U.S. Department of Transportation

# Rural and Tribal Assistance Pilot Program Notice of Funding Opportunity

Issue Date: December 19, 2024

BEI	FORE YOU BEGIN
Nav	igating the Notice of Funding Opportunity1
١.	BASIC INFORMATION
A.	Key Facts 2
В.	Funding Details
C.	Availability of Funds
D.	Executive Summary
E.	Agency Contact Information
II.	ELIGIBILITY
A.	Eligible Applicants 4
В.	Cost Share or Non-Federal Match
C.	Eligible Projects
D.	Example Activities
E.	Definition of Rural Areas
III.	PROGRAM DESCRIPTION
A.	Background7
В.	Program Goals and Objectives
C.	Changes from the FY 2022-2023 NOFO7
D.	Previous RTA Award
E.	Restrictions on Funding
IV.	APPLICATION CONTENT AND FORMAT8
A.	Application Overview
В.	Application Content
C.	Expected Performance Goals 10
V.	SUBMISSION REQUIREMENTS 10

Α.	Submission Dates and Timelines	10
В.	Letters of Support	10
C.	Application Limit	10
D.	Other Submission Requirements	11
E.	Address to Request Application Package	11
F.	Unique Entity Identifier (UEI) and System for Award Management (SAM)	11
VI.	APPLICATION REVIEW INFORMATION	12
Α.	Responsiveness Review	12
B.	Criteria	
2.	1. Criterion #1: Project advancement	
	<ol> <li>Criterion #2: Demonstrated experience and confidence in estimated costs</li> </ol>	
	3. Criterion #3: Policy alignment	
	4. Criterion #4: Partnerships (for Multi-community applicants ONLY)	
C.	Review and Selection Process	16
D.	Risk Review	16
VII.	AWARD NOTICES	16
VII	I. POST-AWARD REQUIREMENTS AND ADMINISTRATION	17
А.	Administration and National Policy Requirements	17
	1. Administrative Requirements	
	2. National Policy Requirements	
в.	Reporting	
	1. Progress Reporting on Grant Activities	
	2. Program Evaluation	19
	3. Reporting of Matters Related to Recipient Integrity and Performance	19
IX.	OTHER INFORMATION	20
A.	Protection of Confidential Business Information	20
в.	Publication/Sharing of Application Information	20
AP	PENDIX A	21
TIC		
1111	A Credit Program	21

INFRA Grant Program	21
Mega Grant Program	22
RAISE Grant Program	22
National Culvert Removal, Replacement, and Restoration Grant Program	23

Office of the Secretary of Transportation

## **Before You Begin** Navigating the Notice of Funding Opportunity

The <u>OMB Memorandum M-24-11</u> directs Federal agencies to reduce the burden on applicants in the Notice of Funding Opportunity (NOFO) process and limit the length of NOFO information requests. The organization of this notice is based on an outline set forth in <u>Appendix I to Title 2 of the Code of</u> <u>Federal Regulations (CFR), Part 200</u>, to ensure consistency across Federal financial assistance programs. Each section of this notice contains information and instructions relevant to the application process for the RTA Program. All applicants should read this notice in its entirety so that they have the information they need to submit eligible applications.

# **I. Basic Information**

### A. Key Facts

Issuing Agency	Build America Bureau, Office of the Secretary of	KEY DATES
	Transportation, U.S. Department of Transportation	
Funding Opportunity Title	Rural and Tribal Assistance (RTA) Pilot Program	
Announcement Type	Initial	
Funding Opportunity	DOT-OST-2024-103	Notice of Funding
Number		<b>Opportunity Issue</b>
Assistance Listing Number	20.943	Date:
Objective	The RTA Program aims to help applicants develop	December 16, 2024
	transportation infrastructure projects in rural and tribal	
	communities that will qualify for federal funding and	
	financing programs for additional development phase	
	activities or construction. DOT seeks to support projects that	<b>Application Portal</b>
	are consistent with its strategic goals: safety, equity, climate	Opens:
	and sustainability, and workforce development, job quality,	2:00 p.m. ET on
	and wealth creation.	March 4, 2025
Program Overview	The RTA Program provides funding for planning and design	
	phase activities for rural and tribal infrastructure projects.	
	This program will award grants for either the hiring of staff	
	or the procurement of expert firms to provide financial,	Letters of Support
	technical, and legal assistance with project-related planning	from Multi-
	and design phase activities. The program is administered by	Community
	the Build America Bureau (the Bureau). Grants are awarded	Applicants Due:
	on a first-come, first-served basis to eligible applicants with	14 Days After
	an eligible project who meet the merit criteria described in	Submitting
	Section VI. B.	Application
Eligible Applicants	Eligible applicants include rural local governments or	
	political subdivisions, states, Federally recognized tribes, and	
	the Department of Hawaiian Home Lands. For additional	
	information, see <u>Section II. A</u> .	<b>Application Portal</b>
Eligible Project Types	Transportation projects that are in early project	Closes:
5 <i>7 /</i>	development. See <u>Section II. C</u> for more details.	4:59 p.m. ET on
		April 3, 2025
Eligible Activities	Financial services, technical services, and legal services. See	
0	table in <u>Section II. D</u> for example activities.	
Funding	\$27 million is available for FY24 awards. See Section I. B	-
5	directly below this table for additional information.	Anticipated
Cost share	There is no required cost share or match for this program.	Selection
How to apply	Applications must be submitted via the online application	Notification Date:
	form that will be accessible on the RTA Program's webpage:	May 22, 2025
	www.transportation.gov/buildamerica/RuralandTribalGrants.	
	See Section IV for information on the application process.	
Application Open	2:00 pm ET on March 4, 2025	
	p •. •. •. •. •. •.	

#### **B. Funding Details**

This NOFO makes available, on a first-come, first-served basis, a total of \$27 million of funding for the second round of the Rural and Tribal Assistance Pilot Program (RTA Program), which is composed of \$2 million appropriated in Section 21205 of the Bipartisan Infrastructure Law (BIL) (Public Law 117-58), and \$25 million appropriated in the Consolidated Appropriations Act, 2024 (Public Law 118-42).

