



**Steering Committee Meeting Agenda**  
**In-Person Meeting at James Island Town Hall**  
**1122 Dills Bluff, James Island, SC 29412**  
**December 11<sup>th</sup>, 2024 at 3:00 PM**

- I. **Welcome and Call to Order** – Chairwoman Brook Lyon
- II. **Previous Meeting Minutes** – Chairwoman Lyon  
September 25<sup>th</sup>, 2024, Steering Committee meeting minutes will be reviewed for approval.
- III. **Public Comments**
- IV. **Old Business**
  - A) **Road Safety Audit**
    - SCDOT and Stantec held the public input meeting at James Island Town Hall on Nov 7, 2024.
  - B) **Consultant Discussion**
- V. **New Business**
  - A) **Discretionary Grant Opportunities** – Kyle James
    - FFY 2025 RAISE notice of funding opportunity
    - FFY 2024 – 2026 PROTECT notice of funding opportunity
- VI. **Jurisdictional Updates** – Various
  - Staff will provide updates on upcoming, ongoing, and/or approved projects.
- VII. **Next Meeting**
- VIII. **Adjourn**



**Steering Committee Meeting Minutes**  
**In-Person Meeting at James Island Town Hall**  
**1122 Dills Bluff, James Island, SC 29412**  
**September 25<sup>th</sup>, 2024 at 3:00 P.M.**

**In attendance:** Chairwoman Brook Lyon, Cynthia Mignano, Kristen Crane, Mike Hemmer, Spencer Wetmore, Joe Boykin, Katie Zimmerman, Sheila Parker, Belen Vitello, Joe Walters, Fred Whittle, Jacquie Berger, Eliza Story, Amanda Cox, Emily Pigott

- I. **Welcome** – Chairwoman Lyon called the meeting to order at 3:00 p.m.
- II. **Previous Meeting Minutes** – Chairwoman Lyon  
A motion to approve the minutes from the May 1<sup>st</sup>, 2024 Steering Committee (over zoom) was made and seconded to approve; passed unanimously.
- III. **Public Comments:**
  - Amanda Cox introduced herself as a new planner with the City of Charleston.
  - Jacquie Berger also mentioned that Lowcountry Local First has been coordinating with the City of Charleston regarding their zoning code rewrites.
  - Spencer Wetmore mentioned issues on Folly Road regarding improvement funds for the Folly Road Plan and asked if the City was looking at something like this.
  - There were no other public comments.
- IV. **Phase 1 Project Update – Sheila Parker**  
Parker noted that Phase 1 is in the process of being re-advertised later this year.
- V. **Road Safety Audit**  
There was extensive discussion regarding the recent SCDOT road safety audit. There is a public hearing for the plan scheduled at James Island Town Hall on November 7 from 5 – 7 pm. The engineer from Stantec couldn't be in attendance, but Chairman Lyon noted there is a draft report awaiting DOT approval.
- VI. **Bus stop Improvements / Other Improvements**  
Chairwoman Lyon welcomed Spencer Wetmore. Wetmore discussed how bus stop improvements were not included in the DOT safety audit. Discussion occurred around how to get improvements, perhaps by volunteers, to bus stops. Mignano noted costs of some bus shelters seem to be quite high. Vitello indicated that there are standards required for bus stops (DOT, ADA, etc.) The American College of Building Arts may have some insight into design improvements. Zimmerman noted it was difficult to meet the CARTA standards in the past. Folly Road may benefit from an audit of the bus stop conditions and the development of a plan to address the stops. The COG has asked each municipality to include transit design



standards, but not all municipalities have adopted the standards. Discussion continued regarding potential temporary improvements that could help the patrons of the existing stops while other improvements are designed.

**VII. Consideration of a Consultant**

Wetmore discussed the ability of the committee to obtain help for grant applications, website improvements, and other help that the committee may need overall. The previous consultant was Toole Engineering. There was discussion regarding the ability of everyone to contribute, especially when a grant deadline is looming. The general feeling of the group was receptive to the idea of hiring a consultant to serve as project manager for future improvements. The group reviewed various pages from the Rethink Folly Road Plan and indicated there were projects that each community might support, However, no one could make commitments at this time. Vitello mentioned the ordinance Charleston passed that requires the City to work with CARTA regarding design standards for development. Crane noted that some projects that seemed to be progressing and have stopped. The group seemed interested in seeing a sample of this ordinance. The group also seemed interested in developing details on hiring a consultant.

**VIII. Jurisdictional Updates– Various**

**Charleston County – Joe Boykin**

- Boykin noted the Main Road project starting and Central Park/Riverland improvements. He also noted that the transportation vote in November is critical.

**Town of James Island – Mayor Lyon and Kristen Crane**

- Mayor Lyon noted the Folly Road flagpole project for the Town has hit some issues.
- Crane noted a new Enterprise Rental location, the Jimmy John's project is progressing, and the Townhomes behind Carolina One.

**Charleston County – Emily Piggott**

- Story reported on several County projects.

**City of Charleston – Eliza Story**

- Indicated update on pedestrian bridge into Downtown.

Mayor Lyon noted the next meeting will be scheduled for early December.

**VI. Adjourn –** There being no further business, Mayor Lyon adjourned the meeting at 4:05 p.m.

# CRASH HISTORY

**2,103 VEHICULAR**  
**15 PEDESTRIAN**  
**21 BICYCLE**

# CRASHES

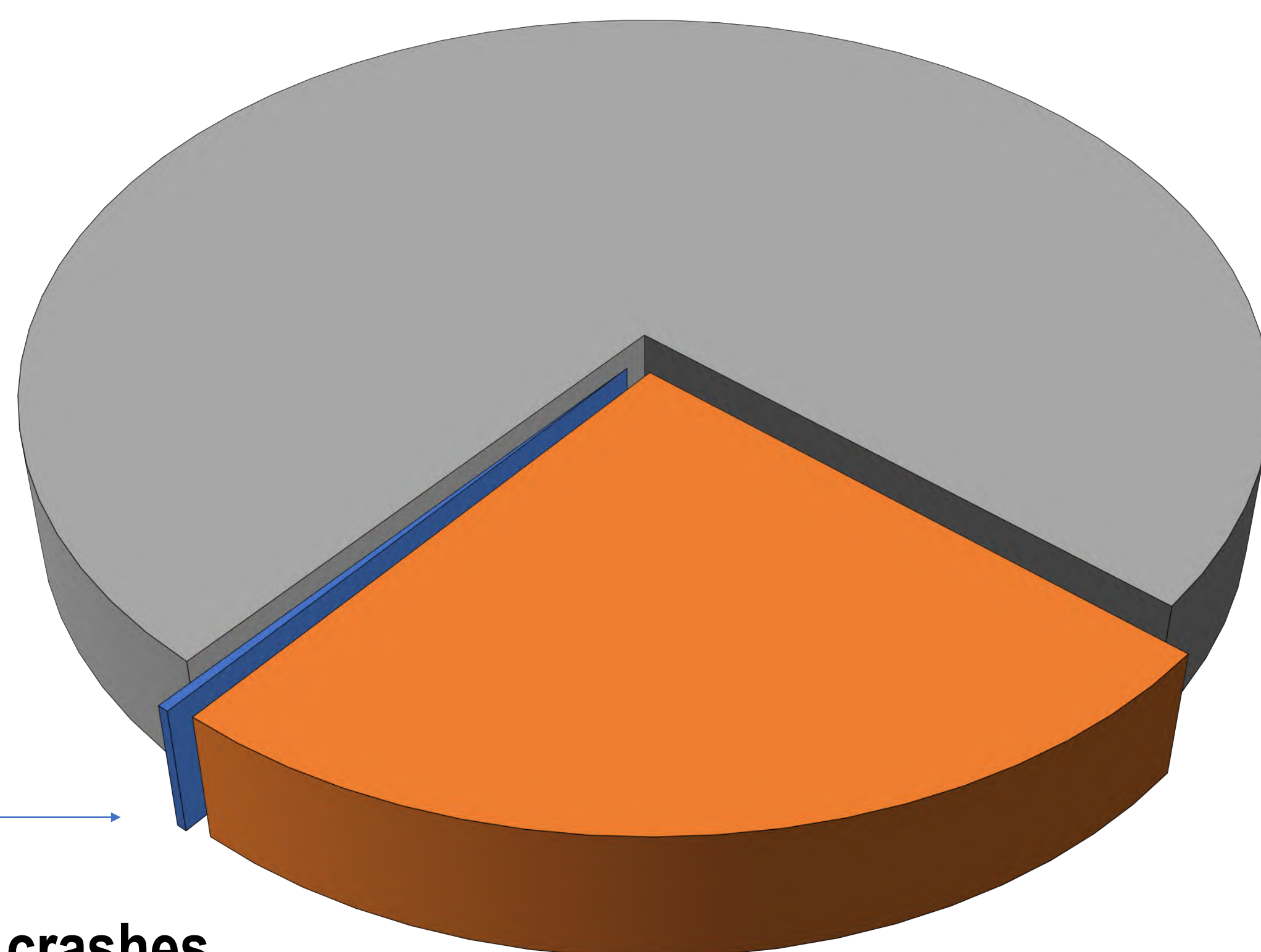
**ALONG FOLLY ROAD**  
**(JANUARY 2018-DECEMBER 2022)**

75% of crashes resulted in Property Damage Only (1608)

## 6 FATAL CRASHES

3 Pedestrian 

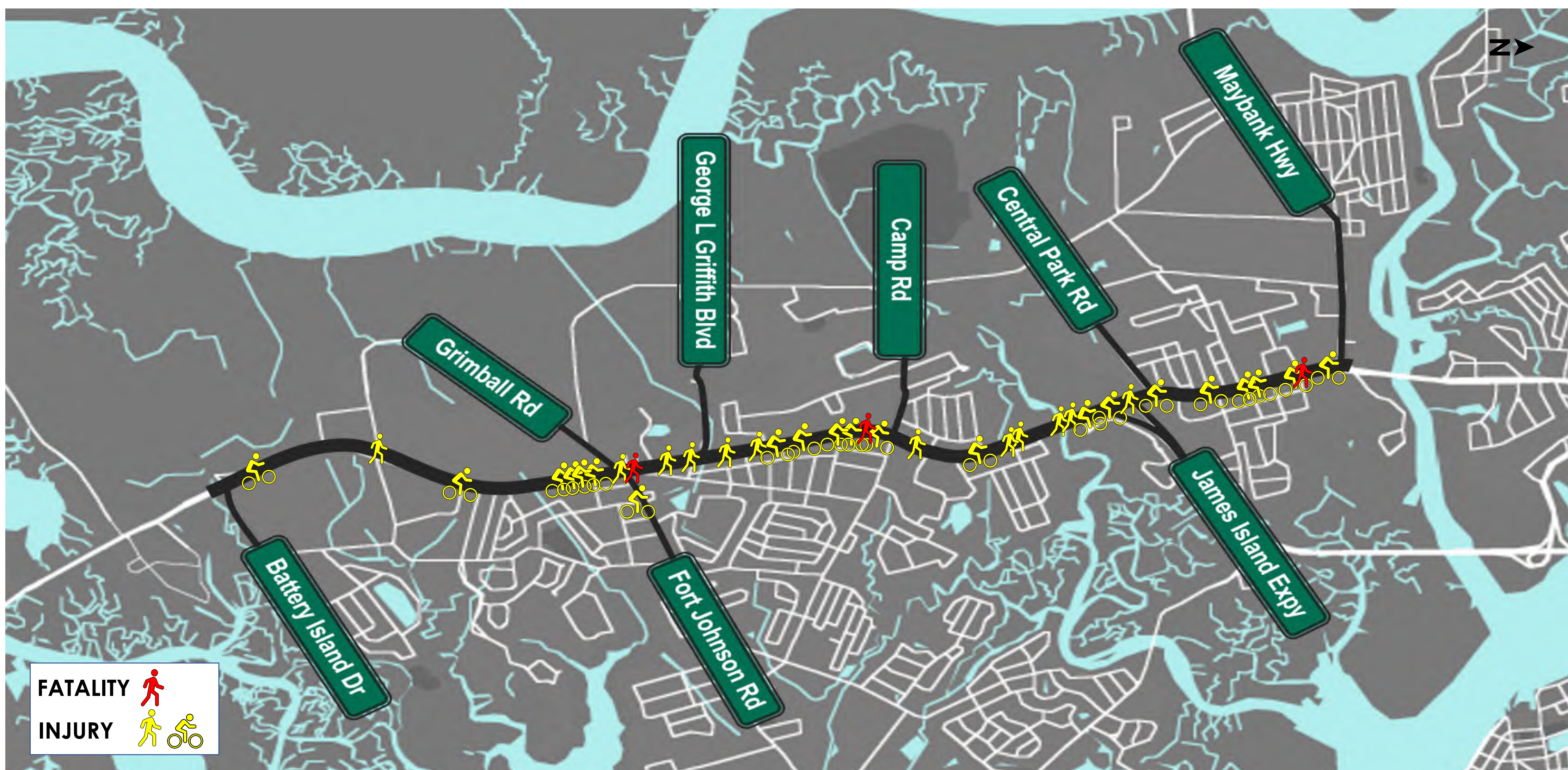
3 Vehicular 



<1% of crashes resulted in Fatality (6)

24% of crashes resulted in Injury (525)

## PEDESTRIAN AND BICYCLE CRASH LOCATIONS



# KEY SAFETY ELEMENTS

## HIGH VISIBILITY CROSSWALKS

- Heightens awareness of pedestrian crossing locations



## SIDEWALKS AND ADA RAMPS

- Improves pedestrian access
- Improvements designed to limit slip, trip, and fall hazards



## LEADING PEDESTRIAN INTERVALS

- Prioritizes pedestrians by providing “walk” signal before vehicles can enter the intersection



## COUNTDOWN SIGNAL HEADS

- Tells pedestrians how long they have to cross the intersection



## ACCESS MANAGEMENT

- Closure of driveways improve mainline traffic flow and reduces conflict points
- Restricted access at driveways intersections reduce conflicts



## RETROREFLECTIVE BACKPLATES

- Reduces sun glare



## FLASHING YELLOW ARROWS

- Improves safety of left turning vehicles



## CARTA STOP RELOCATION

- Positions bus stops closer to intersections with dedicated high visibility crosswalks for pedestrians



## LANE RECONFIGURATIONS

- Potential changes to lane assignments for capacity improvements
- Refer to concept plans

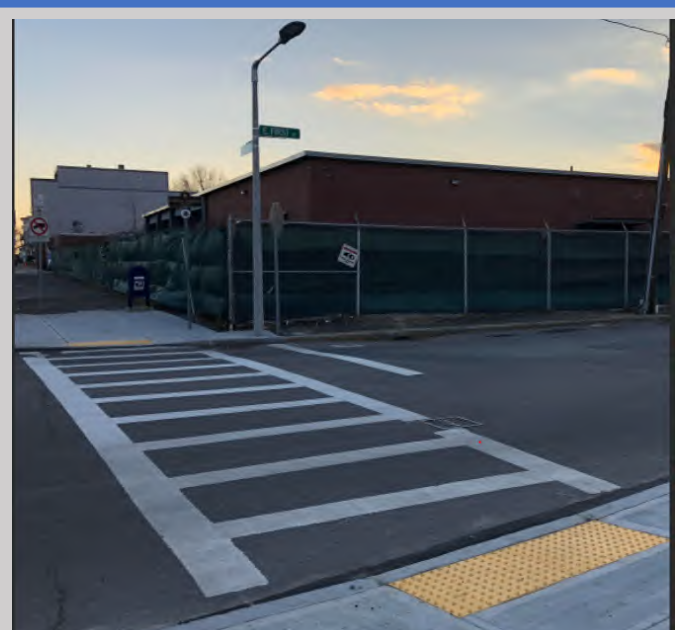
## LIGHTING

- Improves driver vision and pedestrian comfort



## RELOCATE CROSSWALKS

- Provides shorter, more direct crossings
- Improves pedestrian visibility for oncoming traffic



## RAISED MEDIAN

- Improves safety by reducing conflicts
- Provides refuge for pedestrians



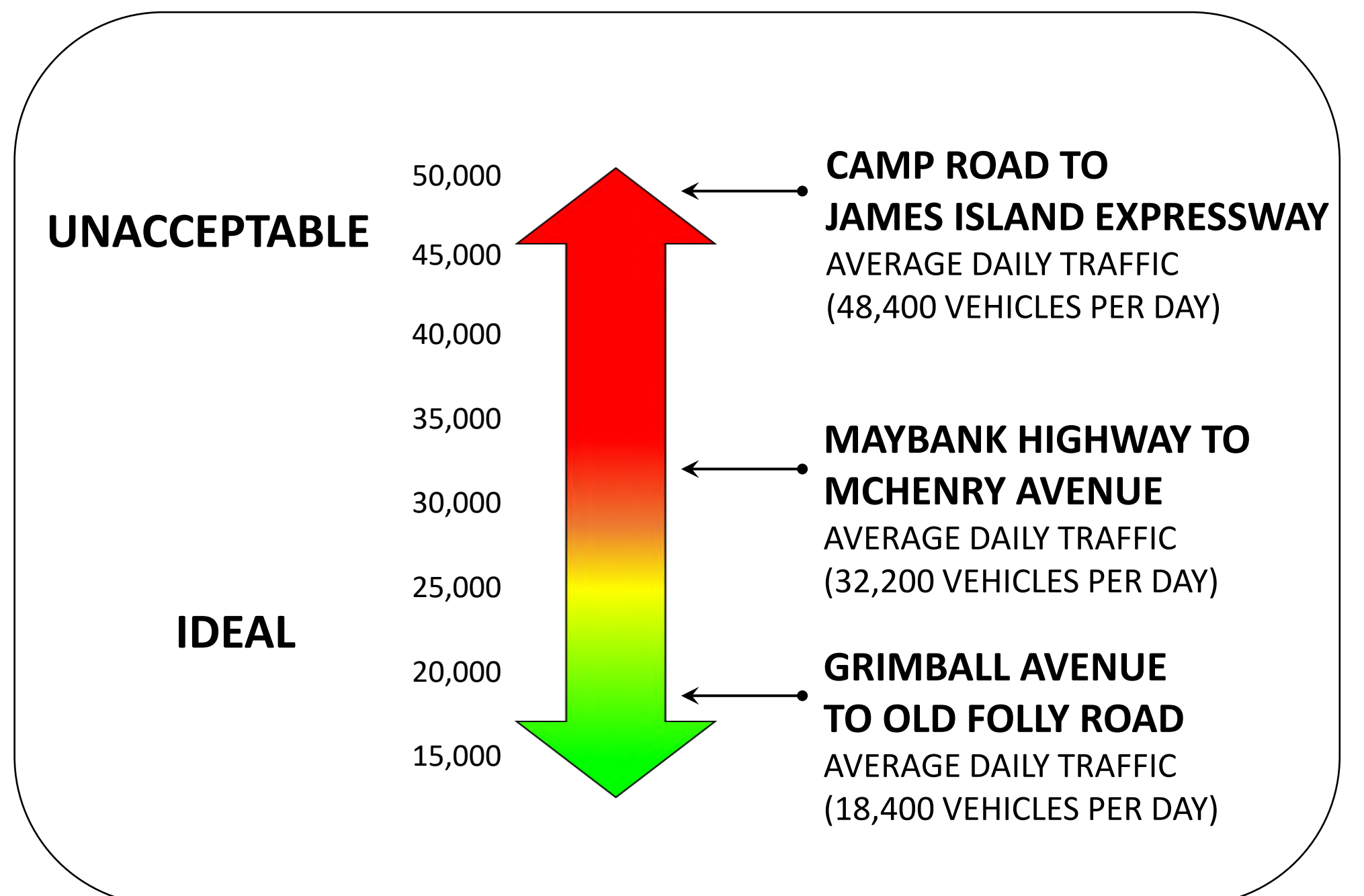
# EXISTING CENTER TURN LANE

## CRASH LOCATIONS

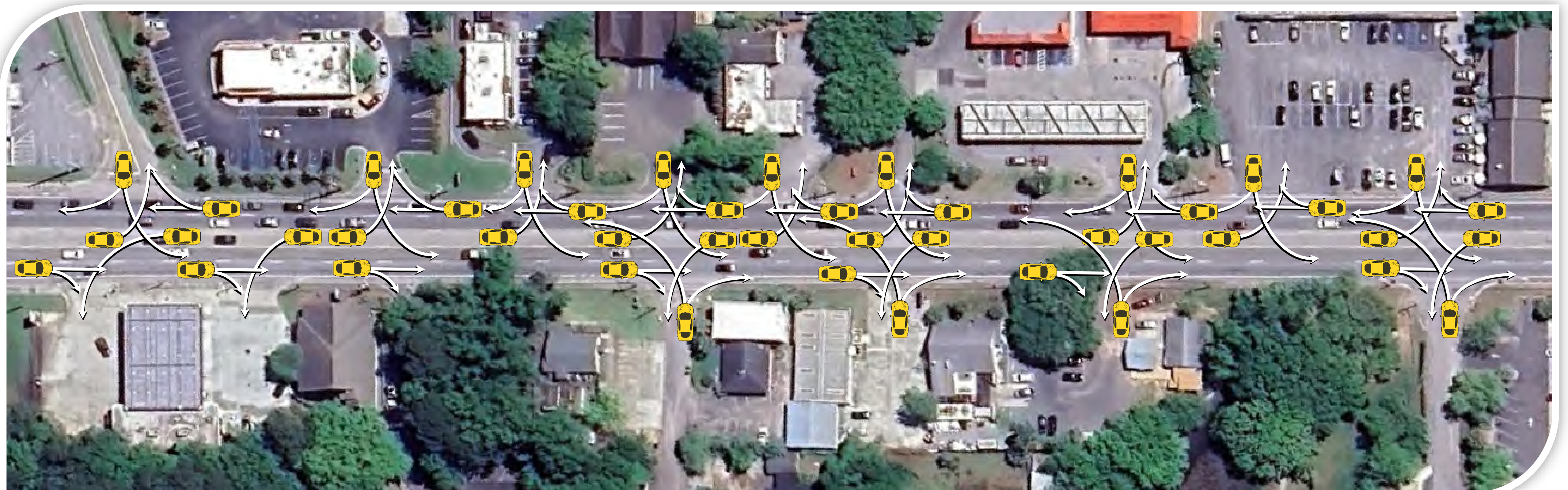


**RED DOTS**  
REPRESENT  
**RIGHT-ANGLE**  
**CRASHES**

TRAFFIC **VOLUMES** ON  
FOLLY ROAD HAVE GROWN  
**BEYOND THE**  
**RECOMMENDED** LEVEL  
FOR TWO-WAY LEFT-TURN  
LANES



**HIGH VOLUMES** AND NUMEROUS **CONFLICTING**  
**TURNING MOVEMENTS** FORCE DRIVERS TO MAKE  
DECISIONS QUICKLY, RESULTING IN **CRASHES**



# RAISED MEDIAN BENEFITS

## NATIONAL RESEARCH SHOWS RAISED MEDIANS PROVIDE:

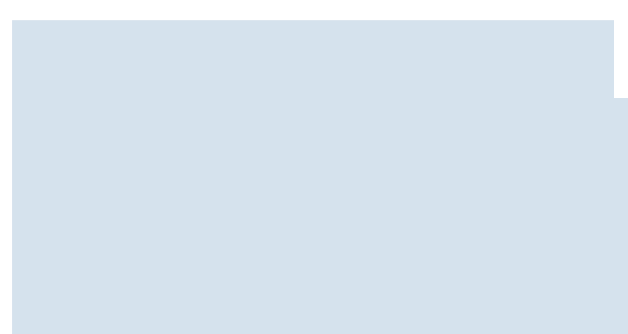
- ✓ PEDESTRIAN REFUGE AT MID-BLOCK CROSSINGS
- ✓ UNIFORM TRAFFIC FLOW
- ✓ BETTER ACCESS MANAGEMENT
- ✓ REDUCED CONFLICT POINTS
- ✓ 15% - 57% TOTAL CRASH REDUCTION
- ✓ AESTHETIC BENEFITS VIA LANDSCAPING
- ✓ VERY FEW U-TURN CRASHES

## WITH LITTLE TO NO ADVERSE IMPACTS ON BUSINESSES:

80% OF BUSINESSES STATED SALES WERE AS HIGH OR HIGHER. THOROUGHFARES WITH MEDIANS TENDED TO HAVE HIGHER RETAIL SALES (IOWA STUDY)



14 OF 15 BUSINESSES UPGRADED OR RETAINED THE SAME USE (KANSAS STUDY)



OWNERS REPORTED VOLUME OF PASS-BY TRAFFIC DID NOT CHANGE. AREA BUSINESSES INCREASED EMPLOYMENT AFTER MEDIANS IMPLEMENTED (TEXAS STUDY)



ECONOMIC CONDITIONS LIKELY CAUSED DECREASE IN SALES VOLUME, BUT RAISED MEDIANS DID NOT AFFECT BUSINESS SALES (SOUTH CAROLINA STUDY)



### Map Legend

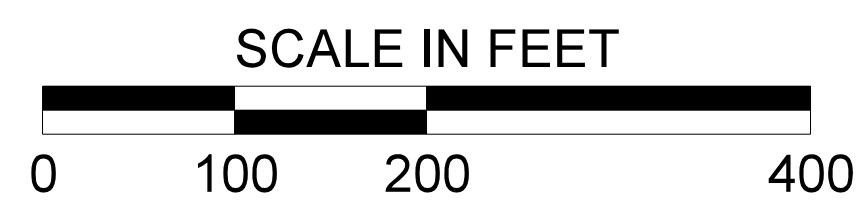
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- PROPOSED SIDEWALK
- CHARLESTON COUNTY BIKE/PED IMPROVEMENT PROJECT
- EXISTING RIGHT OF WAY
- PROPOSED RIGHT OF WAY
- EXISTING PROPERTY LINE
- EXISTING SIGNAL
- CARTA BUS STOP LOCATION

### Improvements Timeline

**SHORT TERM:**  
 -UPDATE ALL CROSSWALKS TO HIGH VISIBILITY  
 -UPGRADE PAVEMENT MARKINGS  
 -CLEAN AND MAINTAIN BIKE LANES  
 -TRIM OVERGROWN VEGETATION AND REMOVE SEDIMENT BUILDUP FROM SIDEWALKS  
 -REVIEW YELLOW CLEARANCE INTERVALS AT SIGNALIZED INTERSECTIONS

**MEDIUM TERM:**  
 -RECONSTRUCT RAMPS/CURBS TO BE ADA COMPLIANT  
 -INSTALL RAISED MEDIAN AND U-TURN BULBS  
 -INSTALL FLASHING YELLOW ARROWS, LEADING PEDESTRIAN INTERVALS, AND NEARSIDE SIGNAL HEADS, AT SELECT INTERSECTIONS  
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**LONG TERM:**  
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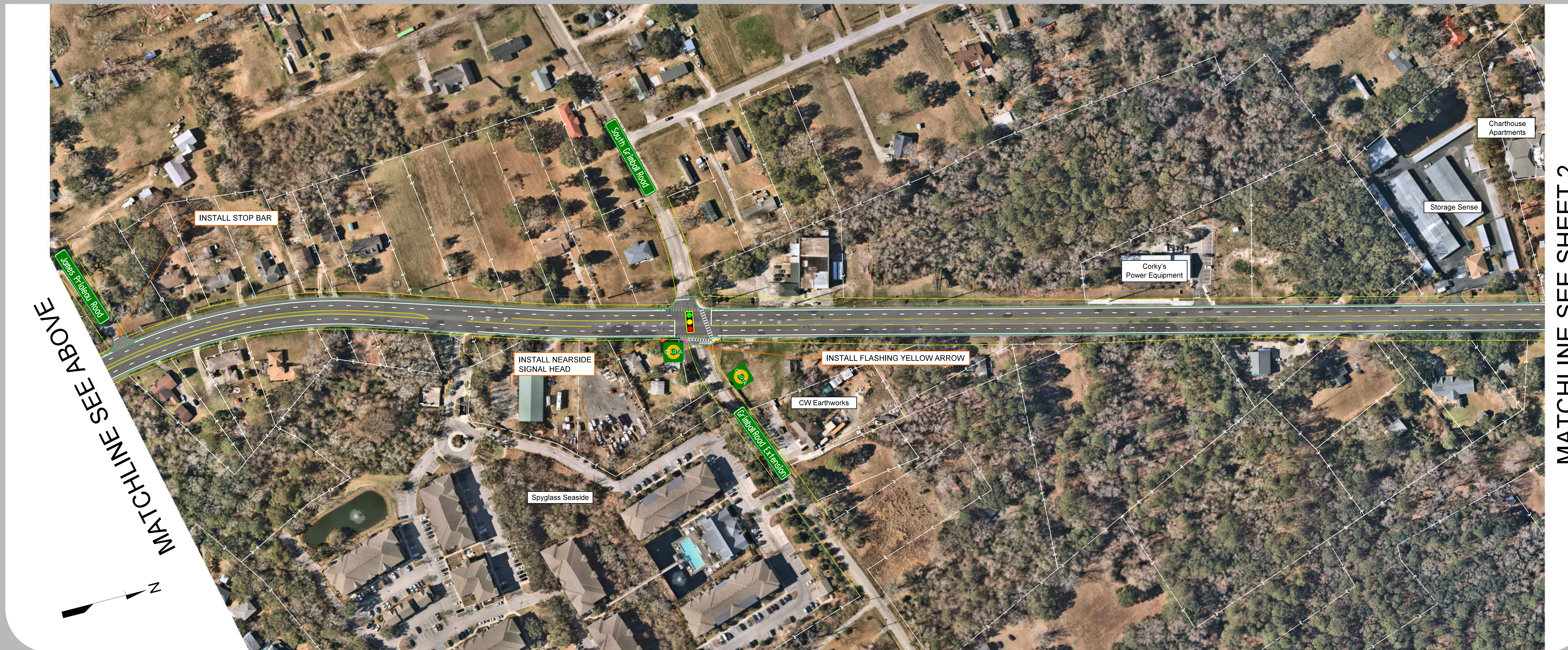
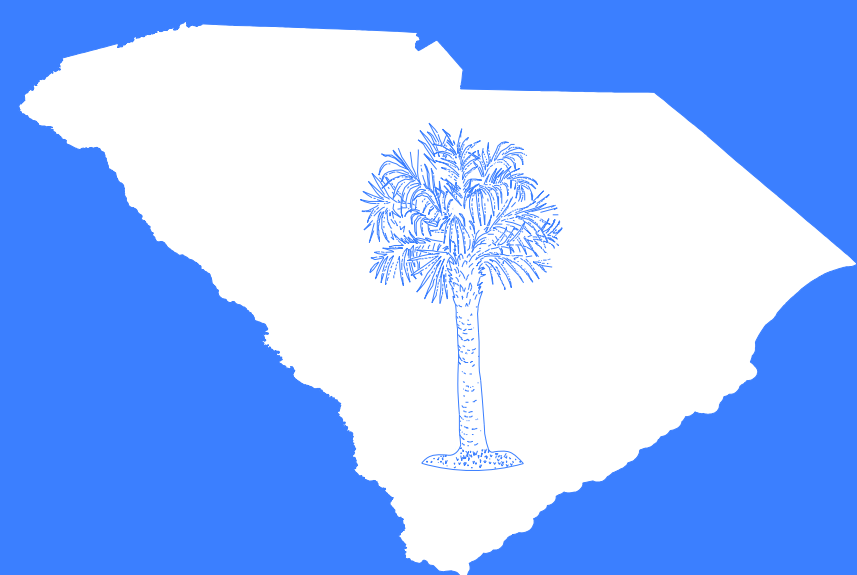


