

## DEPARTMENT OF TRANSPORTATION

**Office of the Secretary of Transportation****Notice of Funding Opportunity for the Department of Transportation's FY 2025-2026 Multimodal Project Discretionary Grant Opportunity****AGENCY:** Office of the Secretary of Transportation, U.S. Department of Transportation**ACTION:** Notice of Funding Opportunity (NOFO)**SUMMARY:**

<b>SUMMARY OVERVIEW OF KEY INFORMATION: Multimodal Project Discretionary Grant Opportunity</b>	
<b>Program Overview</b>	The MPDG opportunity contains three grant programs: the National Infrastructure Project Assistance grants program (Mega), the Nationally Significant Multimodal Freight and Highway Projects grants program (INFRA), and the Rural Surface Transportation Grant program (Rural). The funding opportunities are awarded on a competitive basis for surface transportation infrastructure projects – including highway and bridge, intercity passenger rail, railway-highway grade crossing or separation, wildlife crossing, public transportation, marine highway, and freight projects, or groups of such projects – with significant national or regional impact, or to improve and expand the surface transportation infrastructure in rural areas.
<b>Objective</b>	1) Invest in surface transportation infrastructure projects of national or regional significance, or improve/expand infrastructure in rural areas; and 2) Support projects that are consistent with the Department's strategic goals: improve safety, economic strength and global competitiveness, equity, and climate and sustainability.
<b>Eligible Applicants (Varies by program)</b>	<ul style="list-style-type: none"> <li>• a State or a group of States;</li> <li>• a metropolitan planning organization or a regional transportation planning organization (depending on grant)</li> <li>• a unit of local government;</li> <li>• a political subdivision of a State;</li> <li>• a special purpose district or public authority with a transportation function, including a port authority;</li> <li>• a Tribal government or a consortium of Tribal governments;</li> <li>• Federal land management agency that applies jointly with a State or group of States;</li> <li>• a partnership between Amtrak and 1 or more entities described above;</li> <li>• a group of entities described above</li> </ul> <p>(NOTE: Eligibility varies by program. Section C.1 provides</p>

	additional information)
<b>Eligible Project Types</b> <b>(Varies by program)</b>	<ul style="list-style-type: none"> <li>• A highway or bridge project on the National Multimodal Freight Network, National Highway Freight Network, or National Highway System</li> <li>• A freight intermodal (including public ports) or freight rail project that provides public benefit</li> <li>• A highway freight project eligible under National Highway Freight Program</li> <li>• A railway highway grade separation or elimination project</li> <li>• A highway safety improvement project, including a project to improve a high risk rural road as defined by the Highway Safety Improvement Program</li> <li>• An intercity passenger rail project</li> <li>• A public transportation project that is eligible under assistance under Chapter 53 of title 49 and is a part of any of the project types described above</li> <li>• A wildlife crossing project</li> <li>• A surface transportation project within the boundaries or functionally connected to an international border crossing that improves a facility owned by Fed/State/local government and increases throughput efficiency</li> <li>• A project for a marine highway corridor that is functionally connected to the NHFN and is likely to reduce road mobile source emissions</li> <li>• A highway, bridge, or freight project on the National Multimodal Freight Network</li> <li>• A project on a publicly-owned highway or bridge that provides or increases access to an agricultural, commercial, energy, or intermodal facility that supports the economy of a rural area</li> <li>• A project to develop, establish, or maintain an integrated mobility management system, a transportation demand management system, or on-demand mobility services</li> </ul> <p>(NOTE: Not all project types are eligible under all three programs. Section C.3 provides additional information.)</p>
<b>Funding</b>	<p>It is anticipated that this opportunity will award approximately \$5.1 billion for this round from FY 2025 and FY2026 funding.</p> <ul style="list-style-type: none"> <li>• INFRA: \$2.7 billion</li> <li>• Mega: \$1.7 billion</li> <li>• Rural: \$780 million</li> </ul>
<b>Deadline:</b>	May 6, 2024 at 11:59pm Eastern

**DATES:** Applications must be submitted by 11:59:59 p.m. Eastern on May 6, 2024 through Grants.gov.

**ADDRESSES:** Applications must be submitted through [www.Grants.gov](http://www.Grants.gov).

**FOR FURTHER INFORMATION CONTACT:** For further information regarding this notice, please contact the Office of the Secretary via email at [MPDGrants@dot.gov](mailto:MPDGrants@dot.gov), or call Aubrei Barton at (202) 841-7786. A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993. In addition, up to the application deadline, the U.S. Department of Transportation (Department or DOT) will post answers to common questions and requests for clarifications on the Department’s website at <https://www.transportation.gov/grants/mpdg-frequently-asked-questions>.

### **SUPPLEMENTARY INFORMATION:**

Each section of this notice contains information and instructions relevant to the application process for the MPDG grant program, and all applicants should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications.

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## A. Program Description

### 1. Overview

The Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021) (Bipartisan Infrastructure Law, or BIL) provided funds to the Department across three programs to invest in projects of national or regional significance – the National Infrastructure Project Assistance grants program, found under 49 U.S.C. § 6701 (Mega), the Nationally Significant Multimodal Freight and Highways Projects grants program, found at 23 U.S.C. § 117 (Infrastructure for Rebuilding America or INFRA), and the Rural Surface Transportation Grant program, found at 23 U.S.C. § 173 (Rural). The BIL makes available up to \$5 billion for the Mega program for the period of FY 2022 through 2026; up to \$8 billion to the INFRA program for the period of FY 2022 through 2026; and up to \$2 billion for the Rural program for the period of FY 2022 through 2026, for a combined total of up to \$15 billion for FY 2022 through 2026.

To help streamline the process for applicants, the Department has combined solicitations for the Mega, INFRA, and Rural programs into the MPDG opportunity. Applications will be considered for all programs under which they are eligible, unless the applicant chooses to opt-out of consideration for any of the three programs. Applicants are encouraged to apply for multiple programs, to maximize their potential of receiving Federal support. The Fiscal Year (FY) 2025 and 2026 MPDG awards will be made for each of the three grant programs as appropriate and consistent with each grant program’s statutory language, and subject to availability of funds.

The Department seeks to fund projects that advance the Departmental priorities of safety, equity, climate and sustainability, and workforce development, job quality, and wealth creation as described in the [USDOT Strategic Plan, Research, Development and Technology Strategic Plan](#), and in executive orders.<sup>1</sup>

In addition, consistent with the Department’s Rural Opportunities to Use Transportation for Economic Success (ROUTES) initiative, the Department seeks to award funding to rural projects that address deteriorating conditions and disproportionately high fatality rates and transportation costs in rural communities.

Section E of this NOFO describes the process for selecting projects that further these goals under each of the three grant programs. Section F.3 describes progress and performance reporting requirements for selected projects, including the relationship between that reporting and the program’s selection criteria.

### 2. Changes from the FY 2023- FY 2024 INFRA NOFO

While the six named Outcome Area criteria remain the same, this NOFO has revised

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<sup>1</sup> Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (86 FR 7619).

Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009). Executive Order 14025, *Worker Organizing and Empowerment* (86 FR 22829), and Executive Order 14052, *Implementation of the Infrastructure Investment and Jobs Act* (86 FR 64335).

the descriptions of the criteria and the specific rating formula, and has combined all Outcome Area criteria into one rubric in Section E for ease of reference.

Recipients of FY 2025-2026 awards from any program will be required to submit performance reports described in Section F.3. Performance reporting was previously a requirement only for the Mega program, and voluntary for INFRA and Rural.

Based on applicant feedback, this NOFO also clarifies the applicable obligation and expenditure deadlines for each program and fiscal year, and provides further guidance to applicants related to developing their project schedules. Other applicant feedback related to organization of the NOFO has also been incorporated, to the extent possible under 2 CFR Part 200.

Applicants who are planning to reapply using materials prepared for prior competitions should ensure that their FY 2025- 2026 application fully addresses the criteria and considerations described in this notice and that all relevant information is updated.

### *3. Additional Information*

The Mega program is authorized at 49 U.S.C. § 6701. The INFRA program is authorized at 23 U.S.C. § 117. The Rural program is authorized at 23 U.S.C. § 173. They are described respectively in the Federal Assistance Listings under the assistance listing program titles “National Infrastructure Project Assistance” (assistance listing number 20.937), “Nationally Significant Freight and Highway Projects” (assistance listing number 20.934), and “Rural Surface Transportation Grant Program” (assistance listing number 20.938).

## **B. Federal Award Information**

### *1. Amount Available*

This notice solicits applications for approximately \$5 billion in FY 2025- 2026 MPDG opportunity funds. Up to \$1.7 billion will be made available for the Mega program, approximately \$2.7 billion will be made available for the INFRA program, and approximately \$780 million will be made available for the Rural funding opportunities program. In addition to the FY 2025 funding, the Department intends to make award decisions from the FY 2026 funding, subject to availability of funding. In addition to the FY 2025- 2026 funds, amounts from prior year INFRA authorizations may be made available and awarded under this solicitation. Any award under this notice will be subject to the availability of funding. Mega, INFRA, and the Rural program each have their own specific funding restrictions, including award size and types of projects. FY 2025 funds cannot be obligated before October 1, 2024, and FY 2026 funds cannot be obligated before October 1, 2025. Refer to Sections C.3 and D.5 for greater detail on eligible project sizes, types, and funding restrictions for each program.

## **C. Eligibility Information**

To be selected for a grant, an applicant must be an Eligible Applicant and the project must be an Eligible Project that meets the minimum project size requirement.

## 1. Eligible Applicants

Each of the three programs have slightly different statutory applicant eligibility, as shown below.

<b>Eligible Applicants</b>		
<b>Mega</b>	<b>INFRA</b>	<b>Rural</b>
<ol style="list-style-type: none"> <li>1. a State or a group of States;</li> <li>2. a metropolitan planning organization;</li> <li>3. a unit of local government;</li> <li>4. a political subdivision of a State;</li> <li>5. a special purpose district or public authority with a transportation function, including a port authority;</li> <li>6. a Tribal government or a consortium of Tribal governments;</li> <li>7. a partnership between Amtrak and 1 or more entities described in (1) through (6); and,</li> <li>8. a group of entities described in any of (1) through (7).</li> </ol>	<ol style="list-style-type: none"> <li>1. a State or group of States;</li> <li>2. a metropolitan planning organization that serves an Urbanized Area (as defined by the Bureau of the Census) with a population of more than 200,000 individuals;</li> <li>3. a unit of local government or group of local governments;</li> <li>4. a political subdivision of a State or local government;</li> <li>5. a special purpose district or public authority with a transportation function, including a port authority;</li> <li>6. a Federal land management agency that applies jointly with a State or group of States;</li> <li>7. a tribal government or a consortium of tribal governments;</li> <li>8. a multistate corridor organization; or</li> <li>9. a multistate or multijurisdictional group of entities described in this paragraph.</li> </ol>	<ol style="list-style-type: none"> <li>1. a State;</li> <li>2. a regional transportation planning organization;</li> <li>3. a unit of local government;</li> <li>4. a tribal government or a consortium of tribal governments; or</li> <li>5. a multijurisdictional group of entities above.</li> </ol>

### i. Definition of State

For the Mega program, “State” includes any of the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

For the INFRA and Rural programs, “State” includes any of the 50 states, the District of Columbia, or Puerto Rico. Otherwise eligible non-State entities located in or serving U.S. Territories are eligible, but should carefully review project type eligibilities in Section C.2.

### ii. Joint Applications for Any Program

Multiple States or entities that submit a joint application should identify a lead applicant as the primary point of contact. Joint applications should include a description of the roles and responsibilities of each applicant and should be signed by each applicant. The applicant that will be responsible for financial administration of the project must be an eligible applicant.

## 2. Eligible Projects

Each of the three programs have different statutory project types, as shown below.

<b>Eligible Project Types</b>		
<b>Mega</b>	<b>INFRA</b>	<b>Rural</b>
<ol style="list-style-type: none"> <li>1. A highway or bridge project on the National Multimodal Freight Network</li> <li>2. A highway or bridge project on the National Highway Freight Network</li> <li>3. A highway or bridge project on the National Highway System</li> <li>4. A freight intermodal (including public ports) or freight rail project that provides public benefit</li> <li>5. A railway highway grade separation or elimination project</li> <li>6. An intercity passenger rail project</li> <li>7. A public transportation project that is eligible under assistance under Chapter 53 of title 49 and is a part of any of the project types described above</li> </ol>	<ol style="list-style-type: none"> <li>1. A highway freight project on the National Highway Freight Network</li> <li>2. A highway or bridge project on the National Highway System</li> <li>3. A freight intermodal, freight rail, or freight project within the boundaries of a public or private freight rail, water (including ports), or intermodal facility and that is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility*</li> <li>4. A highway-railway grade crossing or grade separation project</li> <li>5. A wildlife crossing project</li> <li>6. A surface transportation project within the boundaries or functionally connected to an international border crossing that improves a facility owned by Fed/State/local government and increases throughput efficiency</li> <li>7. A project for a marine highway corridor that is functionally connected to the NHFN and is likely to reduce road mobile source emissions</li> <li>8. A highway, bridge, or freight project on the National Multimodal Freight Network</li> </ol>	<ol style="list-style-type: none"> <li>1. A highway, bridge, or tunnel project eligible under National Highway Performance Program</li> <li>2. A highway, bridge, or tunnel project eligible under Surface Transportation Block Grant<sup>2</sup></li> <li>3. A highway, bridge, or tunnel project eligible under Tribal Transportation Program</li> <li>4. A highway freight project eligible under National Highway Freight Program</li> <li>5. A highway safety improvement project, including a project to improve a high-risk rural road as defined by the Highway Safety Improvement Program</li> <li>6. A project on a publicly-owned highway or bridge that provides or increases access to an agricultural, commercial, energy, or intermodal facility that supports the economy of a rural area</li> <li>7. A project to develop, establish, or maintain an integrated mobility management system, a transportation demand management system, or on-demand mobility services</li> </ol>

<sup>2</sup> This statutory eligibility citation is 23 USC 133(b). In order for local roads and rural minor collectors to be eligible for the Rural Surface Transportation program under 23 USC 133(c), they must also meet the eligibility condition that the project is on a publicly-owned highway or bridge that provides or increases access to an agricultural, commercial, energy, or intermodal facility that supports the economy of a rural area.

i. Mega Eligibility Notes

To be eligible as a public transportation project that is eligible under assistance under Chapter 53 of title 49 U.S.C. and is a part of any of the project types described above, a component must meet the following parameters:

- the public transportation project must be advanced as a component of a project eligible under 49 U.S.C. 6701(d)(1)(A)-(D); and
- the public transportation project component must be necessary to achieve the transportation goal of the project eligible under 49 U.S.C. 6701(d)(1)(A)-(D); and
- the Department must determine that a primary purpose of the entire project is to advance the project eligible under 49 U.S.C. 6701 (d)(1)(A)-(D). To determine the primary purpose of the entire project, the Department will review the grant application and proposed project components and consider the relationship between the public transportation project and the other components of the entire project, based on information in the application, public outreach materials, environmental documentation, and planning documents. The project may serve multiple primary purposes.