This NOFO will award funding for the following two types of grants:

#### Grant Type #1: Single Project

Single Project Grants will fund the planning and design phase activities of a single project. Approximate total available funding: \$10 million Approximate number of awards: 13 to 50 Minimum and maximum dollar amount of individual awards: \$200,000 up to \$750,000 Award period (Period of Performance): up to 36 months

#### Grant Type #2: Multi-Community

<u>Multi-Community Grants will fund the planning and design phase activities of projects within 3 separate communities, at a minimum, submitted under a single application.</u> Approximate total available funding: \$17 million Approximate number of awards: 7 to 34 Minimum and maximum dollar amount of individual awards: \$500,000 up to \$2,250,000 Award period (Period of Performance): up to 36 months

\$10 million of the total funding available is set aside for eligible tribal applicants for either type of RTA Program grant. See <u>Section III. E</u> for additional information on this funding set-aside.

If selected for an award, the Department may decrease the RTA Program award amount if elements of the project are determined to be ineligible program activities.

See <u>Section I. B</u> for further award information and <u>Section II.</u> for eligibility information.

#### C. Availability of Funds

Under this Program, it is anticipated that there will be a round of funding each fiscal year until FY 2026. Each round of funding will be announced in a separate Notice of Funding Opportunity. Information about future funding opportunities will be available on the <u>RTA Program website<sup>1</sup></u>.

#### **D. Executive Summary**

The Infrastructure Investment and Jobs Act (Public Law 117-58), also known as the Bipartisan Infrastructure Law, is a generational investment in the nation's transportation system. The Rural and Tribal Assistance Pilot Program, administered by the Build America Bureau (the Bureau), was created under BIL to advance transportation infrastructure projects in rural and tribal communities by supporting planning and development-phase activities for projects reasonably expected to be eligible for certain U.S. Department of Transportation (DOT or the Department) credit and grant programs. However, there is <u>no requirement</u> for grantees to apply for other DOT funding programs in the future.

<sup>&</sup>lt;sup>1</sup> <u>https://www.transportation.gov/buildamerica/RuralandTribalGrants</u>

RTA Program funding is for planning and design phase activities of transportation infrastructure projects that meet the Program's eligibility requirements discussed in <u>Section II</u>. Two grant types are offered under this NOFO: Single Project grants and Multi-Community grants. More information on the grant types can be found in <u>Section I. B</u>.

Grant recipients may hire staff or procure the services of expert firms to develop their projects. <u>Section II. D</u> lists example activities that would be eligible under this Program. **Grants are awarded on a first-come, first-served basis to eligible applications.** <u>Section IV</u> discusses the application. The review process and criteria used to select applications for award is discussed in <u>Section VI</u>. <u>Section V</u> includes the Program's submission requirements for applying, including when the application window opens and required letters of support for Multi-Community applications.

#### **E. Agency Contact Information**

Build America Bureau U.S. Department of Transportation 1200 New Jersey Avenue SE W84-322 Washington, DC 20590

For further information concerning this specific NOFO, please contact RTA Program staff via email at <u>RuralandTribalTA@dot.gov</u> or call Susan Wilson at 202-366-0765. A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993.

Ongoing updates, webinar notices, and FAQs can be found on the <u>RTA Program webpage</u>. To ensure applicants receive accurate information about eligibility or the RTA Program in general, applicants with questions are encouraged to contact RTA Program staff directly, rather than through intermediaries or third parties.

# II. Eligibility

To be considered for an RTA Program award, an applicant must be considered an eligible entity with an eligible project. <u>Section II. A</u> defines the RTA Program's eligible applicant types, and <u>Section II. C</u> describes the requirements for eligible projects.

#### A. Eligible Applicants

Applicants for the Program must be one of the following:

- 1. a unit of local government or political subdivision that is located outside of an urbanized area<sup>2</sup> that has a population of more than 150,000 residents, as determined by the Bureau of the Census. Examples of local governments and political subdivisions include the following:
  - County;
  - Borough;
  - Municipality;
  - City;

<sup>&</sup>lt;sup>2</sup> Urbanized area listing should be drawn from the 2020 Census results. For 2020 Census results, visit: <u>https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html</u>

- Town;
- Township;
- Parish (under the state of Louisiana);
- Local public authority, including any public housing agency under the United States Housing Act of 1937;
- Special district;
- School district;
- Council of governments, whether or not incorporated as a nonprofit corporation under State law; or
- Any other agency or instrumentality of a multi-, regional, or intra-State or local government.
- 2. a state, territory, or possession of the United States seeking to advance a project in a location outside of an urbanized area that has a population of more than 150,000 residents as determined by the Bureau of the Census;
- 3. a federally recognized Indian Tribe; or
- 4. the Department of Hawaiian Home Lands.

#### **B. Cost Share or Non-Federal Match**

There is no requirement for cost sharing or providing a local, non-federal match to the grant funds in this Program.

#### **C. Eligible Projects**

Per the RTA Program's requirements, projects that receive a grant award under this Program must be reasonably expected to be eligible for any one or more of the DOT's lending or grant programs listed below. This requirement is used to define the eligible project types for RTA Program funding; it does not commit the applicant to apply to any of these programs. The applicable programs are listed below. More information on these programs, including brief program descriptions and examples of eligible projects for each, are included in <u>Appendix A</u>.