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Questions/comments may be sent to:  
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 Phone: 803-723-4843  
 Email: [salleyse@scdot.org](mailto:salleyse@scdot.org)  
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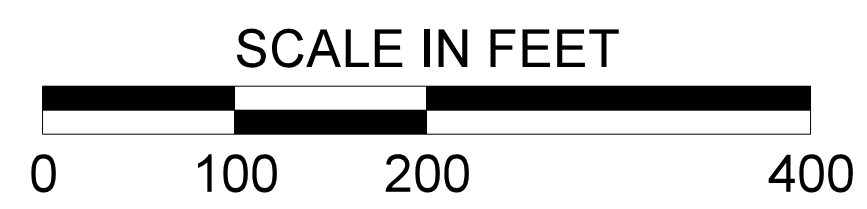
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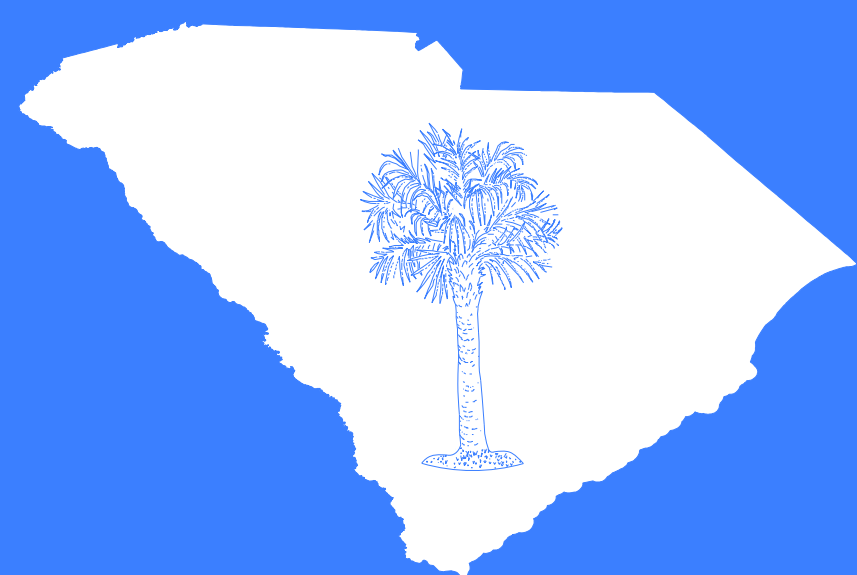


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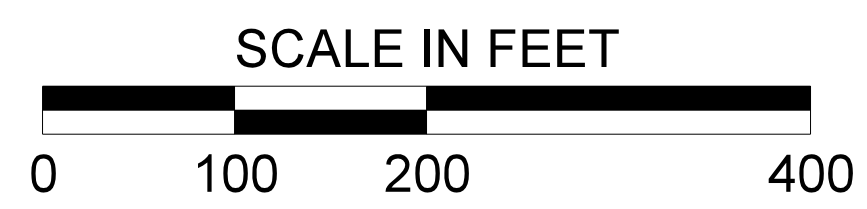
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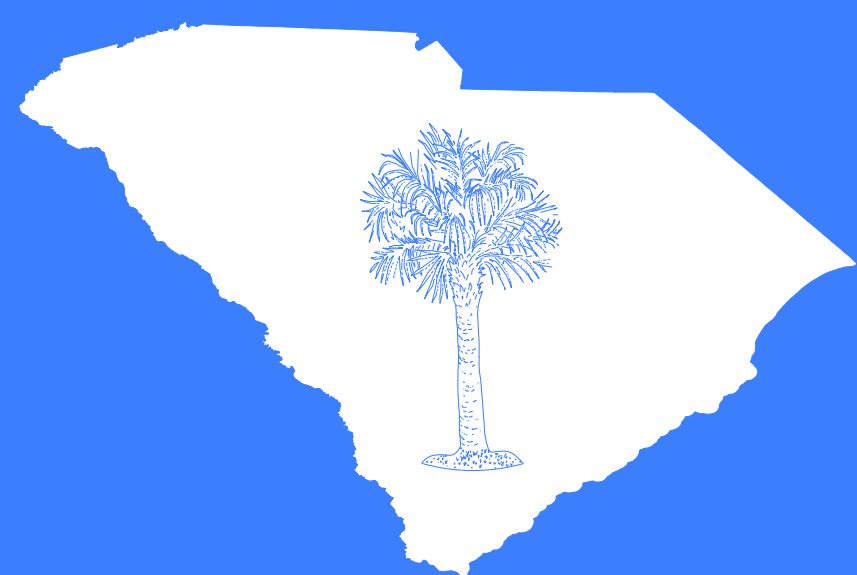


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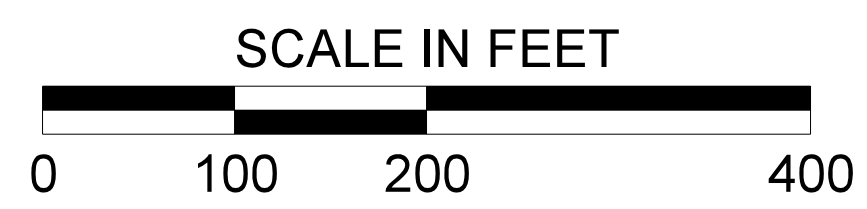
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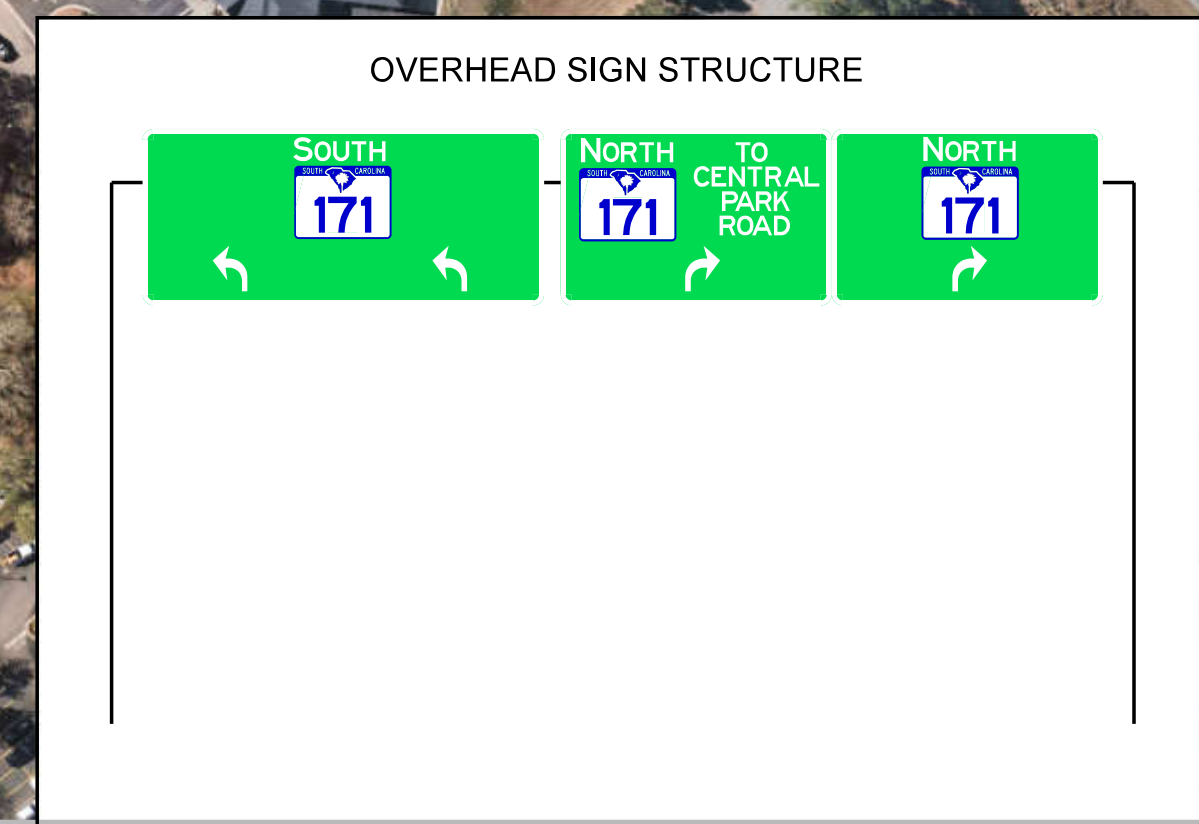
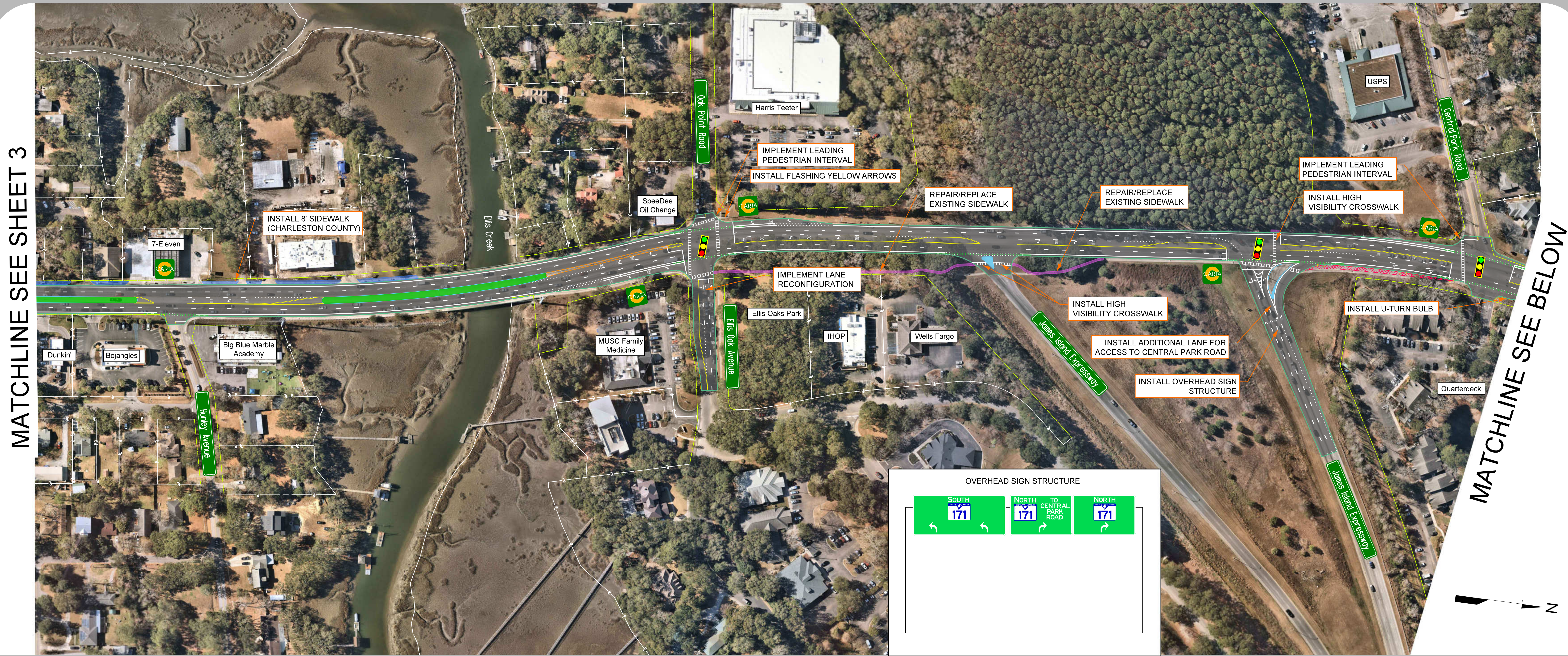
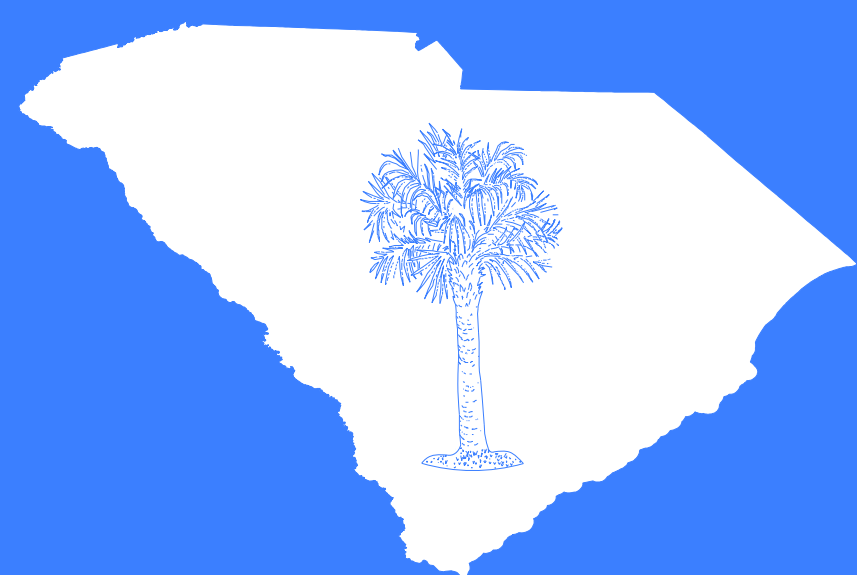


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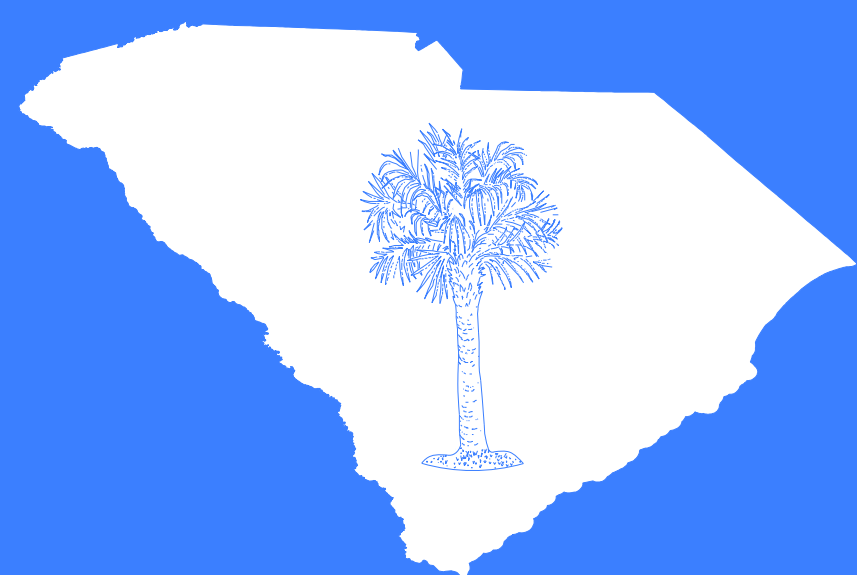


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MATCHLINE SEE SHEET 4



# FY 2025 Notice of Funding Opportunity

## Rebuilding American Infrastructure with Sustainability and Equity Grant Program

Office of the Secretary

US Department of Transportation (DOT)

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## **A. BASIC INFORMATION**

The Office of the Secretary (OST) announces the intention to hold two rounds of selections under the FY 2025 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Notice of Funding Opportunity (NOFO).

- **Round 1** – The Department is reserving a portion of the \$1.5 billion in FY 2025 RAISE funds, provided by the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law, or BIL), for Highly Rated applications that were not selected under the FY 2024 RAISE NOFO and designated [FY 2024 Projects of Merit](#). FY 2024 Projects of Merit not selected for award under Round 1 must submit a revised application in [Grants.gov](#) to be considered under Round 2 of the FY 2025 RAISE program.
- **Round 2** – The Department will make another round of selections using a portion of the \$1.5 billion in FY 2025 RAISE BIL funds and/or additional funding that may become available for the program under the FY 2025 Appropriations Act. Please note, all FY 2025 annual appropriations amounts are subject to availability of funding. DOT cannot guarantee that Congress will appropriate additional funding to RAISE via a future FY 2025 appropriation.

The FY 2024 RAISE NOFO stated:

- Projects for which an FY 2024 RAISE application is advanced by the Senior Review Team to the Highly Rated List, but that are not awarded, are automatically designated as “Projects of Merit.” Projects with this designation will be carried over into FY 2025 RAISE and considered by the SRT for advancement to the Highly Rated List, along with other FY 2025 applications eligible for advancement to the Highly Rated List.

The Department is reducing the burden on all previous applicants, who would otherwise have to revise and resubmit applications, by evaluating and selecting applications for funding using the same criteria as the FY 2024 RAISE NOFO originally published on November 30, 2023.

Additionally, this process expedites selections making a portion of the funds available to project sponsors earlier.

Topic	Description
<b>Announcement Type</b>	This is the initial announcement for the FY 2025 round of this program
<b>Funding Opportunity Title</b>	FY 2025 National Infrastructure Investments
<b>Funding Opportunity Number</b>	DTOS59-25-RA-RAISE
<b>Assistance Listing Number</b>	20.933 National Infrastructure Investments
<b>Prior Awards</b>	<ul style="list-style-type: none"> <li>• In FY 2024, the Department received 1048 eligible applications requesting nearly \$13 billion</li> <li>• 148 projects were awarded a total of \$1.8 billion</li> <li>• Awards were made to projects in all 50 states, the District of Columbia, Puerto Rico, American Samoa, Guam, and the Northern Mariana Islands</li> <li>• Awards ranged from \$328,000 to \$25 million</li> </ul>
<b>Maximum Award Size</b>	<ul style="list-style-type: none"> <li>• RAISE grant awards are capped at \$25 million</li> </ul>
<b>Submission Requirements and Deadlines</b>	<p><b>Round 1: FY 2024 Projects of Merit</b></p> <ul style="list-style-type: none"> <li>• FY 2024 Projects of Merit must email <a href="mailto:RAISEgrants@dot.gov">RAISEgrants@dot.gov</a> by 11:59 pm December 2, 2024 if they want their FY 2024 application considered for award under the reserved funding</li> <li>• No amendments are being made to either the selection criteria or process. No application modifications will be needed or accepted</li> <li>• Round 1 selections are expected to be announced by January 13, 2025</li> <li>• FY 2024 Projects of Merit not selected for award under Round 1 must submit a revised application in <a href="https://www.grants.gov">Grants.gov</a> to be considered under Round 2 of the FY 2025 RAISE program.</li> </ul>
	<p><b>Round 2: All Applicants</b></p> <ul style="list-style-type: none"> <li>• All interested applicants must submit applications in <a href="https://www.grants.gov">Grants.gov</a> no later than 11:59 pm eastern on January 30, 2025.</li> <li>• Complete instructions on how to register and apply can be found at <a href="https://www.grants.gov">Grants.gov</a>. If applicants experience difficulties at any point during registration or application process, please use the help available on Grants.gov such as the Customer Support Hotline at 1-800-518-4726 or email <a href="mailto:support@grants.gov">support@grants.gov</a></li> <li>• Round 2 selections are expected to be announced no later than June 28, 2025.</li> </ul>
<b>Eligible Activities</b>	Planning and/or constructing surface transportation infrastructure



<b>Eligible Applicants</b>	<ul style="list-style-type: none"> <li>• States and the District of Columbia</li> <li>• Any territory or possession of the United States</li> <li>• A unit of local government</li> <li>• A public agency or publicly chartered authority established by one or more States</li> <li>• A special purpose district or public authority with a transportation function, including a port authority</li> <li>• A Federally recognized Indian Tribe or a consortium of such Indian Tribes</li> <li>• A transit agency</li> <li>• A multi-State or multijurisdictional group of entities that are separately eligible</li> </ul>
<b>Reconnecting Extra Designation</b>	<ul style="list-style-type: none"> <li>• Applications submitted for consideration under Round 2 of the FY 2025 RAISE competition, that have an identical project scope to applications that were submitted and evaluated under the FY 2024 Reconnecting Communities Program (RCP) competition and received the designation of “Reconnecting Extra,” will automatically advance for second-tier analysis if they receive an overall merit rating of “Recommended” and have at least one “High” rating in a priority criterion.</li> <li>• The Department expects projects that rated well under the FY 2024 RCP Program criteria will do well under the FY 2025 RAISE program criteria.</li> <li>• Applicants should note in the FY 2025 RAISE Project Information Form whether their FY 2025 RAISE application was also submitted under the FY 2024 RCP competition and received the “Reconnecting Extra” designation</li> </ul>
<b>Questions</b>	<p>Email <a href="mailto:RAISEgrants@dot.gov">RAISEgrants@dot.gov</a></p> <p>Due to the competitive nature of the program, during the application submittal phase, the Department is unable to accommodate individual meeting requests to discuss the opportunity or specific project ideas, and unable to provide individualized guidance or render opinions about the merit of a specific project.</p>

## 1. ROUND 1

### i. Reservation of Funds for FY 2024 RAISE Projects of Merit

Under this NOFO, the Department is making a portion of the \$1.5 billion in FY 2025 RAISE BIL funding available to Highly Rated applications that were submitted but not selected under the FY 2024 RAISE NOFO. The Department will follow the criteria and process set forth in the FY 2024 RAISE NOFO for making selections to receive the reserved funding.

The Department will carryover all applications that advanced to the Highly Rated List but were not selected for funding. These projects were designated as [FY 2024 Projects of Merit](#). For

purposes of this reservation of funds, the Department incorporates the FY 2024 RAISE NOFO by reference and will follow that NOFO criteria for all Round 1 selections.

Using the discretionary authority provided in statute, the Secretary will select projects from the FY 2024 Projects of Merit List for award, consistent with the selection criteria and statutory requirements for geographic and modal diversity. The Secretary may, depending on the pool of qualified applications, seek to award at least one project per state or territory.

If an applicant submitted an application for funding under the FY 2024 RAISE NOFO, advanced to the Highly Rated List, but was not selected and thus designated a Project of Merit, such applicant must notify the Department by emailing [RAISEgrants@dot.gov](mailto:RAISEgrants@dot.gov) by December 2, 2024, if the applicant wishes for that application to be reconsidered for award using this reservation of funding.

[FY 2024 RAISE Projects of Merit](#) seeking reconsideration of their unawarded application will not be permitted to modify, amend, or supplement applications. To maximize chances of obtaining an award, FY 2024 RAISE Project of Merit applications may request consideration under the reserved funds, and they may also submit applications for Round 2 of this NOFO. The FY 2024 Project of Merit application(s) will count against an entity's three-application limit.

## 2. ROUND 2

### i. Funding for FY 2025 RAISE Applications

Under this NOFO, in addition to Round 1, the Department intends to make another round of selections using a portion of the \$1.5 billion in BIL funds and/or additional funding that may become available for the program under the FY 2025 Appropriations Act. Please note, all FY 2025 annual appropriations amounts are subject to availability of funding. DOT cannot guarantee that Congress will appropriate additional funding to RAISE via a future FY 2025 appropriation.

All interested applicants must submit applications in [Grants.gov](#) no later than 11:59 pm eastern on January 30, 2025. Round 2 selections are expected to be announced no later than June 28, 2025.

## 3. CHANGES FROM THE FY 2024 NOFO

This FY 2025 RAISE NOFO makes changes from the FY 2024 RAISE NOFO to:

- Outline the process to carry forward FY 2024 RAISE Projects of Merit applications for consideration under Round 1 of the FY 2025 RAISE NOFO;
- Reserve a portion of the \$1.5 billion FY 2025 BIL funding for FY 2024 RAISE Projects of Merit applications;
- Update Areas of Persistent Poverty to account for the most recent annual Small Area Income Poverty Estimates as estimated by the Bureau of the Census;
- Update references to comply with updated [2 CFR Part 200 Appendix I](#); and
- Improve organization and clarity of the information the Department uses to assess project readiness.

## **B. ELIGIBILITY**

### **1. ELIGIBLE APPLICANTS**

Eligible applicants for RAISE grants are:

- States and the District of Columbia
- Any territory or possession of the United States
- A unit of local government
- A public agency or publicly chartered authority established by one or more States
- A special purpose district or public authority with a transportation function, including a port authority
- A Federally recognized Indian Tribe or a consortium of such Indian Tribes
- A transit agency
- A multi-State or multijurisdictional group of entities that are separately eligible

Ineligible applicants for RAISE grants are:

- Federal agencies
- Non-profits
- Private entities
- Individuals

Multiple states or jurisdictions may submit a joint application, designating a lead applicant as the primary contact and award recipient. The application should outline each applicant's roles and responsibilities.

DOT expects the applicant to manage and deliver the project. If the applicant plans to transfer the award to another agency, this should be stated in the application, along with a supporting letter from the designated entity.

### **2. MINIMUM FUNDING REQUEST FOR CAPITAL PROJECTS**

<b>Capital Grants</b>	<b>Minimum Request</b>
Rural Areas	\$1 million
Urban Areas	\$5 million

Applicants submitting capital grant applications for projects located in rural areas must request at least \$1 million in RAISE funding. Applicants submitting capital grant applications for projects located in urban areas must request at least \$5 million in RAISE funding. Failure to request the minimum funding amount for a capital grant application will result in the application being ineligible.

**There is no minimum funding request requirement for planning grant applications.**

### 3. APPLICATION LIMIT

**Each applicant can submit up to three applications.** Unrelated project components should not be combined in one application to meet this limit. If an applicant submits more than three applications, only the first three will be considered.

### 4. COST SHARING

Cost sharing means the portion of the project's cost that is not paid by Federal funds. Cost share funds are typically stated as a percentage of the total project cost. The Department **only** considers an application's Federal share to confirm eligibility.

Project Location	Cost Share Requirement
Urban	Up to 80% Federal Funding
Rural	Up to 100% Federal Funding
Area of Persistent Poverty	
Historically Disadvantaged Community	

The Federal share for RAISE grant projects **shall not exceed 80 percent** unless the project receives one of the following location designations (see Location Designations for definitions):

- Rural
- Area of Persistent Poverty (APP)
- Historically Disadvantaged Community (HDC)

Applicants with projects located in one of the designated areas above are eligible to fund the project up to 100 percent with Federal funding. Projects located in an **urban area**, that are not designated APP and/or HDC, that have **more than 80 percent federal funding will be ineligible.**

Applicants should use the following equation when determining the cost share for their project:

$$\frac{(\text{RAISE Grant Request} + \text{Other Federal Funds})}{\text{Total Project Cost}} = \text{Federal Cost Share}$$

Total Project Cost means the sum of future eligible Federal and non-Federal costs yet to be incurred.

Eligible sources of non-Federal funds include:

- State funds originating from programs funded by State revenue
- Local funds originating from State or local revenue-funded programs
- Private funds
- Tribal transportation program funds under section 202 of title 23
- Federal lands transportation program funds under section 203 of title 23
- TIFIA program funds (as defined in section 601(a) of title 23)
- Railroad Rehabilitation and Improvement Financing Program under chapter 224

- Federal credit assistance (if repaid from non-Federal sources)

Toll credits under [23 U.S.C. 120\(i\)](#) are considered a Federal source under the RAISE program.

Unless otherwise authorized by statute, funds used to satisfy the cost-share requirements of a different Federal program may not be counted as the cost-share for both the RAISE grant and another Federal grant program.

Non-Federal funds are subject to the same Federal requirements as RAISE grant funds.

For each project that receives a RAISE grant award, **the terms of the award will require the recipient to complete the project using at least the level of non-Federal funding that was specified in the application.** If the actual costs of the project are greater than the costs estimated in the application, the recipient will be responsible for addressing the funding shortfall and maintaining the level of non-Federal funding stated in the application. If the actual costs of the project are less than the costs estimated in the application, the Department will generally reduce the Federal contribution to ensure federal cost share requirements are met.