Eligibility includes new multi-modal projects where the addition of the public transportation component to an eligible project under 49 U.S.C. 6701 (d)(1)(A)-(D) provides a significant improvement to the mobility benefits for users of highways or intercity passenger rail. The burden is on the applicant to provide sufficient documentation to allow the Department to evaluate the project's eligibility as described above.

ii. INFRA Eligibility Notes

To be eligible under INFRA, a project within the boundaries of a freight rail, water (including ports), or intermodal facility must be a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility and must significantly improve freight movement on the NHFN. In this context, improving freight movement on the NHFN may include shifting freight transportation to other modes, thereby reducing congestion and bottlenecks on the NHFN. For a freight project within the boundaries of a freight rail, water (including ports), or intermodal facility, Federal funds can only support project elements that provide public benefits.

iii. Rural Eligibility Notes

To be eligible under Rural as a project on a publicly-owned highway or bridge that provides or increases access to an agricultural, commercial, energy, or intermodal facility that supports the economy of a rural area, a project should meet all of the following parameters:

- The project is located on a publicly owned highway or publicly owned bridge.
- The application expressly identifies the agricultural, commercial, energy, or intermodal facility that supports the economy of a rural area.
- The application describes how the project provides or increases access to the identified facility.
- The project location should be within a reasonable distance to the identified facility, typically no farther than 10 miles away. If the distance is greater than 10 miles away, the applicant should provide additional justification support how the project provides or increases access to the identified facility.

All projects on local roads or rural minor collectors must qualify under these criteria as providing or increasing access to an agricultural, commercial, energy, or intermodal facility that supports the economy of a rural area. The burden is on the applicant to provide sufficient documentation and narrative justification to allow the Department to evaluate the project’s eligibility as described above. If the application lacks the above information, the Department is unlikely to determine the project is eligible under 23 U.S.C. 173(e)(1)(F).

An eligible entity may bundle two or more similar eligible projects under the Rural program if projects are included as a bundled project in a statewide transportation improvement program under 23 U.S.C. § 135 and will be awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and the eligible entity.

3. *Eligible Project Costs*

The table below defines eligible project costs for each program per the relevant program statute:

<b>Eligible Project Costs</b>		
<b>Mega</b>	<b>INFRA</b>	<b>Rural</b>
Development-phase activities and costs, including planning, feasibility analysis, revenue forecasting, alternatives analysis, data collection and analysis, environmental review and activities to support environmental review, preliminary engineering and design work, and other preconstruction activities, including the preparation of a data collection and post-construction analysis plan; and, Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to that land), environmental mitigation (including projects to replace or rehabilitate culverts or reduce stormwater runoff for the purpose of improving habitat for aquatic species), construction contingencies, acquisition of equipment, protection, and	Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering, design, and other preconstruction activities, provided the project meets statutory requirements. Construction, reconstruction, rehabilitation, or acquisition of property (including land related to the project and improvements to the land), environmental mitigation (including a project to replace or rehabilitate a culvert, or to reduce stormwater runoff for the purpose of improving habitat for aquatic species), construction contingencies, equipment acquisition, and operational improvements directly related to system performance.	Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and, Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational

operational improvements directly relating to the project.	INFRA grant recipients may use INFRA funds to pay for the subsidy and administrative costs necessary to receive TIFIA credit assistance.	improvements.
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i. Calculation of Project Costs

For the purposes of determining whether a project meets the minimum project size requirement or the total project size for set-asides, the Department will count all future eligible project costs and related previously incurred costs (before application and selection for a grant). Previously incurred costs will be counted toward the minimum project size requirement only if they were eligible project costs under this Section and were expended as part of the project for which the applicant seeks funds. Although those previously incurred costs may be used for meeting the minimum project size thresholds described in this Section, they cannot be reimbursed with grant funds, nor will they count toward the project’s required non-Federal share (see Section C.4).

Table 1 Summary of Project Size Designations

Program	MEGA		INFRA		Rural	
<b>Project Size Designation</b>	>\$500M in Costs	\$100M-\$500M in costs	Large >\$100M* in costs	Small <\$100M* in costs	None	None
*7 states have a different, lower threshold for large vs. small between \$66 million and \$91 million (INFRA); consult Section C.3.iv for exceptions						

ii. Eligibility of Development Phase Activities

Development phase activities and other planning or pre-construction activities are eligible costs. These may be eligible costs as part of capital construction projects, or as a standalone activity. However, applicants should carefully review the selection criteria and evaluation of statutory requirements described in Section E; development phase activities as a standalone project may be less competitive by nature of the evaluation structure described in Section E.

iii. Mega

The Department will designate Mega applications as projects greater than \$500 million in total project cost, and as projects greater than \$100 million but less than \$500 million in total project cost. Per statute, for each fiscal year of Mega funds, 50 percent of available funds are reserved for projects greater than \$500 million in cost, and 50 percent are reserved for projects between \$100 million and \$500 million in cost.

iv. INFRA

The Department will designate INFRA applications as “large” or “small” based on the definition in 23 U.S.C. § 117 as described in the following sections. Per statute, a minimum of 15 percent of available funds are reserved for small projects, and a maximum of 85 percent of funds are reserved for large projects.

a. Large Projects

The minimum project size for large projects is the lesser of (1) \$100 million; (2) 30 percent of a State's most recent Federal-aid apportionment if the project is located in one State. The only States that have a large project threshold lower than \$100 million are listed below with their thresholds, which are based on the FY 2024 Federal-aid apportionment:

- Delaware: \$70 million
- District of Columbia: \$66 million
- Hawaii: \$70 million
- Maine: \$76 million
- New Hampshire: \$68 million
- Rhode Island: \$91 million
- Vermont: \$84 million

All multi-State projects meet the \$100 million threshold. Per statute, an INFRA Large grant must be at least \$25 million.

b. Small Projects

A small project is an eligible project that does not meet the minimum project size described in the previous Section. Per statute, an INFRA Small grant must be at least \$5 million.

v. Rural

The Department will designate Rural applications as seeking at least \$25 million or as seeking less than \$25 million. Per statute, at least 90 percent of Rural grant amounts must be at least \$25 million, and up to 10 percent of Rural grants may be for grant amounts of less than \$25 million.

4. Cost Sharing or Matching

The table below presents a summary of cost share requirements, but applicants should read this section in full.

Table 2 Summary of Cost Share Requirements by Program

Program	MEGA		INFRA		Rural	
	>\$500M in Costs	\$100M-\$500M in costs	>\$100M* in costs	<\$100M* in costs	None	None
Award Size	No Award minimum No Award minimum		\$25 million award minimum	\$5 million award minimum	\$25 million award minimum	No Award minimum
Cost Share	Max 60% Grant Cost Share, Max 80% Federal		Max 60% Grant Cost Share, Max 80% Federal**		Max 80% Grant Cost Share***, Max 100% Federal	

\*7 states have a different, lower threshold for large vs. small between \$66 million and \$91 million (INFRA)

\*\*11 States have a higher, sliding scale max federal share between 80% and 95% (INFRA)

\*\*\*Appalachian Development Highway System Projects and Denali Access Projects may have 100% Grant share (Rural)

i. Mega

Mega grants may be used for up to 60 percent of future total eligible project costs. Other Federal assistance may satisfy the non-Mega share requirement for a Mega grant, but total Federal assistance for a project receiving a Mega grant may not exceed 80 percent of future total eligible project costs.

ii. INFRA

INFRA grants may be used for up to 60 percent of future eligible project costs. Other Federal assistance may satisfy the non-INFRA share requirement for an INFRA grant, but total Federal assistance for a project receiving an INFRA grant may not exceed 80 percent of future total eligible project costs, except that, for States with a population density of not more than 80 persons per square mile of land area, based on the 2010 census, the maximum share of the total Federal assistance provided for a project receiving a grant under this section shall be the applicable share under 23 U.S.C. § 120(b). The following chart identifies the maximum total Federal cost share for INFRA projects, under such section 120(b):

*Table 3 States with Exceptions to Maximum Federal Share for the INFRA Program*

<b>Maximum Federal Share for INFRA Projects in States with Exceptions under 23 U.S.C. § 120(b)</b>			
Alaska	90.97%	Montana	82.75%
Arizona	90.94%	Nevada	94.89%
Colorado	82.79%	New Mexico	85.44%
Idaho	84.97%	Oregon	84.63%
Montana	82.75%	South Dakota	81.95%
Nevada	94.89%	Utah	89.52%
New Mexico	85.44%	Wyoming	86.77%

For the INFRA program, if a Federal land management agency applies jointly with a State or group of States, and that agency carries out the project, then Federal funds that were not made available under titles 23 or 49 of the U.S.C. may be used for the non-Federal share.

Statute specifies that \$150 million in available INFRA funding for each of the fiscal years 2022 to 2026 be set aside for an INFRA Leverage Pilot program. The INFRA Leverage Pilot program will fund projects with a Federal share of less than 50 percent. Not less than 10 percent of the INFRA Leverage Pilot funds will be awarded to small INFRA projects, as defined in Section C, and not less than 25 percent of the INFRA Leverage Pilot funds will be awarded to rural projects, as defined in Section C. For the INFRA Leverage Pilot, at least 50 percent of the project's future eligible project costs must be funded by non-Federal contributions for the life of the project.

### iii. Rural

Rural grants may be used for up to 80 percent of future eligible project costs, except eligible projects that further the completion of a designated segment of the Appalachian Development Highway System under 40 U.S.C. § 14501, or address a surface transportation infrastructure need identified for the Denali access system program under section 309 of the Denali Commission Act of 1998 may apply for up to 100 percent of the project costs. Other Federal assistance may satisfy the non-Rural share requirement for a Rural grant up to 100 percent of project costs.

Please note that the Rural Program has a higher statutory maximum Federal share than Mega and INFRA. Applications which seek funding above the statutory maximum grant or Federal share for MEGA and INFRA will only be eligible for an award in that amount from the Rural program.

### iv. Universal Cost Sharing or Matching Guidance

Unless otherwise authorized by statute, non-Federal cost-share may not be counted as non-Federal share for both the programs under MPDG and another Federal program. For any project under MPDG, the Department cannot consider previously incurred costs or previously expended or encumbered funds towards the matching requirement. Matching funds are subject to the same Federal requirements described in Section F.2.iii as awarded funds. See Section D.2 for information about documenting cost sharing in the application.

Non-Federal sources include State funds originating from programs funded by State revenue, local funds originating from State or local revenue-funded programs, private funds, or other funding sources of non-Federal origin.

For the purpose of evaluating eligibility under the statutory limit on total Federal assistance in the Mega and INFRA programs, funds from Transportation Infrastructure Finance and Innovation Act (TIFIA) and Railroad Rehabilitation & Improvement Financing (RRIF) credit assistance programs are considered Federal assistance and, combined with other Federal assistance, may not exceed 80 percent of the future eligible project costs, except as indicated for the INFRA program (see Section C.4.ii).

## *5. Project Requirements for Each Funding Opportunity*

Applicants only need to address the requirements for the program or programs from which they are requesting funding in in their application.

### i. Mega

For a Mega project to be selected, the Department must determine that the project meets all six requirements described in 49 U.S.C. § 6701(f)(1) and 49 U.S.C. § 6701(g) which are listed below and further described in Sections D.2.vii and E.1.v.b. If an application consists of multiple components with independent utility, the Department must determine that each component meets each requirement to select it for an award.

1. The project is likely to generate national or regional economic, mobility, or safety benefits.

2. The project is in significant need of Federal funding.
3. The project will be cost-effective.
4. With respect to related non-Federal financial commitments, one or more stable and dependable funding or financing sources are available to construct, maintain, and operate the project, and to cover cost increases.
5. The applicant has, or will have, sufficient legal, financial, and technical capacity to carry out the project.
6. The application includes a plan for the collection and analysis of data to identify the impacts of the project and accuracy of forecasts included in the application.

ii. INFRA

a. Large Project Requirements

For a large project to be selected, the Department must determine that the project meets seven requirements described in 23 U.S.C. § 117(g) listed below and further described in Sections D.2.vii and E.1.v.b. If an application consists of multiple components with independent utility, the Department must determine that each component meets each requirement to select it for an award.

1. The project will generate national or regional economic, mobility, or safety benefits.
2. The project will be cost-effective.
3. The project will contribute to the accomplishment of one or more of the goals described in 23 U.S.C. § 150.
4. The project is based on the results of preliminary engineering.
5. With respect to related non-Federal financial commitments, one or more stable and dependable funding or financing sources are available to construct, maintain, and operate the project, and contingency amounts are available to cover unanticipated cost increases.
6. The project cannot be easily and efficiently completed without other Federal funding or financial assistance available to the project sponsor.
7. The project is reasonably expected to begin construction no later than 18 months after the date of obligation of funds for the project.

b. Small Project Requirements

For a small project to be selected, the Department must consider the cost-effectiveness of the proposed project, the effect of the proposed project on mobility in the State and region in which the project is carried out, and the effect of the proposed project on safety on freight corridors with significant hazards, such as high winds, heavy snowfall, flooding, rockslides, mudslides, wildfire, wildlife crossing onto the roadway, or steep grades.

iii. Rural

For a Rural project to be selected, the Department must determine that the project meets five requirements described in 23 U.S.C. § 173(g) and below and further described in Sections D.2.vii and E.1.v.b. If an application consists of multiple components with independent utility, the Department must determine that each component meets each requirement, to select it for an award.

1. The project will generate regional economic, mobility, or safety benefits.
2. The project will be cost-effective.
3. The project will contribute to the accomplishment of 1 or more of the national goals under 23 U.S.C. § 150.

4. The project is based on the results of preliminary engineering.
5. The project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project.

#### *6. Definition of Rural and Urban Areas*

The INFRA and Rural program statutes define a rural area as an area outside an Urbanized Area<sup>3</sup> with a population of over 200,000, as designated by the U.S. Census Bureau.<sup>4</sup> Please note that rural and urban definitions differ in some other Department programs. Cost share requirements and minimum grant awards are the same for projects located in rural and urban areas for MPDG programs. A project located partly in an area designated as “urban” and partly in an area designated as “rural” by this definition will be designated as “urban” if the majority of the project’s costs will be spent in the area designated as “urban.” Conversely, a project located partly in an area designated as “urban” and partly in an area designated as “rural” by this definition will be designated as “rural” if the majority of the project’s costs will be spent in the area designated as “rural.” However, if a project consists of multiple components, as described under section C.8 or C.9, then for each separate component the Department may determine whether that component is rural or urban. In some circumstances, including networks of projects under section C.9 that cover wide geographic regions, this component-by-component determination may result in awards that include urban and rural funds.

#### *7. Areas of Persistent Poverty and Historically Disadvantaged Communities*

BIL specifies that the Secretary consider, as an additional consideration for the Mega program, whether a project may benefit an Area of Persistent Poverty or a Historically Disadvantaged Community. The Department provides a map of these areas for ease of reference: <https://maps.dot.gov/BTS/GrantProjectLocationVerification/>.