- TIFIA Credit Program: www.transportation.gov/buildamerica/financing/tifia
- RRIF Credit Program: <u>www.transportation.gov/buildamerica/financing/rrif</u>
- INFRA Grant Program: <u>www.transportation.gov/grants/infra-grants-program</u>
- Mega Grant Program: <u>www.transportation.gov/grants/mega-grant-program</u>
- RAISE Grant Program: <u>www.transportation.gov/RAISEgrants</u>
- National Culvert Removal, Replacement, and Restoration Grant Program: www.fhwa.dot.gov/engineering/hydraulics/culverthyd/aquatic/culvertaop.cfm

#### **D. Example Activities**

The following is a list of example activities that would be eligible to be funded through the RTA Program. This list is intended to serve as an example, and is not all-inclusive:

Financial services	Technical services	Legal services
Revenue forecasting	Project planning	Statutory and regulatory framework analysis

Economic assessments and cost-benefit analyses	Feasibility studies	Drafting and negotiation of concession agreements
Value for money analysis and procurement options	Environmental review and permitting	Drafting and negotiation of interagency agreements
Evaluating opportunities for private financing and project bundling	Preliminary engineering and design	Procurement support
Financial feasibility analysis; funding and financing options analysis	Funding application assistance	
Evaluation of costs to sustain the project (such as operations and maintenance costs)	Public engagement	
	Property development and land use feasibility analysis	
	Public Benefit Studies	
	Cost estimation	

#### **E. Definition of Rural Areas**

The definition of "rural" varies among DOT programs. The following information explains the "rural" location requirement for local governments, political subdivisions, or states wishing to apply to the RTA Program with a project in a rural area. For this Program, "rural" is defined as the following:

**Rural**- A project is determined to be rural if it is located outside an urbanized area that has a population of more than 150,000 residents as determined by the Bureau of the Census.

The location of the project itself determines an applicant's eligibility for the RTA Program when applying as a rural applicant.

Interested applicants can use one of the following mapping tools to verify that the project's location is in an area that meets the "rural" definition stated above:

- Rural Funding Eligibility Tool<sup>3</sup>- Instructions on how to use this map to check for rural eligibility for the RTA Program can be found here: <u>https://www.transportation.gov/sites/buildamerica.dot.gov/files/2023-</u>06/Step%20by%20Step%20eligibility%20instructions.pdf.
- U.S. Census mapping tool TIGERweb<sup>4</sup>- Instructions on how to use this map and check the urban area population, if applicable, can be found here: <u>https://www.transportation.gov/sites/buildamerica.dot.gov/files/2023-07/TigerWeb%20Step%20by%20step.pdf</u>.

<sup>&</sup>lt;sup>3</sup> <u>https://www.transportation.gov/rural/eligibility</u>

<sup>&</sup>lt;sup>4</sup> <u>https://tigerweb.geo.census.gov/tigerwebmain/TIGERweb\_main.html</u>

# III. Program Description A. Background

The U.S. Department of Transportation's Build America Bureau the administrator of the Rural and Tribal Assistance Pilot Program. The Bureau is responsible for driving transportation infrastructure development projects in the United States through innovative financing programs and project delivery methods. Its mission is to provide access to the Bureau's credit programs in a streamlined, expedient, and transparent manner. The Bureau is also responsible for engaging stakeholders on behalf of the Secretary and promoting greater visibility and access to DOT policies, programs, and resources through the administration of various technical assistance programs. In accomplishing its mission, the Bureau also provides technical assistance and encourages innovative best practices in project planning, financing, delivery, and monitoring. The Bureau draws upon the full resources of DOT to best utilize the expertise of DOT's Operating Administrations (OAs) including: 1) Federal Highway Administration; 2) Federal Transit Administration; 3) Federal Railroad Administration; 4) Federal Aviation Administration; and 5) Maritime Administration while promoting a culture of innovation and customer service.

Section 21205 of Division B of BIL, "Rural and Tribal Infrastructure Advancement", created the Rural and Tribal Assistance Pilot Program (RTA Program) to provide grants to fund financial, technical, and legal assistance to rural and tribal communities and states for transportation infrastructure projects located in rural areas. The BIL authorized funding for the Program for five years: Fiscal Years 2022-2026.

The Department intends to issue grants to enable recipients to: 1) acquire the services of independent financial, technical, and legal advisors,<sup>5</sup> or 2) hire staff, to provide development-phase assistance for their project. A table providing examples of services for which recipients can hire staff or procure expert firms using awards under the RTA Program is shown in <u>Section II. D</u>.

#### **B. Program Goals and Objectives**

The grants are intended to build organizational capacity in communities that may not have the resources available to evaluate and develop transportation infrastructure projects. The RTA Program aims to help applicants advance projects that will qualify for federal funding and financing programs for additional development activities or construction, in alignment with the Departmental priorities of safety, equity, climate and sustainability, workforce development, job quality, and wealth creation, as described in the DOT Strategic Plan.<sup>6</sup> The RTA Program has set expected performance goals for projects receiving Program funding. These goals can be found in <u>Section IV. C</u>.

#### C. Changes from the FY 2022-2023 NOFO

This FY 2024 RTA NOFO makes changes from the FY 2022/2023 NOFO to:

- Simplify the NOFO with the use of plain language, a more detailed table of contents, and the use of tables to organize information.
- Define "eligible applicant" for the RTA Program, to include examples of local governments and political subdivision types.

<sup>&</sup>lt;sup>5</sup> The procurement of, and contract for, advisors procured to provide services funded by this award must meet the requirements set forth in 2 CFR § 200.317-327 and 2 CFR § 200.459, including 2 CFR Part 200 Appendix II.

<sup>&</sup>lt;sup>6</sup> FY 2022-26 DOT Strategic Plan: <u>https://www.transportation.gov/dot-strategic-plan</u>

- Provide links to mapping tools to determine if the project location is deemed "rural," as defined by the RTA Program.
- Clarify requested information to be used to determine merit criteria ratings.
- Add a question to the application related to the DOT's strategic goals and priorities.
- Allow for the bundling of projects from multiple communities under a single application.

#### **D. Previous RTA Award**

RTA grant recipients awarded funding from the previous FY 2022/2023 NOFO may not apply for funding for the same project under this FY 2024 NOFO.

#### **E. Restrictions on Funding**

No more than twenty percent (or \$5.4 million) of total available RTA funds may be awarded for projects in a single state. DOT may offer partial awards to applicants if fully funding their project would exceed the twenty percent state limit.