## 5. PRE-AWARD AUTHORITY

Unless authorized by the Department in writing after announcement of FY 2025 RAISE awards, **any costs incurred prior to the Department’s obligation of funds for a project (“pre-award costs”) are ineligible for reimbursement and cost share requirements.**<sup>1</sup> In general, RAISE Program funds are administered on a reimbursement basis. Grant recipients will generally be required to pay project costs upfront using their own funds, and then request reimbursement for those costs. If a recipient cannot complete a project on reimbursement basis, DOT will—on a case-by-case basis—consider recipient requests to use alternate payment methods as described in 2 CFR 200.305(b), including advance payments.

## 6. LOCATION DESIGNATIONS

### i. Urban or Rural

Urban and rural definitions differ across DOT programs. For the RAISE program:

- **Urban:** A project is designated as urban if it is located within (or on the boundary of) a Census-designated urban area that had a population greater than 200,000 in the 2020 Census.<sup>2</sup>
- **Rural:** A project is designated as rural if it is located outside a Census-designated urban area that had a population greater than 200,000 in the 2020 Census.

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<sup>1</sup> Pre-award costs are costs incurred after award announcement, but directly pursuant to the negotiation of a grant agreement where such costs are necessary for efficient and timely performance of the scope of work, as determined by DOT. Costs incurred under an advance construction (23 U.S.C. 115) authorization before the DOT announces that a project is selected for a FY 2025 RAISE award cannot be charged to FY 2025 RAISE funds. Likewise, costs incurred under an FTA Letter of No Prejudice under Chapter 53 of title 49 U.S.C. before the DOT announces that a project is selected for a FY 2025 RAISE award, cannot be charged to FY 2025 RAISE funds.

<sup>2</sup> For the purpose of this NOFO, the definition of urban and rural is based on the 2020 Census-designated urbanized areas. The Department is required by the BIL to use the most recent decennial census information.

The Department provides an [interactive map](#) to show Census-designated urban areas with populations greater than 200,000 in the 2020 Census.

**A project located in both an urban and a rural area will be designated as urban if the majority of the project's costs will be spent in urban areas.** Conversely, a project located in both an urban area and a rural area will be designated as rural if the majority of the project's costs will be spent in rural areas. For RAISE planning grants, the location of the project being planned, prepared, or designed will be used for the urban or rural designation.

Urban and rural designations impact the following aspects of the RAISE program:

- Minimum RAISE funding requirements
- Fundings restrictions
- Cost share

## ii. Areas of Persistent Poverty and Historically Disadvantaged Communities

The Department provides an [interactive map](#) to show Areas of Persistent Poverty and Historically Disadvantaged Communities.

Areas of Persistent Poverty (APP) are defined by RAISE statute:

- 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
  - The FY 2025 RAISE NOFO updated county APP designations to utilize the most recent annual Small Area Income Poverty Estimates as estimated by the Bureau of the census.
- 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
- Any territory or possession of the United States

Historically Disadvantaged Communities (HDC) are defined by 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):

- Any census tract or tracts identified as disadvantaged in the [Climate & Economic Justice Screening Tool \(CEJST\)](#), created by CEQ, which identifies such communities that have been marginalized by underinvestment and overburdened by pollution
- Any Federally Recognized Tribe or Tribal entity, whether or not they have land

## 7. ELIGIBLE PROJECTS

### i. Capital Projects

Eligible capital projects activities include:

- Highway or bridge projects eligible under title 23, United States Code

- Public transportation projects eligible under chapter 53 of title 49, United States Code
- Passenger and freight rail transportation projects
- Port infrastructure investments (including inland port infrastructure and land ports of entry)
- The surface transportation components of an airport project eligible for assistance under part B of subtitle VII of title 49, United States Code<sup>3</sup>
- Intermodal projects whose component parts are otherwise an eligible project type
- Projects to replace or rehabilitate a culvert or prevent stormwater runoff for the purpose of improving habitat for aquatic species while advancing the goals of the RAISE program
- Projects investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government
- Any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goals of the program<sup>4</sup>
  - Public road and non-motorized projects that are not otherwise eligible under title 23, United States Code
  - Surface transportation components of transit-oriented development projects
  - Surface transportation components of mobility on-demand projects that expand access and reduce transportation cost burden

Ineligible capital projects are:

- School bus electrification and broadband deployment as a standalone project
- Improvements to Federally owned facilities
  - Unless the project is investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government

If a project type isn't explicitly listed as eligible or ineligible, applicants should explain its necessity for advancing the RAISE program goals in their application. The Department will then determine eligibility individually.

Research, demonstration, or pilot projects are only eligible if they lead to long-term, permanent surface transportation infrastructure with independent utility as defined in the Project Components section.

## ii. Planning Projects

Eligible planning projects activities include:

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<sup>3</sup> Eligible surface transportation components of eligible airport projects are those projects listed in “Appendix P: Road and Surface Transportation Projects” of the Airport Improvement Program (AIP) [handbook](#). For more details on airport project eligibility, please see the Frequently Asked Questions on the [RAISE website](#).

<sup>4</sup> DOT may award a RAISE grant to pay for the surface transportation components of a broader project that has non-surface transportation components, and applicants are encouraged to apply for RAISE grants to pay for the surface transportation components of these projects. However, costs for non-surface transportation components are not eligible to count as matching funds for the RAISE grant.

- Planning, preparation, or design of eligible surface transportation capital projects described in the Capital Projects section that will not result in construction with FY 2025 RAISE funding.
  - For example: environmental analysis, equity analysis, community engagement, feasibility studies, benefit-cost analysis, and other pre-construction activities
- Development of master plans, comprehensive plans, transportation corridor plans, and integrated economic development, land use, housing, and transportation plans
- Zero emissions plan for transit fleet
- Planning activities related to the development of a multimodal freight corridor, including those that seek to reduce conflicts with residential areas and with passenger and non-motorized traffic
- Planning activities related to zero emission goods movement
- Development of port and regional port planning, including State-wide or multi-port planning within a single jurisdiction or region
- Risk assessments and planning to identify vulnerabilities and address the transportation system's ability to withstand probable occurrence or recurrence of an emergency or major disaster

**If an application includes right-of-way acquisition, the project will be considered a capital project.**

## **8. PROJECT COMPONENTS**

An application for a RAISE grant can include multiple components, which may be executed by different parties. The Department requires all components, whether or not they receive Federal funding, to be delivered as part of the RAISE project.

Components may be funded individually if they meet the following criteria:

- Independently satisfy minimum award amounts and eligibility requirements.
- Independently align with selection criteria
- Meets National Environmental Policy Act (NEPA) requirements for independent utility – meaning the component must be a usable improvement on its own and ready for use upon completion.

Components in a single application must be related. Each component's status should be clearly outlined, for example, in the project schedule. Applicants should also detail independent components and their costs separately, showing how each one meets selection criteria and benefits on its own, in addition to how the full proposal does. Federal funding for some components might subject others to additional Federal requirements.

## **9. REDUCED AWARDS**

If selected for award, the Department may decrease the RAISE funding amount from the applicant's request if some elements of the project are ineligible or to comply with statutory set asides such as awarding funding evenly between projects located in rural and urban areas.



## **10. PREVIOUS RAISE/BUILD/TIGER RECIPIENTS**

Previous recipients of a RAISE grant may apply for funding to support additional phases of their project.<sup>5</sup> The application should demonstrate the extent to which the previously funded project has met estimated project schedules and budget, as well as the ability to realize the benefits expected for the project. A previous RAISE/BUILD/TIGER award, or application, does not affect competitiveness under the FY 2025 RAISE competition.

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<sup>5</sup> Includes recipients of grants under former names of the program (*Better Utilizing Investments to Leverage Development* (BUILD) and *Transportation Investment Generating Economic Recovery* (TIGER)).

## **C. PROGRAM DESCRIPTION**

### **1. PROGRAM HISTORY AND AUTHORIZATION**

The RAISE program, previously known as the Better Utilizing Investments to Leverage Development (BUILD) and Transportation Investment Generating Economic Recovery (TIGER) discretionary grants, was established under the American Recovery and Reinvestment Act of 2009 to create jobs and spur economic recovery through transportation infrastructure investments. The Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021), authorized and appropriated \$1.5 billion annually to be awarded by the Department of Transportation (“DOT”) 2022 – FY 2026 for Local and Regional Project Assistance Program Grants under National Infrastructure Investments to fund eligible surface transportation projects with significant local or regional impact. As of June 2024, the program has awarded more than \$15 billion over sixteen rounds to local governments, Tribes, transit and port authorities, states, and other entities. The program is codified at [49 U.S.C. 6702](#).

### **2. PROGRAM GOALS AND OBJECTIVES**

The goal of the RAISE program is to fund eligible surface transportation projects that will have a significant local or regional impact that advance the Departmental priorities of safety, equity, climate and sustainability, and workforce development, job quality, and wealth creation, consistent with law, and as described in the Department’s [Strategic Plan](#)<sup>6</sup> and in executive orders.

The Department seeks to fund projects under the RAISE program that reduce greenhouse gas emissions in the transportation sector; incorporate evidence-based climate resilience measures and features; avoid adverse environmental impacts to air or water quality, wetlands, and endangered species; and address the disproportionate negative environmental impacts of transportation on disadvantaged communities, consistent with [Executive Order 14008, \*Tackling the Climate Crisis at Home and Abroad\*](#).

In addition, the Department seeks to award projects under the RAISE program that proactively evaluate whether a project will create proportional impacts to all populations in a project area and increase equitable access to project benefits, consistent with [Executive Order 14091, \*Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government\*](#).

The Department also seeks to award projects that address environmental justice, particularly for communities that have experienced decades of underinvestment and are most impacted by climate change, pollution, and environmental hazards, consistent with [Executive Order 14008, \*Tackling the Climate Crisis at Home and Abroad\*](#).

The RAISE program advances President Biden’s [Justice40 Initiative](#), which set the goal that 40 percent of the overall benefits of certain climate, clean energy, and other covered Federal investments flow to disadvantaged communities that are marginalized by underinvestment and overburdened by pollution.

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<sup>6</sup> See U.S. Department of Transportation Strategic Plan FY 2022–2026 at <https://www.transportation.gov/dot-strategic-plan>.

In addition, the Department intends to use the RAISE program to support the creation of good-paying jobs with the free and fair choice to join a union and the incorporation of strong labor standards and training and placement programs, especially registered apprenticeships, in project planning stages, consistent with [Executive Order 14025, \*Worker Organizing and Empowerment\*](#), and [Executive Order 14052, \*Implementation of the Infrastructure Investment and Jobs Act\*](#). The Department also intends to use the RAISE program to support wealth creation, consistent with the [Department's Equity Action Plan](#), through the inclusion of local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises or 8(a) firms.

The BIL included provisions for Metropolitan Planning Organizations to consider integrating transportation planning, housing, employment opportunities, and economic development strategies.<sup>7</sup> The Department strongly encourages applicants to utilize these new planning coordination opportunities in their proposed projects and describe them in their applications. **Note, the RAISE program can only fund the surface transportation infrastructure elements** of a project that may also include housing, employment opportunities, and economic development strategies.

### 3. RESTRICTIONS ON FUNDING

The Department must comply with the following funding restrictions:

<b>Funding Restriction</b>	<b>Amount</b>
<b>Per State</b>	No more than 15% which is \$225 million
<b>Rural Projects</b>	No more than 50% which is \$750 million
<b>Urban Projects</b>	No more than 50% which is \$750 million
<b>Planning Projects</b>	At least 5% which is \$75 million
<b>Projects Located in Areas of Persistent Poverty and/or History Disadvantaged Communities</b>	At least 1% which is \$15 million

The Department may retain up to \$30 million for oversight and administration of grants. Additionally, the Department may use up to 20 percent of available funds (or \$300 million) to pay the subsidy and administrative costs of a project receiving credit assistance under the [Transportation Infrastructure Finance and Innovation Act of 1998](#) (TIFIA) or [Railroad Rehabilitation and Improvement Financing](#) (RRIF) programs. Note, applicants must apply to both the RAISE program and TIFIA or RRIF loan program to be eligible for the Department to pay for subsidy and administrative costs associated with credit assistance.

Federal funds awarded under this program may not be used to support or oppose union organizing, whether directly or as an offset for other funds.

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<sup>7</sup>See BIL div. A § 11201., *Transportation Planning*, which amends [23 U.S.C. 134](#).

#### 4. AVAILABILITY OF FUNDS

The table below outlines the obligation and expenditure deadlines for FY 2025 BIL funding.

<b>Fiscal Year</b>	<b>BIL Funding Obligation Deadline</b>	<b>BIL Funding Expenditure Deadline</b>
FY 2025	September 30, 2029	September 30, 2034

FY 2025 RAISE grant funds must be obligated by September 30, 2029.

- Obligation occurs when a selected applicant and the Department enter into a written grant agreement after the applicant has satisfied applicable local, State and Federal requirements.

FY 2025 RAISE funds must be expended by September 30, 2034.

- Expenditure occurs when a recipient is reimbursed for eligible project costs.
- After this date, unexpended funds are no longer available to the project.

#### 5. PERFORMANCE GOALS

RAISE program performance measures can be found on the [RAISE website](#).

#### 6. PREVIOUS AWARDS

Previous program awards can be seen in [Fact Sheets](#) on the RAISE website.

## **D. APPLICATION CONTENT AND FORMAT**

The Department requires the application to include the following files, in this order and with these specific names:

<b>Information</b>	<b>File Name</b>	<b>NOFO Section</b>	<b>Page Limit</b>
SF-424	SF-424	D.1	N/A
Project Information Form (Excel file)	FY 2025 RAISE Project Information Form	D.2	N/A
Project Description	Project Description	D.3	5 pages
Project Location File	Project Location File	D.4	N/A
Project Budget	Project Budget	D.5	5 pages
Funding Commitment Documentation	Funding Commitments	D.5	N/A
Merit Criteria	Merit Criteria Narrative	D.6	15 pages
Project Readiness	Project Readiness	D.7	5 pages
Benefit-Cost Analysis Narrative (capital projects only)	BCA Narrative	D.8	N/A
Benefit-Cost Analysis Calculations (capital projects only, unlocked Excel file)	BCA Calculations	D.8	N/A
Letters of Support (Optional)	Letters Of Support	D.7	N/A

The Department requires application files to be formatted as follows: single-spaced, 12-point standard font (e.g., Times New Roman), with 1-inch margins. Files should be in PDF unless otherwise specified (e.g., project information form in Excel; location files as Shapefile or KML/KMZ; and BCA calculations in Excel).

Applications should include all necessary information to demonstrate compliance with the Eligibility section and to meet selection criteria in the Criteria section. Applications must be complete at submission; the Department may request additional data, but applicants are not obligated to provide it.

Supporting documents may be included but are not required to be reviewed by evaluators.

Different evaluation teams review the merit criteria, the benefit-cost analysis, budget, and project readiness files.

The Department expects application files to include the following detailed information:

### **1. STANDARD FORM 424**

The SF-424 Application for Federal Assistance must be completed. Applicants may leave the following fields on the form blank: 3, 4, 5a, 5b, 6, 7, 11, 13, and 14. Separate files must be attached in Item 15 to provide required project information that is not included in the body of the SF-424.

## 2. FY 2025 RAISE PROJECT INFORMATION FORM

The FY 2025 Project Information Form can be downloaded from [Grants.gov](https://www.grants.gov) or from the [RAISE website](#). This form is used to determine applicant and project eligibility.

Information such as applicant name, RAISE amount requested, other Federal funding, non-Federal funding, etc. may be requested in varying degrees of detail on both the SF-424 and the FY 2025 RAISE Project Information Form. Applicants must fill in all fields unless stated otherwise on the forms.

## 3. PROJECT DESCRIPTION FILE

This file should describe the project to be planned or constructed, including a detailed statement of work covering technical and engineering aspects, current design status, and transportation challenges and solutions. It may also include the project's history and how it fits within the applicant's broader transportation infrastructure investments.

This file should include a narrative description of the project location, detailing the geographic area and providing maps to complement the project location file. It should narratively identify if the project is located in an Area of Persistent Poverty, a Historically Disadvantaged Community, and if the project is Urban or Rural (see Location Designations section for definitions).

## 4. PROJECT LOCATION FILE

Applicants should submit one of the following file types that detail the projects location so the Department can verify location designations: Shapefile (.zip with .shp, .shx, .dbf, and .prj) or KML/KMZ. Google Earth can be used to create KML/KMZ files. The files should only include the project's direct physical location, not a broad service area or area of impact. **Accurate location data is crucial as it affects eligibility for the FY 2025 RAISE grants program.**

## 5. PROJECT BUDGET FILES

This file should describe the budget for the RAISE project using the below table and also include a narrative section. **The budget table should show only future eligible project costs and should not include previously incurred expenses.**

Funding Source	[Component 1]	[Component 2]	Total Funding
RAISE Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Other Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Non-Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Total Project Cost:	[\$XXX]	[\$XXX]	[\$XXX]

*Note: If there is only a single component, remove "Component 2" column. If there are more than 2 components, add columns.*

The budget table must show the **total project cost** by project component and the following funding sources:

- RAISE funding request
- Other Federal funds
- Non-Federal Funds

The budget table and narrative must identify the amount, type (e.g., grant, loan, bond, etc.), and source of all other Federal funds and non-Federal funds included in the budget. The budget table should demonstrate compliance with the statutory cost share requirements.

Applicants must also include the three tables listed below in their project budget file. The Department will use these tables to determine where the majority of project costs occur for the purposes of making APP, HDC, and Urban designations. The total project cost listed in each table should match the total project cost listed in the budget table above, in the SF-424 and in the FY 2025 RAISE Project Information Form. Applicants should reference the [RAISE Grant Project Location Verification](#) mapping tool when filling out the below tables.

2020 Census Tract(s)	Project Costs per Census Tract
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
	Total Project Cost: \$

*Note: Please reference the Census Tracts (2020 Census) layer in the [RAISE Grant Project Location Verification](#) mapping tool. Additional rows may be added if necessary.*

2010 Census Tract(s)	Project Costs per Census Tract
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
	Total Project Cost: \$

*Note: Please reference the Census Tracts (2010 Census) layer in the [RAISE Grant Project Location Verification](#) mapping tool. Additional rows may be added if necessary.*

Urban and Rural	Project Costs
Urban (2020 Census-designated urban area with a population greater than 200,000)	\$
Rural (Located outside of a 2020 Census-designated urban area with a population greater than 200,000)	\$
	Total Project Cost: \$

*Note: Please reference the Census Designated Urban Areas with Population Greater Than 200,000 (2020 Census) layer in the [RAISE Grant Project Location Verification](#) mapping tool.*

The budget narrative should include:

- **Sources, Uses, and Availability:** Provide complete information on how all capital or planning project funds may be used, their availability, and documented funding commitments. 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. Examples of documentation include, but are not limited to, a letter signed by a governing official or chief financial officer confirming the amount and source of funding, a page or pages from the Statewide Improvement Program (STIP) or Transportation Improvement Program (TIP) (please do not include a link to the entire STIP/TIP), a signed city ordinance, or a county administrator committing previously approved general obligation bonds.
- **Contingency Amount and Plan:** Indicate the specific contingency amount included in the budget to demonstrate there is sufficient funding to cover unanticipated cost increases and describe a plan to address potential cost overruns. Planning projects are not required to include a contingency amount but must describe a plan to address potential cost overruns.
- **Level of Design:** Indicate the degree of design completion (e.g., no design, 30, 60, 90 percent design) for which the cost was estimated in the case of a capital project;
- **Cost Estimates:** Indicate how, when, and by whom project costs were estimated. Cost estimates should be no older than a year from the application deadline. If older, please apply an inflation factor.



- Cost Share: Explain how the project budget satisfies the statutory cost share or non-federal funds matching requirements shown in the project budget table, if applicable.

## 6. MERIT CRITERIA FILE

This file should demonstrate how the project aligns with each of the 8 statutory merit criteria described in the Merit Criteria section by:

- Organizing the narrative in the order the merit criteria are described in the Merit Criteria section
- Addressing each merit criteria separately by:
  - Identifying the bullet(s) from the rubric the project addresses
  - Identifying the element(s) of the project that address the bullet(s) from the rubric
  - Providing supporting justification using data. Unsupported claims may harm the application's competitiveness.

Applicants are encouraged to use the Department's [Equitable Transportation Community \(ETC\) Explorer](#) as a resource to describe how their project area is experiencing transportation related disadvantage as it relates to safety, affordable transportation options, pollution, access to good-paying jobs, climate change, and/or improving quality of life.

**Insufficient information to assess any criterion will negatively impact the project rating.**

Merit reviewers will focus on this file and will not be required to reference links or the other files in the application package.

## 7. PROJECT READINESS FILE

Project readiness describes an applicant's preparedness to move a proposed project forward once it receives a RAISE grant. The Project Readiness file should include information that, when considered with the project budget information, is sufficient for the Department to evaluate whether the project is reasonably expected to begin the capital or planning project in a timely manner and meet both the obligation and expenditure deadlines. To assist the Department's environmental risk review, the applicant should provide the information requested on project schedule, required approvals and permits, NEPA class of action and status, public involvement, right-of-way acquisition plans, risk assessment, and risk mitigation strategies. Applicants can see a general Project Readiness checklist on the [DOT Navigator](#). The Project Readiness file should include the sections outlined below. Supporting material that exceeds page limits may be provided as hyperlinks, attachments, or appendices.

### i. Planning and Constructability

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.

- STIP / TIP / TTIP / TAM Plan: Is the project already listed in the STIP, TIP, Tribal Transportation Improvement Program (TTIP), and/or Transit Asset Management (TAM) Plan, if applicable? If so, provide links or attachments that show the project listing in the applicable plans/programs. If the project is not yet listed, describe any coordination that

has/will occur to facilitate listing in the applicable plans/programs and the anticipated date when listing will occur.

- Consistency with Other Plans: Is your proposal listed in and/or consistent with any other plans (e.g., the Long-Range Statewide Transportation Plan and/or Metropolitan Long-Range Plan)? If so, please summarize and provide a link to appropriate project listing.
- Freight Plans: 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](#).
- Property Acquisition / Right-of-Way (ROW): Who is the owner of the existing facility? Will any new ROW acquisition be required, and if so, from whom? If acquisition will be required, describe the status and anticipated schedule for the acquisition. Will any special ROW permits or approvals be needed? If so, please describe.
- Construction Techniques and Phasing: Will the proposed improvements require unique construction techniques, non-standard project delivery methods (e.g., approaches other than design-bid-build), and/or phasing? If so, please describe.

## ii. Proposed Schedule

- List the completed and/or anticipated dates (calendar month and year, not fiscal year or quarter) for the following key milestones. Dates provided should reflect a realistic amount of time to complete each milestone. Ensure that dates provided here are consistent with dates provided elsewhere in the application.
  - Start and end of preliminary design
  - Start and end of the NEPA process
  - Start and end of obtaining permits/approvals (if required)
  - Project listed in STIP, TIP, TTIP, and/or TAM Plan (as applicable)
  - Start and end of final design
  - Start and end of ROW acquisition (if required)
  - Anticipated finalization of RAISE grant agreement (if awarded)
  - Anticipated obligation of grant funds (if awarded)
  - Start and end of construction
- Project Development Phases to be Funded with RAISE: Describe the project development phase(s) proposed to be funded with RAISE funds (if awarded), and whether RAISE funds are proposed to be used for phases other than ROW acquisition and construction (e.g., for design, NEPA, etc.). Note: typically, milestones for establishing the grant agreement and obligation of funds should be scheduled before any activities/phases that will use RAISE funds.

## iii. NEPA and Permitting

- NEPA Class of Action: List the class of action/type of document that has already been or will be prepared to comply with the National Environmental Policy Act (NEPA) of 1969,

as amended (e.g., a categorical exclusion, an environmental assessment, an environmental impact statement, or class of action not yet determined). If multiple NEPA documents are being prepared for this proposal, briefly explain why, and complete the prompts below for each document.

- NEPA Status and Milestones: Briefly describe the status of NEPA compliance (e.g., not started, underway, or complete), the anticipated project impacts, and proposed mitigation measures. If the NEPA process has been completed, provide the final approval date for the NEPA document. If the NEPA process has not yet been completed, list the key remaining milestones for the NEPA process, their status, and their anticipated completion dates. Identify any anticipated challenges to timely completing the NEPA process.
- Link to NEPA Documentation: If draft or final NEPA documentation is available, provide a hyperlink, attach it, or append it.
- Reevaluation and Post-Approval Changes: Describe any planned and/or completed efforts to reevaluate the NEPA documentation between the final NEPA approval and beginning of construction. Reevaluation may be warranted based on the passage of time and/or changes in the project scope, setting, impacts, or applicable requirements since the final NEPA approval.
- Permits and Approvals: List any federal, state, or local permits and approvals anticipated to be needed for the project (e.g., Clean Water Act Section 404 permit, Endangered Species Act Section 7 consultation, etc.). Provide the status of each permit or approval and the date that the permit or approval was obtained or is anticipated to be obtained. Summarize and attach relevant correspondence or documentation of consultation with permitting agencies.
- Coordination with DOT: Identify the federal lead agency for the NEPA process and any joint-lead agencies. Describe any coordination that has occurred with an agency or operating administration of USDOT regarding the project proposal and/or NEPA analysis. Describe any coordination with state, county, or local transportation agencies regarding preliminary design and the NEPA process.

#### **iv. Project Support**

- Public and Agency Involvement Process: Summarize the key events and techniques used to engage the public and other stakeholders during the NEPA process. Highlight efforts to engage disadvantaged communities and communities likely to be affected by the project, including details on compliance with environmental justice requirements and access for persons with disabilities and limited English proficiency. These efforts may include public meetings, a public website, presentations to community groups, newsletters, online outreach, etc.
- Public and Agency Involvement Results: Summarize the support, opposition, and/or other notable feedback related to the project from the following groups and describe how stakeholder feedback has been integrated into project development and design:
  - The public, including members of communities affected by the proposal,
  - Elected officials and/or bodies (e.g., federal and state legislators, city and county councils and boards, etc.),

- Other entities (e.g., members of business or industry, community organizations, advocacy groups, etc.), and
- Federal, state, or local agencies (reference any relevant information provided in the NEPA and Permitting section above).
- Attach and reference documentation of support as applicable (e.g., letters of support, letters of commitment, resolutions, summaries of public comments, etc.)

#### **v. Risks and Mitigation**

Project risks, such as procurement delays, environmental uncertainties, increases in real estate acquisition costs, uncommitted local match (non-federal funding), lack of support from stakeholders or impacted communities, or lack of legislative approval affect the likelihood of successful project start and completion. Project risks can also include the unavailability of vehicles that either comply with Federal Motor Vehicle Safety Standards or are exempt from Federal Motor Vehicle Safety Standards in a manner that allows for their legal acquisition and deployment, and unavailability of domestically manufactured equipment.

- The applicant should identify all material risks and harms to the project and the strategies that the lead applicant and any project partners have undertaken or will undertake to mitigate those risks, and describe the potential effects of each risk on meeting the key project delivery schedule milestones presented in the Proposed Schedule. The applicant should assess the greatest risks to the project and identify how the project parties will mitigate those risks.
- 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 Federal program, the applicant should contact the appropriate DOT operating administration field or headquarters offices, as found in contact information on the [RAISE website](#), for information on the prerequisite 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.

#### **vi. Technical Capacity Assessment**

All applications should include a section in the Project Readiness file that demonstrates their technical capacity to successfully deliver the project in compliance with applicable Federal requirements including, but not limited to, compliance with Title VI/Civil Rights requirements and Buy America provisions. The applicant should address the following in the technical capacity section of the Project Readiness file:

- Federal Funding: experience implementing federally funded transportation projects.
- Federal Regulations: understanding of federal contract and procurement requirements, Buy America, Americans with Disabilities Act, Uniform Relocation Assistance and Real Property Acquisition Act, Davis Bacon Act, etc.
- Project Planning: practice incorporating projects into long-range development plans or adding projects to the TIP/STIP through the MPO planning process.

- Project Delivery: examples of successfully delivered projects of similar size, scope, and complexity.

## 8. BENEFIT-COST ANALYSIS

The purpose of the Benefit-Cost Analysis (BCA) is to enable the Department to evaluate the cost-effectiveness of the proposed project by comparing its expected benefits to its expected costs relative to the current problem often referred to as the “baseline” or “no-build alternative.” The baseline defines the world without the proposed project.

Any benefits claimed for the proposed project, both quantified and unquantified, should be clearly tied to the expected outcomes of the proposed project. While benefits should be quantified wherever possible, applicants may also describe other categories of benefits in the BCA that are more difficult to quantify and/or value in economic terms.

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:

- Narrative Description of Analysis: The BCA narrative should describe the current baseline, the sources of data used to estimate the benefits of the project, document any assumptions, and the values of key input parameters. Applicants may also provide a table similar to 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:

<b>Baseline / Current Status and Problem to be Addressed</b>	<b>Change to Baseline / Proposed Project to Address Problem</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 roadway with a high number of pedestrian fatalities has no sidewalks or marked crosswalks	Sidewalks, high visibility crosswalks, and upgraded lighting will be added to the roadway	Reduced pedestrian fatalities and injuries by X and Y per year, respectively, as well as amenity benefits of wider sidewalks for Z daily pedestrian trips

- Spreadsheet Revealing Underlying Calculations: The BCA spreadsheet file should present the calculations in sufficient detail and transparency to allow the analysis to be reproduced by Department evaluators. While DOT does not have a prescribed format for the BCA spreadsheet submitted by the applicant beyond ensuring that it is unlocked, to allow review, the Department is also developing a new BCA spreadsheet template that will be available to assist applicants in structuring their analysis.

