are to be determined. Any sign requirements will be included in the grant agreement. If this is an implementation project, please indicate whether or not the project is visible to the public.

II. Project Eligibility Checklist

The project eligibility checklist is intended to streamline project review for natural resource conflict and project readiness. If you have any questions or need assistance, please contact the Basin Planner in your region.

1. Meets Goal of Grant Program

Indicate if the project meets the goals of DEC.

2. Required Project Support

Indicate state and local support for the proposed project.

State Support:

Applicants must discuss their proposed project(s) with the Basin Planner in your area during the preparation of their application and receive the WPD Project Identification Number. See the Tactical Basin Planning and the Watershed Projects Database section of this manual for more information on this requirement.

Local Support:

Attach as a PDF letters of support from the municipality and/or landowner for: (a) project completion, and (b) operation and maintenance over the life of the project. Both are required for implementation projects. If the project is in the preliminary or final engineering design step, the letter of support should indicate support to complete the engineering design.

3. Natural Resources or Permit Conflicts

Attach a project location map file for each project in an application using the Ecosystem Restoration Grant Screening theme layers located on the ANR Natural Resources Atlas. This theme layer is a compilation of individual layers in the ANR Natural Resources Atlas, which include ANR Basemap Data layers (Act 250 permit delineations, waterbodies, streams, parcels, and town boundaries), as well as ANR Natural Resources data layers (hydric soils, wetlands, flood hazard areas, lakeshore buffers, and river corridors). Refer to Appendix 1 for instructions on how to create the ANR Atlas Map of the project location.

The purpose of the project location map is to provide a standardized method of project review. Project location maps will be used to indicate project location(s) by latitude/longitude and will help to identify potential natural resource conflicts. Applicants should make every effort to avoid these conflicts. If the project identifies potential conflicts, the applicant must explain in the project summary how the applicant has or intends to address these concerns.

4. Timeframe of Project Start and Completion

Indicate whether the project will commence within three months of the signing of the grant contract date. DEC understands that there may be limitations to project initiation due to time of year. Consider staging your project to complete those tasks that can be addressed early as you implement your project. If your project(s) are unlikely to start within three months of the grant contract date, DEC encourages you to wait until the next grant round batch review date to submit your proposal.

Indicate whether the project will be completed within two years of its start date. Eligible projects will need to meet both conditions.

Requests for no-cost time extensions are strongly discouraged. Previously funded projects that required grant amendments to accommodate time extensions may affect future award decisions.

5. Operation and Maintenance Commitment

Indicate the party responsible for operation and maintenance of the project. All proposed projects should be planned, constructed, inspected, and maintained based on the expected life of the project.

An operation and maintenance plan assures that the project will meet its functional life. An operations plan is to include:

- A maintenance plan for each project to assure that the project will be in place and operational long enough to meet, at a minimum, its expected design life

- The entity responsible for carrying out that maintenance plan

- For equipment projects in non-MS4 communities, to file an annual statement, with DEC that certifies use and compliance with the maintenance plan.

Implementation project and equipment proposals, as detailed in Appendix 3: Standardized Milestones/Deliverables, must include a letter of commitment for project operation and maintenance. The plan will be developed and approved as part of the grant agreement.

6. Risk Assessment Questionnaire

In the application form, for project eligibility checklist item 6-a, indicate if your organization has completed a Risk Assessment Questionnaire in the last 12 months. If you have not done so within the last 12 months, complete the questionnaire and attach to the grant application. The Risk Assessment Questionnaire is available on the DEC website.

III. Project Summary (Maximum Words: 1000)

Provide a detailed description of your project(s), including:

- Source or cause of the water quality problem being addressed

- The water quality improvement project or control action being proposed

- Why this project is important in terms of magnitude of nutrient and/or sediment reduction, and should be awarded a grant

The project summary must provide thorough information regarding the problem being addressed and the water quality improvement to be gained by the project. The applicant should **not** assume that the reviewers are familiar with prior designs, discussions or municipal or river corridor plans. Where possible, the applicant should include any estimation of phosphorus or sediment reductions that are expected to result from the project. DEC expects that implementation applications with prior design (specifically stormwater) would have some quantification of benefits. The applicant should include in the project summary any discussions, reviews, or decisions that relate to potential natural resource conflicts (wetlands, river management, lakes, stormwater permits). Applications requesting implementation funds are expected to have finalized all necessary permits or have a plan for doing so in the application. **Applications that require permits and have not addressed this in the application will be returned for future grant rounds.**

IV. Grant Milestones and Deliverables

DEC has developed a standardized process for all Ecosystem Restoration Grant funded projects to ensure a consistent approach for tracking project milestones and deliverables. The standardized list can be found in Appendix 3: Standardized Milestones/Deliverables. Applicant will enter the relevant milestones and deliverables into the grant application.