Any of the funds set aside for tribal applicants that are not allocated within thirty days of the application close date will be allocated proportionally to the two grant types and awarded to any type of qualified applicant under each grant, based on the order in which applications were received.

Any funding not awarded to applications under either type of grant within thirty days of the application close date may be awarded to eligible applications under the other grant type, at DOT's sole discretion.

Recipients of RTA Program grant awards do not receive lump-sum cash disbursements of their awarded amount of grant funding. Instead, RTA funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted.

# IV. Application Content and Format A. Application Overview

All applications must be submitted using the application form that will be made available on the <u>RTA</u> <u>Program's webpage</u><sup>7</sup> beginning at the date and time shown in <u>Section V. A</u>. Email, mail, and fax submissions will not be accepted. The application form cannot be saved in progress and must be completed in a single session. A pdf version of both the Single Project and Multi-Community application form's questions will be made available on the <u>RTA Program's webpage</u>Error! Bookmark not defined. when this funding announcement (NOFO) is published. Unless indicated as optional, applicants must respond to all sections of the application form.

Interested applicants should submit applications to demonstrate:

- They are an eligible applicant under this Program, as described in Section II. A;
- The project(s) for which grant funding is being requested are otherwise eligible for funding or financing through the other DOT programs listed in <u>Section II. C</u> and further described in <u>Appendix A</u>; and

<sup>&</sup>lt;sup>7</sup> https://www.transportation.gov/buildamerica/RuralandTribalGrants

• The proposed activities sufficiently address the criteria described in <u>Section VI. B</u>.

#### **B.** Application Content

The table below lists the topics included in the application along with a brief description/ instructions for the requested information:

Title	Description/Instructions
1. Grant Type	Select either Single Project grant or Multi-
	Community grant.
2. Name & Contact Information	First and last name, Title, Phone, and Email
3. Organization Name, Address, & Website	Organization/Entity Name, Address (no P.O. Box
	number) City, State, Zip Code, Website
4. Employer/Taxpayer Identification Number	Applicants must have a valid EIN/TIN obtained
(EIN/TIN)	from Internal Revenue Service
5. Unique Entity Identifier (UEI)	UEI must be valid and current; an incorrect or
	expired UEI will disqualify the application. See
	Section V. F. below for more information about
	obtaining a UEI from SAM.gov.
6. Organization Congressional District	Look up Congressional districts using the zip code
Project Congressional District	location of the organization and the project at
	https://www.census.gov/mycd/
7. Federal Debt Delinquency	Indicate whether the applicant is currently
	delinquent on any Federal debt.
8. Eligible Entity	Information on eligible applicants can be found in
	<u>Section II. A</u> .
	Select applicant type from the following:
	<ul> <li>Local government or political subdivision</li> </ul>
	• State
	<ul> <li>Federally recognized Indian Tribe</li> </ul>
	<ul> <li>Department of Hawaiian Home Lands</li> </ul>
9. Qualifying Funding or Financing Program	State which funding or financing program listed in
	Section II. C you expect your project to qualify for.
10. Project Title	Provide a brief, descriptive title of the project; e.g.,
	"Widening of X Street from Avenue 1 to Avenue 7
	in Y Community in Z State."
11. Project Location	Location must be described as either a street
	address complete with city and state, or
	latitude/longitude coordinates. As an example,
	coordinates can be obtained by right-clicking on
	the project location in Google Maps.
12. Overall Project Description & Total Project	Describe the overall project, including:
Cost	<ul> <li>project type,</li> </ul>
	<ul> <li>features to be constructed,</li> </ul>
	<ul> <li>project limits/length,</li> </ul>
	<ul> <li>project need, and</li> </ul>
	• a project schedule

13. Project Advancement	Refer to <u>Section VI. B</u> .
14. Demonstrated Experience and Confidence	Refer to <u>Section VI. B</u> .
in Estimated Costs	
15. Policy Alignment	Refer to <u>Section VI. B</u> .
16. Partnerships (for Multi-Community	Refer to <u>Section VI. B</u> .
Applicants Only)	
17. Performance Goals and Metrics	Identify, at minimum, 2 metrics for each
	performance goal listed in <u>Section IV. C</u> .
18. Application Certification	Check box certifying application statements are
	true, complete, and accurate.

#### **C. Expected Performance Goals**

The performance goals each awarded project is expected to achieve are listed below. Applicants will identify in the application a minimum of two metrics for each of the following goals:

- Goal 1: Provide benefits to the community through transportation projects.
- Goal 2: Increase grant recipient's capacity, knowledge, and skills to execute transportation projects.
- Goal 3: Engage, educate, and listen to the community throughout the project planning process.
- Goal 4: Advance the transformational project(s) closer to delivery.

## V. Submission Requirements A. Submission Dates and Timelines

The application window will open at 2:00 p.m. ET on March 4, 2025. Applicants are encouraged to submit applications as early as possible once the application period opens as applications will be reviewed in the order in which they are received. Each application is timestamped with the time of submission. Applications will be reviewed on a rolling (first-come, first-served) basis until available funding is expended or this notice is superseded by another notice. The application open period will conclude at 4:59 p.m. ET on April 3, 2025; however, funding may be fully committed before this date.

#### **B. Letters of Support**

Applicants for Multi-Community grants must submit letters of support from partner communities to <u>RuralandTribalTA@dot.gov</u> within 14 calendar days of submitting their application. Letters must be sent via email from the lead applicant as a .pdf or Word document attachment. Letters must:

- Reference that the letter is in support of an application for RTA Program grant funds;
- Identify the project name;
- Identify the lead applicant; and
- Be signed by an employee or elected official of the partner community.

No other letters of support – for both Single Project and Multi-Community grants – will be accepted or considered in determining grant awards.

#### **C.Application Limit**

A separate application is required for each project submitted for Single Project grant funding

consideration and for each bundle of projects submitted for Multi-Community grant funding consideration. The maximum number of applications that can be submitted for either Single Project or Multi-Community grants is two. The total maximum number of RTA Program grant awards an applicant can receive is two.