Applicants should review the Department's detailed guidance on how to conduct a BCA. Both the guidance document and spreadsheet template will be available on the [RAISE website](#).

## **E. SUBMISSION REQUIREMENTS AND DEADLINE**

### **1. ADDRESS TO REQUEST APPLICATION PACKAGE**

All application materials may be found on [Grants.gov](https://www.grants.gov) and the [RAISE website](#).

### **2. UNIQUE ENTITY IDENTIFIER (UEI) AND SYSTEM FOR AWARD MANAGEMENT (SAM)**

Each applicant must:

- Be registered in [SAM.gov](https://sam.gov) before submitting its application;
- Provide a valid unique entity identifier in its application; and
- Continue to maintain an active registration in SAM.gov with current information at all times during which it has an active Federal award or an application under consideration by a Federal agency.

Please note that the SAM registration process takes **several weeks to complete, if not longer**.

#### **i. Submission Instructions**

All applications must be submitted electronically through [Grants.gov](https://www.grants.gov)

The Department does not accept applications via mail, fax machine, email, or other means.

Each applicant must:

- Create a [Grants.gov](https://www.grants.gov) username and password
- The E-Business Point of Contact (POC) at the applicant's organization must respond to the registration email from [Grants.gov](https://www.grants.gov) and login at [Grants.gov](https://www.grants.gov) to authorize the applicant as the Authorized Organization Representative (AOR). Please note that there can be more than one AOR for an organization

Failure to register for SAM or comply with [Grants.gov](https://www.grants.gov) applicant requirements in a timely manner will not be considered for exceptions to the submission requirements and deadline.

#### **ii. Submission Issues**

The Department is not able to assist with technical issues related to [Grants.gov](https://www.grants.gov) registration or application submission. For information and instructions, please see [Grants.gov](https://www.grants.gov). If applicants experience difficulties at any point during the registration or application submission process, please call the Customer Service Support Hotline at 1-800-518-4726 or email [support@grants.gov](mailto:support@grants.gov).

### **3. SUBMISSION DEADLINE**

Applications must be submitted through [Grants.gov](https://www.grants.gov) by 11:59 PM eastern on January 30, 2025. [Grants.gov](https://www.grants.gov) attaches a time stamp to each application at the time that submission is complete.

**i. Consideration of Applications**

Only applicants who comply with all submission deadlines described in this notice and electronically submit valid, on-time applications through [Grants.gov](https://www.grants.gov) will be eligible for evaluation and possible selection for award.

**ii. Late Applications**

Any applications that [Grants.gov](https://www.grants.gov) time stamps after 11:59 PM eastern on the deadline will not be accepted. Applicants are strongly encouraged to make submissions days, if not weeks, in advance of the deadline. Applicants facing technical issues are advised to contact the [Grants.gov](https://www.grants.gov) helpdesk well in advance of the deadline.

**4. INTERGOVERNMENTAL REVIEW**

This program is not subject to EO 12372, Intergovernmental Review of Federal Programs.

**5. COMPLIANCE WITH SECTION 508 OF THE REHABILITATION ACT OF 1973**

The Department encourages applicants to submit documents that are compliant with Section 508 of the Rehabilitation Act of 1973 (see [Section 508 guidelines](#)).



## **F. APPLICATION REVIEW INFORMATION**

### **1. CRITERIA**

This section specifies the criteria the Department will use to evaluate applications.

<b>TIER 1</b> All Eligible Applications
<b>Merit Criteria Review</b>
<b>TIER 2</b> All applications rated “Highly Recommended” under the merit criteria review automatically advance for second tier analysis. The Senior Review Team (SRT) can advance applications rated “Recommended” for second tier analysis.
<b>Project Readiness Review</b>
Environmental Risk Assessment (capital projects only)
Financial Completeness Assessment
Technical Capacity Assessment
<b>Benefit-Cost Analysis</b> (capital projects only)

The Department will review merit criteria for all applications. Highly Recommended capital applications will automatically advance to receive second-tier analysis consisting of three Project Readiness reviews: (1) Environmental Risk Assessment; (2) Technical Capacity Assessment; and (3) Financial Completeness Assessment, as well as a Benefit-Cost Analysis (BCA). Highly Recommended planning applications will automatically advance to receive second-tier analysis consisting of two Project Readiness areas: (1) Technical Capacity Assessment; and Financial Completeness Review. Environmental Risk Assessment and BCA will not be reviewed for planning applications. The SRT can advance select Recommended capital and planning applications for second-tier analysis under the circumstances described in the Review and Selection Process section.

#### **iii. Merit Criteria**

For each merit 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, which will result in a rating of “high,” “medium,” “low,” or “non-responsive” as described in the rubric below.

<b>Individual Merit Criteria Ratings</b>	
<b>High</b>	The criterion must be addressed as a primary project purpose (not an ancillary or incidental consideration, except for the Partnership and Collaboration and Innovation criteria), must include clear, direct, data-driven (capital projects only), and significant benefits, and must align with at least one of the benefits described in the high column of the merit criteria rubric.
<b>Medium</b>	The criterion may not be a primary project purpose, or the project benefits do not meet at least one of the requirements for a 'high' rating, as described in the merit criteria rubric.
<b>Low</b>	The application contains insufficient information to assess that criterion's benefits.
<b>Non-Responsive</b>	The proposed project negatively affects the criterion, or the application does not address the criterion.

Planning grant applications will be evaluated against the same merit criteria as capital grants. Planning grant applications should include data on the problem intended to be addressed, but information does not need to be as driven by data as a capital project when estimating benefits of the implemented project since data is often an outcome of the project to be planned. The Department will consider how the plan, once implemented, will ultimately further the merit criteria.

The combination of individual criterion ratings will inform one overall Merit Rating: Highly Recommended, Recommended, Acceptable, or Unacceptable, as shown below.

<b>Overall Merit Rating</b>	
<b>Highly Recommended</b>	six or more of the eight merit criteria ratings are "high" none of the merit criteria ratings are "non-responsive"
<b>Recommended</b>	one to five of the merit criteria ratings are "high" no more than three of the merit criteria ratings are "low" none are "non-responsive"
<b>Acceptable</b>	a combination of "high," "medium," "low," or "non-responsive" ratings that do not fit within the definitions of Highly Recommended, Recommended, or Unacceptable
<b>Unacceptable</b>	three or more "non-responsive" ratings

Merit Criteria	Non-Responsive	Low	Medium	High
<b>Safety</b>	<p>Application did not address the Safety criterion</p> <p>OR</p> <p>Project negatively affects safety</p>	<p>Application contains insufficient information to assess safety benefit</p>	<p>The project has one or more of the following safety benefits, but safety may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> <li>• Protect non-motorized or motorized travelers from safety risks; or</li> <li>• Reduce any number of fatalities and/or serious injuries</li> </ul>	<p>Safety is a primary project purpose AND the project has clear, direct, <b>data-driven</b> (for capital projects only), and significant benefits that targets a known, documented safety problem, by doing one or more of the following:</p> <ul style="list-style-type: none"> <li>• Protect non-motorized travelers from safety risks; or</li> <li>• Reduce fatalities and/or serious injuries in underserved communities to bring them below the state-wide average; or</li> <li>• Incorporate and cite specific actions and activities identified in the Department’s <a href="#">National Roadway Safety Strategy plan</a> or <a href="#">Improving Safety for Pedestrians and Bicyclists Accessing Transit report</a>, or <a href="#">FTA’s Safety Advisory 23-1: Bus-to-Person Collisions</a>; or</li> <li>• Incorporate specific safety improvements that are part of a documented risk reduction mitigation strategy and that have, for example, port-wide or transit system impact.</li> </ul>

Merit Criteria	Non-Responsive	Low	Medium	High
<b>Environmental Sustainability</b>	<p>Application did not address the Environmental Sustainability criterion</p> <p>OR</p> <p>Project negatively affects environmental sustainability</p>	<p>Application contains insufficient information to assess environmental sustainability benefits</p>	<p>Project has one or more of the following environmental sustainability benefits, but environmental sustainability may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> <li>• Reduce transportation-related air pollution and greenhouse gas emissions; or</li> <li>• Reduce vehicle miles traveled; or</li> <li>• Incorporate lower-carbon pavement/construction materials; or</li> <li>• Redevelop brownfield sites; or</li> <li>• Improve resilience of infrastructure to current and future weather and climate risks; or</li> <li>• Make basic stormwater improvements</li> </ul>	<p>Environmental sustainability is a primary project purpose AND the project has clear, direct, <b>data-driven</b> (for capital projects only), and significant benefits that explicitly considers climate change and environmental justice, by doing one or more of the following:</p> <ul style="list-style-type: none"> <li>• Reduce transportation-related air pollution and greenhouse gas emissions in disadvantaged communities; or</li> <li>• Address the disproportionately negative environmental impacts of transportation on disadvantaged communities such as by reducing exposure to elevated levels of air, water, and noise pollution; or</li> <li>• Align with the applicant’s State Carbon Reduction Strategy, State Electric Vehicle Infrastructure Deployment Plan, or other State, local, or tribal greenhouse gas reduction plan; or</li> <li>• Align with the <a href="#">U.S. National Blueprint for Transportation Decarbonization</a>; or</li> <li>• Implement transportation-efficient land use and design, such as drawing on the features of historic towns and villages that had a mix of land uses, compact and walkable development patterns, accessible</li> </ul>

Merit Criteria	Non-Responsive	Low	Medium	High
				<p>green space, and neighborhood centers that make it convenient to take fewer or shorter trips; or</p> <ul style="list-style-type: none"> <li>• Reduce vehicle miles traveled specifically through modal shift to transit, rail, or active transportation; or</li> <li>• Reduce emissions specifically by shifting freight to lower-carbon travel modes; or</li> <li>• Incorporate energy efficient investments, such as electrification or zero emission vehicle infrastructure; or</li> <li>• Improve the resilience of at-risk infrastructure to be resilient to extreme weather events and natural disasters caused by climate change, such as by using best-available climate data sets, information resources, and decision-support tools; or</li> <li>• Incorporate <a href="#">nature-based solutions</a> or <a href="#">natural infrastructure</a> with the use of native plants; or</li> <li>• Referenced in a <a href="#">Resilience Improvement Plan</a> or similar plan; or</li> <li>• Remove, replace, or restore culverts for the purpose of improving habitat for aquatic species; or</li> </ul>

Merit Criteria	Non-Responsive	Low	Medium	High
				<ul style="list-style-type: none"> <li data-bbox="1373 240 1856 337">• Avoid adverse environmental impacts to air or water quality, wetlands, and endangered species</li> </ul>
<b>Quality of Life</b>	<p data-bbox="415 354 617 488">Application did not address the Quality of Life criterion</p> <p data-bbox="415 532 464 560">OR</p> <p data-bbox="415 604 646 711">Project negatively affects quality of life</p>	<p data-bbox="674 354 890 560">Application contains insufficient information to assess quality of life benefits</p>	<p data-bbox="915 354 1304 597">Project has one or more of the following quality of life benefits but quality of life may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> <li data-bbox="961 609 1283 673">• Increase affordability for travelers; or</li> <li data-bbox="961 685 1220 750">• Reduces vehicle dependence</li> </ul>	<p data-bbox="1329 354 1877 527">Quality of life is a primary project purpose AND the project has clear, direct, <b>data-driven</b> (for capital projects only) and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> <li data-bbox="1373 539 1877 750">• Increase affordable transportation choices by improving and expanding active transportation usage or significantly reducing vehicle dependence, particularly in underserved communities; or</li> <li data-bbox="1373 761 1877 972">• Reduce transportation and housing cost burdens by integrating mixed-use development and a diversity of housing types, including affordable housing, with multimodal transportation infrastructure; or</li> <li data-bbox="1373 984 1877 1157">• Coordinate and integrate land use, affordable housing, and transportation planning in order to create more livable communities and expand travel choices; or</li> <li data-bbox="1373 1169 1877 1343">• Improve access to daily destinations like jobs, healthcare, grocery stores, schools, places of worship, recreation, or parks through transit and active transportation; or</li> <li data-bbox="1373 1354 1877 1414">• Implement transit-oriented development that benefits existing</li> </ul>

Merit Criteria	Non-Responsive	Low	Medium	High
				<p>residents and businesses, low-income and disadvantaged communities, and minimizes displacement; or</p> <ul style="list-style-type: none"> <li>• Improve public health by adding new facilities that promote walking, biking, and other forms of active transportation; or</li> <li>• Mitigate urban heat islands to protect the health of at-risk residents, outdoor workers, and others; or</li> <li>• Proactively addresses equity.</li> </ul>
<p><b>Mobility and Community Connectivity</b></p>	<p>Application did not address the Mobility and Community Connectivity criterion</p> <p>OR</p> <p>Project negatively affects mobility and community connectivity</p>	<p>Application contains insufficient information to assess mobility and community connectivity benefits</p>	<p>Project has one or more of the following mobility and community connectivity benefits, but mobility and community connectivity may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> <li>• Increase accessible transportation choices; or</li> <li>• Include ADA improvements</li> </ul>	<p>Mobility and community connectivity is a primary project purpose AND the project has clear, direct, <b>data-driven</b> (for capital projects only) and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> <li>• Improve system-wide connectivity with access to transit, micro-mobility, and mobility on-demand; or</li> <li>• Implement plans, based on community participation and data, that addresses gaps identified in the existing network; or</li> <li>• Remove physical barriers for individuals by reconnecting communities to direct, affordable transportation options; or</li> <li>• Include transportation features that increase the accessibility for non-</li> </ul>

Merit Criteria	Non-Responsive	Low	Medium	High
				<p>motorized travelers in underserved communities; or</p> <ul style="list-style-type: none"> <li>• Incorporate <a href="#">Universal Design</a> including details of how the improvements go beyond ADA requirements by designing environments to be usable by all people, to the greatest extent possible, without the need for adaption or specialized design such as a Complete Streets approach; or</li> <li>• Directly increasing intermodal and multimodal freight movement; or</li> <li>• Consider last-mile freight plans in a Complete Streets and multimodal approach</li> </ul>
<p><b>Economic Competitiveness and Opportunity</b></p>	<p>Application did not address the Economic Competitiveness and Opportunity criterion</p> <p>OR</p> <p>Project negatively affects economic competitiveness and opportunity</p>	<p>Application contains insufficient information to assess economic competitiveness and opportunity benefits</p>	<p>Project has one or more of the following economic competitiveness and opportunity benefits, but economic competitiveness and opportunity may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> <li>• Improve travel time reliability; or</li> <li>• Improve movement of goods; or</li> <li>• Create jobs related to the project’s delivery</li> </ul>	<p>Economic competitiveness is a primary project purpose AND the project has clear, direct, <b>data-driven</b> (for capital projects only), and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> <li>• Improve intermodal and/or multimodal freight mobility, especially for supply chain bottlenecks; or</li> <li>• Facilitate tourism opportunities; or</li> <li>• Promote local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises or 8(a) firms; or</li> <li>• Promote wealth building; or</li> </ul>



Merit Criteria	Non-Responsive	Low	Medium	High
			and on-going operations	<ul style="list-style-type: none"> <li>• Promote long-term economic growth and other broader economic and fiscal benefits; or</li> <li>• Create good-paying jobs with free and fair choice to join a union including through the use of a project labor agreement; or</li> <li>• Adopt local and economic hiring preferences for the project workforce or include other changes to hiring policies and workplace cultures to promote the entry and retention of underrepresented populations; or</li> <li>• Promote greater public and private investments in land-use productivity, including rural main street revitalization or locally driven density decisions that support equitable commercial and mixed-income residential development</li> </ul>
<b>State of Good Repair</b>	<p>Application did not address the State of Good Repair criterion</p> <p>OR</p> <p>Project negatively affects state of good repair</p>	Application contains insufficient information to assess state of good repair benefits	<p>Project has one or more of the following state of good repair benefits but state of good repair may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> <li>• Routine or deferred maintenance; or</li> <li>• Create new infrastructure (not in a</li> </ul>	<p>State of good repair is a primary project purpose AND the project has clear, direct, <b>data-driven</b> (for capital projects only) and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> <li>• Restore and modernize (such as through road diets and complete streets approaches) the existing core infrastructure assets that have met their useful life; or</li> </ul>

Merit Criteria	Non-Responsive	Low	Medium	High
			<p>remote community) that will be maintained in a state of good repair; or</p> <ul style="list-style-type: none"> <li>• Identify the party responsible for maintenance and describe how the new or improved asset(s) will be maintained in a state of good repair; or</li> <li>• Resolve the current or projected transportation system vulnerabilities</li> </ul>	<ul style="list-style-type: none"> <li>• Reduce construction and maintenance burdens through efficient and well-integrated design; or</li> <li>• Create new infrastructure in remote communities that will be maintained in a state of good repair; or</li> <li>• Address current or projected transportation system vulnerabilities for underserved communities; or</li> <li>• Prioritize improvement of the condition and safety of existing transportation infrastructure within the <u>existing</u> footprint</li> </ul>
<b>Partnership and Collaboration</b>	<p>Application did not address the Partnership and Collaboration criterion</p> <p>OR</p> <p>Project negatively affects partners or community members (e.g., negative impacts from ROW acquisition, lack</p>	<p>Application contains insufficient information to assess the partnership and collaboration benefits</p>	<p>Project has one or more of the following partnership and collaboration benefits but partnership and collaboration may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> <li>• Collaborate with public and/or private entities; or</li> <li>• Document support from local, regional, or national levels</li> </ul>	<p>Project has, or demonstrates plans to, support and engage diverse people and communities by doing one or more of the following:</p> <ul style="list-style-type: none"> <li>• Engage residents and community-based organizations to ensure equity considerations for underserved communities are meaningfully integrated throughout the lifecycle of the project, for example, by citing and describing how the project aligns with the Department’s <a href="#">Promising Practices for Meaningful Public Involvement in Transportation Decision-Making Guide</a>; or</li> </ul>

Merit Criteria	Non-Responsive	Low	Medium	High
	of support for the project, etc.)			<ul style="list-style-type: none"> <li>• Coordinate with other types of projects such as economic development, commercial or residential development near public transportation, power/electric infrastructure projects, or broadband deployment; or</li> <li>• Partner with Disadvantaged Business Enterprises or 8(a) firms; or</li> <li>• Partner with high-quality workforce development programs with supportive services to help train, place, and retain people in good-paying jobs or registered apprenticeships. These programs should have a focus on expanding access for women, people of color, and others that are underrepresented in infrastructure jobs (people with disabilities, people with convictions, etc.); or</li> <li>• Partner and engage with unions and/or worker organizations in the development of the project and the lifecycle of the project, including the maintenance or operation of the completed project; or</li> <li>• Partner with communities or community groups representative of historically underrepresented groups to develop workforce strategies; or</li> </ul>

Merit Criteria	Non-Responsive	Low	Medium	High
				<ul style="list-style-type: none"> <li>• Establish formal public-private partnerships or joint ventures to expand or create new infrastructure or economic development capacity; or</li> <li>• Participate in the <a href="#">Thriving Communities Network</a></li> </ul>
<b>Innovation</b>	<p>Application did not address the Innovation criterion.</p> <p>OR</p> <p>Includes non-innovative practices or components</p>	<p>Application contains insufficient information to assess innovation benefits</p>	<p>Project has one or more of the following innovation benefits but does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> <li>• Deploy technologies, project delivery, or financing methods that are <u>new or innovative to the applicant or community</u></li> </ul>	<p>Project has, or demonstrates plans for, one or more of the following innovative benefits.</p> <p>Innovative Technologies</p> <ul style="list-style-type: none"> <li>• Enhance the environment for electric, connected, or automated vehicles to improve the detection and mitigation of safety risks; or</li> <li>• Improve safety using Advanced Driver Assistance Systems on public transit vehicles, including functions such as precision docking; lane keeping or lane centering; or</li> <li>• Use sensors or small unmanned aerial vehicles to enhance infrastructure inspection and asset management processes; or</li> <li>• Use sensors to monitor real-time conditions of pavement quality, signage, crosswalks, transit headways, or other public infrastructure; or</li> <li>• Use low-carbon or other innovative materials; or</li> </ul>

Merit Criteria	Non-Responsive	Low	Medium	High
				<ul style="list-style-type: none"> <li>• Use caps, land bridges, or underdecks; or</li> <li>• Use active grade crossing detection systems to enable responsive traffic management; or</li> <li>• Use detection systems on railroads to target and deter trespassing; or</li> <li>• Digitalize curb management to optimize use across purposes and modes, including freight, pick-up drop-off, and transit usage</li> </ul> <p>Innovative Project Delivery</p> <ul style="list-style-type: none"> <li>• Use practices that facilitate accelerated project delivery such as single contractor design-build arrangements, <a href="#">Advanced Digital Construction Management</a>, <a href="#">Accelerated Bridge Construction</a>, <a href="#">Digital as-builts</a>, or an up-to-date programmatic agreement between an environmental resource agency and a state DOT, or other NEPA lead agency, that establishes a streamlined process for environmental consultations and permits for commonly encountered project types.</li> </ul> <p>Innovative Financing</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>

## Safety

The Department will assess how the project targets a known safety problem and seeks to protect motorized or non-motorized travelers from safety risks on roadways, transit, rail, or ports.

Applicants are highly encouraged to include data-driven information when addressing the safety criterion such as the current and projected number or rate of crashes, fatalities and/or serious injuries among transportation users and how those compare to the statewide average; details about the transportation user that will reap the safety benefits such as whether the project addresses vulnerable roadway users<sup>8</sup> or whether the project addresses inequities in crash victims. If applicable, applicants should describe how the project incorporates specific actions and activities identified in the Department's [National Roadway Safety Strategy](#), or [Improving Safety for Pedestrians and Bicyclists Accessing Transit report](#), or [FTA's Safety Advisory 23-1: Bus-to-Person Collisions](#).

## Environmental Sustainability

The Department will consider the extent to which the project incorporates considerations of climate change and environmental justice in the project planning or project delivery stage. Environmental justice means the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other Federal activities that affect human health and the environment so that people: (i) are fully protected from disproportionate and adverse human health and environmental effects (including risks) and hazards, including those related to climate change, the cumulative impacts of environmental and other burdens, and the legacy of racism or other structural or systemic barriers; and (ii) have equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices.

The Department will evaluate whether and how the project demonstrates environmental sustainability benefits. For this assessment, the Department will consider, for example, how the project will significantly reduce transportation-related pollution like air pollution and greenhouse gas emissions; aligns with the applicant's State, regional, county or city carbon-reduction plan or the [U.S. National Blueprint for Transportation Decarbonization](#); address the disproportionate negative environmental impacts of transportation such as exposure to elevated levels of air, water, and noise pollution; or implement transportation-efficient land use and design, such as drawing on the features of historic towns and villages that had a mix of land uses, compact and walkable development patterns, accessible green space, and neighborhood centers that make it convenient to take fewer or shorter trips.

The Department will assess whether and how the project is expected to reduce emissions, such as shifts to lower emissions vehicles, transit, or active transportation; shift freight to lower-carbon

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<sup>8</sup> As defined by FHWA's Vulnerable Road User Safety Assessment Guidance, a vulnerable road user is a non-motorist and may include people walking, biking, or rolling as well as highway workers on foot in a work zone.

travel modes to reduce emissions; improve the resiliency of at-risk infrastructure<sup>9</sup> to withstand extreme weather events and natural disasters caused by climate change such as by using [best-available climate data sets](#), [information resources](#), and [decision-support tools](#), and incorporating [nature-based solutions](#) or [natural infrastructure](#); or incorporates lower-carbon pavement or construction materials as described in the Environmental Protection Agency’s [interim guidance on low-carbon materials](#) or the [U.S. National Blueprint for Transportation Decarbonization](#).

The Department will also consider whether and how the project will incorporate energy efficient investments such as electrification or zero emission vehicle infrastructure; redevelop brownfield sites; remove, replace, or restore culverts to improve passage of aquatic species; or avoid adverse impacts to air or water quality, wetlands, and endangered species. If applicable, applicants are encouraged to make floodplain upgrades consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law, in [Executive Order 14030, Climate-Related Financial Risk](#) and [Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input](#).

### **Quality of Life**

The Department will consider whether and how the project will improve quality of life, such as by increasing affordable transportation choices and expanding active transportation usage or significantly reducing vehicle dependence; reduce transportation and housing cost burdens by integrating mixed use development and a diversity of housing types (including affordable housing) with multimodal transportation infrastructure; coordinate and integrate land use, affordable housing, and transportation planning in order to create more livable communities and expand travel choices; reduce vehicle dependence and improve access to daily destinations such as jobs, healthcare, grocery store, schools, places of worship, recreation, or parks such as by adding new facilities that promote walking, biking; implement transit-oriented development that benefits existing residents and businesses; mitigate urban heat islands to protect the health of at-risk residents, outdoor workers, and others; or proactively address racial equity.<sup>10</sup>

### **Mobility and Community Connectivity**

The Department will assess whether and how the applicant will improve mobility and community connectivity. For this assessment, DOT will consider, for example, how the project will address system-wide connectivity with access to transit, micro-mobility, and mobility on-demand; implement plans, based on community participation and data, that identifies and addresses gaps in the existing network; remove physical barriers for individuals by reconnecting communities to direct, affordable transportation options; include transportation features that increase accessibility for non-motorized travelers, such as through a Complete Streets approach;

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<sup>9</sup> For the RAISE program, at-risk infrastructure is defined as infrastructure that is subject to, or faces increased long-term future risks of, a weather event, a natural disaster, or changing conditions, such as coastal flooding, coastal erosion, wave action, storm surge, or sea level rise, in order to improve transportation and public safety and to reduce costs by avoiding larger future maintenance or rebuilding costs.

<sup>10</sup> Definitions for “racial equity” and “underserved communities” are found in Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Sections 2 (a) and (b).

incorporate Americans with Disabilities Act (ADA) or [Universal Design](#)<sup>11</sup> improvements; directly increase intermodal and multimodal freight movement; or considers last-mile freight plans in a Complete Streets and multimodal approach.

### **Economic Competitiveness and Opportunity**

The Department will assess whether and how the project will improve economic competitiveness and opportunity. For this assessment, DOT will consider, for example, how the project will improve intermodal or multimodal freight mobility, especially for supply chain bottle necks; facilitate tourism; promote local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises or 8(a) firms; wealth building; long-term economic growth and other broader economic and fiscal benefits; create good-paying jobs with free and fair choice to join a union including through the use of a project labor agreement; or adopt local and economic hiring preferences for the project workforce or include other changes to hiring policies and workplace cultures to promote the entry and retention of underrepresented populations. DOT will evaluate the extent to which the project will promote greater public and private investments in land-use productivity, including rural main street revitalization or locally driven density decisions that support equitable commercial and mixed-income residential development.

### **State of Good Repair**

The Department will assess whether and to what extent the project improves state of good repair. For this assessment, DOT will consider, for example, how the project will mitigate current or projected system vulnerabilities; restore and modernize (such as through road diets and Complete Streets approaches) the existing core infrastructure assets that have met their useful life; reduce construction and maintenance burdens through efficient and well-integrated design; create new infrastructure *in remote communities* that will be maintained in a state of good repair; prioritize improvement of the condition and safety of existing transportation infrastructure within the existing footprint; conduct routine or deferred maintenance; create new infrastructure (*not in a remote community*) that will be maintained in a state of good repair; or identify the party responsible for maintenance and how the new or improved asset(s) will be maintained in a state of good repair.

The Department encourages applicants to improve the condition and safety of existing state and locally owned transportation infrastructure within the right-of-way before proposing projects that add new general purpose travel lanes serving single occupancy vehicles.

### **Partnership and Collaboration**

The Department will consider the extent to which the project has or will support and engage diverse people and communities. For this assessment, DOT will consider, for example, how the project has or will collaborate with public and/or private entities; documents support from local, regional, and/or national levels; engage residents and community-based organizations to ensure

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<sup>11</sup> Definition for “Universal Design” found on the General Services Administration’s Section508.gov website and states, “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 adaption or specialized design.”



equity considerations for underserved communities are meaningfully integrated throughout the project. Applicants should describe how the project incorporates specific actions and activities identified in the Department's [Promising Practices for Meaningful Public Involvement in Transportation Decision-Making Guide](#); coordinate with other types of projects such as economic development, commercial or residential development near public transportation, power/electric infrastructure projects, or broadband deployment; partner with Disadvantaged Business Enterprises or 8(a) firms; partner with high-quality workforce development programs with supportive services<sup>12</sup> to help train, place, and retain underrepresented communities in good-paying jobs or registered apprenticeships including through the use of local and economic hiring preferences, linkage agreements with workforce programs that serve underrepresented groups, and proactive plans to prevent harassment; partner and engage with local unions or other worker-based organizations in the development and lifecycle of the project, including through evidence of project labor agreements and/or community benefit agreements; or partners with communities, or community groups representative of historically underrepresented groups, to develop workforce strategies; or establish formal public-private partnerships or joint ventures to expand or create new infrastructure or economic development capacity. DOT will assess the level of detail and description provided about the partnerships listed above. Applications that provide more details and descriptions about the project partnership will be rated higher than those that do not, in alignment with the merit rating rubric.