Required deliverables for each project type include maps, final reports with before and after photos, and batch import files. DEC also requires a press release, issued at the *project completion,* as well as at least one additional communication/outreach method (e.g. Facebook post, poster in school or town hall, blog post submitted to DEC for the Watershed Management Division blog, webinar, etc.)

V. Grant Performance Measures

Pursuant to Act 186 (2014), DEC adopted a results-based system to ensure that Ecosystem Restoration Grants specify and record project outcomes. These outcomes, referred to as project outputs or performance measures, allow DEC to systematically track its progress in water quality improvement efforts. Performance measures are incorporated into DEC's reporting to the Environmental Protection Agency, the State Legislature, and the public on its progress in restoring Vermont's waterways.

Each project type has defined and required performance measures. See Appendix 2: Project Types, Definitions and Performance Measures for a listing of project types and associated performance measures. Select the appropriate performance measures from the drop-down menu and provide an estimated quantitative value and cost/unit for each performance measure. If you do not know the exact quantification, provide your best estimate. If the provided performance measure(s) do not accurately align with your project's outcomes, please: (a) select the required performance measure(s) and quantify the value and (b) choose an *additional* performance measure that fits your project. Add the additional performance measure as the optional performance measure 3. The required performance measures must still be chosen and quantified. The State will review performance measures for project proposals selected for funding prior to the execution of the grant agreements.

Payments will no longer be made based on performance measures. Payments will be made on a reimbursement basis. See *Budget* section below.

VI. Budget

Provide the itemized budget of the project(s), including estimated labor and material costs to complete the project, by using the updated budget template on the website. The budget template includes Excel formulas to automatically calculate the total budget costs. Ecosystem Restoration Grant funds will only support expenses directly related to the project.

The budget template includes columns for the total cost of each part of the project (personnel, travel, etc), as well as a column for the match and the application request. The total request indicated in the budget must equal the amount requested in section 1 of the application.

DEC strongly encourages applicants to make every effort to secure accurate estimates for the proposal's budget, including working with contractors to secure quotes/bids during the proposal development process. The following sample budget estimates are based on prior grant awards and provided only as estimates:

- <u>Woody Buffer Restoration</u>: Up to $4,500 per acre.

- <u>Stormwater Engineering Design</u>: Up to $12,000 per design.

- <u>River Corridor Planning/Phase II Stream Geomorphic Assessment</u>: Approximately $2,400 per river mile.

Any work to be contracted to a third party/project partner should be included in the "contractual" line item, while the "construction" line item should be used for contracted construction work. Please provide additional budget detail for any amounts in the contractual, construction, or "other" line items, as found in the grant application budget table, as an attachment to the application.

Beginning in SFY18, payments will be made based on invoices in conformance with performance measures. Grantees will submit invoices with actual costs that will be expected to be consistent with the budget. Grant recipients may submit multiple invoices per deliverable.

VII. Past Performance

Briefly describe other projects targeting nutrient and sediment pollution problems that your organization performed within the last three years. Describe whether the project was successful, resulted in further implementation (if an identification or design project), your history meeting reporting requirements, whether you applied for time extensions or other amendments and why, and documentation of success.

Application Review Process and Scoring Criteria

Application scoring is on a point-based system for each project type. Do not assume that the reviewers have any prior knowledge of any previous work or other information about the proposed project(s).

The evaluation and ranking of the Ecosystem Restoration Grant applications are based on the responses to the grant application questions. The Grant Review Committee will evaluate the applications using the scoring criteria outlined below.

Project Summary (45 points)

Applicant must provide a description of the project, including: (a) source or cause of the water quality problem to be addressed, (b) the water quality improvement project or control action being proposed. (c) why this project is important in terms of magnitude of nutrient and/or sediment reduction and should be awarded a grant.

Points	Qualifications
45	Description clearly and fully identifies each issue: (a) source or cause of the water quality problem to be addressed, (b) why this project is important in terms of magnitude of nutrient and/or sediment reduction and should be awarded a grant, (c) the water quality improvement project or control action being proposed (including prior designs) and (d) ensures that the project avoids impacts to natural resources (by indicating any impacts have been or will be addressed). Project addresses priorities as identified in the Application Manual.
30	Description partially identifies the issue and provides sufficient solutions to address the issue
20	Description doesn't fully identify or fully provide sufficient solutions to address the issue(s).
0	Does not provide the elements specified.