#### **D. Other Submission Requirements**

Applicants should reference the pdf version of the web-based application questions along with the information contained in this NOFO. Some questions have word limits, and this information is included in the pdf version of the application on the <u>RTA Program webpage</u>.

Applicants should not place "N/A" in lieu of typing in responses in the field sections – except on questions where "N/A" is stated as an acceptable response. If information is copied into the web-based application form from another source, applicants should verify that the pasted text is fully captured and has not been truncated by the character limits built into the form. Contact information for assistance with application submission and clarification on application questions can be found on the <u>RTA Program webpage</u>.

#### **E. Address to Request Application Package**

Grant application materials, including a pdf version of the web-based application questions, can be accessed at <u>https://www.transportation.gov/buildamerica/RuralandTribalGrants</u>. This is the same location where interested applicants will apply once the application portal opens. Potential applicants may also request to receive email copies of materials for review by emailing <u>RuralandTribalTA@dot.gov</u> or by calling Susan Wilson at 202-366-0765.

#### F. Unique Entity Identifier (UEI) and System for Award Management (SAM)

Each applicant must have completed the registration process on SAM.gov and obtained a valid UEI prior to submitting their application. To register, go to <u>SAM.gov Entity Registration</u> and click Get Started. From the same page, click on the Entity Registration Checklist for the information that will be needed to register.

Each applicant must:

- (1) Be registered in SAM.gov before submitting an application;
- (2) Provide a valid and current (unexpired) Unique Entity Identifier in the application; and
- (3) Continue to maintain an active registration in SAM.gov with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal agency.

The Department may not make a grant to an applicant until the applicant has complied with all applicable UEI and SAM requirement. If an applicant has not fully complied with the requirements by the time the Department is ready to make a grant, the Department may determine that the applicant is not qualified to receive a grant and use that determination as a basis for making a grant to another applicant.

To prepare for proposal submission, applicants should begin the process of registering with <u>SAM.gov</u> to obtain a valid UEI if they do not have one already. All registrations are free of charge. Note that

SAM.gov's registration process can take multiple weeks to complete. All applicants previously registered should make sure their registration is active and up to date.

#### **G.Intergovernmental Review**

This funding opportunity is not subject to <u>Executive Order 12372</u>, "Intergovernmental Review of Federal Programs".

# **VI. Application Review Information**

The application review and selection process are outlined below. After the application window opens, grants will be made on a first-come, first-served basis. Application reviews, to include eligibility review, will conclude once the full \$27 million has been awarded.

#### A. Responsiveness Review

Applications will be reviewed, in the order received, for completeness and RTA Program eligibility – an eligible applicant with an eligible project – before being reviewed against the merit criteria described in <u>Section VI. B</u>. This review will conclude once all RTA Program funds have been committed, which may mean not all applications will be reviewed for eligibility or against the merit criteria.

#### **B. Criteria**

Applications deemed complete and eligible will be evaluated based on the criteria listed below. Applications that are rated "Meets" in all applicable criteria will be recommended to the Under Secretary of Transportation for Policy for funding in the order they are received.

#### 1. Criterion #1: Project advancement

<u>Application Question</u>: (1) Describe in detail the activities to be completed with this Program funding, stating how these activities will materially advance the overall project and address an identified transportation challenge. Include the estimated cost of the activities and the amount of RTA Program funding requested. (2) Provide evidence of project readiness, including any project-related development activities that have already been completed. Examples would include data or information that has been collected or activities conducted that are necessary for completing the activities funded through this Program.

<u>Question Review</u>: The Application Review Team will assess whether and to what extent the proposed activities will materially advance the overall project identified in the application. The Application Review Team will consider:

- the current state of the project's development and project readiness,
- whether the proposed activities are appropriate for the current state of the project's development,
- the likelihood that the activities will materially advance the project, and
- the transportation challenges the project is intended to address and how the project will address those challenges.

The goal of this assessment is to ensure that the proposed activities are appropriate for the project's current state of development, will have a material impact on the project's overall

development, and will address an identified community need. The rating categories are outlined in the table below.

Rating	Project advancement Criterion	Example
Does Not Meet	Proposed activities are either not helpful in advancing the project(s) or not appropriate for the project in its current state of development.	The proposed activities are not necessary or appropriate for the project's ultimate funding and/or financing, and delivery; Key activities to advance the project have not been completed and are not included in the description of proposed activities; or The proposed activities description does not provide information
		on the overall project's need or specific challenges it will address.
Meets	Likely to advance the project(s)	It is reasonably likely that the proposed activities will demonstrably advance the project;
		It is probable that the necessary information or data needed for the proposed activities will be available by the project's start; and
		A transportation need has been identified, and it is likely the overall project will deliver a solution.

# 2. Criterion #2: Demonstrated experience and confidence in estimated costs

<u>Application Question</u>: (1) State if you intend to either procure advisory services or hire staff to complete the proposed activities and discuss your procurement or hiring experience and process. (2) State the overall project budget and a breakdown by activity, with each funding source shown in dollars and percentages. If applicable, identify other Federal funds your organization is applying for, has been awarded, or intends to use. Group funding sources into three categories: (a) non-Federal, (b) current application (RTA Program), and (c) other Federal funding. (3) Confirm if a bid, quote, or estimate has been obtained for the proposed task(s).

<u>Question Review</u>: The Application Review Team will assess whether the applicant has an established process to advance their project and to what extent the funding package (made up of funding requested through this Program and other funding sources, if any, including local funding commitment) is likely to result in fully funding and completing the specified activities, while also providing the deliverable(s) necessary to materially advance the project(s). The Team will consider:

- for applicants seeking to procure advisory services: whether the applicant has obtained bids or quotes for the requested services, and the applicant's experience procuring advisory services in the past,
- for applicants seeking to hire staff for the proposed activities: their organization's hiring process (i.e., do they have a defined job description for completing these activities, process for recruitment), and
- the source and amount of funding the applicant intends to commit (if any) as a contribution to the overall cost of the activities being proposed. (The addition of local funding will not influence the rating of this criterion).