The Department will consider whether the applicant is participating in the [Thriving Communities Network](#). Applications that include right-of-way acquisition plans that minimally disrupts communities and maintains community cohesion will be more competitive than right-of-way acquisition plans that disrupt communities. For projects involving other Federal agencies, or requiring action from other Federal agencies, DOT will consider the level of involvement and commitment from those agencies. For example, relevant port projects should demonstrate alignment with U.S. Army Corps of Engineers investment strategies.

### **Innovation**

The Department will assess the extent to which the applicant uses innovative: (1) technologies; (2) project delivery; or (3) financing. If this project is the first time the applicant or community will deploy specific innovations, the Department will consider them innovative, to the extent applicants provide enough detail to determine whether the innovations being deployed are new or innovative to the applicant or community regardless of whether other applicants or communities have implemented these innovations.

- **Innovative Technologies**: The Department will consider how the project enhances the environment for connected, electric, or automated vehicles to improve the detection, mitigation, and documentation of safety risks. Examples include the use of Advanced

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<sup>12</sup> Supportive services are critical to help women and people facing systemic barriers to employment be able to participate and thrive in training and employment. Recommended supportive services include childcare, tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking.

Driver Assistance Systems on public transit vehicles and detection systems on railroads to target and deter trespassing. The Department will assess the extent to which the project uses innovative technology that significantly enhances the operational performance and maintenance of the surface transportation system including sensors to inspect infrastructure and manage assets or to monitor real-time conditions of pavement quality, signage, crosswalks, or transit headways; active grade crossing detection systems to enable responsive traffic management; or digitalized curb management to optimize use across purposes and modes, including freight, pick-up drop-off, and transit usage. The use of low-carbon materials as well as the use of caps, land bridges, or underdecks are also considered innovative.

- Please note that all innovative technology must follow 2 CFR § 200.216. If an applicant is proposing to deploy autonomous vehicles or other innovative motor vehicle technology, the Department will consider whether and how the applicant demonstrates that all vehicles will comply with applicable safety requirements, including those administered by the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Safety Administration (FMCSA). Specifically, the Department will consider whether the vehicles acquired for the proposed project will comply with applicable Federal Motor Vehicle Safety Standards (FMVSS) and Federal Motor Carrier Safety Regulations (FMCSR). If the vehicles may not comply, the Department will consider applications that do one of the following more competitive than applications that do not: either (1) show that the vehicles and their proposed operations are within the scope of an exemption or waiver that has already been granted by NHTSA, FMCSA, or both agencies or (2) directly address whether the project will require exemptions or waivers from the FMVSS, FMCSR, or any other regulation and, if the project will require exemptions or waivers, present a plan for obtaining them.
- **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), single contractor design-build arrangements, project bundling, [https://www.fhwa.dot.gov/construction/adcms/Advanced Digital Construction Management](https://www.fhwa.dot.gov/construction/adcms/Advanced%20Digital%20Construction%20Management), [Accelerated Bridge Construction](#), [Digital as-builts](#), or an up-to-date programmatic agreement between an environmental resource agency and a state DOT, or other NEPA lead agency, establishing a streamlined process for environmental consultations and permits for commonly encountered project types.
- **Innovative Financing**: The Department will assess the extent to which the project incorporates innovations in transportation funding and finance, for example through private sector funding or financing, using congestion pricing or other demand management strategies to address congestion, securing a TIFIA or RRIF loan, or receiving an allocation for private activity bonds through DOT's Build America Bureau.

#### **iv. Project Readiness**

Capital project applications that receive second-tier analysis will be reviewed for Project Readiness and assigned three evaluation ratings:

- Environmental Risk Assessment
- Financial Completeness Assessment
- Technical Capacity Assessment

Planning project applications that receive second-tier analysis will be reviewed for Project Readiness and assigned two evaluation ratings:

- Financial Completeness Assessment
- Technical Capacity Assessment

Low ratings in any of these readiness areas do not disqualify projects from award, but competitive applications clearly and directly describe achievable risk mitigation strategies.

### **Environmental Risk**

The Environmental Risk Assessment evaluates information provided in the Project Readiness file. It analyzes the project's environmental approvals and likelihood of the necessary approvals affecting project obligation funds and timely expenditure of funds after obligation. The assessment results in a rating of "high risk," "moderate risk," or "low risk."

### **Technical Capacity**

The Technical Capacity Assessment will assess the applicant's capacity to successfully deliver the project in compliance with applicable Federal requirements as well as the recipient's experience working with Federal funds, civil rights compliance, and previous experience delivering infrastructure projects. 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 application demonstrates that: the applicant has extensive experience with Federal funds; the applicant has extensive experience completing projects with similar scope; the applicant has the resources to deliver the project; 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, and/or the Federal Motor Carrier Safety Regulations.

If an applicant is proposing to adopt innovative technology or other innovative practices, DOT will assess whether the applicant's capacity to implement those innovations, the applicant's understanding of applicable Federal requirements and whether the innovations may require extraordinary permitting, approvals, exemptions, waivers, or other procedural actions, and the effects of those innovations on the project delivery timeline.

### **Financial Completeness**

The Financial Completeness Assessment reviews the project budget to confirm the availability of funding for the project and whether the applicant presented a complete funding package based on reasonable cost estimates. Financial Completeness ratings are: "complete," "partially complete," or "incomplete."

DOT will assign the highest rating of “complete,” if the application identifies all funding sources for the project budget, documents all funding is available and committed to the project, includes contingency amount in the project budget and describes a plan to address potential cost overruns, and cost estimates are no more than a year old or include an inflation factor. Planning grants are not required to include a contingency amount but **must discuss a plan to address potential cost overruns.**

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 will receive a lower rating. **All applicants, including those requesting 100 percent grant funding, should describe a plan to address potential cost overruns.**

#### v. Benefit-Cost Analysis

For capital projects that receive second-tier analysis, the Department will consider the costs and benefits of projects seeking RAISE grant funding in determining whether a project is cost effective. To the extent possible, the Department will rely on quantitative, evidenced-based and data-supported analysis to assess how well a project addresses this criterion, including an assessment of the project’s estimated benefit-cost ratio (BCR) based on the applicant-supplied BCA described in the Benefit-Cost Analysis section.

To evaluate the costs and benefits of a proposed project, the Department will assign the project as either negative net benefits (costs exceed benefits) or positive net benefits (benefits exceed costs). Projects with negative net benefit ratings will not be selected for an award, unless the project demonstrates exceptional benefits for underserved or disadvantaged communities, as identified by the Senior Review Team (see Review and Selection Process section).

## 2. REVIEW AND SELECTION PROCESS

This section explicitly addresses the BIL requirement to describe the methodology for evaluation in the NOFO. The RAISE grant program review and selection process consists of Merit Criteria Review; Project Readiness Review (consisting of Environmental Risk Assessment, Financial Completeness Assessment, and Technical Capacity Assessment); Benefit-Cost Analysis; and Senior Review. The Secretary makes final project selections.

Teams comprising Department staff review all eligible applications received by the deadline for a Merit Review and assign ratings as described in the Application Review Information section. Using the Merit Review rubric described in the Application Review Information section, the combination of eight merit criteria ratings will result in one overall Merit Rating: Highly Recommended, Recommended, Acceptable, or Unacceptable.

“Highly Recommended” projects automatically advance for second-tier analysis.

The Senior Review Team (SRT) reviews all “Recommended” projects to determine if the benefits of a particular criterion are so significant that the project merits advancing for second-tier analysis. The SRT can advance a “Recommended” project only if:

- The project received a “high” in one or more of the priority criteria of safety, environmental sustainability, mobility and community connectivity, or quality of life, and the benefits in that criterion are exceptional; or
- The SRT provides additional information to demonstrate that a criterion has benefits that are aligned with a “high” rating for one or more of the priority merit criteria listed above (whether or not the Merit Review Team assigned a “high” rating) and the benefits in that criterion would be exceptional.

Senior Operating Administration staff and OST staff may make recommendations to the SRT for which projects should advance based on exceptional benefits of a particular priority criterion.

Applications for the FY 2025 RAISE grant program that have identical project scope to applications that were submitted and evaluated under the FY 2024 Reconnecting Communities Neighborhoods Program competition and received the designation of “Reconnecting Extra,” will automatically advance for second-tier analysis if they receive an overall merit rating of “Recommended” and have at least one “High” rating in a priority criterion.

Second-tier analysis consists of:

- **Capital Projects**
  - Cost-Benefit Analysis
  - Project Readiness: (1) Environmental Risk Assessment; (2) Financial Completeness Assessment; and (3) Technical Capacity Assessment
- **Planning Projects**
  - Project Readiness: (1) Financial Completeness Assessment; and (2) Technical Capacity Assessment

Following completion of second-tier analysis, the SRT determines which projects are designated as Highly Rated.

Using the discretionary authority provided in statute, the Secretary selects projects from the Highly Rated List for award, consistent with the selection criteria and statutory requirements for geographic and modal diversity. The Secretary may, depending on the pool of qualified applications, seek to award at least one project per state or territory.

Projects for which an FY 2025 RAISE application is advanced by the Senior Review Team to the Highly Rated List, but that are not awarded, are automatically designated as “Projects of Merit.” Projects with this designation will be carried over into FY 2026 RAISE and considered by the SRT for advancement to the Highly Rated List, along with other FY 2026 applications eligible for advancement to the Highly Rated List.

Consistent with past practice and statute, the Department offers debriefs to applicants not selected for award to receive information about the RAISE project’s evaluation. Due to overwhelming demand, the Department is unable to provide a RAISE award to every competitive project that applies.

## **G. AWARD NOTICES**

### **1. HOW PROJECT SELECTIONS ARE ANNOUNCED**

The Department emails each successful applicant and posts all selections in Fact Sheets as well as an excel file on the [RAISE website](#).

- Notice of selection is **not** authorization to begin or to incur costs for the proposed project.
- Following that announcement, the RAISE program Office and relevant operating administration will contact the point of contact listed in the SF-424 to initiate development of the grant agreement.

### **2. ANNOUNCEMENT DATES**

- Round 1: The selections of applications, designated as FY 2024 Projects of Merit awarded reserved funding under Round 1 of this NOFO, will be announced by January 13, 2025.
- Round 2: Selections under Round 2 of this NOFO, will be announced no later than June 28, 2025.

### **3. PRE-AWARD COSTS**

Unless authorized by the Department in writing after announcement of FY 2025 RAISE selections, any costs incurred prior to the Department's obligation of funds for a project are ineligible for reimbursement and are ineligible cost share requirements.<sup>13</sup>

- Project costs incurred before project selections are announced cannot be paid for with funds from this competition.
- Funds must be used only for the specific purposes as outlined in the award letter and/or authorized by the Department.

### **4. REIMBURSABLE PROGRAM**

Recipients of RAISE Grant awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds.

In general, RAISE Program funds are administered on a reimbursement basis. Grant recipients will generally be required to pay project costs upfront using their own funds, and then request reimbursement for those costs.

- RAISE funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted.

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<sup>13</sup> Pre-award costs are costs incurred after award announcement, but directly pursuant to the development of a grant agreement where such costs are necessary for efficient and timely performance of the scope of work, as determined by DOT. Costs incurred under an advance construction (23 U.S.C. 115) authorization before the DOT announces that a project is selected for a FY 2025 RAISE award cannot be charged to FY 2025 RAISE funds. Likewise, costs incurred under an FTA Letter of No Prejudice under Chapter 53 of title 49 U.S.C. before the DOT announces that a project is selected for a FY 2025 RAISE award, cannot be charged to FY 2025 RAISE funds.

- Obligation occurs when a selected applicant and the Department enter into a written grant agreement after the applicant has satisfied applicable local, State and Federal requirements.

If a recipient cannot complete a project on reimbursement basis, DOT will—on a case-by-case basis—consider recipient requests to use alternate payment methods as described in [2 CFR 200.305\(b\)](#), including advance payments.

## **H. POST-AWARD REQUIREMENTS AND ADMINISTRATION**

### **1. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS**

#### **i. Administrative Requirements**

Please visit the [RAISE website](#) for the General Terms and Conditions for FY 2024 RAISE awards. The FY 2025 RAISE Terms and Conditions will be similar to the FY 2024 RAISE Terms and Conditions, but it will include relevant updates consistent with this notice.

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 C.F.R part 200, as adopted by DOT at 2 C.F.R part 1201. Federal wage rate requirements included in subchapter IV of chapter 31 of title 40, U.S.C., apply to all projects receiving funds under this program, and apply to all parts of the project, whether funded with RAISE Grant funds, other Federal funds, or non-Federal funds.

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, non-discrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of the Department of Transportation; and applicable Federal financial assistance and contracting principles promulgated by the Office of Management and Budget. In complying with these requirements, recipients, 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 DOT determines that a recipient has failed to comply with applicable Federal requirements, DOT may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

Additionally, applicable Federal laws, rules and regulations of the relevant operating administration administering the project will apply to the projects that receive RAISE grant awards, including planning requirements, Service Outcome Agreements, Stakeholder Agreements, Buy America compliance, and other requirements under DOT's other highway, transit, rail, and port grant programs. For projects that are eligible under RAISE but are not eligible under DOT's other programs or projects that are eligible under multiple DOT programs, the RAISE program will determine the appropriate requirements to ensure the project is delivered consistent with program and Department goals. In particular, Executive Order 14005 directs the Executive Branch Departments and agencies to maximize the use of goods, products, and materials produced in, and services offered in, the United States through the terms and conditions of Federal financial assistance awards. If selected for an award, grant recipients must be prepared to demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their project. RAISE grant projects involving vehicle acquisition must involve only vehicles that comply with applicable Federal Motor Vehicle Safety Standards and Federal Motor Carriers Safety Regulations, or vehicles that are exempt from Federal Motor



Vehicle Safety Standards or Federal Motor Carrier Safety Regulations in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

For projects administered by FHWA, applicable Federal laws, rules, and regulations set forth in Title 23 U.S.C. and Title 23 C.F.R generally apply, including the 23 U.S.C. 129 restrictions on the use of toll revenues, and Section 4(f) preservation of parklands and historic properties requirements under 23 U.S.C. 138. For an illustrative list of the other applicable laws, rules, regulations, executive orders, polices, guidelines, and requirements as they relate to a RAISE grant project administered by the FHWA, please see the [RAISE website](#).

For RAISE projects administered by the Federal Transit Administration and partially funded with Federal transit assistance, all relevant requirements under chapter 53 of title 49 U.S.C. apply. For transit projects funded exclusively with RAISE grant funds, some requirements of chapter 53 of title 49 U.S.C. and chapter VI of title 49 CFR apply.

For projects administered by the Federal Railroad Administration, all relevant requirements under 49 U.S.C. § 22905 apply.

## **ii. Program Requirements**

### **Climate Change and Environmental Justice Impact Consideration**

Each applicant selected for RAISE grant funding must demonstrate effort to consider climate change and environmental justice impacts as described in the Application Review Information section, consistent with Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*. In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities in the Criteria section.

### **Racial Equity and Barriers to Opportunity**

Each applicant selected for RAISE grant funding must demonstrate effort to improve racial equity and reduce barriers to opportunity as described in the Application Review Information section, consistent with Executive Order 14091, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*. In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities listed in the Criteria section.

### **Labor and Workforce**

Each applicant selected for RAISE grant funding must demonstrate, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of strong labor standards as described in the Application Review Information section, consistent with Executive Order 14025, *Worker Organizing and Empowerment*, and Executive Order 14052, *Implementation of the Infrastructure Investment and Jobs Act*. In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities listed in the Criteria section.

### **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 both physical and cyber threats, consistent with the -

National Security Memorandum on Critical Infrastructure Security and Resilience (NSM-22). Each applicant selected for Federal funding under this notice must demonstrate, prior to the signing of the grant agreement, efforts 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 of Homeland Security, will be required to do so before receiving funds.

### **Domestic Preference Requirements**

As expressed in Executive Order 14005, ‘Ensuring the Future Is Made in All of America by All of America’s Workers’ (86 FR 7475), the executive branch should maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Funds made available under this notice are subject to domestic preference requirements based on the Operating Administration that administers the project, including 23 U.S.C. 313 (FHWA projects); 49 U.S.C. 5323(j) (FTA projects); 49 U.S.C. 22905(a) (FRA projects); and section 70914(a) of the Build America, Buy America Act (all projects). The Department expects all applicants to comply without needing a project-specific waiver for domestic preference requirements.

### **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.

### **Federal Contract Compliance**

As a condition of grant award all Federally assisted contractors are required to make good faith efforts to meet the goals of EO 11246, *Equal Employment Opportunity* (30 FR 12319, and as amended). 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 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.

### **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 Infrastructure Investment and Jobs Act.” In addition, recipients employing project signage are required to use the official Investing in America emblem in accordance with the [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.

## **2. REPORTING**

### **i. Progress Reporting on Grant Activities**

Each applicant selected for RAISE grant funding must submit quarterly progress reports and Federal Financial Reports (SF-425) to monitor project progress and ensure accountability and financial transparency in the RAISE grant program.

### **ii. Performance Reporting**

Each applicant selected for RAISE grant funding must collect and report to the DOT information on the project’s performance based on performance indicators DOT identifies related to program goals (e.g., travel time savings, greenhouse gas emissions, passenger counts, level of service, etc.) and other information as requested by DOT. Performance indicators should include measurable goals or targets that DOT will use internally to determine whether the project meets program goals, and grant funds achieve the intended long-term outcomes of the RAISE Grant Program. To the extent possible, performance indicators used in the reporting should align with the measures included in the application and should relate to at least one of the selection criteria defined in the Criteria section. Performance reporting continues for several years after project construction is completed, and DOT does not provide RAISE grant funding specifically for performance reporting. RAISE grant performance measures are posted on the [RAISE website](#).

### **iii. Program Evaluation**

As a condition of grant award, RAISE 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 Department 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 sub-recipients 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 the effectiveness of their projects and strategies. Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115–435 (2019) urges Federal awarding agencies and Federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency” (codified at 5 U.S.C. § 311). For grant recipients, evaluation expenses are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such expenses may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation (2 CFR § 200). Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

#### **iv. Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of a selected applicant’s currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the applicant during that period of time must maintain the currency of information reported to the SAM that is made available in 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 Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

## **I. FEDERAL AWARDING AGENCY CONTACT(S)**

For further information concerning this notice please contact the RAISE grant program staff via e-mail at [RAISEgrants@dot.gov](mailto:RAISEgrants@dot.gov). In addition, DOT will post answers to questions and requests for clarifications on the [RAISE website](#). To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact DOT directly, rather than through intermediaries or third parties, with questions. DOT staff may also conduct briefings on the RAISE grant selection and award process upon request.

## **J. 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 applicant submits information that the applicant considers to be a trade secret or confidential commercial or financial information, the applicant must provide that information in a separate document, which the applicant may cross-reference from the application narrative or other portions of the application. For the separate document containing confidential information, the applicant must do the following: (1) state on the cover of that document that it “Contains Confidential Business Information (CBI);” (2) mark each page that contains confidential information with “CBI;” (3) highlight or otherwise denote the confidential content on each page; and (4) at the end of the document, explain how disclosure of the confidential information would cause substantial competitive harm. DOT will protect confidential information complying with these requirements to the extent required under applicable law. If DOT receives a Freedom of Information Act (FOIA) request for the information that the applicant has marked in accordance with this section, DOT will follow the procedures described in its FOIA regulations at 49 CFR § 7.29. Only information that is in the separate document, marked in accordance with this section, and ultimately determined to be confidential under § 7.29 will be exempt from disclosure under FOIA.

### **2. PUBLICATION AND SHARING 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 requested. Except for the information properly marked as described in the Protection of Confidential Business Information section, 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.



Pete Buttigieg

Issued in Washington D.C. on November 1, 2024

**U.S. DEPARTMENT OF TRANSPORTATION  
Federal Highway Administration  
Notice of Funding Opportunity for Fiscal Years 2024-2026 Promoting Resilient Operations  
for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program**

**AGENCY:** U.S. Department of Transportation (DOT), Federal Highway Administration (FHWA).

**ACTION:** Notice of Funding Opportunity (NOFO)

**SUMMARY:**

<b>SUMMARY OVERVIEW OF KEY INFORMATION: NOFO for Fiscal Years (FY) 2024-2026 PROTECT Discretionary Grant Program</b>	
Issuing Agency	FHWA
Program Overview	The purpose of this NOFO is to provide grants on a competitive basis for projects that seek to strengthen surface transportation to be more resilient to natural hazards, including climate change, sea level rise, heat waves, flooding, extreme weather events, and other natural disasters through support of planning activities, resilience improvements, community resilience and evacuation routes, and at-risk coastal infrastructure.
Objective	Plan for and strengthen surface transportation to be more resilient to natural hazards, including climate change, sea level rise, flooding, heat waves, extreme weather events, and other natural disasters.
Eligible Applicants	<p><u>Planning Grants, Resilience Improvement Grants, and Community Resilience and Evacuation Route Grants (23 U.S.C. § 176(d)(2))</u></p> <ol style="list-style-type: none"> <li>1. A State or political subdivision of a State. (Includes the District of Columbia and Puerto Rico)</li> <li>2. A metropolitan planning organization (MPO).</li> <li>3. A unit of local government.</li> <li>4. A special purpose district or public authority with a transportation function, including a port authority.<sup>1</sup></li> <li>5. An Indian Tribe (as defined in 23 U.S.C. § 207(m)(1)).</li> <li>6. A Federal land management agency that applies jointly with a State or group of States.</li> <li>7. A multi-State or multijurisdictional group of entities described in (1) through (6).</li> </ol> <p><u>At-Risk Coastal Infrastructure Grants (23 U.S.C. § 176(d)(4)(C)(i)(I-VIII))</u></p> <ol style="list-style-type: none"> <li>1. A State (including the U.S. Territories Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana</li> </ol>

<sup>1</sup> Public authorities with a transportation function can include public transportation and transit agencies (see PROTECT NOFO Q&A: [https://www.fhwa.dot.gov/environment/protect/discretionary/protect\\_nofa\\_qa.pdf](https://www.fhwa.dot.gov/environment/protect/discretionary/protect_nofa_qa.pdf))

	<p>Islands) in, or bordering on, the Atlantic, Pacific, or Arctic Oceans, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes.</p> <ol style="list-style-type: none"> <li>2. A political subdivision of a State described in (1.) above</li> <li>3. An MPO in a State described in (1.) above</li> <li>4. A unit of local government in a State described in (1.) above.</li> <li>5. A special purpose district or public authority with a transportation function, including a port authority, in a State described in (1.) above.</li> <li>6. An Indian Tribe in a State described in (1.) above.</li> <li>7. A Federal land management agency that applies jointly with a State or group of States described in (1.) above.</li> <li>8. A multi-State or multijurisdictional group of entities described in (1.) through (7.) above.</li> </ol>
<p>Eligible Project Types</p>	<p>PROTECT Discretionary Grant funds can only be used for activities that are primarily for the purpose of resilience or inherently resilience related.</p> <p>The PROTECT Program has four different categories of projects:</p> <ul style="list-style-type: none"> <li>• Planning Grants (23 U.S.C. § 176(d)(3))</li> <li>• Resilience Improvement Grants (23 U.S.C. § 176(d)(4)(A)(ii))</li> <li>• Community Resilience and Evacuation Route Grants (23 U.S.C. § 176(d)(4)(B)(ii))</li> <li>• At-Risk Coastal Infrastructure Grants (23 U.S.C. 176(d)(4)(C)(iii))</li> </ul>
<p>Eligible Facilities</p>	<p>A PROTECT Discretionary Grant Program Planning Grant or Resilience Grant may be awarded only for the following facilities (23 U.S.C. § 176(d)(5)(C)):</p> <ol style="list-style-type: none"> <li>1. A highway<sup>2</sup> project eligible for assistance under this title.</li> <li>2. A public transportation facility or service eligible for assistance under chapter 53 of title 49.</li> <li>3. A facility or service for intercity rail passenger transportation (as defined in section 24102 of title 49).</li> <li>4. A port facility, including a facility that: <ol style="list-style-type: none"> <li>a) connects a port to other modes of transportation;</li> <li>b) improves the efficiency of evacuations and disaster relief; or</li> <li>c) aids transportation.</li> </ol> </li> </ol>

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<sup>2</sup> The term “highway” includes a road, street, and parkway; a right-of-way, bridge, railroad-highway crossing, tunnel, drainage structure including public roads on dams, sign, guardrail, and protective structure, in connection with a highway; and a portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State transportation department, including such facilities as may be required by the U.S. Customs and Immigration Services in connection with the operation of an international bridge or tunnel. 23 U.S.C. § 101(a)(11).



Funding	<p>Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021), also known as the “Bipartisan Infrastructure Law,” provides \$300 million annually for FY 2024-2026.</p> <p>This NOFO announces two application periods:</p> <ul style="list-style-type: none"> <li>• FY 2024 and 2025 Funding: up to \$576 million</li> <li>• FY 2026 Funding: up to \$300 million</li> </ul> <p>The FY 2024 and 2025 application period includes up to \$16 million in unawarded FY 2023 funds.</p> <p>The actual amount available to be awarded under this Notice will be subject to the availability of funds.</p>
Opening Dates	<ul style="list-style-type: none"> <li>• FY 2024 and 2025 Opening: October 25, 2024</li> <li>• FY 2026 Opening: October 27, 2025</li> </ul>
Deadline	<ul style="list-style-type: none"> <li>• FY 2024 and 2025 Deadline: February 24, 2025, 11:59 p.m. ET</li> <li>• FY 2026 Deadline: February 24, 2026, 11:59 p.m. ET</li> </ul>
Cost-Share	<p>For PROTECT Discretionary Grant Program Planning Grants, the Federal share of an eligible planning activity shall be 100 percent. (23 U.S.C. § 176(d)(5)(E)(i)).</p> <p>For PROTECT Discretionary Grant Program Resilience Grants, the Federal share of an eligible project shall not exceed 80 percent of the total cost of the project. (23 U.S.C. § 176(d)(5)(E)(ii)(I)). If an Indian Tribe (as defined in 23 U.S.C. § 207(m)(1)) receives a Resilience Improvement Grant, Community Resilience and Evacuation Route Grant, or At-Risk Coastal Infrastructure Grant, on the determination of the Secretary, the Federal share of an eligible project may be up to 100 percent. (23 U.S.C. § 176(d)(5)(E)(ii)(II)). For projects carried out in the U.S. Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands, the Federal share of an eligible project shall be 100 percent. (23 U.S.C. § 120(g)).</p> <p>The non-Federal share of the cost of a project carried out using PROTECT Discretionary Grant funds may be reduced by 7 percentage points if the State has developed a Resilience Improvement Plan and prioritized the project on that Resilience Improvement Plan (23 U.S.C. 176(e)(1)(B)(i)); and 3 percentage points if a State Resilience Improvement Plan developed in accordance with Section 176(e) is incorporated (directly or by reference) into the metropolitan transportation plan (MTP) under 23 U.S.C. 134 or the statewide long-range transportation plan under 23 U.S.C. 135, as applicable. (23 U.S.C.176(e)(1)(B)(ii)).</p> <p>See Section C.2 of this NOFO for more information on cost share requirements.</p>

The purpose of this NOFO is to solicit applications for FHWA’s PROTECT Discretionary Program grants and will result in the distribution of up to \$876 million. The actual amount available to be awarded under this notice will be subject to the availability of funds.

Funds made available for Federal FYs 2024-2026 for the PROTECT Discretionary Grant Program are to be awarded on a competitive basis to make transportation infrastructure and service more resilient to climate change and extreme weather events under 23 U.S.C. § 176. This Notice describes the application requirements, selection and evaluation criteria, applicable program and Federal requirements, and available technical assistance during the grant solicitation period.

**DATES:**

See the table below for important dates and deadlines for FYs 2024-2026 applications. The minimum number of days of an application open period represents calendar days (i.e., not working days).

Activity	Funding (Fiscal Year)	
	FY24-25	FY26
NOFO Release	10/25/2024	10/27/2025
Minimum Number of Days of Application Open Period	120 days	120 days
NOFO Close	2/24/2025	2/24/2026

Applicants must ensure they are properly registered<sup>3</sup> in Grants.gov. Applicants can only submit applications starting with the NOFO release date and ending on the NOFO close date indicated above for each fiscal year. Applications must be submitted electronically through Grants.gov no later than 11:59 p.m., Eastern Standard Time, on those “NOFO Close” dates for any funding year the applicant wishes to apply for funding. The Grants.gov “Apply” function will open by the NOFO Release Date and will close after the NOFO Close Date.

Applicants are encouraged to submit applications in advance of the relevant application deadline; however, applications will not be assessed, and awards will not be made, until after the respective application deadline.

For each Application Open Period, FHWA plans to conduct outreach regarding PROTECT Discretionary Program grants in the form of virtual meetings (Webinars) after the NOFO period opens, and before the NOFO period closes. To view upcoming Webinars and register, please follow the instructions posted on <https://www.fhwa.dot.gov/environment/protect/discretionary>. The Webinars will be recorded and posted on FHWA's PROTECT Discretionary Grant Program Website at <https://www.fhwa.dot.gov/environment/protect/discretionary>.

**ADDRESSES:**

Applications must be submitted electronically through [Grants.gov](https://www.grants.gov). Refer to Assistance Listing: 20.205 – Highway Planning and Construction.