Area of Persistent Poverty (APP) – Defined by BIL as: (1) any county that has consistently had greater than or equal to 20 percent of the population living in poverty during the 30-year period preceding November 15, 2021, as measured by the 1990 and 2000 decennial census and the most recent annual Small Area Income Poverty Estimates as estimated by the Bureau of the Census; (2) any census tract with a poverty rate of at least 20 percent as measured by the 2014-2018 5-year data series available from the American Community Survey of the Bureau of the Census; or (3) any territory or possession of the United States. A county satisfies this definition only if 20 percent of its population was living in poverty in all three of the listed datasets: (1) the 1990 decennial census; (2) the 2000 decennial census; and (3) the 2022 Small Area Income Poverty Estimates.

Historically Disadvantaged Communities (HDC) – The definition of historically disadvantaged communities follows the Justice40 Interim Guidance Addendum, issued by the White House Office of Management and Budget (OMB), White House Council on Environmental Quality (CEQ), and Climate Policy Office (CPO):<sup>5</sup> (1) any census tract or tracts identified as disadvantaged in the Climate and Economic Justice Screening Tool

<sup>3</sup> The 2020 Census no longer utilizes the term “urbanized area” but provides designations of “urban areas” and their populations. For the purpose of this NOFO, Census-designated “urbanized area” means Census-designated “urban area.”

<sup>4</sup> See [www.transportation.gov/grants/infra-urban-and-rural-areas](http://www.transportation.gov/grants/infra-urban-and-rural-areas) for the list of urban areas with a population of 200,000 or more.

<sup>5</sup> M-23-09 (Jan. 2023), [https://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09\\_Signed\\_CEQ\\_CPO.pdf](https://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09_Signed_CEQ_CPO.pdf).

(<https://screeningtool.geoplatform.gov>) (CEJST), created by CEQ, which identifies such communities that have been marginalized by underinvestment and overburdened by pollution; (2) any Federally Recognized Tribe or Tribal entity, whether or not it has land. HDC or “disadvantaged communities” are used interchangeably throughout this document.

Section E describes how outcome criteria may consider a project’s benefits to an APP or HDC, regardless of whether the project is located in those areas. To make a designation for project location, a project located in both (1) APP or HDC areas and (2) areas that are neither APP nor HDC areas will be designated as APP or HDC if the majority of the project’s costs will be spent in the area that qualifies as APP or HDC.

## *8. Project Components*

An application may describe a project that contains more than one component. The Department may award funds for a component, instead of the larger project, if that component (1) independently meets minimum award amounts described in Section B and all eligibility requirements described in Section C, including the project requirements of the program(s) being applied for described in Sections C and D.2; (2) independently aligns well with the selection criteria specified in Section E; and (3) meets National Environmental Policy Act (NEPA) requirements with respect to independent utility. In this context, independent utility means that the component will represent a transportation improvement that is usable and represents a reasonable expenditure of the Department funds even if no other improvements are made in the area, and will be ready for intended use upon completion of that component’s construction. If an application describes multiple components, the application should demonstrate how the components collectively advance the purposes of the funding program or programs for which the applicant is applying. An applicant should not add multiple components to a single application merely to aggregate costs or to avoid submitting multiple applications.

Applicants should be aware that, depending upon applicable Federal law and the relationship among project components, an award funding only some project components may make other project components subject to Federal requirements as described in Section F.2.ii. For example, under 40 CFR § 1509(e), the NEPA review for the funded project component may need to include evaluation of all project components as connected, similar, or cumulative actions.

The Department strongly encourages applicants to identify in their applications the project components that meet the independent utility definition above and separately detail the costs and program funding (Mega, INFRA, and/or Rural) requested for each component. If the application identifies one or more independent project components, the application should clearly identify how each independent component addresses selection criteria and produces benefits on its own, in addition to describing how the full proposal of which the independent component is a part addresses the selection criteria.

## *9. Network of Projects*

An application may describe and request funding for a network of projects. A network of projects is a single grant award that funds multiple projects addressing the same transportation challenge. For example, if an applicant seeks to improve efficiency along a rail corridor, then

their application might propose one award for four grade separation projects at four different railway-highway crossings. Each of the four projects would independently increase rail safety and reduce roadway congestion but the overall benefits would be greater if the projects were completed together under a single award. Please review Section C.2.iii to understand how Rural program projects could be bundled.

The Department will evaluate applications that describe networks of projects similar to how it evaluates projects with multiple components. Because of their similarities, the guidance in Section C.8. is applicable to networks of projects, and applicants should follow that guidance on how to present information in their application. As with project components, depending upon applicable Federal law and the relationship among projects within a network of projects, an award that funds only some projects in a network may make other projects subject to Federal requirements as described in Section F.2.

#### 10. *Application Limit*

To encourage applicants to prioritize their MPDG opportunity submissions, each eligible applicant may submit three unique applications per grant program (Mega, INFRA, and Rural), for a total application limit of nine. The three-unique-applications-per-grant program applies only to applications where the applicant is the lead applicant. There is no limit on applications for which an applicant can be listed as a partnering agency. If a lead applicant submits more than three unique applications to a particular grant program as the lead applicant, only the first three received will be considered.

### **D. Application and Submission Information**

#### 1. *Address*

Applications must be submitted through [www.Grants.gov](http://www.Grants.gov). Instructions for submitting applications can be found at <https://www.transportation.gov/grants/mpdg-how-apply>. Applicants submitting applications to be considered under multiple MPDG programs only need to submit one package under one assistance listing in Grants.gov; there is no need to submit the same application under multiple assistance listings.

#### 2. *Content and Form of Application*

The application must include the Standard Form 424 (Application for Federal Assistance), Standard Form 424C (Budget Information for Construction Programs), the “MPDG Project Information Form” available at [www.transportation.gov/grants/mpdg-project-information-form](http://www.transportation.gov/grants/mpdg-project-information-form), and individual application attachments as outlined in the table below. DOT expects the application will be submitted in the following order, using the following file names:

<b>Information</b>	<b>File Name</b>	<b>NOFO Section for Guidance</b>	<b>Page Limit</b>
SF-424 (filled in grants.gov, not attachment)	SF-424	N/A	N/A
SF-424C (filled in grants.gov, not attachment)	SF-424C	N/A	N/A
<a href="#">Project Information Form</a> (in Excel)	MPDG Project	N/A	N/A

	Information Form		
Project Description	Project Description	D.2.i	5 pages
Project Location File (zipped Shapefile, KML/KMZ)	Location File-State-Project Name (ex: <i>Location File-AK-Highway Project</i> )	D.2.ii	N/A
Project Budget	Project Budget	D.2.iii	5 pages
Funding Commitment Documentation	Funding Commitments	D.2.iii.e	N/A
Outcome Criteria	Outcome Criteria Narrative	D.2.iv and E.1.ii	15 pages
Benefit- Cost Analysis Narrative	BCA Narrative	D.2.v and E.1.iii	N/A
Benefit- Cost Analysis Calculations (Excel recommended)	BCA Calculations	D.2.v and E.1.iii	N/A
Project Readiness	Project Readiness	D.2.vi and E.1. iv.	5 Pages
Project Requirements	Project Requirements	D.2.vii. and E.1.v.b.	5 Pages
Mega Data Plan (if applicable)	Mega Data Plan-State-Project Name (ex: <i>Mega Data Plan-AK-Highway Project</i> )	D.2.viii	N/A
Letters of Support (Optional)	Letters Of Support	E.1.iv.a	N/A

DOT expects the application attachments/files be prepared with standard formatting preferences (a single-spaced document, using a standard 12-point font such as Times New Roman, with 1-inch margins), and documents should be submitted in PDF, unless otherwise specified (i.e., project information form should be in Excel, and the BCA calculations could be submitted in Excel).

The application files should collectively include all information necessary for DOT to determine that the project satisfies requirements and to assess the selection criteria specified in Section E.1. DOT expects applications to be complete upon submission. DOT may ask any applicant to supplement data in its application but is not required to do so. Unsupported claims related to the selection criteria will negatively affect competitiveness of the application, as described throughout Section E.2.

Supporting documents may be attached in addition to the listed files, but evaluators are not required to review supporting documents as part of the review described in Section E. Web links to supporting documentation may be provided rather than copies of these supporting materials, but applicants are advised to ensure the link is accessible for the duration of the evaluation period. DOT expects application files to include the following detailed information:

i. Project Description

This file must provide a description and statement of work for the project that focuses on the technical and engineering aspects of the project, the current design status of the project, the

transportation challenges that the project is intended to address, and how the project is expected address those challenges. This file may also discuss the project's history, including a description of any previously completed components. This file should also describe the project location in a narrative fashion, including a detailed geographical description and map(s), to supplement the project location file.

## ii. Location

Applicants should submit one of the following file types with project location identification, which will be used to verify the urban/rural designation, the Area of Persistent Poverty designation, and the Historically Disadvantaged Community designation. Acceptable file types are zipped Shapefile or KML/KMZ. If an applicant needs to prepare one of these files, these are suggested instructions:

1. Open a publicly available online mapping tool for example, Google Earth.
2. Identify your project location. Use the tools to draw a line or make a point to represent the project area. The project area should include only the direct physical location of the infrastructure project; it should NOT include a broad service area or area of project impact.
3. Export, save, and attach to your application one of the acceptable formats.

## iii. Project Budget

Project budgets should show how different funding sources will share in each activity and present the data in dollars and percentages. The budget should identify other Federal funds the applicant is applying for, has been awarded, or intends to use. At a minimum, it should include the following:

- (A) A description of previously incurred costs.
- (B) A budget for future eligible project costs.

The budget should also show how each funding source will share in each major construction activity and present those data in dollars and percentages. Funding sources should be grouped into three categories: non-Federal; MPDG; and other Federal. Other Federal grants that have been awarded or for which the project intends to apply for in the future should be described (e.g., Bridge Investment Program, Port Infrastructure Investment Program, etc.), in addition to any Federal formula funds that have been or are planned to be programmed for the project. For each category of Federal funds to be used for future eligible project costs, the amount, nature, and source of any required non-Federal match for those funds should also be described. If the project contains components, the budget must separate the costs of each project component. If the project will be completed in phases, the budget must separate the costs of each phase. If the project can be scaled to one or more components or phases with independent utility, the applicant may provide that information, however each component/phase will need to satisfy relevant statutory requirements in order to be eligible.

The budget should be detailed enough to demonstrate that the project satisfies the statutory cost-sharing requirements described in Section C.2 and those associated with each category of Federal funding.

Applicants are encouraged to include the following budget table below with future eligible project

cost details:

*Table 4 Budget Table*

Funding Source	[Component 1] Funding Amount	[Component 2] Funding Amount	Total Funding
MPDG Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Other Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Non-Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Total:	[\$XXX]	[\$XXX]	[\$XXX]

If there is only a single component, remove “Component 2” column. If there are more than 2 components, add columns.

(C) Information showing that the applicant has budgeted sufficient contingency amounts to cover unanticipated cost increases, and a description of the degree of design completion for which the cost was estimated.

(D) Only in cases for which the project is located partially within an urban area, or partly within an Area of Persistent Poverty or Historically Disadvantaged Community, the budget needs to separate the costs between those areas. Applicants are encouraged to complete the table below in these cases:

*Table 5 Budget Table by Location*

Census Tract(s)	Project Costs per Census Tract
[XX.XX]	\$
	<b>Total Project Cost: \$</b>

Add more rows for additional census tracts, if needed.

DOT will use this table to determine which Census tracts include the majority of project costs in the context of making final APP and HDC designations.

The total project cost listed in Tables 1 and 2 should match total project cost listed throughout the application materials.

(E) In addition to the information enumerated above, this section should provide complete information on how all project funds may be used. For example, if a source of funds is available only after a condition is satisfied, the application should identify that condition and describe the applicant’s control over whether it is satisfied. Similarly, if a source of funds is available for expenditure only during a fixed period, the application

should describe that restriction.

Complete information about project funds will ensure that the Department's expectations for award execution align with any funding restrictions unrelated to the Department, even if an award differs from the applicant's request.

The Department is committed to considering project funding decisions holistically among the various discretionary grant programs available in BIL. The Department also recognizes that applicants may be seeking discretionary grant funding from multiple discretionary grant programs and opportunities. The applicant should indicate, within the Federal funding description, details as to what other potential Department programs and opportunities they intend to solicit funds, and what award amounts they will be seeking.

#### iv. Outcome Criteria

This section of the application should demonstrate how the project aligns with the Outcome Criteria described in Section E.1 of this notice. Applicants also should review that section before developing their application. The Department encourages applicants to address each criterion as it applies to the funding programs to which they are applying or else to expressly state that the project does not address the criterion. Insufficient information to assess any criterion will negatively impact the project rating.

##### **Criterion #1: Safety**

This section of the application should describe how the project will improve safety (described in Section E of this notice).

##### **Criterion #2: State of Good Repair**

This section of the application should describe how the project will contribute to a state of good repair (described in Section E of this notice).

##### **Criterion #3: Economic Impacts, Freight Movement, and Job Creation**

This section of the application should describe how the project will contribute to economic impacts, freight movement, and job creation (described in Section E of this notice).

##### **Criterion #4: Climate Change, Resilience, and the Environment**

This section of the application should describe how the project will proactively address climate change, resilience, and the environment (described in Section E of this notice).

##### **Criterion #5: Equity, Multimodal Options, and Quality of Life**

This section of the application should describe how the project will contribute to equity, multimodal options, and quality of life (described in Section E of this notice).

##### **Criterion #6: Innovation Areas: Technology, Project Delivery, and Financing**

This section of the application should describe how the project will contribute to innovative technology, project delivery, and/or financing (described in Section E of this notice).

v. Benefit-Cost Analysis

This section describes the recommended approach for the completion and submission of a benefit-cost analysis (BCA) narrative and calculation file. Applicants should also review DOT’s detailed guidance on how to conduct a BCA, which is available on the MPDG grant program website (see <https://www.transportation.gov/grants/infra-additional-guidance>). Additional background on how DOT uses benefit-cost analysis can be found here: <https://www.transportation.gov/grants/dot-navigator/what-is-a-benefit-cost-analysis>.

There should be two BCA files included in the application: (1) a narrative description of the BCA; and (2) an unlocked spreadsheet revealing the underlying calculations.

**BCA Narrative** - The BCA narrative should carefully document the assumptions and methodology used to produce the analysis, including a description of the baseline, the sources of data used to project the outcomes of the project, and the values of key input parameters. The BCA narrative should include, at a minimum, a description of the benefits and costs to be monetized. Applicants may also provide a table like the one shown below summarizing the impacts of the project and how those impacts would translate into expected benefits. This is shown as an example only:

*Table 6 Example of BCA Changes from Baseline*

<b>Current Status/Baseline and Challenge to be Addressed</b>	<b>Change to Baseline</b>	<b>Example Impacts</b>
A freeway divides two neighborhoods	A new street will be constructed to connect neighborhoods on each side of the freeway	Reduced travel time for pedestrians and cyclists by X miles per day due to a more direct route, as well as reduced emissions, vehicle operating costs, and travel time for vehicle occupants by lowering VMT by Y miles per year
A major freight corridor is in poor condition leading to a decrease in freight movement, economic productivity, and supply chain efficiency.	Improve corridor condition, reconfigure interchange, add truck parking	Reduce travel time, particularly for freight by X. Improve safety by Y, which also has impact on time savings from avoided crashes.