The goal of this assessment is to ensure that the funding plan, including the funding requested in the application, and the staffs' experience in procuring advisory services or efficiency in

hiring staff are adequate to complete the activities proposed and to achieve the deliverable(s) necessary to advance the project.

Rating	Experience and cost estimating Criterion	Example
Does Not Meet	It is either unclear or unlikely that the applicant has experience or an established procurement or hiring process, or that the funding package <sup>8</sup> is appropriate for completing the identified activities and deliverable(s).	There is little or no evidence that the applicant has (a) either previous procurement experience or an efficient process for hiring staff, (b) the capacity to estimate the cost for the activities identified in the application, or (c) obtained a reasonable estimate or quote for the activities identified; or The funding package will not produce completed activities or deliverable(s) identified in the application.
Meets	It is likely the applicant has experience or an established procurement or hiring process, and that the funding package <sup>5</sup> is appropriate for completing the identified activities and deliverable(s).	The applicant has provided sufficient evidence demonstrating their procurement experience or efficient process hiring staff; and The applicant has provided reasonable cost estimates or quotes to conclude the funding requested will likely result in completed activities or deliverable(s) identified in the application.

#### 3. Criterion #3: Policy alignment

<u>Application Question</u>: DOT prioritizes projects that help to address transportation insecurity, which is the inability for people to get to where they need to go to meet the needs of their daily life regularly, reliably, and safely due to either the high cost of transportation, lack of access, or lack of safe transportation options. Explain how the proposed activities will advance at least one of the following aspects of transportation insecurity:

- increase safety,
- lower transportation costs, or
- increase the availability of multimodal transportation options.

From the list above, identify the area of transportation insecurity the project is mitigating or reversing and how the proposed activities will accomplish this.

<u>Question Review</u>: The Application Review Team will assess whether the overall project and proposed activities align with DOT's strategic priorities. The Team will consider:

- whether the applicant identified an aspect of transportation insecurity that their project will address, and
- whether the proposed activities will help mitigate or reverse a transportation insecurity in the community.

The goal of this assessment is to ensure the proposed project and activities align with and advance DOT's strategic priority to address transportation insecurity.

Rating Policy alignment Criterion Example

<sup>&</sup>lt;sup>8</sup> The funding package is made up of the funding requested through this Program and other funding sources, if any, including local funding commitment.

Does Not Meet	It is either unclear or unlikely that the project aligns with or would advance DOT's strategic priority of mitigating or reversing transportation insecurity.	There is little or no evidence that the project would advance one or more of DOT's strategic priorities to mitigate or reverse transportation insecurity.
Meets	It is likely that the project aligns with and would advance DOT's strategic priority of mitigating or reversing transportation insecurity.	The applicant has identified an element of transportation insecurity and provided sufficient evidence that the project will advance at least one aspect of mitigating or reversing the insecurity.

# 4. Criterion #4: Partnerships (for Multi-community applicants ONLY)

<u>Application Question</u>: (1) Describe how the applicant will coordinate with the partner communities to deliver the grant activities for the multiple projects. Describe any past collaboration between the applicant and the communities, or with other external partners. (2) Confirm the participation and partnership commitments of the partner communities. Email a letter of partnership commitment from each partner community (minimum of 2 partner communities) to <u>RuralandTribalTA@dot.gov</u> within 14 days of submitting the application. Letters must be a word or pdf attachment on community letterhead.

<u>Question Review</u>: The Application Review Team will assess whether the lead applicant has the experience and process, and the commitment of co-applicants to ensure all partner communities advance their projects. The Team will consider:

- experience of past partnerships and what role the lead applicant played,
- process outlined of planned project development and budget coordination with partner communities for the grant's duration, and
- evidence of commitment by partner communities via commitment/letters of support submitted.

The goal of this assessment is to ensure the lead applicant has past partnership experience and will establish a partnership process that will likely lead to completed activities and deliverables by all partner communities.

Rating	Partnerships Criterion	Example
Does Not Meet	It is unclear or unlikely the lead applicant has past partnership experience or commitment from co- applicant communities.	Little to no description of past collaboration with any external partners; or Little to no description of planned coordination among partner communities.
Meets	It is evident the lead applicant has experience with external partners and has the commitment of co-applicant communities.	Sufficient evidence of past collaboration with external partners; or Sufficient evidence of planned coordination among partner communities.

#### **C. Review and Selection Process**

An Application Review Team composed of Department staff will screen applications in the order they are received. This initial review will cover completeness (see <u>Section VI</u> for more information), eligibility of the applicant (see <u>Section II. A</u>), and the eligibility of the project(s) being proposed (see <u>Section II. C</u>).

For those applications deemed complete and eligible, the Application Review Team will review them, in the order received, against the criteria shown in <u>Section VI. B</u> above. Applications that receive "Meets" for <u>all scoring criteria</u> will be recommended for award to the Under Secretary of Transportation for Policy, along with the recommended grant amount. Recommended grant amounts could differ from the requested grant amount due to: 1) the availability of grant funding remaining, or 2) if some elements of the project are determined to be ineligible. Among recommended applications, awards will be made on a first-come, first-served basis (based on the timestamp of the application received by DOT) until available funding is exhausted.

#### **D. Risk Review**

Prior to award, each selected applicant will be subject to a risk assessment as required by 2 CFR § 200.206. This risk assessment may consider:

- Financial stability;
- Quality of management systems and ability to meet the management standards prescribed in 2 CFR Part 200 as adopted and supplemented by 2 CFR Part 910;
- History of performance;
- Audit reports and findings; and
- The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on recipients or subrecipients.

DOT may make use of other publicly available information and the history of an applicant's performance under DOT or other federal agency awards. Depending on the severity of the findings and whether the findings were resolved, DOT may elect not to fund the applicant.

In addition to this review, DOT must comply with the guidelines on government-wide suspension and debarment in 2 CFR Part 180 and must require recipients or subrecipients to comply with these provisions. These provisions restrict federal awards, subawards and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal programs or activities.