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<sup>3</sup> <https://www.grants.gov/applicants/applicant-registration>

**FOR FURTHER INFORMATION CONTACT:**

Vincent C. Speaks  
Agreement Specialist  
Office of Acquisition and Grants Management  
Federal Highway Administration  
U.S. Department of Transportation  
1200 New Jersey Ave., SE.  
Washington, DC 20590  
Email: [PROTECTdiscretionary@dot.gov](mailto:PROTECTdiscretionary@dot.gov) (preferred)  
Phone: (202) 366-7799

Alternate:

Ryan Buck  
Agreement Officer/Team Leader  
Office of Acquisition and Grants Management  
Federal Highway Administration  
U.S. Department of Transportation  
1200 New Jersey Ave., SE.  
Washington, DC 20590  
Email: [PROTECTdiscretionary@dot.gov](mailto:PROTECTdiscretionary@dot.gov) (preferred)  
Phone: (202) 366-4229

Office hours are from 7:30 a.m. to 4:00 p.m., Eastern Time, Monday through Friday, except Federal holidays.

FHWA will not review applications in advance, but FHWA staff are available for general questions about the PROTECT Program and NOFO. FHWA will not provide technical assistance to any applicant including providing guidance on how to address any information that should be included in an application. In addition, FHWA will post answers to questions and requests for clarifications at Grants.gov under this NOFO's page, at the PROTECT Discretionary Grant Program Website at <https://www.fhwa.dot.gov/environment/protect/discretionary>, and on FHWA's Bipartisan Infrastructure Law (BIL) Guidance Website at <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/guidance.cfm>. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact FHWA directly at [PROTECTdiscretionary@dot.gov](mailto:PROTECTdiscretionary@dot.gov), rather than through intermediaries or third parties, with questions.

**Applicants are encouraged to submit questions to [PROTECTdiscretionary@dot.gov](mailto:PROTECTdiscretionary@dot.gov) no later than 60 days after the NOFO Release Date to ensure FHWA has adequate time to respond prior to the application deadline.**

**FHWA cannot guarantee that questions received after that date will be answered prior to the application deadline.**

**SUPPLEMENTARY INFORMATION:**

Each section of this Notice contains information and instructions relevant to the application process for the PROTECT Discretionary Grant Program grants. The applicant should read this Notice in its entirety in order to submit all necessary information for complete and competitive applications.

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**NOTE: FHWA uses [www.grants.gov](http://www.grants.gov) for receipt of all applications. Applicants must register and use the system to submit applications electronically. Applicants are encouraged to register in advance of the submission deadline and to register to receive notifications of updates/amendments to this Notice. Approval of user registrations for the site may take multiple weeks. It is the Applicant’s responsibility to monitor for any updates to this Notice.**

## SECTION A - PROGRAM DESCRIPTION

### 1. Overview

Section 11405 of the BIL, enacted as the Infrastructure Investment and Jobs Act (Pub. L. 117-58, Nov. 15, 2021), established the PROTECT Program and Discretionary Grant programs, which are codified at 23 U.S.C. § 176. The purpose of the PROTECT Formula and Discretionary Grant programs is to plan for and strengthen surface transportation to be more resilient to natural hazards, including climate change, sea level rise, heat waves, flooding, extreme weather events, and other natural disasters through formula and competitive discretionary grants.

In April of 2023, DOT issued a NOFO soliciting applications for FY 2022 and 2023 PROTECT Discretionary Grant funds. DOT awarded \$829.6 million in PROTECT Discretionary grants for 80 projects. For information on these grant awards, see [https://www.fhwa.dot.gov/environment/protect/discretionary/grant\\_recipients/](https://www.fhwa.dot.gov/environment/protect/discretionary/grant_recipients/). This NOFO is for the discretionary portion of the PROTECT Program and will result in the distribution of up to \$876 million for the PROTECT Discretionary Grant Program through a competitive discretionary grant process.<sup>4</sup> The total amount of funding available in this NOFO is up to \$876 million across two application periods, combined FY 2024 and 2025 and subsequently FY 2026.<sup>5</sup>

The vision of the PROTECT Discretionary Grant Program is to fund projects that address the climate crisis by improving the resilience of the surface transportation system, including highways, public transportation, ports, and intercity passenger rail. Projects selected under this program should be grounded in the best available scientific understanding of climate change risks, impacts, and vulnerabilities. They should support the continued operation or rapid recovery of crucial local, regional, or national surface transportation facilities. Furthermore, selected projects should utilize innovative and collaborative approaches to risk reduction, including the use of natural infrastructure, which is explicitly eligible under the program. Also called nature-based solutions, these strategies include conservation, restoration, or construction of riparian and streambed treatments, marshes, wetlands, native vegetation, stormwater bioswales, breakwaters, reefs, dunes, parks, urban forests, and shade trees. They reduce flood risks, erosion, wave damage, and heat impacts while also creating habitat, filtering pollutants, and providing recreational benefits. Projects in the PROTECT Discretionary Grant Program have the potential to demonstrate innovation and best practices that State and local governments in other parts of the country can consider replicating.

By funding projects that improve resilience to natural hazards and climate change impacts, the PROTECT Discretionary Grant Program aims to reduce damage and disruption to the transportation system, improve the safety of the traveling public, and improve equity by

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<sup>4</sup> Funding for the PROTECT Discretionary Grants Program comes from two sources: 1) funding authorized as contract authority from the Highway Trust Fund, and 2) funding appropriated from the General Fund in annual appropriations acts. Funding authorized from the Highway Trust Fund is reduced based on the imposition of the obligation limitation contained in the annual appropriations acts. The BIL authorized \$250 million annually from the Highway Trust Fund for FY 2022 and 2023. In addition, \$400 million was appropriated in FY 2022 and 2023. Currently, \$300 million is authorized annually for FYs 2024, 2025, and 2026 as reflected in Section B.

<sup>5</sup> The FY 2024-2025 application period also includes up to \$16 million in unawarded FY 2023 funding.

addressing the needs of disadvantaged communities that are often the most vulnerable to hazards. FHWA will seek to award projects to communities that demonstrate a strong need for the funding; the program includes set asides for rural communities and Indian Tribes.

For the PROTECT Discretionary Grant Program, like the PROTECT Formula Program, grant funds can only be used for activities that are primarily for the purpose of resilience or inherently resilience related.

There are four categories of funding under the PROTECT Discretionary Grant Program. One category is for Planning Grants. The other three categories are for Resilience Improvement, Community Resilience and Evacuation Routes, and At-Risk Coastal Infrastructure projects, and throughout this NOFO are collectively referred to as Resilience Grants.

**Planning Grants** may be used to develop Resilience Improvement Plans in accordance with 23 U.S.C § 176(e)(2) for States and MPOs; resilience planning, predesign, design, or the development of data tools to simulate transportation disruption scenarios, including vulnerability assessments; technical capacity building to facilitate the ability of the eligible entity to assess the vulnerabilities of its surface transportation assets and community response strategies under current conditions and a range of potential future conditions; or evacuation planning and preparation. (23 U.S.C. § 176(d)(3)).

**Resilience Improvement Grants** may be used to improve the ability of an existing surface transportation asset to withstand one or more elements of a weather event or natural disaster, or to increase the resilience of surface transportation infrastructure from the impacts of changing conditions, such as sea level rise, flooding, wildfires, extreme weather events, and other natural disasters. (23 U.S.C. § 176(d)(4)(A)). Extreme weather events may include heat waves.

**Community Resilience and Evacuation Route Grants** may be used for activities that strengthen and protect evacuation routes that are essential for providing and supporting evacuations caused by emergency events including activities that will improve evacuation routes, provide safe passage during an evacuation, and reduce the risk of damage to evacuation routes as a result of future emergency events. For routes that inadequately facilitate evacuations, including the transportation of emergency responders and recovery resources, activities include expanding capacity through installation of communication and intelligent transportation system equipment and infrastructure, counterflow measures, or shoulders, in addition to constructing new or redundant evacuation routes, acquiring evacuation route or traffic incident management equipment or signage, or ensuring access or service to critical destinations, including hospitals and other medical or emergency services facilities, major employers, critical manufacturing centers, ports and intermodal facilities, utilities, and Federal facilities. (23 U.S.C. § 176(d)(4)(B)).

**At-Risk Coastal Infrastructure Grants** may be used for activities to strengthen, stabilize, harden, elevate, relocate or otherwise enhance the resilience of highway and non-rail infrastructure, including: bridges, roads, pedestrian walkways, and bicycle lanes, and associated infrastructure, such as culverts and tide gates to protect highways that are subject to, or face increased long-term future risks of, a weather event, a natural disaster, or changing conditions,

including coastal flooding, coastal erosion, wave action, storm surge, or sea level rise, in order to improve transportation and public safety and to reduce costs by avoiding larger future maintenance or rebuilding costs. (23 U.S.C. § 176(d)(4)(C)).

Together, these four funding categories will make surface transportation assets, communities, and coastal infrastructure more resilient to current and future weather events and natural disasters, such as severe storms, flooding, drought, levee and dam failures, wildfire, rockslides, mudslides or landslides, sea level rise, extreme weather, including extreme temperature, and earthquakes, as well as to allow for continued operation or rapid recovery of surface transportation systems.

Applicants may submit multiple applications. Applicants may also use one application to submit the same project for multiple funding categories if the project meets the eligibility criteria for multiple categories. For instance, a project to improve resilience of a coastal evacuation route could be eligible under all three Resilience Grant categories. Applicants would need to be sure to submit all the information needed for each category under which they are applying. Applicants should indicate which funding category or categories to which they are applying, however FHWA reserves the discretion to determine the funding category from which to make an award for a project, including a category for which the applicant did not apply.

Different funding amounts are available for each category, as shown below.

<b>Funding Category</b>	<b>Approximate Funding Available FY 2024-2025</b>	<b>Approximate Funding Available FY 2026</b>
<u>Planning Grants</u>	Up to \$56 million	Up to \$30 million
<u>Resilience Improvement Grants</u>	Up to \$408 million <sup>6</sup>	Up to \$210 million
<u>Community Resilience and Evacuation Route Grants</u>	Up to \$56 million	Up to \$30 million
<u>At-Risk Coastal Infrastructure Grants</u>	Up to \$56 million	Up to \$30 million

For more information about the eligible activities under each grant category see Section C of this NOFO.

FHWA will award FY 2024-2026 PROTECT Discretionary Grant Program grants to eligible applicants consistent with applicable statutory criteria and priorities, merit criteria, and the Administration priorities described within this NOFO.

### **Eligible Applicants**

The PROTECT Discretionary Grant Program provides broad applicant eligibility for all levels of government to be direct recipients of funds. States, Territories, MPOs, local governments, Indian Tribes, public transportation agencies, and port authorities can apply directly to FHWA. A Federal land management agency may be eligible if the agency applies jointly with a State or group of States. (See Section C for a complete list of eligible entities). FHWA encourages all

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<sup>6</sup> Includes up to \$16 million in unawarded FY 2023 funding.

eligible entities regardless of size, location, and experience administering Federal funding awards to apply for Federal assistance for Planning Grants and Resilience Grants under this NOFO.

To assist applicants, FHWA has developed application templates which applicants are encouraged to use and are available via Attachments 1 & 2 to the NOFO, as available on [grants.gov](https://www.grants.gov). These application templates can be found under the related documents tab for this NOFO on Grants.gov. The application templates are provided solely as a prompt for applicants and are not required for the grant application.

### **Administration Priorities and Departmental Strategic Plan Goals**

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 (E.O.).<sup>7</sup> Consistent with E.O. 14030 and E.O. 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input (80 FR 6425), project applicants should be aware that DOT is in the process of developing guidance and considering updates to its floodplain requirements, including redefining the appropriate flood hazard area to account for future climate conditions.

Please see Section E of this NOFO for more information on the FY 2024-2026 PROTECT Discretionary Grant Program selection criteria, the process for selecting projects, and how FHWA will assess applications in regard to these Administration priorities and goals. In addition, Section F.3 describes progress and performance reporting requirements for selected projects and the Administration's goals as appropriate.

## **2. Additional Information**

The PROTECT Discretionary Grant Program is described in the Federal Assistance Listings under the assistance listing program title "Highway Planning and Construction" and assistance listing number 20.205.

FHWA is committed to considering project funding decisions holistically among the various discretionary grant programs available in BIL. FHWA also recognizes that applicants may be seeking funding from multiple discretionary grant programs and opportunities. An applicant may seek the same award amounts from multiple DOT discretionary opportunities or seek a combination of funding from multiple DOT opportunities.

The applicant should identify any other DOT programs and opportunities it intends to apply for (or utilize if the Federal funding is already available to the applicant), and what award amounts it will be seeking, in the appropriate sections of this NOFO, including Section D.2.b.II.

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<sup>7</sup> E.O. 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619). E.O. 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009). E.O. 14025, Worker Organizing and Empowerment (86 FR 22829), and E.O. 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64335).



### **3. Changes from the FY 2022-2023 NOFO**

This is the second NOFO for the PROTECT Discretionary Grant Program. The FY 2024–2026 PROTECT Discretionary Grant Program NOFO is similar to FY 2022 and FY 2023 PROTECT Discretionary Grant Program NOFO. Changes have been made to the application period timeframes in Sections A and D, merit criteria in Section E, and rating criteria in Section E. Applicants should read the NOFO in its entirety when applying for this funding opportunity.

#### **Changes to Application Period Timeframes**

This NOFO announces two application periods:

- FY 2024 and FY 2025: open October 25, 2024-February 24, 2025
- FY 2026: open October 2, 2025-February 24, 2026

#### **Changes to Merit Criteria and Rating Criteria**

##### **Planning Grants**

- Criterion #1 Program Alignment has been split into two separate criteria (now Criterion #1 Program Alignment and Criterion #2 Planning Activity Approach)
- Criterion #4 Innovation has been streamlined to reduce sub-components and focuses on nature-based solutions and innovation
- New Priority Consideration has been added on “Development of a Resilience Improvement Plan”
- Medium or High rating on Criterion #1 Program Alignment required for Highly Recommended overall rating
- At least two High ratings required for Recommended overall rating

##### **Resilience Grants**

- Criterion #3 Design Elements has been streamlined by removing duplicative nature-based solutions sub-component
- Criterion #6 Climate Change and Sustainability was updated to reflect Administration priorities for climate change sustainability and resilience
- Criterion #8 Innovation has been streamlined to reduce sub-components and focuses on nature-based solutions and innovation
- Medium or High rating on Criterion #1 Vulnerability and Risk required for Highly Recommended overall rating
- At least three High ratings required for Recommended overall rating

#### **Application Templates**

- Adds language to strongly encourage use of NOFO application templates (Attachments 1 & 2)

## SECTION B - FEDERAL AWARD INFORMATION

### 1. Award Amount Available

The total amount of funding available for awards under this NOFO is up to \$876 million. This includes up to \$576 million<sup>8</sup> for the FY 2024-2025 PROTECT Discretionary Grant Program application period, and up to \$300 million for the FY 2026 application period. Of this amount, up to \$86 million is available for Planning Grants; up to \$618 million is available for Resilience Improvement Grants; up to \$86 million is available for Community Resilience and Evacuation Route Grants; and up to \$86 million is available for At-Risk Coastal Infrastructure Grants. Subject to the availability of funds, an eligible entity may request, and the Secretary may distribute funds for a grant under this subsection on a multiyear basis, as the Secretary determines to be necessary. Any award under this NOFO will be subject to the availability of funding.

### 2. Award Size

On April 11, 2024, FHWA announced grant selections for the FY 2022 and FY 2023 PROTECT Discretionary Grant application period, including awards for 26 Planning Grant projects between \$142,000 and \$5.3 million, and 54 Resilience Improvement, Community Resilience and Evacuation Routes, and At-Risk Coastal Infrastructure Grant projects between \$752,000 and \$60 million.

For FY 2024-2026 PROTECT Discretionary Grant Program Planning Grants, FHWA requests applications for a minimum award size of \$100,000 and no maximum award size.

For FY 2024-2026 PROTECT Discretionary Grant Program Resilience Improvement, Community Resilience and Evacuation Routes, and At-Risk Coastal Infrastructure grants FHWA requests applications for a minimum award size of \$500,000. There is no recommendation for the maximum award size. FHWA anticipates awarding between 30 to 40 Resilience Improvement, Community Resilience and Evacuation Routes, and At-Risk Coastal Infrastructure grants using FY 2024 and 2025 funds, and between 15 to 20 Resilience Improvement, Community Resilience and Evacuation Routes, and At-Risk Coastal Infrastructure grants using FY 2026 funds. The number of awards will be determined by the number and quality of applications received in response to this NOFO and the availability of funding.

If an applicant seeks an award amount that is less than the minimum, the application should include a justification for the requested amount. FHWA reserves the discretion to consider

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<sup>8</sup> PROTECT Discretionary Grant Program funds from the Highway Account of the Highway Trust Fund are contract authority, which is reduced based on the imposition of the Federal-aid obligation limitation contained in the annual appropriations acts. Accordingly, the amount of \$300,000,000 authorized for each of FYs 2024, 2025, and 2026 is reduced to \$260,400,000 for FY 2024 and is anticipated to be reduced for FY 2025 and 2026 as well. FY 2024-2025 funding includes up to \$16 million in unawarded FY 2023 funding.

award sizes below the minimum award size listed above. Consideration will include the total amount of eligible PROTECT Discretionary Grant Program grant funds requested and consideration of the evaluation and selection criteria described in Section E.

### **3. Statutory Funding Provisions**

#### **a. Rural Set-Aside**

Of the amounts made available for each fiscal year, the Secretary shall use not less than 25 percent for grants to projects located in areas that are outside an urban area with a population over 200,000. (23 U.S.C. § 176(d)(5)(H)(ii)).

#### **b. Tribal Set-Aside**

Of the amounts made available for each fiscal year, the Secretary shall use not less than 2 percent for grants to Indian Tribes (as defined in section 23 U.S.C. § 207(m)(1)) for eligible PROTECT Discretionary Grant Program Planning Grants, Resilience Improvement Grants, Community Resilience and Evacuate Routes Grants, and At-Risk Coastal Grants. (23 U.S.C. § 176(d)(5)(H)(iii)).

#### **c. Unutilized Amounts**

For any fiscal year, if the Secretary determines that the amount of the Rural Set-Aside or Tribal Set-Aside will not be fully utilized for PROTECT Discretionary Grant Program grants, the Secretary may reallocate the unutilized funds to provide grants to other PROTECT Discretionary Grant Program eligible entities. (23 U.S.C. § 176(d)(5)(H)(iv)).

#### **d. Limitation on Intercity Rail Passenger Transportation**

Limit on certain activities: for each fiscal year, not more than 25 percent of the total amount provided will be used for a facility or service for intercity rail passenger transportation (as defined in 49 U.S.C. § 24102). (23 U.S.C. § 176(d)(5)(G)(ii)).

### **4. Availability of Funds**

Selected projects will be funded with either FY 2023, FY 2024, FY 2025, or FY 2026 funds. For FY 2024 and FY 2025 funds jointly awarded for the first application period, FHWA expects to obligate FY 2024 funds before FY 2025 funds.

Each fiscal year of funding has a required funding obligation deadline as noted in the table below. Obligation for a PROTECT Discretionary Grant Program grant occurs when a selected applicant enters a project agreement with FHWA, and FHWA authorizes the project to proceed. For construction, this is generally after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements and compliance with 23 Code of Federal Regulations (CFR) 635 subpart C “Physical Construction

Authorization” for State department of transportation (State DOT) applicants or 2 CFR 200.318 – 327 for non-State DOT applicants.

<b>Fiscal Year Funding</b>	<b>Funding Obligation Deadline</b>
2023	September 30, 2026
2024	September 30, 2027
2025	September 30, 2028
2026	September 30, 2029

Funding expenditure deadlines will be documented in the grant agreement depending on the fund source. For award recipients of the FY2024 and FY2025 PROTECT NOFO, FHWA will consider the estimated project start date provided in the application in determining which fiscal year funding to use. Funds will be assigned after announcement of award during the grant agreement process.

Awards from FY 2026 funding cannot be obligated before October 1, 2025.

## **5. Type of Award**

If the successful applicant is a State DOT or a State DOT will serve as a pass-through entity to a non-State DOT entity, PROTECT Discretionary Grant Program funds will be awarded upon the execution of a project agreement, which is a type of grant agreement for administration of funds to a State DOT in the Fiscal Management Information System (FMIS).

If the successful applicant is a non-State DOT, funds will be awarded upon the execution of a grant agreement. A determination will be made if the successful applicant included a request for an applicable State DOT, or FHWA Federal Lands Highway Division for Indian Tribe projects, to administer the project.

## **6. Previous PROTECT Discretionary Grant Applications**

Applicants to the FY 2022 and FY 2023 NOFO, including those that were awarded funds under that NOFO, may apply for funding in either or both application periods under this NOFO. There is no restriction or preference for applications or applicants who have previously applied or been selected or not selected for the PROTECT Discretionary Grant Program.

Applicants seeking funding under this PROTECT Discretionary Grant Program NOFO will need to resubmit applications for each subsequent application period. FHWA will not carry over applications from the FY 2022-2023 PROTECT Discretionary NOFO into this NOFO. Similarly, FHWA will not carry over applications from the FY 2024-2025 application period to the FY 2026 application period.

FHWA intends to announce award recipients for the FY 2024-2025 application period prior to the beginning of the application period for FY 2026 funds. Applications for projects that previously received PROTECT Discretionary Grant Program funding may seek additional funding for the projects under this NOFO and applications that receive an award under the FY 2024-2025 application period may seek additional funding under the FY 2026 application period.

FHWA, however, will not provide additional funding under this NOFO for the same scope of work that was previously awarded funding. Applications for projects that previously received funding will need to clearly identify the phase and deliverables of the project for which it is seeking additional funding under this NOFO.

## **7. Period of Performance**

If a grant recipient will be a State DOT or if a State DOT will serve as a pass-through to a non-State DOT entity awarded a grant, the DOT Payment System will be “Current Bill” in FMIS and the start of the period of performance will begin on the date the project agreement is approved in FMIS and end on the project end date in FMIS.

If a grant recipient will be a non-State DOT entity, the DOT Payment System will be “DELPHI eInvoicing” and the start of the period of performance will begin on the date the grant agreement is executed by FHWA, and end according to the period of performance listed in the grant agreement.

## **SECTION C - ELIGIBILITY INFORMATION**

To be selected for a PROTECT Discretionary grant, an applicant must meet the eligibility requirements under this section including Eligible Entity; Eligible Project; Statutory Cost Sharing or Match requirements; and Statutory Applicant Requirements. Applications that do not meet these threshold eligibility requirements will not be assessed under the criteria in Section E.1.

### **1. Eligible Applicants**

- a. Planning Grants, Resilience Improvement Grants, and Community Resilience and Evacuation Route Grants have the same statutory rules for all applicants eligible to apply. At-Risk Coastal Grants have different statutory rules for applicant eligibility.

**Eligible Applicants**  
**Planning Grants, Resilience Improvement Grants, and**  
**Community Resilience and Evacuation Route Grants**  
(23 U.S.C. § 176(d)(2))

1. A State or political subdivision of a State. (State includes the District of Columbia and Puerto Rico)
2. An MPO.
3. A unit of local government.
4. A special purpose district or public authority with a transportation function, including a port authority.<sup>9</sup>
5. An Indian Tribe (as defined in 23 U.S.C. § 207(m)(1)).
6. A Federal land management agency that applies jointly with a State or group of States.
7. A multi-State or multijurisdictional group of entities described in (1) through (6).

**Eligible Applicants**  
**At-Risk Coastal Infrastructure Grants**  
23 U.S.C. § 176(d)(4)(C)(i)(I)-(VIII)

1. A State (including the U.S. Territories Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) in, or bordering on, the Atlantic, Pacific, or Arctic Ocean, the Gulf of Mexico, Long Island Sound, or one or more of the Great Lakes.
2. A political subdivision of a State described in (1.) above.
3. An MPO in a State described in (1.) above.
4. A unit of local government in a State described in (1.) above.
5. A special purpose district or public authority with a transportation function, including a port authority,<sup>10</sup> in a State described in (1.) above.

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<sup>9</sup> Public authorities with a transportation function can include public transportation and transit agencies (see PROTECT NOFO Q&A: [https://www.fhwa.dot.gov/environment/protect/discretionary/protect\\_nofq\\_qa.pdf](https://www.fhwa.dot.gov/environment/protect/discretionary/protect_nofq_qa.pdf)).

<sup>10</sup> Public authorities with a transportation function can include public transportation and transit agencies (see PROTECT NOFO Q&A: [https://www.fhwa.dot.gov/environment/protect/discretionary/protect\\_nofq\\_qa.pdf](https://www.fhwa.dot.gov/environment/protect/discretionary/protect_nofq_qa.pdf)).

6. An Indian Tribe in a State described in (1.) above.
7. A Federal land management agency that applies jointly with a State or group of States described in (1.) above.
8. A multi-State or multijurisdictional group of entities described in (1.) through (7.) above.

**b. Joint Applications for Any PROTECT Discretionary Grant Program Funding Category**

Multiple States or a multijurisdictional group that submits 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 or include a letter of support by each applicant. The applicant that will be responsible for financial administration of the project and the recipient of a PROTECT Discretionary Grant Program award must be an eligible applicant.

**2. Cost Sharing or Matching**

For PROTECT Discretionary Planning Grants, the Federal share of an eligible planning activity shall be 100 percent. (23 U.S.C. § 176(d)(5)(E)(i)).

For PROTECT Discretionary Resilience Grants, the Federal share of an eligible project shall not exceed 80 percent of the total cost of the project. (23 U.S.C. § 176(d)(5)(E)(ii)(I)). If an Indian Tribe (as defined in 23 U.S.C. § 207(m)(1)) receives a Resilience Improvement Grant, Community Resilience and Evacuation Route Grant, or At-Risk Coastal Infrastructure Grant, on the determination of the Secretary of DOT, the Federal share of an eligible project may be up to 100 percent. (23 U.S.C. § 176(d)(5)(E)(ii)(II)). For projects carried out in the U.S. Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands, the Federal share of an eligible project shall be 100 percent. (23 U.S.C. § 120(g)).

Per 23 U.S.C. § 176(d)(5)(E)(iii), an eligible entity may use Federal funds other than a grant under the PROTECT Discretionary Grant Program to meet the non-Federal cost share requirement. The eligibility requirements and the non-Federal share requirements for each type of Federal funding used in the project must be met. In addition, all cost-share funds used are subject to the same Federal requirements as PROTECT Discretionary Grant Program funds described in Section F.2. Unless otherwise authorized by statute, the cost-share may not be counted as non-Federal share for both a PROTECT Discretionary Grant Program project and another Federal program.

For the PROTECT Discretionary Grant Program, like the PROTECT Formula Program, grant funds can only be used for activities that are primarily for the purpose of resilience or inherently resilience related. As such, only the cost of making assets more resilient are eligible for PROTECT funding. (For more information, see “Promoting Resilient Operations for

Transformative, Efficient, and Cost Saving Transportation (PROTECT) Formula Program Implementation Guidance” July 29, 2022, p.14 available at ([https://www.fhwa.dot.gov/environment/sustainability/resilience/policy\\_and\\_guidance/protect\\_formula.pdf](https://www.fhwa.dot.gov/environment/sustainability/resilience/policy_and_guidance/protect_formula.pdf)). The PROTECT Discretionary Grant Program project cost cannot include any previously incurred costs.

Applicants should use the following equation when determining the cost share for their Resilience grant project:

(PROTECT Grant + Other Funds for the Project) = Total PROTECT Discretionary Grant Program Project Cost

PROTECT Grant must be  $\leq 0.80 \times$  Total PROTECT Discretionary Grant Program Project Cost

### **Calculating Cost Share with a Resilience Improvement Plan**

The non-Federal share requirement shall be reduced as provided under 23 U.S.C. § 176(e)(1)(B)(i) and (ii) to a maximum reduction of 10 percent<sup>11</sup> under 23 U.S.C. § 176(e)(1)(B)(iii)(I).

The non-Federal share of the cost of a project carried out using PROTECT Discretionary Grant Program funds may be reduced by seven percentage points if the State or MPO has developed an eligible Resilience Improvement Plan and prioritized the project on that Resilience Improvement Plan (23 U.S.C. § 176(e)(1)(B)(i)); and three percentage points if a State or MPO Resilience Improvement Plan developed in accordance with Section 176(e) is incorporated (directly or by reference) into the metropolitan transportation plan under 23 U.S.C. § 134 or the statewide long-range transportation plan under 23 U.S.C. § 135, as applicable. (23 U.S.C. § 176(e)(1)(B)(ii)).

A project may be eligible for a seven percent reduction separately from, or in addition to, a three percent reduction in the non-Federal share. For example, a Resilience Improvement Plan without a prioritized project list would not be eligible for the seven percent reduction but could still apply the smaller three percent reduction if that plan is incorporated into the statewide long-range transportation plan.

Cost share example utilizing Resilience Improvement Plan: A State or MPO may have a resilience project eligible under PROTECT that is prioritized in its Resilience Improvement Plan developed under Section 176(e). Provided the State or MPO meets all procedural requirements for the Resilience Improvement Plan, the scenario may result in a split of 87 percent PROTECT Discretionary Grant Program funds and 13 percent non-Federal funds. In a variation of the same scenario, if the State also incorporates the Resilience Improvement Plan into the long-range statewide transportation plan or MPO incorporates the Resilience Improvement Plan into the

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<sup>11</sup> A reduction of the non-Federal share under 23 U.S.C. § 176(e)(1)(B) shall not reduce the non-Federal share of the costs of a PROTECT Discretionary Grant Program Resilience Grant funded project to an amount that is less than zero. (23 U.S.C. § 176(e)(1)(E)(B)(iii)(II)).



metropolitan transportation plan, it may result in a split of 90 percent of PROTECT Discretionary Grant Program funds and a non-Federal share of 10 percent.