**BCA Spreadsheet** - The BCA spreadsheet file should present the calculations in sufficient detail and transparency to allow the analysis to be reproduced by Department evaluators. The Department has developed a new BCA spreadsheet that is available to assist applicants in structuring their analysis ([Benefit-Cost Analysis Spreadsheet Template for Discretionary Grant Programs | US Department of Transportation](#)). Please ensure any BCA spreadsheet submitted is unlocked, to allow review.

vi. Project Readiness

This file should include information that addresses the Environmental Risk and Technical

Capacity considerations as described in Section E. The Financial Completeness Assessment will be based on information contained throughout the budget file of the application. Guidance describing how the Department will evaluate a project's readiness is described in Section E of this notice. The Project Readiness file should include the following sections:

a. Detailed Project Schedule

All applications should include a detailed project schedule that identifies milestones, including at a minimum:

- NEPA and other permit completion,
- grant agreement/obligation<sup>6</sup> of funds,
- construction start, and
- construction end.

Other milestones may also include design completion; right-of-way acquisition; approval of plans, specifications and estimates; partnership agreements (for example, with railroads); and procurement. Applicants should plan for the MPDG review and selection to take approximately four months from the submission date, followed by a 60-day statutory period in which INFRA and Rural funds may not be obligated. Therefore, it is reasonable for applicants to establish project schedules that incorporate the earliest availability of funds (pending other obligation pre-requisites) would be approximately six months after the application submission date.

b. Technical Capacity

All applications should include a section in the Project Readiness file that describes their Technical Capacity to deliver the project as described in Section E.1.iv of this NOFO. If an applicant anticipates pursuing a waiver for relevant domestic preference laws, the applicant should describe steps that have been or will be taken to maximize the use of domestic goods, products, and materials in constructing its project. To the extent the applicant is unfamiliar with the relevant domestic preference law, the applicant should contact the appropriate DOT operating administration field or headquarters offices for information on the pre-requisite steps to obligate Federal funds in order to ensure that their project schedule is reasonable and that there are no risks of delays in satisfying Federal requirements.

c. Assessment of Project Risks and Mitigation Strategies

The applicant should identify all material risks to the project and the strategies that the lead applicant and any project partners have undertaken or will undertake to mitigate those risks. The applicant should assess the greatest risks to the project and identify how the project parties will mitigate those risks. They may include procurement delays, environmental uncertainties, increases in real estate acquisition costs, uncommitted non-Federal funding, unavailability of domestically manufactured equipment, among others. The applicant should provide a public involvement plan demonstrating meaningful engagement of the community affected by the project, to include disadvantaged and other potentially affected

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<sup>6</sup> For MPDG programs, obligation occurs when a selected applicant enters into a written, project-specific grant agreement with the Department and is generally after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements. Financial obligation, making funds available, occurs at the same time as the execution of the project-specific grant agreement.

local communities, where applicable.

vii. Statutory Project Requirements

To select a project for award, the Department must determine that the project—as a whole, as well as each independent component of the project—satisfies statutory requirements relevant to the program from which it will receive an award. This section of the application should describe how the project as a whole, and each independent component, meets the following requirements. Applicants are not required to reproduce the table below in their application, but following this format will help evaluators identify the relevant information that supports each large project determination. Supporting information provided in appendices may be referenced. This section does not apply to Small INFRA projects.

<b>Statutory Selection Requirements</b>			
<b>23 U.S.C. 117 INFRA Large</b>	<b>49 U.S.C. 6701 Mega</b>	<b>23 U.S.C. 173 Rural</b>	<b>Guidance</b>
(1) The project will generate national, or regional economic, mobility, or safety benefits	(1) The project is likely to generate national or regional economic, mobility, safety benefits	(1) The project will generate regional economic, mobility, or safety benefits	Summarize the economic, mobility, and safety benefits of the project and independent project components, and describe the scale of their impact in national or regional terms.
(2) The project will be cost effective	(2) The project will be cost effective	(2) The project will be cost effective	Highlight the results of the Benefit-Cost analysis, as well as the analyses of independent project components if applicable. A project is cost-effective if the benefit-cost ratio is greater than 1.
(3) The project will contribute to 1 or more of the national goals described under Section 150	<i>No statutory requirement</i>	(3) The project will contribute to 1 or more of the national goals described under 23 U.S.C. § 150	Specify the Goal(s) and summarize how the project and independent project components contribute to that goal(s).
(4) The project is based on the results of preliminary engineering	<i>No statutory requirement</i>	(4) The project is based on the results of preliminary engineering	For a project or independent project component to be based on the results of preliminary engineering, please indicate and provide the supporting documentation to demonstrate which of the following activities have been completed as of the date of application submission: <ul style="list-style-type: none"> <li>• Environmental Assessments</li> <li>• Topographic Surveys</li> <li>• Metes and Bounds Surveys</li> <li>• Geotechnical Investigations</li> <li>• Hydrologic Analysis</li> <li>• Utility Engineering</li> </ul>

			<ul style="list-style-type: none"> <li>• Traffic Studies</li> <li>• Financial Plans</li> <li>• Revenue Estimates</li> <li>• Hazardous Materials Assessments</li> <li>• General estimates of the types and quantities of materials</li> <li>• Other work needed to establish parameters for the final design.</li> </ul> <p>If one or more of these studies was included in a larger plan or document not described above, please explicitly state that and reference the document. Reference by link is acceptable; please ensure the linked information will be accessible throughout the review process.</p>
<p>(5) With respect to related non-federal financial commitments, 1 or more stable and dependable sources of funding and financing are available to construct, maintain, and operate the project, and contingency amounts are available to cover unanticipated cost increases</p>	<p>(3) With respect to non-federal financial commitments, 1 or more stable and dependable sources are available to construct, operate, and maintain the project, and to cover cost increases</p>	<p><i>No statutory requirement</i></p>	<p>Please indicate funding source(s) and amounts that will account for all project costs, broken down by independent project component, if applicable. Demonstrate that the funding is stable, dependable, and dedicated to this specific project by referencing the STIP/TIP, a letter of commitment, a local government resolution, memorandum of understanding, or similar documentation. Please state the contingency amount available for the project.</p>
<p>(6) The project cannot be easily and efficiently completed without other Federal funding or financing available to the project sponsor</p>	<p>(4) The project is in significant need of Federal funding</p>	<p><i>No statutory requirement</i></p>	<p>Describe the potential negative impacts on the proposed project if the MPDG grant (or other Federal funding) was not awarded. Respond to the following:</p> <ol style="list-style-type: none"> <li>1. How would the project scope be affected if MPDG (or other Federal funds) were not received?</li> <li>2. How would the project schedule be affected if MPDG (or other Federal funds) were not received?</li> <li>3. How would the project cost be affected if MPDG (or other Federal funds) were not received?</li> </ol>

			If there are no negative impacts to the project scope, schedule, or budget if MPDG funds are not received, state that explicitly. Impacts to a portfolio of projects will not satisfy this requirement; please describe only project- specific impacts. Re-stating the project’s importance for national or regional economic, mobility, or safety will not satisfy this requirement.
(7) The project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project	<i>No statutory requirement</i>	(5) The project is reasonably expected to begin construction not later than 18 months after the date of obligation <sup>7</sup> of funds for the project	Please provide the project’s expected obligation date and construction start date, in month/year format, referencing project budget and schedule as needed. If the project has multiple independent components, or will be obligated and constructed in multiple phases, please provide sufficient information to show that each component meets this requirement.
<i>No statutory requirement</i>	(5) The applicant have, or will have, sufficient legal, financial, and technical capacity to carry out the project.	<i>No statutory requirement</i>	The Department will base its determination on the project risks as assessed by the Environmental Risk, Financial Completeness, and Technical Capacity evaluators. For example, if the evaluators find the project has an incomplete financial plan, that will inform whether the Department makes this determination. Similar consideration will be given to the technical capacity and environmental risk ratings.
<i>No statutory requirement</i>	(6) The application includes a plan for the collection and analysis of data to identify the impacts of the project and accuracy of forecasts included in the application.	<i>No statutory requirement</i>	This section of the application should refer to the data plan attachment. The Department will base its determination on the inclusion of a data plan that meets requirements described in the next section.

<sup>7</sup> For MPDG programs, obligation occurs when a selected applicant enters into a written, project-specific grant agreement with the Department and is generally after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements. Financial obligation, making funds available, occurs at the same time as the execution of the project-specific grant agreement.

## viii. Mega Data Plan (if applicable)

In accordance with 49 U.S.C. 6701(g), a Mega grant applicant is required to submit, as an attachment to their application, a plan for the collection and analysis of data to identify the impacts of the project and the accuracy of any forecast prepared during the development phase of the project and included in the grant application. The contents of the plan must include:

- an approach to measuring impacts to proposed project outcome criteria as described in Section E, and
- an approach for analyzing the consistency of predicted impacts with actual outcomes.

Upon award, the plan will be reviewed and used to inform the performance measures collections that are required of Mega recipients. Therefore, the data plan should include specific performance measures related to program goals (e.g., travel time savings, greenhouse gas emissions, passenger counts, or level of service) among other information. Performance indicators should include measurable goals or targets, and to the extent possible, should align with the estimated impacts to the outcome criteria described in the application.<sup>8</sup> Before the start of construction of the Mega project, the grant recipient must submit a report providing baseline data for the purpose of analyzing the long-term impact of the project. Not later than six (6) years after the date of substantial completion of a project, the eligible entity carrying out the project shall submit a project outcomes report that compares the baseline data to quarterly project data for the duration of the fifth year of the project after substantial completion.

MPDG applicants that are opting out of Mega may also choose to submit a data plan since they will be required to submit a baseline and an outcomes performance report (see Section F.3. However, submission of a data plan for applicants opting out of Mega does not make those applications more competitive for those programs.

### 3. *Unique Entity Identifier and System for Award Management (SAM)*

Each applicant must: 1) be registered in SAM before submitting its application; 2) provide a valid unique entity identifier in its application; and 3) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. The Department may not make an MPDG grant to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Department is ready to make an MPDG grant, the Department may determine that the applicant is not qualified to receive an MPDG grant and use that determination as a basis for making an MPDG grant to another applicant.

### 4. *Submission Dates and Times*

Applications must be submitted by May 6, 2024 in Grants.gov. To submit an application through Grants.gov, applicants must:

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<sup>8</sup> The Department may in the future publish a more detailed framework for performance measure data collection that will: indicate standardized measurement approaches; data storage system requirements; and any other requirements the Secretary determines to be necessary.

- (1) Obtain a Unique Entity Identifier (UEI) number;
- (2) Register with the System for Award Management (SAM) at [www.sam.gov](http://www.sam.gov);
- (3) Create a Grants.gov username and password; and
- (4) The E-business Point of Contact (POC) at the applicant's organization must also respond to the registration email from Grants.gov and login at Grants.gov to authorize the POC as an Authorized Organization Representative (AOR). Please note that there can only be one AOR per organization.

Please note that the Grants.gov registration process usually takes 2-4 weeks to complete and that the Department will not consider late applications, or applications submitted outside of Grants.gov. For information and instruction on each of these processes, please see instructions at <https://www.grants.gov/applicants>. If applicants experience difficulties at any point during the registration or application process, please call the Grants.gov Customer Service Support Hotline at 1(800) 518-4726.

### *5. Funding Restrictions*

This section describes relevant set-asides and funding restrictions. Applicants should also reference Section C which discusses eligible project sizes, grant request amounts, and definitions to qualify applicants under the set-asides. Prior to selection for award, the Department may decrease the grant funding amount if some elements of the project are ineligible for selection (based on project type or statutory requirements), or as otherwise negotiated with the applicant.

#### *a. Mega*

50 percent of available Mega funds are set aside for projects between \$100 million and \$500 million in total cost. The remaining available Mega funds, less 2 percent for program administration, are for projects greater than \$500 million in total cost.

#### *b. INFRA*

The Department will make awards under the INFRA program to both large and small projects (refer to section C.5.ii for a definition of large and small projects). For a large project, statute specifies that an INFRA grant must be at least \$25 million. For a small project, including both construction awards and project development awards, the grant must be at least \$5 million. For each fiscal year of INFRA funds, a minimum of 15 percent of available funds are reserved for small projects, and a maximum of 85 percent of funds are reserved for large projects.

The program statute specifies that not more than 30 percent of INFRA grants for each of the fiscal years 2022 to 2026 may be used for grants to freight rail, water (including ports and marine highway corridors), other freight intermodal projects that make significant improvements to freight movement on the National Highway Freight Network or National Multimodal Freight Network, wildlife crossing projects, projects located within or functionally connected to an international border crossing area in the United States, improves a transportation facility owned by a Federal, State, or local government entity, and projects that increase the throughput efficiency of border crossings. Only the nonhighway portion(s) of multimodal projects count toward this limit. Grade crossing and grade separation projects do not count toward the limit for freight rail, port, and intermodal projects.

The program statute requires that at least 25 percent of the funds provided for INFRA large project grants must be used for projects located in rural areas, as defined in Section C. The program statute requires that at least 30 percent of the funds provided for INFRA small project grants must be used for projects located in rural areas, as defined in Section C. The USDOT must consider geographic diversity among grant recipients, including the need for a balance in addressing the needs of urban and rural areas.

Statute specifies that \$150 million in available INFRA funding for each of the fiscal years 2022 to 2026 be set aside for an INFRA Leverage Pilot program. The INFRA Leverage Pilot program will fund projects with a Federal share of less than 50 percent. Not less than 10 percent of the INFRA Leverage Pilot funds will be awarded to small INFRA projects, as defined in Section C, and not less than 25 percent of the INFRA Leverage Pilot funds will be awarded to rural projects, as defined in Section C.

September 30, 2028 is the INFRA statutory deadline for obligating FY 2025 funds. While FY 2026 INFRA funds have a statutory obligation deadline of September 30, 2029, the Department will evaluate all applications based on ability to obligate funds by September 30, 2028 deadline. Part of the INFRA funding sources have a statutory expenditure deadline of September 30, 2033; therefore, any project competing for INFRA funding should expect to meet this expenditure deadline.

#### c. Rural

Per statute, at least 90 percent of Rural grant amounts must be at least \$25 million, and up to 10 percent of Rural grants may be for grant amounts of less than \$25 million. Per statute, 15 percent of the Rural program funds shall be reserved for eligible projects located in States that have rural roadway fatalities as a result of lane departures that are greater than the average of rural roadway fatalities as a result of lane departures in the United States.<sup>9</sup> This is defined based on five-year rolling average of rural roadway departure fatality rate per 100 million VMT. Per statute, 25 percent of the Rural program funds shall be reserved for eligible projects that meet all statutory requirements for award and that further the completion of designated routes of the Appalachian Development Highway System under 40 U.S.C. § 14501.