# VII. Award Notices

Following the evaluation outlined in <u>Section VI</u>, the Secretary will announce awards by posting a list of selected projects on the <u>RTA Program website</u><sup>9</sup>. This posting does not constitute an authorization for the selected award recipients to begin performance. Following the announcement, for each application received, DOT will provide email notification to the point of contact listed in the application stating whether the application was selected for award. Due to the RTA Program's first-come, first-served process for awarding grant funding, not all applications will be reviewed for

<sup>&</sup>lt;sup>9</sup> https://www.transportation.gov/buildamerica/RuralandTribalGrants

eligibility or against the criteria described in <u>Section VI. B</u>. Applicants whose applications were only reviewed for RTA Program eligibility will be notified of their eligibility via a notification email. Applicants whose applications were reviewed against the criteria described in <u>Section VI. B</u>, but were not awarded funding, will be offered a debrief to provide an explanation of, and guidance regarding, the reasons why the application was not approved.

The Bureau will publish an online report that includes information on applications received, entity type, location of the potential project, a brief description of the assistance requested, the date on which the application was received, and the date on which the applicant was provided the notice of approval or disapproval. Applicants to the Program must agree to publication of this information as a condition of applying.

# VIII. Post-Award Requirements and Administration A. Administration and National Policy Requirements

#### 1. Administrative Requirements

The Bureau and grant recipients will establish a project start date that will be included in the executed grant agreement. Each recipient will have three years from the project start date to complete the work under the RTA Program grant.

All procurements and contracts for grantee-contracted advisors procured for this award must comply with the requirements set forth in 2 CFR § 200.317-327 and 2 CFR § 200.459, including 2 CFR Part 200 Appendix II. Failure to comply with the Part 200 requirements regarding contractors and failure to obtain written approval prior to subcontracting may result in costs being deemed ineligible for reimbursement.

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 CFR Part 200, as adopted by DOT at 2 CFR Part 1201. In connection with any program or activity conducted with or benefiting from funds awarded under this notice, recipients of funds must comply with all applicable requirements of federal law, including, without limitation, the Constitution of the United States statutory, regulatory, and public policy requirements, including without limitation, those protecting free speech, religious liberty, public welfare, the environment, and prohibiting discrimination; the conditions of performance, non-discrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of the Department of Transportation; and applicable federal financial assistance and contracting principles promulgated by the Office of Management and Budget. In complying with these requirements, recipients must ensure that no concession agreements are denied, or other contracting decisions made on the basis of speech or other activities protected by the First Amendment. If the Bureau determines that a recipient has failed to comply with applicable federal requirements, the Bureau may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

#### 2. National Policy Requirements

Performance under this Program will be governed by and in compliance with the following requirements as applicable to the type of organization of the recipient and any applicable sub-recipients.

#### Project Signage and Public Acknowledgements

Recipients are encouraged for construction and non-construction projects to post project signage and to include public acknowledgments in published and other collateral materials (e.g., press releases, marketing materials, website, etc.) satisfactory in form and substance to DOT, that identifies the nature of the project and indicates that "the project is funded by the Bipartisan Infrastructure Law". In addition, recipients employing project signage are required to use the official Investing in America emblem in accordance with the Official Investing in America Emblem Style Guide. Costs associated with signage and public acknowledgments must be reasonable and limited. Signs or public acknowledgments should not be produced, displayed, or published if doing so results in unreasonable cost, expense, or recipient burden. The Recipient is encouraged to use recycled or recovered materials when procuring signs.

#### Critical Infrastructure Security, Cybersecurity and Resilience

It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against all hazards, including physical and cyber risks, consistent with Presidential Policy Directive 21 - Critical Infrastructure Security and Resilience, and the National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems. Each applicant selected for Federal funding must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the project. Projects that have not appropriately considered and addressed physical and cyber security and resilience in their planning, design, and project oversight, as determined by the Department and the Department of Homeland Security, will be required to do so before receiving funds.

#### Civil Rights and Title VI

As a condition of a grant award, grant recipients should demonstrate that the recipient has a plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR § 21), the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act, all other civil rights requirements, and accompanying regulations. This should include a current Title VI plan, completed Community Participation Plan, and a plan to address any legacy infrastructure or facilities that are not compliant with ADA standards. DOT's and the applicable Operating Administrations' Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

#### **B.** Reporting

Accepting an award commits the recipient to participation in reporting and oversight of the project. This section discusses reporting requirements of the RTA Program.

#### 1. Progress Reporting on Grant Activities

Each applicant selected for RTA Program grant funding must submit quarterly progress reports and Federal Financial Reports (SF-425) to monitor project progress. In addition to regular

reporting, each grant recipient must submit a grant closeout report as set forth in the grant agreement to ensure accountability and financial transparency in the Program. Monthly progress meetings or calls are expected to be held, during which the Bureau will review project activities, schedule, and progress toward mutually agreed upon performance goals.

As part of each quarterly report, applicants selected for grant funding must address the status of services funded with this grant award, in general, and how the activities performed advance the RTA Program performance goals identified in <u>Section IV. C</u> and the performance metrics collectively established by Bureau staff and grant recipients.

#### 2. Program Evaluation

As a condition of grant award, grant recipients may be required to participate in an evaluation undertaken by DOT or another agency or partner. The evaluation may take different forms such as:

- an implementation assessment across grant recipients,
- an impact and/or outcomes analysis of all or selected sites within or across grant recipients, or
- a benefit/cost analysis or assessment of return on investment.

DOT may require applicants to collect data elements to aid the evaluation and/or use information available through other reporting. As a part of the evaluation and as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor or DOT staff; (2) provide access to program records, and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor or DOT staff.