Budget (25 points)

Applicant must include a budget using the table provided in Appendix 4. Each cost item must be fully explained, including: hourly rates and numbers of hours per person; number of travel miles; equipment to be used, with hourly rates; and itemized costs of supplies to be purchased.

Points	Qualifications
25	Budget is complete, includes explanations of all costs and is reasonable given the nature of the project.
15	Budget is incomplete or lacks sufficient detail however, information is adequate to support review of costs associated with the project.
5	Budget is incomplete or lacks sufficient detail for a thorough review. Project costs do not appear to be in line with project scope as detailed in the proposal.
0	Budget is incomplete, does not encompass the scope of the project and/or is not in line with expected costs.

Past Performance (15 points)

Past performance on similar projects, if applicable, is a predictor of the likelihood for successful outcomes. Applicant must indicate examples of prior water quality improvement projects implemented within the last three years (if any), whether the project was a success, how success was documented, and past performance in meeting tracking and reporting requirements, deliverables, and deadlines.

Points	Qualifications
15	Applicant clearly provided documentation of successful past performance(s). Applicant completed prior Ecosystem Restoration Grant-funded projects without any amendments.
12	Applicant indicates past performance, including whether the project was successful and how success was documented. Amendments were within the control of the recipient.
0	Applicant has no prior experience in water quality improvement project implementation.

Match (15 points)

Project proposals will receive up to 15 points for providing match, based on the amount of match provided. (MS4s are required to provide 50% match and upon adequate documentation, will receive the full 15 points.)

Points	Qualifications
15	50% match or greater
10	25 – 49% match
5	11 – 24% match
1	1 – 10% match
0	0% match

DEC Financial Operations Requirements

Grant recipients will need to agree to the State of Vermont Customary Provisions (Attachment C of the grant agreement) and submit the following additional information prior to entering into a grant agreement with the State:

1. A certificate of insurance to show that the minimum coverage is in effect (Attachment C, Section 8). Grant recipients shall name the State of Vermont and its officers and employees as an additional insured:

    a. Workers Compensation (In accordance with the laws of the State of Vermont);

    b. General Liability and Property Damage ($1,000,000 per occurrence);

    c. Automotive Liability ($500,000 combined single limit).

DEC reserves the right to rescind a grant award if required documents noted above have not been submitted.

DEC Contact Information and Application Submittal

Please direct all questions regarding the Ecosystem Restoration grants process to David Pasco, david.pasco@vermont.gov.

Application Submittal

Applications should be submitted in electronic format to David Pasco (david.pasco@vermont.gov) as a PDF with separate attachments for budget and additional

materials. Do not use a substitute form or alter the format of the application or the budget template. Incomplete applications will not be accepted.

Reservation of State's Rights:

In issuance of this RFP, the State reserves the following rights:

- To accept or reject any and all bids, in whole or in part, with or without cause in the best interest of the State;
- To waive technicalities in submissions; (A technicality is a minor deviation from the requirements of an RFP that does not impact the substantive terms of the bid/RFP and can be considered without a material impact on the RFP process, etc.).
- To make purchases outside of the awarded contracts where it is deemed in the best interest of the State; and
- To obtain clarification or additional information.

Confidentiality

After conclusion of the contracting process, Proposals are a matter of public record. If an application includes material considered by the applicant to be proprietary and confidential under 1 V.S.A., Chapter 5, the application shall clearly designate the material as such and explain why such material should be considered confidential. The Vendor must identify each page or section of the Proposal that it believes is proprietary and confidential with sufficient grounds to justify each exemption from release, including the prospective harm to the competitive position of the applicant if the identified material were to be released.

Under no circumstances shall the entire Proposal be designated as proprietary or confidential.   If the Vendor marks portions of the Proposal confidential, the Vendor shall provide a redacted version of the Proposal for release to the public. Notwithstanding the above, the Secretary has an independent obligation under Vermont law to determine whether any proposal material is subject to public inspection and copying upon request, which may include material that has otherwise been designated as proprietary and confidential by the Vendor. The Vendor's designation of material as proprietary and confidential, and submission of a redacted Proposal, are provided to the Secretary for informational purposes in the event the Agency receives a public records request and will not result in withholding of materials by the Secretary unless expressly supported by Vermont law.