September 30, 2028 is the Rural statutory deadline for obligating FY 2025 funds. While FY 2026 Rural funds have a statutory obligation deadline of September 30, 2029, the Department will evaluate all applications based on ability to obligate funds by September 30, 2028 deadline.

#### d. Funding Availability Periods for Obligation<sup>10</sup> and Expenditure

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<sup>9</sup> States with above average rural roadway departure fatalities (based on five-year rolling average of rural roadway departure fatality rate per 100 million VMT) include: Alabama; Alaska; Arkansas; Idaho; Iowa; Kansas; Kentucky; Louisiana; Maine; Mississippi; Missouri; Montana; Nebraska; New Mexico; North Carolina; North Dakota; Oklahoma; Oregon; South Carolina; South Dakota; Tennessee; Vermont; Virginia; West Virginia; Wyoming.

<sup>10</sup> For MPDG programs, obligation occurs when a selected applicant enters into a written, project-specific grant agreement with the Department and is generally after the applicant has satisfied applicable administrative requirements, including transportation

September 30, 2028 is the statutory deadline for obligating FY 2025 Rural and INFRA funds. While FY 2026 Rural and INFRA funds have a later statutory deadline, the Department will evaluate all applications based on ability to obligate funds by September 30, 2028. Funding fiscal year and source is at the Department's discretion and is determined at the time of award; all applicants should plan to obligate funds prior to September 30, 2028.

<i>Table 7 Obligation and Expenditure Deadlines</i>	<b>Funds Available for Obligation</b>	<b>Obligation Deadline</b>	<b>Expenditure Deadline</b>
FY 2025 INFRA Funds	10/1/2024	9/30/2028	Approximately \$618 million in funds have an expenditure deadline of 9/30/2033, and approximately \$738 million in funds have no statutory deadline. Applications should assume a 2033 expenditure deadline.
FY 2026 INFRA Funds	10/1/2025	9/30/2029; however, applications will be evaluated based on ability to obligate funding by 9/30/2028	Approximately \$618 million in funds have an expenditure deadline of 9/30/2034, and approximately \$738 million in funds have no statutory deadline. Applications should assume a 2033 expenditure deadline.
FY 2025 Mega Funds	10/1/2024	None, however, applications will be evaluated based on ability to obligate funding by 9/30/2028	No statutory deadline
FY 2026 Mega Funds	10/1/2025	None, however, applications will be evaluated based on ability to obligate funding by 9/30/2028	No statutory deadline
FY 2025 Rural Funds	10/1/2024	9/30/2028	No statutory deadline
FY 2026 Rural Funds	10/1/2025	9/30/2029 however, applications will be evaluated based on ability to obligate	No statutory deadline

planning and environmental review requirements. Financial obligation, making funds available, occurs at the same time as the execution of the project-specific grant agreement.

		funding by 9/30/2028.	
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## 6. Other Submission Requirements

### i. Consideration of Application

Only applicants who comply with all submission deadlines described in this notice and submit applications through Grants.gov will be eligible for award. Applicants are strongly encouraged to make submissions in advance of the deadline.

### ii. Late Applications

Any applications that Grants.gov time stamps after 11:59:59 PM Eastern on May 6, 2024, will not be accepted. Applicants are strongly encouraged to make submissions days, if not weeks, in advance of the deadline, and applicants facing technical issues are advised to contact the Grants.gov helpdesk well in advance of the deadline.

## E. Application Review Information

### 1. Criteria

#### i. Overall Application Rating

The Department will assign each eligible project a rating of highly recommended, recommended, or not recommended for each of the grant programs for which the applicant is applying. The rating will be assigned by the Department on the following basis:

A rating of “Not Recommended” will be assigned to projects that:

- The Department determines do not meet one or more statutory requirements for award, or additional information is required for one or more statutory requirements; or
- Receive a low rating in one or more of project outcome, economic analysis, or project readiness; or
- Are otherwise identified by the Senior Review Team to not be suitable for a grant award based on the Senior Review Team member’s identification of a weakness within a Project Outcome Area, weakness within a Project Readiness area, or knowledge that the project has already received the requested Federal funding.

A rating of “Highly Recommended” will be assigned to projects that:

- The Department determines meet all statutory requirements for award and receive high ratings in all of project outcomes, economic analysis, and project readiness; or
- Meet all statutory requirements for award and are otherwise determined by the Senior Review Team to be an exemplary project of national or regional significance that generates significant benefits in one of the project outcome areas.

A rating of “Recommended” will be assigned to projects that:

- The Department determines meet all statutory requirements for award; and

- Are not otherwise assigned a “Highly Recommended or “Not Recommended” rating.

ii. Project Outcome Criteria

The Department will consider the extent to which the project addresses the following project outcome criteria, which are explained in greater detail below and reflect the key program objectives described in Section E.1.ii: (1) safety; (2) state of good repair; (3) economic impacts, freight movement, and job creation; (4) climate change, resilience, and the environment; (5) equity, multimodal options, and quality of life; and (6) innovation areas: technology, project delivery, and financing. For each project outcome area, the Project Outcome Analysis team will assign a 0, 1, 2, or 3 according to the scoring rubric shown below. A more detailed description of the items in the rubric for each criterion follows.

Applications are not required to score highly in each criterion, but applicants are encouraged to propose projects that score highly in as many areas as possible. For each criterion, the Department will evaluate whether the application uses data-driven and evidence-based methods to demonstrate that the project will provide the anticipated benefits. The Department will assign a high, medium-high, medium, medium-low, and low project outcome rating on the following basis:

<b>Outcome Ratings</b>	
High	<ul style="list-style-type: none"> <li>• Three or more 3s and</li> <li>• No 1s and</li> <li>• No 0s</li> </ul>
Medium-High	<ul style="list-style-type: none"> <li>• At least one 3 and</li> <li>• Less than two 1s and</li> <li>• No 0s</li> </ul>
Medium	<ul style="list-style-type: none"> <li>• No 3s and</li> <li>• Less than two 1s and</li> <li>• No 0s</li> </ul>
Medium-Low	<ul style="list-style-type: none"> <li>• Two 1s and</li> <li>• No 0s</li> </ul>
Low	<ul style="list-style-type: none"> <li>• Three or more 1s or</li> <li>• Any 0s</li> </ul>

Projects seeking funding from the Rural program only in amounts less than \$25 million are not required to address all six outcome areas. Instead, Rural program applicants seeking amounts less than \$25 million may submit a streamlined application that only addresses three outcome areas: safety; climate change, resilience, and the environment; and equity, multimodal options, and quality of life. If the application addresses all six outcome areas, then the application will receive the full Outcome review described above. For this limited subset of projects, the scoring rubric is below:

<b>Rating</b>	
High	<ul style="list-style-type: none"> <li>• All 3s</li> </ul>

Medium-High	<ul style="list-style-type: none"> <li>• At least one 3 and</li> <li>• No 1s and</li> <li>• No 0s</li> </ul>
Medium	<ul style="list-style-type: none"> <li>• All 2s</li> </ul>
Medium-Low	<ul style="list-style-type: none"> <li>• One 1</li> </ul>
Low	<ul style="list-style-type: none"> <li>• Any 0s or</li> <li>• Two or more 1s</li> </ul>

**Outcome Rubric:**

In order to receive the highest outcomes rating in any given outcome area, it must be a primary project purpose **and** meet the description of an item listed in column “3” of the rubric below. A rating of “2” indicates the project results in benefits to the outcome area matching one or more of the descriptions below, but it is not a primary project purpose **or** the project does not otherwise meet the description of a “3” rating. A rating of a “1” indicates the application does not contain enough information to assess whether the project results in benefits in the outcome area. A rating of a “0” indicates the project would negatively impact the outcome area.

Applicants should carefully review the rubric below, which shows the differences between a rating of a 2 and a rating of a 3. More details and examples are provided in the section following the rubric.

Criteria/ Rating	<p style="text-align: center;"><b>2</b></p> <p style="text-align: center;"><b>The project results in benefits to the outcome area matching one or more of the descriptions below, BUT it is not a primary project purpose OR the project does not otherwise meet the description of a “3” rating.</b></p>	<p style="text-align: center;"><b>3</b></p> <p style="text-align: center;"><b>The outcome area is a primary purpose of the project AND the project results in clear and direct benefits matching one or more of the descriptions in the “3” column of the rubric below.</b></p>
<p><b>Safety</b></p>	<ul style="list-style-type: none"> <li>• Reduces fatalities and/or serious injuries.</li> <li>• Protects non-motorized travelers, motorized travelers, or communities from safety risks.</li> <li>• Implements actions and activities identified in the National Roadway Safety Strategy.</li> <li>• Targets the shortage of long-term parking for commercial motor vehicles on the National Highway System.</li> <li>• Promotes safer speeds in all roadway environments through a combination of thoughtful, equitable, context-appropriate roadway design, targeted education, outreach campaigns, and enforcement.</li> </ul>	<ul style="list-style-type: none"> <li>• Significantly reduces fatalities and/or serious injuries, bringing them below the state-wide average, with specific data-driven estimates of improvements.</li> <li>• Significantly protects vulnerable or non-motorized users from health and safety risks.</li> </ul>
<p><b>State of Good Repair</b></p>	<ul style="list-style-type: none"> <li>• Restores existing core infrastructure at the end of its useful life to a state of good repair.</li> <li>• Creates new infrastructure in remote communities that will be maintained in a state of good repair, as evidenced by the project’s inclusion in an Asset Management Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Restores and modernizes existing core infrastructure (such as through road diets, complete streets, or other design improvements) that will result in lower long-term maintenance costs.</li> <li>• Addresses current and project vulnerabilities that if left unaddressed will threaten future transportation network efficiency, mobility of good or people, or economic growth.</li> </ul>

<p><b>Economic Impacts, Freight Movement, and Job Creation</b></p>	<p><b>Economic Impacts:</b></p> <ul style="list-style-type: none"> <li>• Improves multimodal transportation systems that incorporate affordable transportation options to improve mobility of people and goods.</li> <li>• Decreases transportation costs and improves access to employment centers and job opportunities.</li> <li>• Enhances recreational and tourism opportunities by providing access to Federal land, national parks, national forests, national recreation areas, national wildlife refuges, wilderness areas, or State parks.</li> <li>• Help the United States compete in a global economy by encouraging the location of important industries and future innovations and technology in the U.S. and facilitating efficient and reliable freight movement.</li> </ul> <p><b>Freight Movement:</b></p> <ul style="list-style-type: none"> <li>• Improves intermodal and/or multimodal freight mobility, including by incentivizing modal shift;</li> <li>• Improves freight reliability and efficiency by reducing freight congestion or addressing a freight/supply chain bottleneck.</li> </ul> <p><b>Job Creation:</b></p> <ul style="list-style-type: none"> <li>• Results in high quality job creation by supporting good-paying jobs with a free and fair choice to join a union, in project construction and in on-going operations and maintenance.</li> <li>• Results in workforce opportunities for historically underrepresented groups, such as through the use of local hire provisions or other workforce strategies targeted at or jointly developed with historically underrepresented groups, to support project development.</li> </ul>	<p><b>Economic Impact:</b></p> <ul style="list-style-type: none"> <li>• Demonstrates that the project will directly, and in the near-term, result in greater public and private investments in land-use productivity, including rural main street revitalization, equitable commercial and mixed-income residential development.</li> <li>• Enhances recreational and tourism opportunities by providing direct access to Federal land, national parks, national forests, national recreation areas, national wildlife refuges, wilderness areas, or State parks.</li> </ul> <p><b>Freight Movement:</b></p> <ul style="list-style-type: none"> <li>• Improve intermodal freight or multimodal freight mobility, reliability, and efficiency, including by incentivizing modal shift, at locations identified as major freight highway bottlenecks or along congested corridors ranked in the top 100 of FHWA’s Freight Mobility Trends Report 2019, or at locations or along corridors otherwise identified as critical bottlenecks in a State Freight plan.</li> <li>• Project directly supports the development of coastal and inland ports that provide supply chain improvements and reduce supply chain disruption.</li> </ul> <p><b>Job Creation:</b></p> <ul style="list-style-type: none"> <li>• Results in high quality job creation by supporting good-paying jobs with a free and fair choice to join a union, in project construction and in on-going operations and maintenance, and incorporate strong labor standards, such as through the use of project labor agreements</li> <li>• Invests in high-quality workforce training programs such as registered apprenticeship programs and joint-labor management training programs to recruit, train, and retain skilled workers, and implement policies such as targeted hiring preferences that will promote the entry and retention of local underrepresented populations into those jobs.</li> </ul>
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<p><b>Climate Change, Resilience, and the Environment</b></p>	<p><b>Emissions Reductions:</b></p> <ul style="list-style-type: none"> <li>• Reduces greenhouse gas (GHG) emissions relative to a no-action baseline.</li> <li>• Supports a modal shift in freight or passenger movement to reduce emissions.</li> <li>• Utilizes traffic demand strategies to reduce emissions.</li> <li>• Supports a Local/Regional/State Climate Action Plan, State Carbon Reduction Strategy, or State Electric Vehicle Infrastructure Deployment Plan.</li> <li>• Supports deployment of electric or zero-emission transportation;</li> <li>• Recycles materials or uses construction methods that have lower emissions.</li> <li>• Promotes energy efficiency by serving the renewable energy supply chain or incorporating carbon-reducing uses of the rights-of-way.</li> </ul> <p><b>Resilience and the Environment:</b></p> <ul style="list-style-type: none"> <li>• Advances objectives in the <a href="#">National Climate Resilience Framework</a>, a Resilience Improvement Plan, or similar plan;</li> <li>• Incorporates some <a href="#">nature-based solutions</a> / <a href="#">natural infrastructure</a>;</li> <li>• Improves stormwater management improvements</li> <li>• Improves disaster preparedness; or upgrades projects in a floodplain.</li> <li>• Avoids adverse environmental impacts to air or water quality, wetlands, and endangered species.</li> <li>• repairs existing dilapidated or idle infrastructure that is currently causing environmental harm</li> </ul>	<p><b>Emissions Reductions:</b></p> <ul style="list-style-type: none"> <li>• Significantly reduces greenhouse gas (GHG) emissions reductions relative to a no-action baseline through one of the following methods: modal shift, land-use planning to reduce trip length or frequency, traffic demand management, or incorporation of freight logistics technology.</li> <li>• Primary project purpose supports shift to/deployment of electric or zero-emission transportation</li> <li>• The project is specifically identified in a State Carbon Reduction Strategy, State Electric Vehicle Infrastructure Deployment Plan, or other State, local, or tribal GHG reduction plan, and that reference is included in the application;</li> <li>• The applicant has a plan to monitor the impact of the project on GHG emissions, and they are expected to be significant.</li> <li>• Uses low-carbon construction methods and materials that have lower embodied GHG emissions and they are documented in Environmental Product Declarations referenced in the application.</li> </ul> <p><b>Resilience and the Environment:</b></p> <ul style="list-style-type: none"> <li>• The project is specifically identified in a Resilience Improvement Plan or similar plan and advances objectives in the <a href="#">National Climate Resilience Framework</a>.</li> <li>• Improves disaster preparedness in an area most vulnerable to climate change impacts, such as a FEMA-designated <a href="#">Community Disaster Resilience Zone</a>.</li> <li>• A primary purpose of the project is to incorporate all <a href="#">nature-based solutions</a> / <a href="#">natural infrastructure</a> or stormwater management improvements that are beyond standard practice.</li> </ul>
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<p><b>Equity, Multimodal Options, and Quality of Life</b></p>	<ul style="list-style-type: none"> <li>• Increases affordable and accessible transportation choices.</li> <li>• Improves access to emergency care, essential services, healthcare providers, or drug and alcohol treatment and rehabilitation centers.</li> <li>• Results in lower transportation and housing cost burdens, including through public and private investments to support greater commercial and mixed-income residential development near public transportation, along rural main streets or in walkable neighborhoods.</li> <li>• Increases the walkability and accessibility for pedestrians and encourage thriving communities for individuals to work, live, and play by creating transportation choices for individuals to move freely with or without a car.</li> </ul>	<ul style="list-style-type: none"> <li>• The project is located in an Area of Persistent Poverty or Historically Disadvantaged Community <b>and</b> the project significantly benefits the population in that area.</li> <li>• The project sponsor has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure equity in the overall project delivery and implementation</li> <li>• The project includes comprehensive planning and policies to promote hiring of underrepresented populations including local and economic hiring preferences and investments in high-quality workforce development programs with supportive services, including labor-management programs, to help train, place, and retain people in good-paying jobs or registered apprenticeship.</li> <li>• The project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for disadvantaged and other communities that are underserved by transportation.</li> <li>• The project includes new or improved walking and bicycling infrastructure, reduces automobile dependence, and improves access for people with disabilities and proactively incorporates Universal Design.</li> <li>• The project includes new or improved freight access to disadvantaged and underserved communities to increase access to goods and job opportunities for those communities.</li> </ul>
<p><b>Innovation</b></p>	<ul style="list-style-type: none"> <li>• Deploy technologies, project delivery, or financing methods that are new or innovative to the applicant or community</li> </ul>	<p>Innovation benefits matching <b>two or more</b> of the descriptions below.</p> <p><i>Innovative Technology</i></p> <ul style="list-style-type: none"> <li>• Enhance the environment for electric, connected, and automated vehicles to improve the detection, mitigation, and documentation of safety risks; or</li> <li>• Use low-carbon materials; or</li> <li>• Use caps, land bridges, or underdecks</li> </ul> <p><i>Innovative Project Delivery</i></p> <ul style="list-style-type: none"> <li>• Use practices that facilitate accelerated project delivery such as single contractor design-build arrangements, congestion management, asset management, or long-term operations and maintenance</li> </ul> <p><i>Innovative Financing</i></p> <ul style="list-style-type: none"> <li>• Secure TIFIA, RRIF, or private activity bond financing; or</li> <li>• Use congestion pricing or other demand management strategies</li> </ul>