Note for applicants requesting a reduction in Federal share under 23 U.S.C. § 176(e)(1): To qualify for the reduction in non-Federal share match, the project must be included in a Resilience Improvement Plan *before* the NOFO application deadline. The applicant will need to submit a Resilience Improvement Plan with their application to demonstrate that the plan meets the applicable requirements of 23 U.S.C. § 176(e) for the requested reduction in Federal share. The application budget should also clearly show how the Resilience Improvement Plan is expected to reduce the non-Federal share cost of the project. Determination of whether the requirements have been met and whether the project is eligible for a reduction in Federal share will be made during the grant review process.

<b>Reduction of Non-Federal Share for Resilience Grants</b>			
<b>Project is Prioritized in a Resilience Improvement Plan</b> (23 U.S.C. § 176(e)(1)(B)(i))		<b>Resilience Improvement Plan is Incorporated in Other Planning</b> (23 U.S.C. § 176(e)(1)(B)(ii))	
<b>7% Reduction</b>		<b>3% Reduction</b>	
<b>Eligible Entity (Applicant)</b>	<b>Requirements</b>	<b>Eligible Entity (Applicant)</b>	<b>Requirements</b>
<b>State or MPO</b>	1. Developed a Resilience Improvement Plan in accordance with 23 U.S.C. § 176(e)(2); and  2. The project is prioritized on the Resilience Improvement Plan developed in (1.) above.	<b>State or MPO</b>	The Resilience Improvement Plan developed in accordance with 23 U.S.C. § 176(e)(2) has been incorporated into the metropolitan transportation plan under 23 U.S.C. § 134 or the long-range statewide transportation plan under 23 U.S.C. § 135, as applicable.
<b>Non-State or Non-MPO</b>	Non-State or Non-MPO is located in a State or area served by a MPO that has:  a. Developed a Resilience Improvement Plan in accordance with	<b>Non-State or Non-MPO</b>	Non-State or Non-MPO is located in a State or area served by a MPO that has incorporated the Resilience Improvement Plan developed in accordance with 23 U.S.C. § 176(e)(2) into the metropolitan

	<p>23 U.S.C. § 176(e)(2); and</p> <p>b. The project is prioritized on the Resilience Improvement Plan developed in (1.) above.</p>		<p>transportation plan under 23 U.S.C. § 134 or the long-range statewide transportation plan under 23 U.S.C. § 135, as applicable.</p>
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For each project that receives a grant under this notice, FHWA expects the project to be completed using at least the amount of matching funds that was specified in the application.

See Section D.2.c.II for information about documenting cost sharing in the application.

**3. Other**

**a. Eligible Projects**

Eligible activities are different for each of the four types of grants under the PROTECT Discretionary Grant Program. Example projects for each of the four types can be found in the PROTECT Formula Program Implementation Guidance at [https://www.fhwa.dot.gov/environment/sustainability/resilience/policy\\_and\\_guidance/protect\\_formula.pdf](https://www.fhwa.dot.gov/environment/sustainability/resilience/policy_and_guidance/protect_formula.pdf).

<b>Eligible Projects</b>	
<b>PROTECT Discretionary Grant Program Funding Category</b>	<b>Project Activities</b>
<p><b>Planning Grant</b> 23 U.S.C. § 176(d)(3)</p>	<ol style="list-style-type: none"> <li>1. In the case of a State or MPO, developing a Resilience Improvement Plan under 23 U.S.C. § 176(e)(2);</li> <li>2. Resilience planning, predesign, design, or the development of data tools to simulate transportation disruption scenarios, including vulnerability assessments;</li> <li>3. Technical capacity building by the eligible entity to facilitate the ability of the eligible entity to assess the vulnerabilities of the surface transportation assets and community response strategies of the eligible entity under current conditions and a range of potential future conditions; or</li> <li>4. Evacuation planning and preparation.</li> </ol>
<p><b>Resilience Improvement Grant</b> 23 U.S.C. § 176(d)(4)(A)(ii)</p>	<p>One or more construction activities to improve the ability of an existing surface transportation asset to withstand one or more elements of a weather event or natural disaster, or to increase the resilience of surface transportation infrastructure from the impacts of changing conditions, such as sea level rise, flooding, wildfires, extreme weather events, and other natural disasters including:</p> <ol style="list-style-type: none"> <li>1. Resurfacing, restoration, rehabilitation, reconstruction, replacement, improvement, or realignment of an existing surface transportation facility eligible for assistance under title 23;</li> <li>2. The incorporation of natural infrastructure;</li> <li>3. The upgrade of an existing surface transportation facility to meet or exceed a design standard adopted by FHWA;</li> <li>4. The installation of mitigation measures that prevent the intrusion of floodwaters into surface transportation systems;</li> </ol>

	<ul style="list-style-type: none"><li>5. Strengthening systems that remove rainwater from surface transportation facilities;</li><li>6. Upgrades to and installation of structural stormwater controls;</li><li>7. A resilience project that addresses identified vulnerabilities described in the Resilience Improvement Plan of the eligible entity, if applicable;</li><li>8. Relocating roadways in a base floodplain to higher ground above projected flood elevation levels, or away from slide prone areas;</li><li>9. Stabilizing slide areas or slopes;</li><li>10. Installing riprap;</li><li>11. Lengthening or raising bridges to increase waterway openings, including to respond to extreme weather;</li><li>12. Increasing the size or number of drainage structures;</li><li>13. Installing seismic retrofits on bridges;</li><li>14. Adding scour protection at bridges;</li><li>15. Adding scour, stream stability, coastal, and other hydraulic countermeasures, including spur dikes;</li><li>16. Vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, facilitate wildfire control, and provide erosion control; and</li><li>17. Any other protective features, including natural infrastructure, as determined by the Secretary.</li></ul>
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<p><b>Community Resilience and Evacuation Route Grant</b> 23 U.S.C. § 176(d)(4)(B)(ii)</p>	<p>One or more projects that strengthen and protect evacuation routes that are essential for providing and supporting evacuations caused by emergency events, including a project that-</p> <ol style="list-style-type: none"> <li>1. Is a Resilience Improvement Project under 23 U.S.C. § 176(d)(4)(A)(ii), if that eligible activity will improve an evacuation route;</li> <li>2. Ensures the ability of the evacuation route to provide safe passage during an evacuation and reduces the risk of damage to evacuation routes as a result of future emergency events, including restoring or replacing existing evacuation routes that are in poor condition or not designed to meet the anticipated demand during an emergency event, and including steps to protect routes from mud, rock, or other debris slides;</li> <li>3. If the eligible entity notifies<sup>12</sup> the Secretary that existing evacuation routes are not sufficient to adequately facilitate evacuations, including the transportation of emergency responders and recovery resources, expands the capacity of evacuation routes to swiftly and safely accommodate evacuations, including installation of- <ol style="list-style-type: none"> <li>(a) Communications and intelligent transportation system equipment and infrastructure;</li> <li>(b) Counterflow measures; or</li> <li>(c) Shoulders;</li> </ol> </li> </ol>
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<sup>12</sup> See [PROTECT Formula Program Implementation Guidance](https://www.fhwa.dot.gov/environment/sustainability/resilience/policy_and_guidance/protect_formula.pdf) (https://www.fhwa.dot.gov/environment/sustainability/resilience/policy\_and\_guidance/protect\_formula.pdf).

	<p>4. Is for the construction of new or redundant evacuation routes, if the eligible entity notifies the Secretary that existing evacuation routes are not sufficient to adequately facilitate evacuations, including the transportation of emergency responders and recovery resources;</p> <p>5. Is for the acquisition of evacuation route or traffic incident management equipment or signage; or</p> <p>6. Will ensure access or service to critical destinations, including hospitals and other medical or emergency service facilities, major employers, critical manufacturing centers, ports and intermodal facilities, utilities, and Federal facilities.</p>
<p><b>At-Risk Coastal Infrastructure Grants</b> 23 U.S.C. § 176(d)(4)(C)(iii)</p>	<p>Strengthening, stabilizing, hardening, elevating, relocating, or otherwise enhancing the resilience of highway and non-rail infrastructure, including bridges, roads, pedestrian walkways, and bicycle lanes, and associated infrastructure, such as culverts and tide gates to protect highways, that are subject to, or face increased long-term future risks of, a weather event, a natural disaster, or changing conditions, including coastal flooding, coastal erosion, wave action, storm surge, or sea level rise, in order to improve transportation and public safety and to reduce costs by avoiding larger future maintenance or rebuilding costs.</p> <p>For additional eligibility criteria for At-Risk Coastal Infrastructure Grants see section C. 3. b. 1. below.</p>

## **b. Statutory Eligibility Criteria for At-Risk Coastal Infrastructure Grants**

- 1. Eligible Project.** The Secretary shall provide At-Risk Coastal Infrastructure grants for projects (I) that address the risks from a current or future weather event or natural disaster, including coastal flooding, coastal erosion, wave action, storm surge, or sea level change; and (II) that reduce long-term infrastructure costs by avoiding larger future maintenance or rebuilding costs. (23 U.S.C. 23 U.S.C. § 176(d)(4)(C)(iv)).

FHWA will determine whether an application for an At-Risk Coastal Infrastructure grant meets the project eligibility criteria by (1) addressing how the project will use data or evidence (qualitative or quantitative) that the proposed project will effectively improve resilience to current and future weather events and natural disasters and changing conditions, and (2) validating the documentation provided by the applicant demonstrating that the proposed project to be carried out by the eligible entity will reduce long-term infrastructure costs by avoiding larger future maintenance or rebuilding costs.

Documentation for (II) above should detail projected costs associated with build and no-build case scenarios. Applicants are encouraged to establish a clear baseline from which the cost reduction of a proposed project can be derived. Maintenance and rebuilding costs associated with existing and future hazard risk and those that would accrue apart from hazard risks, altogether, should be provided. The build case should account for the non-hazard maintenance costs associated with the project as well as the expected reduction in maintenance or rebuilding costs. For projects involving the construction of new infrastructure, total non-hazard maintenance costs would be zero in the base case, so net non-hazard maintenance costs would typically be positive, reflecting the ongoing expenditures needed to maintain the new asset over its lifecycle. For projects intended to replace, reconstruct, or rehabilitate existing infrastructure, however, the net change in non-hazard maintenance costs under the proposed project will often be negative, as newer infrastructure requires less frequent and less costly maintenance to keep it in service than would an aging, deteriorating asset.

- ii. Eligible Activities.** Eligible activities for eligible At-Risk Coastal Infrastructure projects are: strengthening, stabilizing, hardening, elevating, relocating, or otherwise enhancing the resilience of highway and non-rail infrastructure, including bridges, roads, pedestrian walkways, and bicycle lanes, and associated infrastructure, such as culverts and tide gates to protect highways, that are subject to, or face increased long-term future risks of, a weather event, a natural disaster, or changing conditions, including coastal flooding, coastal erosion, wave action, storm surge, or sea level rise, in order to improve transportation and public safety and to reduce costs by avoiding larger future maintenance or rebuilding costs. (23 U.S.C. § 176(d)(4)(C)(iii)).

## **c. System Resilience for Resilience Grants**

A PROTECT Discretionary Grant may include the use of natural infrastructure or the construction or modification of storm surge, flood protection, or aquatic ecosystem restoration elements functionally connected to a transportation improvement, such as:

1. Increasing marsh health and total area adjacent to a highway right-of-way to promote additional flood storage;
2. Upgrades to and installing of culverts designed to withstand 100-year flood events;
3. Upgrades to and installation of tide gates to protect highways; and
4. Upgrades to and installation of flood gates to protect tunnel entrances. (23 U.S.C. § 176(d)(5)(D)).

#### **d. Eligible Facilities**

A PROTECT Discretionary Planning Grant or Resilience Grant may be awarded only for the following facilities:

1. a highway<sup>13</sup> project eligible for assistance under title 23;
2. a public transportation facility or service eligible for assistance under chapter 53 of title 49;
3. a facility or service for intercity rail passenger transportation (as defined in section 24102 of title 49); or
4. a port facility, including a facility that:
  - a. connects a port to other modes of transportation;
  - b. improves the efficiency of evacuations and disaster relief; or
  - c. aids transportation. (23 U.S.C. § 176(d)(5)(C)).

#### **e. Statutory Requirements for Resilience Projects in Floodplains**

If a PROTECT Discretionary Grant Program project is proposed to be carried out, in whole or in part, within a base floodplain, under 23 U.S.C. § 176(d)(5)(B)(ii) the application must include the following:

1. Identification of the floodplain in which the project is to be located and disclose that information to the Secretary in the application; and
2. Indication, whether, if selected, the eligible entity will implement one or more components of the risk mitigation plan under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act<sup>14</sup> (42 U.S.C. § 5165) with respect to the area.

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<sup>13</sup> The term “highway” includes a road, street, and parkway; a right-of-way, bridge, railroad-highway crossing, tunnel, drainage structure including public roads on dams, sign, guardrail, and protective structure, in connection with a highway; and a portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State transportation department, including such facilities as may be required by the U.S. Customs and Immigration Services in connection with the operation of an international bridge or tunnel. 23 U.S.C. § 101(a)(11).

<sup>14</sup> <https://www.fema.gov/disaster/stafford-act>.



Transportation infrastructure should not be built in floodplain areas if it can be avoided. If it cannot be avoided, then the transportation infrastructure should be built to minimize impacts to floodplain function (to reduce risk to others) as well as built to protect transportation safety and usage. Nature-based solutions may be one option for reducing impacts to the floodplain while protecting infrastructure. Consistent with E.O. 14030 and E.O. 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input (80 FR 6425), project applicants should be aware that DOT is in the process of developing guidance and considering updates to its floodplain requirements, including redefining the appropriate flood hazard area to account for future climate conditions.

**f. Eligible Project Costs**

For the PROTECT Discretionary Grant Program, like the PROTECT Formula Program, grant funds may only be used for activities that are primarily for the purpose of resilience or inherently resilience related. The focus should be on the cost of making transportation assets more resilient. However, to the extent that the primary purpose of a project is to address resilience, it could be eligible to be fully funded (up to the applicable Federal share). Final determinations regarding whether an improvement is eligible for PROTECT Discretionary Grant Program funding are made by FHWA. Other project components that are not inherently resilience-focused should generally be funded from other sources, including other Title 23 programs.

Eligible project costs are different for Planning Grants vs. Resilience Grants.

<b>Eligible Project Costs</b>	
<b>Planning Grants</b> (23 U.S.C. § 176(d)(5)(F)(ii))	<b>Resilience Grants</b> (23 U.S.C. § 176(d)(5)(F)(i))
Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, other preconstruction activities, and other activities consistent with carrying out an eligible PROTECT Discretionary Grant Program Planning project.	<ol style="list-style-type: none"> <li>1. Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and</li> <li>2. Construction, reconstruction, rehabilitation, and acquisition of real property (including land related to the project and improvements to land), environmental mitigation, construction contingencies, acquisition of equipment directly related to improving system performance, and operational improvements.</li> </ol>

**g. Limitation on Award**

<b>Limitations</b>	
<b>Planning Grants</b>	<b>Resilience Grants</b>

	(23 U.S.C. § 176(d)(5)(G)(i) and (ii))
No limitations.	<p><b>1. New Construction.</b> No more than 40 percent of the amount of a PROTECT Discretionary Grant Program Resilience Grant may fund construction of new capacity; and</p> <p><b>2. Planning Activities.</b> No more than 10 percent of the amount of a PROTECT Discretionary Grant Program Resilience Grant may fund eligible development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities described under 23 U.S.C. § 176(d)(5)(F)(i).</p>

**h. Definition of Urban and Rural Communities**

For purpose of this notice, the PROTECT Discretionary Grant Program defines a rural area as any area outside of an Urbanized Area with a population over 200,000. (23 U.S.C. § 176(d)(5)(H)(ii)). An Urbanized Area is defined under 23 U.S.C. § 101(36) as an “[a]rea with a population of 50,000 or more designated by the Bureau of the Census.” For the PROTECT Discretionary Grant Program rural set-aside, rural areas will be identified by areas outside Urbanized Areas that have a population of 200,000 or more, based on 2020 U.S. Census Bureau population data.

FHWA will rely on the digital maps and geographic shapefiles for the 2020 Census urban areas depicted on the FHWA HEPGIS maps of MPO and 2020 Census Urban Areas (<https://hepgis-usdot.hub.arcgis.com/>) (refer to the “MPO and Air Quality Tab” and then scroll to “MPO and 2020 Census Urban Areas”) which correlates the definitions of “urban” and “rural areas” under title 23, U.S.C. and Bureau of the Census data. A list of 2020 census designated urban areas is available in the Census Bureau’s December 29, 2022, Federal Register Notice (87 FR 80114).”

## SECTION D - APPLICATION AND SUBMISSION INFORMATION

### 1. Address to Request Application Package

All application materials may be found on Grants.gov at <http://www.grants.gov>.

Once at Grants.gov, select the Search Grants tab. Then enter one of the following:

- Opportunity Number: 693JJ325NF00008
- Opportunity Name: PROTECT Discretionary Grant Program
- Assistance Listing Number: 20.205 – Highway Planning and Construction

When at one of these pages, select the Opportunity, which will open to a page with several tabs. The first tab is a synopsis of the opportunity. Select the Application Package tab to download the forms needed to submit an FY 2024-2026 PROTECT Discretionary Grant Program applications.

For a TDD, please call (202) 366-3993. If potential applicants are unable to download the application package from the internet, they may send a written request for a paper copy to the below address. Requests should be sent to:

Vincent C. Speaks  
Agreement Specialist  
Office of Acquisition and Grants Management  
Federal Highway Administration  
U.S. Department of Transportation  
1200 New Jersey Ave., SE.  
Washington, DC 20590  
Email: [PROTECTdiscretionary@dot.gov](mailto:PROTECTdiscretionary@dot.gov) (preferred)  
Phone: (202) 366-7799

Alternate:

Ryan Buck  
Agreement Officer/Team Leader  
Office of Acquisition and Grants Management  
Federal Highway Administration  
U.S. Department of Transportation  
1200 New Jersey Ave., SE.  
Washington, DC 20590  
Email: [PROTECTdiscretionary@dot.gov](mailto:PROTECTdiscretionary@dot.gov) (preferred)  
Phone: (202) 366-4229

Office hours are from 7:30 a.m. to 4:00 p.m., Eastern Time, Monday through Friday, except Federal holidays.

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

All applications must be submitted electronically through grants.gov.

The application package must consist of the following in this order:

### **a. Application Forms:**

#### **1. Standard Form 424**

Note: Applicants may leave fields 5a, 5b, 6, 7, and 13 blank on the form.

Note: A number of separate PDF flat files must be attached in Item 15 to provide required project information that is not included in the body of the SF-424.

Instructions for adding Item 15 Attachments:

Click on “Add Attachments” in Item 15 to open the first pop-up window. Click “Add Attachment” and a second pop-up File Explorer/Directory window will appear, from which you can choose files to attach. Attachments can be added one at a time or all at once by holding down the CTRL key and selecting multiple files. Select “Open” to add the selected files as attachments. Click “Done” to finalize the attachments. Click “View Attachments” to see a list of files that have been added as attachments.

Required attachment(s): The Project Narrative must be added as an attachment to Item 15 of the SF-424. FHWA strongly suggests using the Application Templates provided in Attachments 1 & 2, which provide the information needed for the Project Narrative.

#### **2. Required Forms for Non-Construction Projects**

Applicants proposing non-construction-related projects must submit the following forms: Standard Form 424A (Budget Information for Non-Construction Programs); and Standard Form 424B (Assurances for Non-Construction Programs).

Note: The Standard Form 424A should be supported by a budget narrative explaining each element of cost.

#### **3. Required Forms for Construction Projects**

Applicants proposing construction-related projects must submit the following forms: Standard Form 424C (Budget Information Construction Programs); and Standard Form 424D (Assurances for Construction Programs).

Note: The Standard Form 424C should be supported by a budget narrative explaining each element of cost.

#### **4. Mandatory Forms for All Applications**

Grants.gov Lobbying Form; and Disclosure of Lobbying Activities form (SF-LLL).

Note: All mandatory forms are available for download at <https://www.grants.gov/forms/forms-repository/sf-424-family> .

**b. Cover Page (Including the Following Table)**

FHWA strongly recommends that applicants include a cover page as part of their Project Narrative. This cover page will not count towards the page limit for the Project Narrative, as described below.

<b>Project Title</b>	
<b>Project Description</b>	
<b>Lead Applicant</b>	
<b>Type of Grant(s)</b>	<input type="checkbox"/> Planning <input type="checkbox"/> Resilience Improvement <input type="checkbox"/> Community Resilience and Evacuation Route <input type="checkbox"/> At-Risk Coastal Infrastructure
<b>Project Location</b>	<i>Including latitude/longitude or address</i>
<b>Amount of Funding Requested Under this NOFO</b>	
<b>Cost Share Requested<sup>15</sup></b>	
<b>Total Project Cost</b>	
<b>Is the proposed project prioritized on a Resilience Improvement Plan developed in accordance with 23 U.S.C. 176(e)?</b>	Yes/No <i>If yes, please specify the relevant State or MPO Resilience Improvement Plan</i>
<b>Is the project fully located in a Rural area?<sup>16</sup></b>	Yes/No
<b>Is the project located in or serving a Historically Disadvantaged Community?<sup>17</sup></b>	Yes/No

<sup>15</sup> See Section C.2 for Cost Sharing or Matching information.

<sup>16</sup> For purpose of this Notice, the PROTECT Discretionary Grant Program defines a rural area as any area outside of an Urbanized Area with a population over 200,000. (23 U.S.C. § 176(d)(5)(H)(ii)). Applicants can use the FHWA HEPGIS maps of MPO and 2020 Census Urban Areas to find this information: <https://hepgis-usdot.hub.arcgis.com/apps/72bcd861285c423c9d4aec6b8e48a496/explore>.

<sup>17</sup> In support of E.O. 14008, applicants are encouraged to use the White House definition of Historically Disadvantaged Communities as part of DOT’s implementation of the Justice40 Initiative. Consistent with the Interim Implementation Guidance and its Addendum for the Justice40 Initiative, Historically Disadvantaged Communities include (a) certain qualifying census tracts identified as disadvantaged by the CEJST due to categories

<b>Which type(s) of natural hazards does the project address?</b>	
<b>Which transportation modes are addressed by the project?</b>	
<b>Which Census tract(s) does the project encompass?<sup>18</sup></b>	

### c. Project Narrative

FHWA recommends that the project narrative follow the outline below. Following the outline will also assist evaluators in locating relevant information. FHWA also recommends applicants use the Application Templates located in Attachments 1 & 2 to assist in structuring the project narrative and to ensure all appropriate information is included in the project narrative.

I. Basic Project Information – Description, Location, and Parties	See D.2.c.I
II. Grant Funds, Sources and Uses of all Project Funding	See D.2.c.II
III. Merit Criteria	See D.2.c.III
IV. Benefit-Cost Analysis	See D.2.c.IV
V. FHWA Priority Considerations	See D.2.c.V

The project narrative should provide information, including a table of contents, maps, and graphics as appropriate, necessary for FHWA to determine that the project satisfies project requirements described in Section C for the grant program and to assess the selection criteria specified in Section E.1.

To the extent practicable, applicants should provide supporting data and documentation in a form that is directly verifiable by FHWA. FHWA may, but is not required to, request additional information, including additional data, to clarify supporting data and documentation submitted in an application, but FHWA encourages applicants to submit the most relevant and complete information they can provide. FHWA also encourages applicants, to the extent practicable, to

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of environmental, climate, and socioeconomic burdens, and (b) any Federally recognized Tribes or Tribal entities, whether or not they have land. CEJST is a tool created by the White House CEQ, that aims to help Federal Agencies identify disadvantaged communities as part of the Justice40 Initiative to accomplish the goal that 40 percent of overall benefits from certain Federal investments reach disadvantaged communities. See <https://screeningtool.geoplatform.gov/>. Applicants should use the CEJST as the primary tool to identify disadvantaged communities (also referred to as Justice40 communities).

<sup>18</sup> Applicants can use the DOT Grant Project Location Verification tool to find this information (<https://maps.dot.gov/BTS/GrantProjectLocationVerification/>).

provide data in a form that is publicly available or verifiable. To ensure a fair and unbiased evaluation of applications submitted under this Notice, FHWA will not request additional information to perfect incomplete applications.

FHWA recommends that the project narrative be prepared with standard formatting preferences (i.e., a single-spaced document, using a standard 12-point font such as Times New Roman, with 1-inch margins). The project narrative should not exceed 25 pages in length. The cover page will not count towards the 25-page limit. Appendices may include documents supporting assertions or conclusions made in the 25-page project narrative and do not count towards the 25-page limit. If possible, Website links to supporting documentation should be provided rather than copies of these supporting materials. If supporting documents are submitted, applicants should clearly identify within the project narrative the relevant portion of the project narrative that each supporting document supports. FHWA recommends using appropriately descriptive final names (e.g., “Project Narrative,” “Maps,” “Memoranda of Understanding and Letters of Support,” etc.) for all attachments. All application materials, including attachments, must be submitted by the application deadline. FHWA recommends applications include the following sections:

### **I. Basic Project Information – Project Description, Location, and Parties**

The applicant should provide a concise description of the project including a discussion of the project’s history and a description of any previously incurred costs. The applicant may use this section to place the project into a broader context of other infrastructure investments being pursued by the project sponsor.

The applicant should describe in the application the project location, including a detailed geographical description of the proposed project, a map of the project’s location and connections to existing transportation infrastructure, and geospatial data describing the project location or project coordinates (latitude/longitude) or address, and Census tract(s) the project encompasses. The application should also identify:

- (a) If the project is located in a Historically Disadvantaged Community as identified in the CEJST;
- (b) If there is an applicable Resilience Improvement Plan under 23 U.S.C. § 176(e)(2), and if so, whether the proposed project is included and whether the project is prioritized in the applicable plan. (23 U.S.C. § 176(d)(4)(A)(iii)(I) and 23 U.S.C. § 176(e)(1)(B)); and
- (c) the floodplain in which the project is to be located and whether, if selected, the eligible entity will implement one or more components of the risk mitigation plan under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) with respect to the area (23 U.S.C. § 176(d)(5)(B)(ii)) (as applicable).

Information under (b) may be used for FHWA’s internal data tracking.

This section of the application should provide details about the lead applicant. The details should include the lead applicant's demonstrated experience with receipt and expenditure of Federal-aid highway program funds under title 23, U.S.C. If an application is rated highly under other criteria, but the applicant has no or limited experience with the receipt and expenditure of Federal-aid highway program funds, FHWA may contact the applicant prior to final selection of FY 2024-2026 awards to discuss technical resources that may be available to assist the applicant in obtaining the capacity and expertise to ensure compliance with all applicable Federal requirements and timely delivery of the project. The applicant should describe in detail all the other public and private parties who are involved in delivering the project, including a specific description of the role of each entity in delivering the project.

## **II. Grant Funds, Sources and Uses of all Project Funding**

Project budgets should show how different funding sources will share in each activity and present those data in dollars and percentages. The budget should identify other Federal funds the applicant is applying for or has been awarded, if any, that the applicant intends to use. Funding sources should be grouped into three categories: non-Federal, PROTECT Discretionary Grant Program, and other Federal (including PROTECT Formula funds) with specific amounts from each funding source.

The applicant should describe the PROTECT Discretionary Grant Program eligible project budget in detail and the plans for covering the full cost of the project from all sources. The applicant should provide the following:

- All Federal funds to be used for future eligible costs of the project, including the requested PROTECT Discretionary Grant Program amount, other Federal grants that have been awarded to the project or for which the project intends to apply in the future, and any Federal formula funds that have already been programmed for the project 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.

Grant funds can only be used for activities that are primarily for the purpose of resilience or inherently resilience related.

**Detailed Budget:** If the project contains components, the budget should separate the costs of each project component. If the project will be completed in phases, the budget should separate the costs of each phase. The budget should be detailed enough to demonstrate that the project satisfies the PROTECT Discretionary Grant Program statutory cost-sharing requirements described in Section C.2 and those associated with each category of Federal funding. The application should include information showing that the applicant has budgeted sufficient contingency amounts to cover unanticipated cost increases. 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 FHWA’s expectations for award execution align with any funding restrictions unrelated to FHWA, even if an award differs from the applicant’s request. FHWA reserves the right after an application is selected for award, to request additional supporting information and or documentation for purposes of confirming costs proposed are allowable (2 CFR 200.403) Reasonable (2 CFR 200.404) and Allocable (2 CFR 200.405).

### III. Merit Criteria

The applicant should describe how the proposal meets the Merit Criteria listed in Section E.1.

### IV. Economic Analysis

This section outlines the requirements and describes the recommended approach for the completion and submission of a benefit-cost analysis (BCA) for purposes of project prioritization and other required costing information for the PROTECT Discretionary Grant Program.

<b>Economic Analysis Requirements</b>		
<b>PROTECT Discretionary Grant Program Funding Category</b>	<b>Requirements</b>	<b>Purpose</b>
<b>Planning Grant</b> 23 U.S.C. § 176(d)(3)	BCA NOT required.	N/A
<b>Resilience Improvement Grant</b> 23 U.S.C. § 176(d)(4)(A)(iii)	BCA required unless the project is in a qualifying Resilience Improvement Plan (23 U.S.C. § 176(e)(2)).	Project Prioritization
<b>Community Resilience and Evacuation Route Grant</b> 23 U.S.C. § 176(d)(4)(B)(iii)	BCA required.	Project Prioritization
<b>At-Risk Coastal Infrastructure Grant</b> 23 U.S.C. § 176(d)(4)(C)(iv)	BCA NOT required, but the applicant must demonstrate that the project would reduce long-term infrastructure costs by avoiding larger future maintenance or rebuilding costs.	Project Eligibility

The purpose of the BCA is to enable FHWA to assess the project's cost effectiveness by comparing its expected benefits to its expected costs, relative to a no-build scenario for the purpose of project prioritization. For projects requiring a BCA (see Economic Analysis Requirements table), the applicant should provide a narrative description of the BCA in its project narrative, as well as all relevant files used for the BCA, including any spreadsheet files (unlocked) and technical memos describing the analysis. The spreadsheets and technical memos should present the calculations in sufficient detail and transparency to allow the analysis to be reproduced by FHWA evaluators.