Recipients and subrecipients are also encouraged to incorporate program evaluation including associated data collection activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting an agency priority goal(s). Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435 (2019) urges Federal awarding agencies and Federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency" (codified at 5 U.S.C. § 311). For grant recipients, evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such costs may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation (2 CFR Part 200). Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

# 3. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of a selected applicant's currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the applicant during that

period of time must maintain the currency of information reported to the SAM that is made available in the designated integrity and performance system (currently FAPIIS) about civil, criminal, or administrative proceedings. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. § 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance review required for federal procurement contracts, will be publicly available.

## **IX. Other Information** A. Protection of Confidential Business Information

All information submitted as part of or in support of any application shall use publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards, to the extent possible.

#### **B.** Publication/Sharing of Application Information

As noted previously, and required by statute, the Bureau will publish an online report that includes, for each application received, entity type, location of the potential project, a brief description of the assistance requested, the date on which the application was received, and the date on which the applicant was provided the notice of approval or disapproval. The Bureau may make application information publicly available or share it within DOT or with other federal agencies if DOT determines that sharing is relevant to the respective program's objectives.

# **APPENDIX A**

The RTA Program requires projects be reasonably expected to be eligible for one of more of the following DOT financing or funding programs. More information on this requirement can be found in <u>Section II. C</u>.

#### **TIFIA Credit Program:**

www.transportation.gov/buildamerica/financing/tifia

The Transportation Infrastructure Finance and Innovation Act (TIFIA) Program provides credit assistance to finance up to 49 percent of eligible project costs for qualified projects, including:

- Highway and bridge projects;
- Public transportation projects;
- International bridges and tunnels;
- Intercity passenger bus or rail facilities and vehicles;
- Freight rail projects and intermodal freight transfer facilities;
- Certain projects located within the boundaries of a port terminal;
- Transit-oriented development projects; and
- Airport projects.

Minimum Anticipated Project Costs

- \$10 million for transit-oriented development, local, and rural projects;
- \$15 million for intelligent transportation system projects; and
- \$50 million for all other eligible surface transportation projects.

#### **RRIF Credit Program:**

www.transportation.gov/buildamerica/financing/rrif

The Railroad Rehabilitation & Improvement Financing (RRIF) Program provides credit assistance to finance development of railroad infrastructure up to 100 percent of eligible project costs, including:

- Intermodal or railroad equipment or facilities;
- Landside port infrastructure for seaports serviced by rail;
- Refinancing of outstanding debt incurred for the above eligible projects;
- Planning, permitting, and design expenses relating to the above eligible projects; and
- Transit-oriented development projects.

Minimum Anticipated Project Costs

• There is no minimum project cost for the RRIF Program.

#### **INFRA Grant Program:**

www.transportation.gov/grants/infra-grants-program

INFRA (known statutorily as the Nationally Significant Freight & Highway Projects Program) awards competitive grants for multimodal freight and highway projects of national or regional significance to improve the safety, efficiency, and reliability of the movement of freight and people in and across rural and urban areas, including:

- Highway freight projects on the National Highway Freight Network (NHFN);
- Highway or bridge projects on the National Highway System;
- Freight intermodal project or freight rail projects;

- Freight projects that are within the boundaries of a public or private freight rail, water (including ports), or intermodal facility and are surface transportation infrastructure projects necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility;
- Highway-railway grade crossing or grade separation projects;
- Wildlife crossing projects;
- Surface transportation projects within the boundaries or functionally connected to an international border crossing that improves a facility owned by federal/state/local government and increases throughput efficiency; and
- Projects for a marine highway corridor that is functionally connected to the NHFN and is likely to reduce road mobile source emissions.

Minimum Anticipated Project Costs

• Small projects must have a total project cost of at least \$6.25 million.

#### Mega Grant Program:

#### www.transportation.gov/grants/mega-grant-program

The Mega Program (known statutorily as the National Infrastructure Project Assistance Program) supports large, complex projects that are difficult to fund by other means and likely to generate national or regional economic, mobility, or safety benefits, including:

- Highway or bridge projects on the National Multimodal Freight Network;
- Highway or bridge projects on the NHFN;
- Highway or bridge projects on the National Highway System;
- Freight intermodal (including public ports) or freight rail projects that provide public benefit;
- Railway highway grade separation or elimination projects;
- Intercity passenger rail projects; and
- Public transportation projects that are eligible for assistance under 49 USC Chapter 53 and are a part of any of the project types described above.

Minimum Anticipated Project Costs

• \$100 million

#### **RAISE Grant Program:**

#### www.transportation.gov/RAISEgrants

The Rebuilding American Infrastructure with Sustainability and Equity, or RAISE, Discretionary Grant Program awards investments in surface transportation infrastructure that will have a significant local or regional impact. Eligible projects include:

- Capital projects including but not limited to:
  - Highway, bridge, or other road projects eligible under title 23, United States Code;
  - o Public transportation projects eligible under chapter 53 of title 49, United States Code;
  - Passenger and freight rail transportation projects;
  - o Port infrastructure investments (including inland port infrastructure and land ports of entry);
  - Surface transportation components of an airport;
  - Intermodal projects;
  - A project to replace or rehabilitate a culvert or prevent stormwater runoff for the purpose of improving habitat for aquatic species while advancing the goals of the RAISE program;
  - Projects investing in surface transportation facilities that are located on tribal land and for which title or maintenance responsibility is vested in the federal government; and

- Any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goals of the program.
- Planning projects which include planning, preparation, or design (for example- environmental analysis, feasibility studies, and other pre-construction activities) of eligible surface transportation capital projects.

# National Culvert Removal, Replacement, and Restoration Grant Program:

www.fhwa.dot.gov/engineering/hydraulics/culverthyd/aquatic/culvertaop.cfm

This program awards grants for the replacement, removal, and repair of culverts or weirs that meaningfully improve or restore fish passage for anadromous fish. Anadromous fish migrate upstream for breeding. Eligible project types include:

- Replacement, removal, or repair of culverts that would meaningfully improve or restore fish passage for anadromous fish.
- Replacement, removal, or repair of weirs that would meaningfully improve or restore fish passage for anadromous fish. With respect to weirs, the project may include infrastructure to facilitate fish passage around or over the weir; and weir improvements.