***Criterion #1: Safety***

The Department will evaluate the extent to which the project targets a known safety challenge and seeks to protect motorized and non-motorized travelers and communities, including vulnerable users, from health and safety risks. The Department will consider the project's estimated impacts on the number, rate, and consequences of crashes, fatalities, and serious injuries among transportation users; the degree to which the project addresses vulnerable roadway users; and the degree to which the project addresses inequities in crash victims; the project's incorporation of roadway design and technology that is proven to improve safety. Applicants are encouraged to support actions and activities identified in the National Roadway Safety Strategy ([National Roadway Safety Strategy | US Department of Transportation](#)).<sup>11</sup>

The Department is also focused on the national priority of addressing the shortage of long-term parking for commercial motor vehicles on the National Highway System. Projects which increase access to truck parking generate safety benefits for motorized and non-motorized users as well as commercial vehicle operators.

***Criterion #2: State of Good Repair***

DOT will evaluate the extent to which the project: (1) is consistent with relevant plans to maintain transportation facilities or systems in a state of good repair, including Department-required asset management plans; and (2) addresses current and projected vulnerabilities that, if left unimproved, will threaten future transportation network efficiency, mobility of goods or accessibility and mobility of people, or economic growth. The Department will also consider whether the project includes a plan to maintain the transportation infrastructure built with grant funds in a state of good repair. The Department will prioritize projects that ensure the good condition of transportation infrastructure, including rural transportation infrastructure, and support commerce and economic growth. Projects that represent routine or deferred maintenance will be less competitive in this criterion. Per FHWA's published *Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America*,<sup>12</sup> the Department encourages applicants to improve the condition and safety of existing State and locally owned transportation infrastructure.

***Criterion #3: Economic Impacts, Freight Movement, and Job Creation***

The Department will assess will evaluate the extent to which the project contributes to one or more of the following outcomes:

*Freight:*

- (1) improve intermodal and/or multimodal freight mobility, especially for existing freight bottlenecks;
- (2) improve multimodal transportation systems that incorporate affordable transportation options to improve mobility of people and goods;
- (3) help the United States compete in a global economy by encouraging the location of important industries and future innovations and technology in the U.S. and facilitating efficient and reliable freight movement.

*Job Creation:*

- (4) creates good-paying, safe jobs with free and fair choice to join a union including through the

<sup>11</sup> <https://www.transportation.gov/NRSS> <https://www.transportation.gov/NRSS>

<sup>12</sup> [https://www.fhwa.dot.gov/bipartisan-infrastructure-law/using\\_bil\\_resources\\_build\\_better\\_america.cfm](https://www.fhwa.dot.gov/bipartisan-infrastructure-law/using_bil_resources_build_better_america.cfm)

use of a project labor agreement;;

(5) invests in high-quality workforce training programs such as registered apprenticeship programs<sup>13</sup> to train, place, and retain people in good-paying jobs. These programs should have a focus on women, people of color, and others that are underrepresented in infrastructure jobs;

(6) foster economic growth and development while creating long-term high-quality jobs, while addressing acute challenges, such as energy sector job losses in energy communities as identified in the report released in April 2021 by the interagency working group established by section 218 of Executive Order 14008;

*Other Economic Impacts:*

(7) decrease transportation costs and improve access to employment centers and job opportunities;

(8) enhance recreational and tourism opportunities by providing access to Federal land, national parks, national forests, national recreation areas, national wildlife refuges, wilderness areas, or State parks or increasing economic activity along rural main streets or downtowns;

(9) promote integrated land use, economic development, and transportation planning that facilitates greater public and private investments in land-use productivity, including rural main street revitalization, equitable commercial and mixed-income residential development.

***Criterion #4: Climate Change, Resilience, and the Environment***

The Department will evaluate the extent to which the project incorporates considerations of climate change, resilience, and the environment in the planning stage and in project delivery. This includes considerations of environmental justice, which means the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in Federal activities that affect human health and the environment. The Department will assess will evaluate the extent to which the project contributes to one or more of the following outcomes:

*Emissions Reductions:*

Applicants are encouraged to use the [DOT Navigator Climate Checklist](#) and the [DOT Greenhouse Gas Analysis Resources and Tools](#) to prepare their application. The Department will assess whether the project will reduce emissions and protect the environment, including but not limited to the following examples:

- (1) The project results in greenhouse gas emissions reductions relative to a no-action baseline, incorporates evidence-based features, and will make progress towards transportation GHG reduction targets, including those set under the [FHWA Transportation Performance Management Program](#). Examples may include projects that incorporate land-use planning that makes it convenient to take fewer or shorter trips, or projects with signal timing, traffic management, freight logistics, and other operational improvements.
- (2) The project supports a modal shift in freight (e.g., from highway to rail) or passenger movement (e.g., from driving to low-carbon mode travel such as transit, walking, and/or cycling) to reduce emissions.
- (3) The project utilizes demand management strategies to reduce congestion, induced travel

<sup>13</sup> <https://www.apprenticeship.gov>

- demand, and greenhouse gas emissions;
- (4) A Local/Regional/State Climate Action Plan, State Carbon Reduction Strategy, or State Electric Vehicle Infrastructure Deployment Plan that results in lower greenhouse gas emissions has been prepared and the project directly supports that Plan;
  - (5) The project aligns with the [U.S. National Blueprint for Transportation Decarbonization](#)
  - (6) The project reduces greenhouse gases by transitioning to clean vehicles or zero-emission fuels, deploying electric or zero-emission fueling infrastructure;
  - (7) The project proposes recycling of materials and construction methods that have lower embodied GHG emissions (especially if emissions benefits are documented in Environmental Product Declarations).
  - (8) The project promotes energy efficiency by serving the renewable energy supply chain; incorporating carbon-reducing uses of the rights-of-way, such as solar arrays, transmission of electricity from renewables, or vegetation management; or incorporating the construction of energy- and location-efficient buildings, including residential or mixed-use development.
  - (9) The project avoids adverse environmental impacts to air or water quality, wetlands, and endangered species, such as improved stormwater management (preventing stormwater runoff that would be a detriment to aquatic species), improved habitat connectivity, or avoided fragmentation of lands with high conservation value, avoided barriers to fish and wildlife migration, and use of mitigation measures to address unavoidable impacts;
  - (10) The project repairs existing dilapidated or idle infrastructure that is currently causing environmental harm (e.g., brownfield redevelopment).

*Resilience and the Environment:*

Applicants are encouraged to use best available climate data sets, including the [DOT Climate Adaptation Resources and Tools](#), to prepare their application. The Department will assess whether the project incorporates evidence-based climate resilience and adaptation measures or features, including but not limited to consideration of the following examples:

- (11) The project advances objectives in the [National Climate Resilience Framework](#), or is included in a [Resilience Improvement Plan](#) or similar plan;
- (12) The project incorporates [nature-based solutions](#) / [natural infrastructure](#), including use of native plants, and, as applicable, avoids fragmenting lands with high conservation value, avoids barriers to fish and wildlife migration, and incorporate mitigation measures to address unavoidable impacts;
- (13) The project benefits communities most vulnerable to climate change impacts, such as those in FEMA-designated [Community Disaster Resilience Zones](#);
- (14) The Department will consider whether projects in floodplains are upgraded consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law, in *Executive Order 14030 Climate-Related Financial Risk (86 FR 27967)* and *Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input (80 FR 6425)*;
- (15) The project improves disaster preparedness, or develops and deploys solutions that reduce climate change risks. The Department will consider whether projects in floodplains are upgraded consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law, in *Executive Order 14030 Climate-Related Financial Risk (86 FR 27967)* and *Executive Order 13690, Establishing a Federal Flood Risk Management*

Standard and a Process for Further Soliciting and Considering Stakeholder Input (80 FR 6425)

***Criterion #5: Equity, Multimodal Options, and Quality of Life***

The Department will evaluate the extent to which the project promotes equity, multimodal options, and quality of life, including but not limited to consideration of the following examples. The Department will also consider the extent to which the project benefits a Historically Disadvantaged Community or population, or Areas of Persistent Poverty, as defined in Section C.

*Multimodal Options and Quality of Life:*

- (1) increase affordable and accessible transportation choices and equity for individuals, including disadvantaged communities;
- (2) improve access to emergency care, essential services, healthcare providers, or drug and alcohol treatment and rehabilitation centers;
- (3) reduce transportation and housing cost burdens, including through public and private investments to support greater commercial and mixed-income residential development near public transportation, along rural main streets or in walkable neighborhoods;
- (4) increase the walkability and accessibility for pedestrians and encourage thriving communities for individuals to work, live, and play by creating transportation choices for individuals to move freely with or without a car;
- (5) have engaged, or will engage, diverse people and communities and demonstrate that equity considerations and community input and ownership, particularly among disadvantaged communities, are meaningfully integrated into planning, development, and implementation of transportation investments. Competitive applications should demonstrate strong collaboration and support among a broad range of stakeholders, including community-based organizations, other public or private entities, and labor unions; or
- (6) support a Local/Regional/State Equitable Development Plan.

*Equity and barriers to opportunity:*

- (7) An equity impact analysis has been completed for the project;
- (8) The project proactively addresses equity<sup>14</sup> or other disparities and barriers to opportunity, through the planning process or through incorporation of design elements; it will reduce, mitigate, or reverse disadvantage through increasing affordable transportation options, improving health or safety, reducing pollution, connecting Americans to good-paying jobs, fighting climate change, and/or improving access to nature, or resources. Applicants are encouraged to use the following resources: USDOT Equitable Transportation Community (ETC) Explorer ([arcgis.com](https://arcgis.com)), and USDOT's Promising Practices for Meaningful Public Involvement in Transportation Decision-Making.<sup>15</sup>
- (9) The project identifies and implements programs and policies that ensure the benefits of investments while mitigating economic displacement of residents and businesses. Some

<sup>14</sup> Definitions for "equity" is found in Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*.

<sup>15</sup> <https://www.transportation.gov/priorities/equity/promising-practices-meaningful-public-involvement-transportation-decision-making>

examples include the preservation of access to affordable housing; expanding mobility options to employment centers; and supporting entrepreneurship, small business growth, and tourism.

- (10) The project sponsor has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure equity in the overall project delivery and implementation;
- (11) The project includes comprehensive planning and policies to promote hiring of underrepresented populations including local and economic hiring preferences and investments in high-quality workforce development programs with supportive services, including labor-management programs, to help train, place, and retain people in good-paying jobs or registered apprenticeship.
- (12) The project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for disadvantaged and other communities that are underserved by transportation;
- (13) The project includes new or improved walking and bicycling infrastructure, reduces automobile dependence, and improves access for people with disabilities and proactively incorporates Universal Design<sup>16</sup>; or
- (14) The project includes new or improved freight access to disadvantaged and underserved communities to increase access to goods and job opportunities for those underserved communities;

Applicants are encouraged to utilize the Climate and Economic Justice Screening Tool (CEJST), a tool created by the White House Council on Environmental Quality (CEQ), that aims to help Federal agencies identify disadvantaged communities as part of the Justice40 Initiative to advance the goal that 40% of overall benefits from certain federal investments reach disadvantaged communities. See <https://screeningtool.geoplatform.gov/>. Applicants may also use the USDOT Equitable Transportation Community (ETC) Explorer<sup>17</sup> to understand how their community or project area is experiencing disadvantage related to lack of transportation investments.

***Criterion #6: Innovation Areas: Technology, Project Delivery, and Financing***

Consistent with the Department’s Innovation Principles<sup>18</sup>, the Department will assess the extent to which the applicant applies innovation, including: (1) innovative technologies, (2) innovative project delivery, or (3) innovative financing. The Department will assess this criterion including but not limited to consideration of the following examples.

*Innovative Technology:*

- (1) Conflict detection and mitigation technologies (e.g., intersection alerts and signal prioritization);
- (2) Dynamic signaling, smart traffic signals, or pricing systems to reduce congestion;

<sup>16</sup> “Universal design” is a concept in which products and environments are designed to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. For more information:

<https://www.section508.gov/develop/universal-design/>

<sup>17</sup> <https://www.transportation.gov/priorities/equity/justice40/etc-explorer>

<sup>18</sup> <https://www.transportation.gov/priorities/innovation/us-dot-innovation-principles>

- (3) Traveler information systems, to include work zone data exchanges;
- (4) Signage and design features that facilitate autonomous or semi-autonomous vehicle technologies;
- (5) Applications to automatically capture and report safety-related issues (e.g., identifying and documenting near-miss incidents);
- (6) Vehicle-to-Everything (V2X) Technologies (e.g., technology that facilitates passing of information between a vehicle and any entity that may affect the vehicle);
- (7) Vehicle-to-Infrastructure (V2I) Technologies (e.g., digital, physical, coordination, and other infrastructure technologies and systems that allow vehicles to interact with transportation infrastructure in ways that improve their mutual performance);
- (8) Vehicle-to-Grid Technologies (e.g., technologies and infrastructure that encourage electric vehicle charging, and broader sustainability of the power grid);
- (9) Cybersecurity elements to protect safety-critical systems;
- (10) Broadband deployment and the installation of high-speed networks concurrent with the transportation project construction;
- (11) Technology at land and seaports of entry that reduces congestion, wait times, and delays, while maintaining or enhancing the integrity of our border;
- (12) Work Zone data exchanges or related data exchanges; or
- (13) Other Intelligent Transportation Systems (ITS) that directly benefit the project's users or workers, such as a project to develop, establish, or maintain an integrated mobility management system, a transportation demand management system, or on-demand mobility services.

Please note that all innovative technology must be in compliance with 2 CFR § 200.216.<sup>19</sup>

*Innovative Project Delivery:*

The Department will consider the extent to which the project utilizes innovative practices in contracting (such as public-private partnerships and single contractor design-build arrangements), congestion management, asset management, or long-term operations and maintenance.

The Department also seeks projects that employ innovative approaches to improve the efficiency and effectiveness of the environmental permitting and review to accelerate project delivery and achieve improved outcomes for communities and the environment. The Department's objective is to achieve timely and consistent environmental review and permit decisions. Participation in innovative project delivery approaches will not remove any statutory requirements affecting project delivery. The Department will also consider innovative uses of the right-of-way, including for solar arrays or transmission of electricity from renewables.

*Innovative Financing:* The Department will assess the extent to which the project incorporates innovations in transportation funding and finance through both traditional and innovative means, including by using private sector funding or financing or using congestion pricing or other demand management strategies to address congestion. This includes the use of non-traditional sources of transportation funding to leverage traditional federal sources of funding to expand the overall investment in transportation infrastructure.

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<sup>19</sup> <https://ecfr.federalregister.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-C/section-200.216>

### iii. Economic Analysis Rating

The Department will consider a project's benefits as compared to its costs to determine whether a project is cost effective and assign an economic analysis rating. To the extent possible, the Department will rely on quantitative, evidence-based and data-supported analysis, including an assessment of the project's estimated benefit-cost ratio (BCR) based on the applicant-supplied BCA described in Section D.2.v. Based on the Department's assessment, the Department will assign an economic analysis rating of high, medium-high, medium, medium-low, or low according to the following table:

<b>Rating</b>	<b>Description</b>
High	The project's benefits will exceed its costs, with a benefit-cost ratio of at least 2.0
Medium-High	The project's benefits will exceed its costs
Medium	The project's benefits are likely to exceed its costs
Medium-Low	The project's costs are likely to exceed its benefits
Low	The project's costs will exceed its benefits

### iv. Project Readiness Rating

The Department will consider project readiness to assess the likelihood of a successful project. Low ratings in any of these readiness areas do not disqualify projects from award but may result in a "Not Recommended" overall rating. Competitive applications should clearly and directly describe achievable risk mitigation strategies. A project with mitigated risks or with a risk mitigation plan is more competitive than a comparable project with unaddressed risks.

#### a. Environmental Risk

The Environmental Risk assessment analyzes the project's environmental approvals and likelihood of the necessary approvals negatively affecting project obligation as described in Section D.2.vi. of this NOFO, and results in a rating of "high risk," "moderate risk," or "low risk."

#### ***Schedule***

The application schedule should be sufficiently detailed to demonstrate that:

- all necessary activities will be complete to allow MPDG funds to be obligated<sup>20</sup> sufficiently in advance of September 30, 2028. This is the INFRA and Rural statutory deadline for FY 2025 funds. For Mega, there is no statutory obligation deadline; however, the Department seeks projects that will begin construction before September 30, 2028. While FY 2026 INFRA and Rural funds have a later statutory

<sup>20</sup> For MPDG programs, obligation occurs when a selected applicant enters into a written, project-specific grant agreement with the Department and is generally after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements. Financial obligation, making funds available, occurs at the same time as the execution of the project-specific grant agreement..

deadline, the Department will evaluate all applications according to the 2028 deadline. Part of the INFRA funding sources have expenditure deadlines of September 30, 2033; therefore, any project competing for INFRA funding should expect to meet this expenditure deadline.

- any unexpected delays will not put the funds at risk of expiring before they are obligated;
- the project can begin construction quickly upon obligation of grant funds, and that the grant funds will be spent expeditiously once construction starts. Recipients will be required to obligate funds within one month of pre-requisite completion, including NEPA completion, unless a written justification to delay obligation is provided and approved by the Office of the Secretary of Transportation; and
- all real property and right-of-way acquisition will be completed in a timely manner in accordance with 49 CFR part 24, 23 CFR part 710, and other applicable legal requirements or a statement that no acquisition is necessary. A plan for securing any required Right-of-Way agreements should be included. If applicable, this section should describe a right-of-way acquisition plan that minimally disrupts communities and maintains community cohesion.

### ***Required Approvals***

The Department will review the reasonableness of the plan to secure required approvals based on the following information that should be included in this section of the application. The plan to mitigate risk in these areas will also be reviewed for reasonableness:

- Information about the NEPA status of the project. If the NEPA process is complete, an applicant should indicate the date of completion, and provide a website link or other reference to the final Categorical Exclusion, Finding of No Significant Impact, Record of Decision, and any other NEPA documents prepared. If the NEPA process is underway, but not complete, the application should detail the type of NEPA review underway, where the project is in the process, and indicate the anticipated date of completion of all milestones and of the final NEPA determination. If the final agency action with respect to NEPA occurred more than 3 years before the application date, the applicant should describe a proposed approach for updating this material in accordance with applicable NEPA reconsideration requirements.
- Information on reviews, approvals, and permits by other Federal and State agencies. An application should indicate whether the proposed project requires reviews or approval actions by other agencies,<sup>21</sup> indicate the status of such actions, provide detailed information about the status of those reviews or approvals and should demonstrate compliance with any other applicable Federal, State, or local requirements, and when such approvals are expected. Applicants should provide a link or other reference to copies of any reviews, approvals, and permits prepared.
- Environmental studies or other documents, through a link, that describe in

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<sup>21</sup> Projects that may impact protected resources such as wetlands, species habitat, cultural or historic resources require review and approval by Federal and State agencies with jurisdiction over those resources.

- detail known project impacts, and possible mitigation for those impacts.
- A description of discussions with the appropriate DOT operating administration field or headquarters office regarding the project's compliance with NEPA and other applicable Federal environmental reviews and approvals.
  - If applicable, right-of-way acquisition plans, with detailed schedule and compensation plan.
  - A description of public engagement about the project that has occurred, including details on the degree to which public comments and commitments have been integrated into project development and design including the consideration of ensuring proportional impacts to all populations.
  - Receipt of State and local approvals on which the project depends, such as State and local environmental and planning approvals, and Statewide Transportation Improvement Program (STIP) or transportation improvement program (TIP) funding. Additional support from relevant State and local officials is not required; however, an applicant should demonstrate that the project has broad public support, including support from impacted communities.
  - Federal Transportation requirements affecting State and local planning requirements applicable to the relevant operating administration apply to all MPDG grant projects, including projects located at airport facilities. Applicants should demonstrate that a project that is required to be included in the relevant State, metropolitan, and local planning documents has been or will be included in such documents. If the project is not included in a relevant planning document at the time the application is submitted, the applicant should submit a statement from the appropriate planning agency that actions are underway to include the project in the relevant planning document. To the extent possible, freight projects should be included in a State Freight Plan and supported by a State Freight Advisory Committee (49 U.S.C. 70201, 70202), if these exist. Applicants should provide links or other documentation supporting this consideration such as letters of support from the State DOT if the project is intended to be included in the State Freight Plan, or results from application of the [FHWA Freight Mobility Trends Tool](#).<sup>22</sup>

#### b. Technical Capacity

The Technical Capacity Assessment will assess the applicant's capacity to successfully deliver the project in compliance with applicable Federal requirements based on factors including, but not limited to, the recipient's experience working with Federal agencies, civil rights compliance, previous experience with DOT discretionary grant awards and/or the technical experience and resources dedicated to the project. This review is partially based on information submitted with the application and partially based on DOT Operating Administration knowledge of the applicant's performance. Technical Capacity ratings will be one of the following: "certain," "somewhat certain," or "uncertain." DOT will assign the highest rating of "certain," if the applications demonstrate that: the applicant has extensive experience with Federal funds; the applicant has extensive experience

<sup>22</sup> [https://fpcb.ops.fhwa.dot.gov/mobility\\_trends\\_tool.aspx](https://fpcb.ops.fhwa.dot.gov/mobility_trends_tool.aspx)

completing projects with similar scope; the applicant has the resources to deliver the project; the project has minimal or no incomplete ROW acquisition; and the project will comply with all applicable Federal requirements including but not limited to Buy America provisions, ADA regulations, Civil Rights requirements, Federal Motor Vehicle Safety Standards (FMVSS), and/or the Federal Motor Carrier Safety Regulations (FMCSR).

c. Financial Completeness

The Financial Completeness Assessment reviews the availability of funding for the project and whether the applicant presented a complete funding package. Financial Completeness ratings are: “complete,” “partially complete,” or “incomplete.” DOT will assign the highest rating of “complete,” if the application identifies funding sources for the full project budget, indicates the funding level of commitment or availability, includes documented support such as letters of commitment, and indicates a plan to address potential cost overruns (in part by including an explicit contingency amount with a source). Funding commitment documentation should demonstrate that funding is committed to the specific project that is subject to the application, not simply that an entity has access to various funds. Typical funding commitment documentation varies by applicant type, but could include reference to inclusion in the STIP/TIP or capital improvement plan, a letter from the director of the agency, a resolution from a council or board, legislative action or budget resolution, etc. DOT will also consider whether the applicant indicated the level of design that the project is based on. Projects with funding estimates that are based on early stages of design (e.g., less than 30 percent design) or outdated cost estimates without specified budget contingencies may receive a lower rating.

(a) Major Project Cost Review (\$1 billion and higher requests only)

Applications which are seeking \$1 billion or more in MPDG funding will be reviewed by a Major Project Cost Review team who will assess, based on the current phase of project development, whether the current project’s estimated costs are reasonable and whether lower cost alternatives exist. The team will rely on the information in the Project Readiness and Project Budget submissions and may also seek additional information from the applicant during their review. This analysis will not result in formal rating but may be used by the Senior Review Team in their assignment of an Overall rating or by the Secretary while making final selections. It may also be used to identify projects for targeted technical assistance or inform project oversight decisions.

(b) Overall Readiness Rating

The Project Readiness Ratings: Environmental Review and Permitting Risk, Financial Completeness, and Technical Capacity, will be translated to a high, medium-high, medium, medium-low, or low rating, using the table below:

Rating	1	2	3

<b>Technical Capacity Assessment</b>	Uncertain: The team is not confident in the applicant's capacity to deliver this project in a manner that satisfies Federal requirements	Somewhat Certain/Unknown: The team is moderately confident in the applicant's capacity to deliver the project in a manner that satisfies Federal requirements	Certain: The team is confident in the applicant's capacity to deliver the project in a manner that satisfies Federal requirements
<b>Financial Completeness</b>	Incomplete Funding: The project lacks full funding, or one or more Federal or non-Federal match sources are still uncertain as to whether they will be secured in time to meet the project's construction schedule	Partially Complete/Appears Stable and Highly Likely to be Available: Project funding is not fully committed but appears highly likely to be secured in time to meet the project's construction schedule	Complete, Stable and Committed: The Project's Federal and non-Federal sources are fully committed—and there is demonstrated funding available to cover contingency/cost increases.
<b>Environmental Review and Permitting Risk</b>	High Risk: The project has not completed or begun NEPA and there are known environmental or litigation concerns associated with the project.	Moderate Risk: The project has not completed NEPA or secured necessary Federal permits, and it is uncertain whether they will be able to complete NEPA or secure necessary Federal permits in the time necessary to meet their project schedule.	Low Risk: The Project has completed NEPA or it is highly likely that they will be able to complete NEPA and other environmental reviews in the time necessary to meet their project schedule.

Score:	Rating
All 3s	High
Two 3s, one 2	Medium-High
One 3, two 2s	Medium
All 2s	Medium-Low
Any 1s	Low

v. Additional Considerations

a. Geographic Diversity

By statute, when selecting MPDG projects, the Department must consider contributions to geographic diversity among recipients, including the need for a balance between the needs of rural and urban communities. The Department will consider whether the project is located in an Area of Persistent Poverty or a Historically Disadvantaged Community, as defined in Section C of this Notice.

## b. Statutory Requirements

The following table describes how the Department will evaluate the statutory Project requirements for the MPDG opportunity:

<b>Statutory Selection Requirements</b>			
<b>23 U.S.C. 117 INFRA (Large projects only)</b>	<b>49 U.S.C. 6701 Mega</b>	<b>23 U.S.C. 173 Rural</b>	<b>Evaluation</b>
(1) The project will generate national, or regional economic, mobility, or safety benefits	(1) The project is likely to generate national or regional economic, mobility, safety benefits	(1) The project will generate regional economic, mobility, or safety benefits	The Department will base its determination on the assessment of this information by Project Outcome evaluators.
(2) The project will be cost effective	(2) The project will be cost effective	(2) The project will be cost effective	The Department will base its determination on the ratio of project benefits to project costs as assessed by the Economic Analysis Team. A project is cost-effective if the benefit-cost ratio is greater than 1.
(3) The project will contribute to 1 or more of the national goals described under Section 150	<i>No statutory requirement</i>	(3) The project will contribute to 1 or more of the national goals described under 23 U.S.C. § 150	The Department will base its determination on the assessment of this information by Project Outcome evaluators. The Section 150 national goals are: (1) Safety (2) Infrastructure condition (3) Congestion reduction (4) System reliability (5) Freight movement and economic vitality (6) Environmental sustainability (7) Reduced project delivery delays
(4) The project is based on the results of preliminary engineering	<i>No statutory requirement</i>	(4) The project is based on the results of preliminary engineering	Evaluators will verify which, if any, of the following activities have been completed and documented as of the date of application submission: <ul style="list-style-type: none"> <li>• Environmental Assessments</li> <li>• Topographic Surveys</li> <li>• Metes and Bounds Surveys</li> <li>• Geotechnical Investigations</li> <li>• Hydrologic Analysis</li> <li>• Utility Engineering</li> <li>• Traffic Studies</li> <li>• Financial Plans</li> <li>• Revenue Estimates</li> </ul>

			<ul style="list-style-type: none"> <li>• Hazardous Materials Assessments</li> <li>• General estimates of the types and quantities of materials</li> <li>• Other work needed to establish parameters for the final design.</li> </ul>
(5) With respect to related non-federal financial commitments, 1 or more stable and dependable sources of funding and financing are available to construct, maintain, and operate the project, and contingency amounts are available to cover unanticipated cost increases	(3) With respect to non-federal financial commitments, 1 or more stable and dependable sources are available to construct, operate, and maintain the project, and to cover cost increases	<i>No statutory requirement</i>	A project meets this requirement if the application demonstrates that funding sources adequate to complete the proposed project are dedicated to the proposed project and are highly likely to be available within the proposed project schedule, and if it provides evidence of contingency funding in the project budget. The Department will base its determination on an assessment of this information by financial completeness evaluators.
(6) The project cannot be easily and efficiently completed without other Federal funding or financing available to the project sponsor	(4) The project is in significant need of Federal funding	<i>No statutory requirement</i>	<p>Evaluators will note the potential negative impacts on the proposed project if the MPDG grant (or other Federal funding) was not awarded, including:</p> <ol style="list-style-type: none"> <li>1. How would the project scope be affected if MPDG (or other Federal funds) were not received?</li> <li>2. How would the project schedule be affected if MPDG (or other Federal funds) were not received?</li> <li>3. How would the project cost be affected if MPDG (or other Federal funds) were not received?</li> </ol> <p>If there are no negative impacts to the project scope, schedule, or budget if MPDG funds are not received, state that explicitly. (If this is the case, DOT will determine the project does NOT meet the requirement). Impacts to a portfolio of projects will not satisfy this requirement. Re-stating the project's importance for national or regional economic, mobility, or safety will not satisfy this requirement.</p>

(7) The project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project	<i>No statutory requirement</i>	(5) The project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project	The Department will base its determination on the schedule presented in the application and may also consider the Environmental Risk rating.
<i>No statutory requirement</i>	(5) The applicant have, or will have, sufficient legal, financial, and technical capacity to carry out the project.	<i>No statutory requirement</i>	The Department will base its determination on the project risks as assessed by the Environmental Risk, Financial Completeness, and Technical Capacity evaluators. For example, if the evaluators find the project has an incomplete financial plan, that will inform whether the Department makes this determination. Similar consideration will be given to the technical capacity and environmental risk ratings.
<i>No statutory requirement</i>	(6) The application includes a plan for the collection and analysis of data to identify the impacts of the project and accuracy of forecasts included in the application.	<i>No statutory requirement</i>	The Department will base its determination on the inclusion of a data plan that meets requirements described in Section D.2.

For Small INFRA projects to be selected, the Department must consider the cost effectiveness of the proposed project, the effect of the proposed project on mobility in the State and region in which the project is carried out, and the effect of the proposed project on safety on freight corridors with significant hazards, such as high winds, heavy snowfall, flooding, rockslides, mudslides, wildfire, wildlife crossing onto the roadway, or steep grades. The Department will consider a small INFRA project's cost effectiveness based on the results of the benefit-cost analysis submitted with the application. The Department will consider the effect of the proposed project on mobility as part of the Economic Impacts and Equity Project Outcome Areas. The Department will consider the effect on safety on freight corridors with significant hazards as part of the Climate, Safety, and Economic Impact Project Outcome areas.

vi. Previous Awards

The Department may consider whether the project has previously received an award from MPDG, RAISE, PIDP, BIP, CRISI, or other departmental discretionary grant programs.

## 2. Review and Selection Process

Section E addresses the statutory requirement that the Department describe the methodology that will be used to determine if projects satisfy statutory project requirements, how they will be rated according to selection criteria and considerations, and how those criteria and considerations will be used to assign an overall rating.

The MPDG evaluation process consists of an Analysis Phase and Senior Review Phase. In the Analysis Phase, teams will evaluate the criteria using the rating system described in section E.1. If an applicant opts out of a specific program, then the Department will not consider whether the proposed project meets that program's requirements.

The Senior Review Team (SRT) will consider the ratings from the Analysis Phase and assign an overall rating according to the methodology described in Section E.1.i. Once every project has been assigned an overall rating for each program, the SRT will review if the list of Highly Recommended projects under each program is sufficient to satisfy program set-asides and geographic diversity requirements. If not, 'Recommended' projects may be added to each program's proposed list of Projects for Consideration until each program's list can satisfy necessary program set asides and geographic diversity requirements. The SRT can add a Recommended project only if (1) that project directly addresses an identified insufficiency related to the program set-asides, geographic diversity requirements, or to ensure there are sufficient projects to distribute all available funds, *and* (2) the SRT treats all similarly situated Recommended projects the same.

For each program, the SRT will present the list of Projects for Consideration to the Secretary, either collectively or through a representative. The SRT may advise the Secretary on any project on the list of Projects for Consideration, including options for reduced awards, but the Secretary makes final project selections. The Secretary must prioritize selections from among the projects assigned a "Highly Recommended" Rating. The Secretary's selections identify the applications that best address program requirements and are most worthy of funding.

## 3. Additional Information

Prior to award, each selected applicant will be subject to a risk assessment as required by 2 CFR § 200.206. The Department must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). An applicant may review information in FAPIIS and comment on any information about itself that a Federal awarding agency previously entered. The Department will consider comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants.

## F. Federal Award Administration Information

## 1. Federal Award Notices

Following the evaluation outlined in Section E, the Secretary will announce awarded projects by posting a list of selected projects at <https://www.transportation.gov/grants/mpdg-announcement>. Following the announcement, the Department will contact the point of contact listed in the SF 424 to initiate negotiation of a project-specific agreement.

## 2. Administrative and National Policy Requirements

### i. Administrative Requirements

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 the Department at 2 CFR part 1201. INFRA and Rural grant funds are made available under title 23 of the United States Code and generally subject to the requirements of that title. Consistent with 23 U.S.C. §§ 117(l) and 173(o), for freight projects awarded INFRA grant funds and all projects award Rural grant funds, the project will be treated as if it is located on a Federal-aid highway. The Department will also treat non-Freight projects eligible for INFRA funding under 23 U.S.C. § 117(c)(1)(A)(iv)–(vii) as though they are federal-aid highway projects for the purposes of applying federal requirements. For projects awarded Mega grant funds, the project will be treated in relation to project’s modal nature: the requirements of title 23 shall apply to a highway, road or bridge project; the requirements of chapter 53 of title 49 of the United States Code shall apply to a transit project; the requirements of 49 U.S.C. § 22905 shall apply to a rail project or component; and the requirements of 49 U.S.C. § 5333 shall apply to any public transportation component of a project. Additionally, as permitted under the requirements described above, applicable Federal laws, rules, and regulations of the relevant operating administration administering the project will apply to the projects that receive MPDG grants, including planning requirements, Stakeholder Agreements, and other requirements under the Department’s other highway, transit, rail, and port grant programs. For an illustrative example, the Terms and Conditions for prior year MPDG awards can be found on the MPG website.<sup>23</sup>

As expressed in Executive Order 14005, *Ensuring the Future Is Made in All of America by All of America’s Workers* (86 FR 7475), it is the policy of the executive branch to maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. The Mega, INFRA, and Rural programs are infrastructure programs subject to the Build America, Buy America Act (Pub. L. No 117-58, div. G §§ 70901–70927). All INFRA and Rural projects are subject to the Buy America requirement at 23 U.S.C. § 313, as are Mega projects administered by the Federal Highway Administration. Mega projects administered by other OAs will be subject to the Buy America requirements applicable to that OA. The Department expects all recipients to be able to complete their project without needing a waiver. However, to obtain a waiver, a recipient must be prepared to demonstrate how they will

<sup>23</sup> <https://www.transportation.gov/grants/infra-grant-implementation>, <https://www.transportation.gov/grants/rural-grant-implementation>, <https://www.transportation.gov/grants/mega-grant-implementation>

maximize the use of domestic goods, products, and materials in constructing their project.

The applicability of Federal requirements to a project may be affected by the scope of the NEPA reviews for that project. For example, under 23 U.S.C. § 313(g), Buy America requirements apply to all contracts that are eligible for assistance under title 23, United States Code, and are carried out within the scope of the NEPA finding, determination, or decision regardless of the funding source of such contracts if at least one contract is funded with Title 23 funds. As another example, Americans with Disabilities Act (ADA) regulations apply to all projects funded under this Notice.

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; the conditions of performance, nondiscrimination 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, in particular, 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 Department determines that a recipient has failed to comply with applicable Federal requirements, the Department may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

MPDG projects involving vehicle acquisition must involve only vehicles that comply with applicable Federal Motor Vehicle Safety Standards and Federal Motor Vehicle Safety Regulations, or vehicles that are exempt from Federal Motor Carrier Safety Standards or Federal Motor Carrier Safety Regulations in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

ii. Program Requirements

c. Federal Contract Compliance

As a condition of grant award and consistent with EO 11246, Equal Employment Opportunity (30 FR 12319, and as amended), all Federally assisted contractors are required to make good faith efforts to meet the goals of 6.9 percent of construction project hours being performed by women, in addition to goals that vary based on geography for construction work hours and for work being performed by people of color. Under Section 503 of the Rehabilitation Act and its implementing regulations, affirmative action obligations for certain contractors include an aspirational employment goal of 7 percent workers with disabilities. The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) is charged with enforcing Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. OFCCP has a Mega Construction Project Program (separate from the "Mega" USDOT grant program) through which it engages with project sponsors as early as the design phase to help

promote compliance with non-discrimination and affirmative action obligations. OFCCP will identify projects that receive an award under this notice and are required to participate in OFCCP's Mega Construction Project Program from a wide range of Federally- assisted projects over which OFCCP has jurisdiction and that have a project cost above \$35 million. DOT will require project sponsors with costs above \$35 million that receive awards under this funding opportunity to partner with OFCCP, if selected by OFCCP, as a condition of their DOT award.

d. 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.

e. 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.

f. 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.

g. Schedule

In addition to meeting statutory obligation and expenditure requirements, recipients will be required to obligate funds within one month of completion of pre-requisites, including NEPA completion, unless a written justification to delay obligation is provided and approved by the Office of the Secretary of Transportation.

3. Reporting

i. *Progress Reporting on Grant Activity*

Each applicant selected for an MPDG opportunity grant must submit the Federal Financial Report (SF-425) on the financial condition of the project and the project's progress, as well as an Annual Budget Review and Program Plan to monitor the use of Federal funds and ensure accountability and financial transparency in the MPDG opportunity. In addition, recipients will be required to submit a data collection baseline and a Project Outcomes report highlighting progress in the outcome areas.

ii. *Reporting of Matters Related to 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 SAM that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Pub. L. No.110-417, as amended (41 U.S.C. § 2313). As required by section 3010 of Pub. L. No. 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

iii. *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. The DOT may require applicants to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor; (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.” Evidence Act § 101 (codified at 5 U.S.C. § 311). 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). To that end, MPDG applicants that are opting out of Mega (and therefore not required to submit a performance data plan with their application) may choose to submit a performance data plan as described in Section D.2.viii, as recipients of any MPDG FY 2025- FY 2026 funds will be required to provide a baseline and an outcomes performance report. Submission of a performance data plan with the application is not required for those programs and does not make applications more competitive for those programs, but would support DOT’s initiatives to improve the performance monitoring framework and program evaluation.

## G. Federal Awarding Agency Contacts

For further information concerning this notice, please contact the Office of the Secretary via email at [MPDGGrants@dot.gov](mailto:MPDGGrants@dot.gov). In addition, up to the application deadline, the Department will post answers to common questions and requests for clarifications on the Department’s website at <https://www.transportation.gov/grants/mpdg-frequently-asked-questions>. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact the Department directly, rather than through intermediaries or third parties, with questions.

## H. Other Information

### *1. 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. If the application includes information the applicant considers to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) note on the front cover that the submission “Contains Confidential Business Information (CBI)”; (2) mark each affected page “CBI”; and (3) highlight or otherwise denote the CBI portions.

The Department protects such information from disclosure to the extent allowed under applicable law. In the event the Department receives a Freedom of Information Act (FOIA) request for the information, the Department will follow the procedures described in its FOIA regulations at 49 CFR § 7.17. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA.

## *2. Publication of Application Information*

Following the completion of the selection process and announcement of awards, the Department intends to publish a list of all applications received along with the names of the applicant organizations and funding amounts. Except for the information properly marked as described in Section H, the Department may make application narratives publicly available or share application information within the Department or with other Federal agencies if the Department determines that sharing is relevant to the respective program's objectives.

As required by statute the Department will also publish the overall rating for each project seeking Mega Project funds.

## *3. Department Feedback on Applications*

The Department strives to provide as much information as possible to assist applicants with the application process. The Department will not review applications in advance, but Department staff are available for technical questions and assistance. To efficiently use Department resources, the Department will prioritize interactions with applicants who have not already received a debrief on their prior round application. Program staff will address questions received at [MPDGGrants@dot.gov](mailto:MPDGGrants@dot.gov) throughout the application period.

## *4. Prohibition on Use of Funds to Support or Oppose Union Organizing*

MPDG funds may not be used to support or oppose union organizing.

## *5. MPDG Extra, Eligibility and Designation*

The MPDG Extra initiative is aimed at encouraging sponsors with competitive projects that do not receive an MPDG award to consider applying for TIFIA credit assistance.

Projects for which a MPDG application receives a Highly Recommended rating, as described in Section E, but that are not awarded, are automatically designated MPDG Extra Projects, unless the Department determines that they are not reasonably likely to satisfy the TIFIA project type (23 U.S.C. § 601(a)(12)) and project size (23 U.S.C. § 602(a)(5)) eligibilities. This designation provides the sponsors of these projects the opportunity to apply for TIFIA credit assistance for up to 49% of eligible project costs. Under current policy, TIFIA credit assistance is limited to 33% of eligible project costs unless the applicant provides strong rationale for requiring additional assistance or is eligible through special programs ([TIFIA 49](#) or [Rural Projects Initiative](#)).

Projects designated as MPDG Extra Projects will be announced by the Secretary after MPDG award announcements are made.

For further information about the TIFIA or RRIF programs, including details about the types of credit assistance available, eligibility requirements and the creditworthiness review process, please refer to the Build America Bureau Credit Programs Guide, available on the Build America Bureau website: <https://www.transportation.gov/buildamerica/financing/program-guide>.

**DISCLAIMER:** A MPDG Extra Project designation does not guarantee that an applicant will receive TIFIA credit assistance, nor does it guarantee that any award of TIFIA credit assistance will be equal to 49% of eligible project costs. Receipt of TIFIA credit assistance is contingent on

the applicant's ability to satisfy applicable creditworthiness standards and other Federal requirements.

Issued in Washington D.C. on March 25, 2024:



Pete Buttigieg  
Secretary of Transportation