The BCA 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 analysis should provide present value estimates of a project's benefits and costs relative to a no-build baseline. To calculate present values, the applicant should apply a real discount rate specified in the DOT BCA Guidance (see Website link below) to the project's streams of benefits and costs, which should be stated in constant-dollar terms. The costs and benefits that are compared in the BCA must cover the same project scope.

Any benefits claimed for the project, both quantified and unquantified, should be clearly tied to the expected outcomes of the project including climate resilience benefits such as damages avoided. Projected benefits may accrue to both users of the facility and those who are affected by its use (such as through changes in emissions of greenhouse gases (GHG) and other pollutants, access to services and green spaces, or availability of affordable housing or more affordable transportation choices). Usage forecasts applied in estimating future benefits should account for any additional demand induced by the improvements to the facility. While benefits should be quantified wherever possible, applicants are encouraged to describe other categories of benefits in the BCA that are more difficult to quantify and/or value in economic terms (e.g., benefits associated with nature-based solutions or for documenting benefit of evacuation during emergency events).

The BCA should include the full costs of developing, constructing, operating, and maintaining the proposed project compared to those costs for the existing facility, and the expected timing or schedule for costs in each of these categories. The BCA should include the costs that may accrue to those affected by the proposed project's construction or use. The BCA may also include the present discounted value of any remaining service life of the asset at the end of the analysis period.

Detailed guidance from DOT on estimating benefits and costs, together with recommended economic values for converting them to dollar terms and discounting to their present values, is available on the DOT Website (see <https://www.transportation.gov/mission/office-secretary/office-policy/transportation-policy/benefit-cost-analysis-guidance>).

Applications for At Risk Coastal Infrastructure grants must demonstrate that the project will reduce long-term infrastructure costs by avoiding larger future maintenance or rebuilding costs. See Section C.3.b. (Statutory Eligibility Criteria for At-Risk Coastal Infrastructure Grants) of this Notice for information on required documentation.

## **Economic Analysis Flexibility for Indian Tribes**

FHWA is providing additional flexibility to Indian Tribes regarding the information required in a BCA. At its discretion, an Indian Tribe may elect to provide raw data with its application to support the need for a project, without additional analysis. The applicant should provide clear identification of the problem to be solved by the project (asset risk); estimation of the costs of the proposed project; current and projected future asset use (e.g., vehicle miles traveled, ridership, freight movement); and projection of the expected impacts of the project. An important benefit of projects that improve the resilience of existing transportation assets is travel time savings, for example from avoiding or reducing the amount of time an asset is closed. For such projects, applicants are encouraged to provide information that will enable FHWA to calculate travel time savings from a project. Such information may include the average amount of additional travel time from using the next best highway route. FHWA will use this data to develop estimates (given the data provided) of benefits and costs.

## **V. FHWA Priority Considerations**

The applicant should describe how the proposal meets FHWA FY 2024-2026 PROTECT Discretionary Grant Program Priority Considerations listed in Section E.1.

### **3. UNIQUE ENTITY IDENTIFIER (UEI) AND SYSTEM FOR AWARD (SAM)**

Effective April 4, 2022, the Data Universal Numbering System (DUNS) number is no longer required for entities doing business with the Federal Government and has been replaced by the SAM UEI. As of that date, applicants are required to use a UEI issued during the SAM.gov registration process. Active registrants in SAM.gov have had their SAM UEI automatically assigned, and it is currently viewable within SAM.gov. There is no additional action necessary for registered entities to take to obtain their SAM UEI.

Each applicant is required to:

- a. Be registered in SAM before submitting its application;
- b. Provide a valid UEI in their application; and
- c. Continue to maintain an active SAM registration with current information at all times during which the applicant has an active Federal award or an application or plan under consideration by a Federal awarding agency.

Please see <https://www.grants.gov/applicants/applicant-faqs#uei> for more information on the transition from DUNS to SAM UEI, including what UEI to enter into the UEI field on grants.gov and on application package forms.

FHWA may not make a Federal award to an applicant until the applicant has complied with all applicable UEI and SAM requirements. If an applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the

Federal awarding agency may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

**NOTE TO APPLICANTS: The SAM.gov requires the registrant to provide a UEI number to complete the registration. These processes can take several weeks to complete so they should be started well before the application deadline.**

#### 4. SUBMISSION DATES AND TIMES

For funding available each FY, applications for that funding must be submitted electronically through [Grants.gov](https://www.grants.gov) no later than 11:59 p.m., Eastern Standard Time by the NOFO Close date shown below:

Activity	Funding (Fiscal Year)	
	FY24-25	FY26
NOFO Release	10/25/2024	10/27/2025
NOFO Close	2/24/2025	2/24/2026

#### 5. INTERGOVERNMENTAL REVIEW

An application under this NOFO is not subject to the Intergovernmental review under E.O. 12372.

#### 6. FUNDING RESTRICTIONS

##### a. Costs incurred Prior to Award and Obligation of Grant Funds (Pre-Award Costs)

Under 2 CFR 200.458, pre-award costs are those costs incurred prior to the effective date of a Federal award or subaward directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work.

##### Non-State DOT Administered Grants

For projects that will be administered by a non-State DOT, unless authorized by FHWA in writing, any pre-award costs incurred prior to the execution of a project agreement and FHWA's obligation of funds for a project are *ineligible* for reimbursement.

##### State DOT Administered Grants

For projects that will be administered by a State DOT, costs incurred prior to FHWA's obligation of funds for a project may be *eligible* for reimbursement under an Advance Construction authorization project agreement in accordance with 23 U.S.C. 115.

- b. Grant funds may not be used to support or oppose union organizing, whether directly or as an offset for other funds.
- c. For more information on Eligible Project Costs see Section C.3.

## **7. OTHER SUBMISSION REQUIREMENTS**

### **a. Scalable Project Options**

Applicants are encouraged to identify scaled funding options in case insufficient funding is available to fund a project at the full requested amount. If an applicant advises that a project is scalable, the applicant must provide an appropriate minimum funding amount that will fund an eligible project that achieves the objectives of the program and meets all relevant program requirements. The applicant must provide a clear explanation of how the project budget would be affected by a reduced award. FHWA may award a lesser amount whether a scalable option is provided.

### **b. Submission Location**

Applications must be submitted to *Grants.gov*.

### **c. Consideration of Applications**

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

### **d. Late Applications**

Applicants experiencing technical issues with Grants.gov that are beyond the applicant's control must contact [PROTECTdiscretionary@dot.gov](mailto:PROTECTdiscretionary@dot.gov) prior to the application deadline with the username of the registrant and details of the technical issue experienced. The applicant must provide:

- (1) Details of the technical issue experienced;
- (2) Screen capture(s) of the technical issues experienced along with corresponding Grants.gov "Grant tracking number;"
- (3) The "Legal Business Name" for the applicant that was provided in the SF-424;
- (4) The Point of Contact name submitted in the SF-424;
- (5) The UEI associated with the application; and
- (6) The Grants.gov Help Desk Tracking Number.

To ensure a fair competition of limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to complete the registration process before the deadline; (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Website; (3) failure to follow all instructions in this NOFO; and (4) technical issues experienced with the applicant's computer or information technology environment.

After FHWA reviews all information submitted and contacts the Grants.gov Help Desk to validate reported technical issues, FHWA staff will contact late applicants to approve or deny a request to submit a late application through Grants.gov. FHWA will not accept appeals of FHWA's decision to approve or deny a request for a late application. If the reported technical issues cannot be validated, late applications will be rejected as untimely.

**e. Compliance with Section 508 of the Rehabilitation Act of 1973**

FHWA encourages applicants to submit documents that are compliant with Section 508 of the Rehabilitation Act of 1973. Section 508 guidelines are available at <https://www.access-board.gov/ict/>.

**f. Sharing of Application Information**

The Department may 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.

## SECTION E - APPLICATION REVIEW INFORMATION

### 1. Criteria

FHWA will assess applications using the criteria below. The criteria for Planning Grants are different from Resilience Grants.

For Planning Grants, the merit criteria are:

1. Program Alignment
2. Planning Activity Approach
3. Schedule and Budget
4. Public Engagement, Partnerships and Collaboration
5. Innovation

For Resilience Grants, the merit criteria are:

1. Vulnerability and Risk
2. Criticality to Community
3. Design Elements
4. Public Engagement, Partnerships and Collaboration
5. Equity and Justice<sup>40</sup>
6. Climate Change and Sustainability
7. Schedule and Budget
8. Innovation

The Review Team will consider whether the application narrative is responsive to the merit criteria using the rating scale below:

<b>Rating Scale</b>	<b>High</b>	<b>Medium</b>	<b>Low</b>	<b>Non-Responsive</b>
Description	The application is substantively and comprehensively responsive to the criterion. It makes a strong case, including sufficient detail and evidence, that it will advance all of the areas described in the	The application is moderately responsive to the criterion. It makes a moderate case, including some detail and evidence, that it will advance all or some of the areas described in the criterion descriptions.	The application is minimally responsive to the criterion. It makes a weak case, including insufficient detail or evidence, about advancing the areas described in the criterion descriptions.	The narrative indicates the proposal is counter to the criterion or does not contain sufficient information. It does not advance or may negatively impact criterion goals.

	<p>crit  descriptions.</p>			
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**a. Planning Grants**

**Criterion #1: Program Alignment**

FHWA will assess the alignment of the proposed Planning Grant activity with the purpose of PROTECT Discretionary Grant Program as described in 23 U.S.C. § 176(d)(3).

For all Planning grant applications, FHWA will assess whether the application includes a description of how completion of the Planning Grant will contribute to the applicant’s near- and long-term system resilience plans. For example, for a proposed grant for technical capacity building, FHWA will assess how the applicant will maintain the technical capacity it needs to assess the vulnerabilities of surface transportation assets and community response strategies, including the development of high-quality technical capacity building programs with supportive services to help train, place, and retain people with the technical capacity needed for the long-term. The planning activity should support multimodal transportation networks that enable all people to reach their desired destination safely, affordably, and with a comparable level of efficiency and ease. The need for the PROTECT Discretionary Grant Program Planning project should be of critical importance in supporting the continued operation or rapid recovery of crucial local, regional, or national surface transportation assets and facilities.

**Criterion #2: Planning Activity Approach**

There are four statutorily distinct categories of eligible Planning grant activities. As such, FHWA will assess the program alignment of each Planning Grant application against the specific Planning Grant activity the applicant identified in the application. Applicants must specify the type(s) of planning activity the proposed planning project will address and will be assessed according to how the proposed activity aligns with the information provided below.

**Resilience Improvement Plan:** The application provides detailed information about how the planning project will:

- identify short- and long-range planning activities and investments with respect to the multimodal resilience of surface transportation;
- include input from Tribes or Federal land managers as well as local governments; and
- include a systemic approach to transportation system resilience and critical needs including a risk-based assessment of vulnerabilities of transportation assets and systems to current and future weather events and natural disasters.

**Resilience Planning, Predesign, Design, or Data Tools:** The application:



- provides a detailed description that identifies the type and source of relevant climate data sets, information resources, and decision-support tools that will be utilized to inform the multimodal planning process;
- describes in detail how models and assessments will utilize data on past and future conditions and address critical needs;
- describes how the assessment will consider protective services offered by existing natural systems (for example flood protection offered by wetlands) and/or how the assessment will consider options for using nature-based solutions to provide protective services;
- provides a detailed plan of how the applicant will coordinate the project with existing plans such as State and local hazard mitigation plans;
- if the planning project is to develop a tool: 1) identifies and describes in detail the disciplines that will utilize the tool and how the tool will be developed to apply easily to these disciplines (end users); and 2) demonstrates in detail how the data or tool format is most useful including a discussion about Geographic Information System (GIS) applications or incorporation into currently used models; and
- if the planning project is to develop predesign or design elements: 1) describes methods for developing resilience solutions; 2) describes how nature-based solutions will be considered.

**Technical Capacity Building:** The application:

- provides a detailed description of the training programs the applicant intends to implement;
- includes a detailed assessment of current staff knowledge on climate change vulnerability and resilience and capability to utilize that knowledge with actions to strengthen current practices; and
- provides a detailed description of the applicant’s near- and long-term plan to ensure it maintains the technical capacity that will be developed with the use of PROTECT Planning funds, including the development of high-quality technical training programs with support services, to help train, place, and retain people.

**Evacuation Planning and Preparation:** The application:

- documents potential future disasters or conditions that demonstrate the need for multimodal evacuation routes as part of community resilience;
- includes verifiable information about community growth (past and future), critical, needs, and anticipated future traffic volumes and accommodation of transit and active transportation modes;
- provides a detailed discussion of considerations that will be to current and future conditions in the facility design;
- explains in detail how the project will leverage planning information from State and local level government, such as hazard mitigation and emergency management planning; and
- includes a detailed post-project description of how the Planning Grant will contribute to the applicant’s near- and long-term system resilience plans.
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### **Criterion #3: Schedule and Budget**

FHWA will rate the responsiveness to the Schedule and Budget criterion as follows:

- The application presents a detailed schedule and budget and amount of funds for each major project activity, milestone, and deliverable.
- The application includes a detailed budget that shows the total project cost, including the amount requested from the PROTECT Discretionary Grant Program and all other funding sources and amounts. (Other funding sources, as appropriate, include other Federal funds (including PROTECT Formula funds); State funds; Tribal funds; local funds; and other funds such as private funds. If the funding was received, please provide the date of award and how the funds have been or are expected to be used on the project).
- The project schedule presented in the application includes the anticipated start and end dates for each activity, as well as a detailed post-Planning Grant description of how the Planning Grant will contribute to short, intermediate, and long-term system resilience.
- The schedule and budget are feasible, reasonable, and commensurate with the work described in the application.

### **Criterion #4: Public Engagement, Partnerships and Collaboration**

FHWA will rate the responsiveness to the Public Engagement, Partnerships, and Collaboration criterion, as follows:

- The application provides specific strategies and actions to be incorporated in the planning process to ensure meaningful public engagement, partnering, and collaboration.
- The planning process will engage a wide range of applicable partners and stakeholders and incorporate opportunities for public collaboration. Example partners include community-based organizations, public agencies (e.g., local, regional, State, and Federal), and relevant sectors (e.g., emergency management, environmental, planning, floodplain management, health, housing and development, private).
- The application outlines an engagement process that will involve a range of relevant experts in diverse areas and demonstrate the inclusion of disadvantaged populations or communities that have or will likely experience a disproportionate impact from a natural disaster or catastrophic event.
- The application demonstrates how input provided will be considered during the Planning Grant implementation process.

### **Criterion #5: Innovation**

FHWA will rate the responsiveness to the Innovation criterion, as follows:

- The planning project analyzes the potential use of nature-based solutions and/or builds technical capacity for the use of nature-based solutions and access to nature; or
- The planning project employs innovative or novel technologies and techniques that will be used to analyze risks and risk reduction strategies; or
- The planning project demonstrates and documents innovative techniques and best practices that other parts of the country can consider replicating.

**Overall Planning Grant Application Rating**

FHWA’s first-level review team will assign an overall application merit rating using the following methodology:

<b>Overall Merit Rating</b>	<b>Individual Criteria Ratings</b>
Highly Recommended	<ul style="list-style-type: none"> <li>• ‘High’ ratings on at least four [4] of five [5] criteria; and</li> <li>• ‘High’ or ‘Medium’ rating on Program Alignment; and</li> <li>• ‘High’ or ‘Medium’ rating on Public Engagement, Partnerships and Collaboration (Indian Tribes are assumed ‘High’ for Criterion #4 Public Engagement, Partnerships and Collaboration); and</li> <li>• Zero ‘Non-Responsive’ ratings</li> </ul>
Recommended	<ul style="list-style-type: none"> <li>• At least four [4] ‘Medium’ or ‘High’ ratings, two [2] of which must be ‘High’; and</li> <li>• ‘High’ or ‘Medium’ rating on Program Alignment; and</li> <li>• Zero ‘Non-Responsive’ ratings.</li> </ul>
Not Recommended	<ul style="list-style-type: none"> <li>• Fewer than two [2] ‘High’ ratings and fewer than four [4] ‘Medium’ or ‘High’ ratings; or</li> <li>• One or more ‘Non-Responsive’ ratings</li> </ul>

**FHWA FY 2024-2026 PROTECT Discretionary Planning Grant Priority Considerations**

After completing the merit review, among projects of similar merit, FHWA will prioritize projects that demonstrate the following:

- Exceptional benefits under merit criterion #4 Public Engagement, Partnerships and Collaboration; or
- Strong need for funding; but for the award of a PROTECT Discretionary Grant Program Planning Grant, the applicant would not be able to begin or complete the activity. For State DOT applicants, this could be demonstrated by showing that the need exceeds the amount provided under the PROTECT Formula Program; or
- An application that will include the development of a Resilience Improvement Plan.

**b. Resilience Improvements, Community Resilience and Evacuation Routes, and At-Risk Coastal Infrastructure Grants**

FHWA will assess Resilience Grant applications using the following Merit Criteria for FY 2024-2026.

**Criterion #1: Vulnerability and Risk**

FHWA will assess the degree to which the application:

1. Describes in detail with verifiable underlying data and science-based information the relevant current or future weather events, natural disasters, or changing conditions that the project area is exposed to that the project will address (e.g., severe storms, flooding, drought, levee and dam failures, wildfire, rockslides, mudslides, sea level rise, extreme weather, including extreme temperatures, heat waves, and earthquakes);
2. Assesses, in detail with verifiable data and information, each element, as applicable, of vulnerability - (2a) exposure, (2b) sensitivity, and (2c) adaptive capacity (see table below); and
3. Demonstrates that there is a high risk to the transportation asset or system (risk is a function of the likelihood of negative impact and the consequence should the impact occur).

For Community Resilience and Evacuation Route grant applications, the application should address current and future vulnerabilities to an evacuation route because of future occurrence or recurrence of emergency events that are likely to occur in the geographic area in which the evacuation route is located; and projected changes in development patterns, demographics, and extreme weather events based on the best available evidence and analysis.

To assist applicants, the table below defines exposure, sensitivity, and adaptive capacity and provides instructions on the information applicants should address in the application.

<b>Vulnerability Elements</b>	
<b>Element</b>	<b>Instructions</b>
<b>Exposure</b> means the degree to which an asset or system is located in an area experiencing direct effects of climate change, extreme weather events, natural disasters, and changing conditions.	Describe how the project: (1) will address current or future weather events, natural disasters, or changing conditions that the project area is exposed to (e.g., severe storms, flooding, drought, levee and dam failures, heat waves, wildfire, rockslides, mudslides, sea level rise, extreme weather, extreme temperature, earthquakes); and (2) will reduce the impacts, risks, and consequences of exposure.
<b>Sensitivity</b> means how an asset or system responds to, or is affected by, exposure to a climate-related or other natural hazard stressor including but not limited to flooding, heat waves, landslides, lava, and wildfires.	Describe how the project will seek to reduce the sensitivity of the asset or system to the stressors identified. This may include a description of how the project would improve the ability of the asset or system to reduce or avoid potential impacts from stressors. For example, sensitivity data and information could include thresholds (empirical or observed) to potential stressors. The

<b>Vulnerability Elements</b>	
<b>Element</b>	<b>Instructions</b>
	sensitivity data could include the asset age or condition and vary with the applicable climate stressor thresholds.
<b>Adaptive Capacity</b> means the ability of a transportation asset or system to adjust, repair, or flexibly respond to damage caused by climate variability, extreme weather, or other natural disaster.	Describe how the project will improve the ability of the asset or system to withstand, adjust to, or respond to impacts. For example, an application could describe how raising a bridge and associated pedestrian, bicycle, and green infrastructure would allow for continued system operation during heavy precipitation events. Raising the bridge could also reduce travel time because of detour route use, which could be lengthy and is often a measure of asset adaptive capacity. Fast Recovery also utilizes efficient emergency response, inspection, and evacuation. A project utilizing nature-based solutions, such as the restoration of natural dunes to protect from wave damage, could improve the ability of the asset to recover more quickly and reduce loss of functionality and community impact.

**Criterion #2: Criticality to Community**

FHWA will assess criticality as follows:

1. The application demonstrates the critical need for the project, based on the current or future events the project will address. Critical need is defined as the importance of the project in supporting the continued operation or rapid recovery of crucial local, regional, or national surface transportation assets and facilities served by those assets in the community. Critical need could be demonstrated through indicators such as average daily traffic, evacuation needs, or freight volume.
2. The application identifies critical facilities and destinations that the project provides continued access to. Example facilities and destinations include homes, businesses hospitals and other medical or emergency service facilities, major employers, critical manufacturing centers, ports, intermodal facilities or nexus points, utilities, and Federal facilities.
3. The project is timely in addressing risks to the community. Consequences are severe if resilience improvements are not made in the near term.
4. The project is critical to supporting community functions (such as access for disadvantaged populations, economic activities, emergency operations during evacuations).

**Criterion #3: Design Elements**

FHWA will assess the extent to which proposed project design elements will reduce risks from current or future weather events, natural disasters, or changing conditions over the anticipated service life.

1. Application identifies the anticipated service life of the facility or asset and identify design element(s), as applicable to the affected mode(s) of transportation, to address

current and future vulnerabilities over that service life. The application describes in detail how the anticipated service life of the facility or asset was determined.

2. Application documents the source of relevant evidence-based climate data, downscaled projections, and scenarios used or proposed for use as basis for climate resilience design measures or features. Applicants are strongly encouraged to use best-available climate data sets, information resources, and decision-support tools (including FHWA and other Federal resources) to assess the climate-related vulnerability and risk and to develop or deploy resilience solutions to address those risks over the anticipated infrastructure service life.
3. The design elements will reduce current and future vulnerabilities and risks. The application identifies the design element that will address each current or future vulnerability identified under Criterion #1 up to the anticipated service life of the facility or asset. If the project is in pre-design or design, the application identifies and provides a detailed discussion about what methodology(ies) will be used to identify the measures or features to address the current and future vulnerabilities. If the project is post-design, the application provides a detailed description about how a determination was made that the design element identified above will reduce current and future vulnerabilities.
4. The project will improve safety for all users of the transportation asset or system by reducing current and future vulnerabilities. The applicant has assessed safety needs and how PROTECT Discretionary Grant funds would contribute to improving safety through the anticipated service life of the asset or system.
5. The application includes a detailed maintenance plan for the project describing how the funded design elements will be maintained for the anticipated life of the facility, in order to ensure they continue to reduce the vulnerabilities identified earlier. The plan identifies which entity will be responsible for maintaining the project, as well as estimated maintenance costs over the life of the project, and sources to fund those costs.

Visit <https://www.fhwa.dot.gov/environment/protect/discretionary> for a list of resources and tools to help assess vulnerabilities, identify critical assets, and assess the resilience of projects to climate change, extreme weather, and other natural hazards. The questions in the table below are provided to help applicants develop their response to the design elements criterion.

FHWA's evaluation of design elements as described herein as part of the review and selection of projects under this Notice is not and should not be interpreted as FHWA approval or concurrence of final project design. The purpose of this criterion is to evaluate whether and to what degree an applicant is evaluating design elements to reduce future vulnerabilities. This criterion is intended to evaluate elements that would be considered during the design phase of the project. Approval of the final and specific design elements that will be used in the construction of the project will follow Title 23 or 2 CFR part 200 requirements depending on the type of applicant.

<b>Example Questions for Applicants to Consider in Developing their Response to the Design Elements Criterion</b>
Can the facility be sited or relocated outside of an area with a current or projected future hazard or climate impact (e.g., 100-year flood, increasing flood return intervals)? Where relevant, does the project reduce impacts to floodplain function?
If applicable, is the project sized to accommodate increases in sea level? If yes, what sea level rise projection will be used and how will this be incorporated into project design?
Does the project take into account increased future stormwater flows, e.g., the need for additional drainage infrastructure or upsized culverts, elevated bridges and approaches?
Will certain design elements increase the ability of the asset to continue to serve its primary function, and/or support emergency evacuation and post disaster relief, during and after weather events and natural disasters? How?
Does the project add redundancy to the transportation system? And does this redundancy enhance emergency evacuations?
Will the project use a nature-based solution? Or explain why a nature-based solution would not be a solution. (e.g., wetland buffers, marsh breakwaters, reefs, sea grass plantings, dune restoration, adding stream sinuosity, etc.)
Does the project employ the use of innovative or novel technologies, such as improved roadway subgrades, heat-resistant pavement mixes, natural infrastructure, or permeable pavement?

**Criterion #4: Public Engagement, Partnerships and Collaboration**

The application provides a detailed public engagement, partnerships and collaboration plan that either addresses each plan component (1) through (5) below or provides a detailed explanation why certain plan components are not applicable for the project.

1. How public engagement will be conducted demonstrating engagement of diverse input such as community-based organizations during project planning and consideration of how input provided will be considered during the project decision-making process;
2. Partnerships and collaboration with community stakeholders;
3. Partnerships and collaboration with other agencies (e.g., State, local, regional, Federal);
4. Partnerships and collaboration across relevant sectors (e.g., emergency management, environmental, planning, floodplain management, health, housing and development, private sector); and
5. For (1) through (4) above, as applicable, the roles of these entities in the planning, design, construction, and operation of the project.

**Criterion #5: Equity and Justice**

An applicant will be rated higher on this criterion if it can clearly demonstrate that:

- The project will create positive outcomes that will reduce, mitigate, or reverse how a community is experiencing 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, resources, transportation or mobility, and quality of life. Applicants are strongly encouraged to use the [USDOT Equitable Transportation Community \(ETC\) Explorer \(arcgis.com\)](https://arcgis.com) to

understand how their project area is experiencing disadvantage in any of five areas that transportation projects have a direct relationship with.

- The applicant identifies and implements programs and policies that ensure the benefits of investments while mitigating displacement of economically susceptible residents and businesses. Some examples include the preservation and/or production of affordable housing; expanding affordable, safe transportation and mobility options to areas where good jobs are concentrated; and supporting entrepreneurship, small business growth, tourism, and access to capital through local hiring.
- The applicant will engage the public, including disadvantaged communities, during all phases of the project, including planning, design, construction, and implementation. [Three Major Components of DOT's Justice40 Initiative | US Department of Transportation.](#)

Priority consideration will be given to projects that support the goals of the Justice40 Initiative, <https://www.transportation.gov/equity-Justice40>. In support of Executive Order (E.O.) 14008, applicants are encouraged to use the White House definition of Historically Disadvantaged Communities as part of DOT's implementation of the Justice40 Initiative. Consistent with the Interim Implementation Guidance and its Addendum for the Justice40 Initiative, Historically Disadvantaged Communities include (a) certain qualifying census tracts identified as disadvantaged by the [Climate and Economic Justice Screening Tool \(CEJST\)](#) due to categories of environmental, climate, and socioeconomic burdens, and (b) any federally recognized Tribes or Tribal entities, whether or not they have land.<sup>19</sup> CEJST is 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 accomplish the goal that 40 percent of overall benefits from certain Federal investments reach disadvantaged communities. See <https://screeningtool.geoplatform.gov/>. Applicants should use the CEJST as the primary tool to identify disadvantaged communities (also referred to as Justice40 communities).

Applicants are strongly encouraged to also use the [USDOT Equitable Transportation Community \(ETC\) Explorer](#) to understand how their community or project area is experiencing disadvantage related to lack of transportation investments or opportunities and are encouraged to use this information in their application to demonstrate how their project will reduce, reverse or mitigate the burdens of disadvantage. <https://www.transportation.gov/priorities/equity/justice40/etc-explorer>.

Applications from Indian Tribes are not required to provide information on equity and Justice40. FHWA will consider project applications from Indian Tribes to inherently benefit a Justice40 community and will rate them high for this criterion.

## **Criterion #6: Climate Change and Sustainability**

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<sup>19</sup> OMB, CEQ, & Climate Policy Office, M-23-09, Addendum to the Interim Implementation Guidance for the Justice40 Initiative, M-21-28, on using the Climate and Economic Justice Screening Tool (CEJST) (Jan. 27, 2023), [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); OMB, CEQ, & CPO, M-21-28, Interim Implementation Guidance for the Justice40 Initiative (July 20, 2021), <https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf>.



The applications that rate highest on this criterion will be those for which reducing GHG emissions and improving climate resilience are a primary project purpose. Applicants are encouraged to use the [DOT Navigator Climate checklist](#) in responding to this criterion. Applications that are rated highly on this criterion will be those that use data-driven and evidence-based methods to demonstrate that the project will:

1. Significantly reduce GHG emissions in the transportation sector; and
2. Incorporate evidence-based climate resilience measures or features.

Significantly reduce GHG emissions:

- Projects that typically reduce GHG emissions include:
  - community design and land-use planning that makes it convenient to take fewer or shorter trips;
  - increasing the use of energy efficient modes of transportation like public transportation, rail, and active transportation, including walking, biking, and rolling;
  - signal timing, traffic management, freight logistics, and other operational improvements that improve efficiency;
  - transitioning to clean vehicles and fuels, including electrification;
  - using project materials and construction methods that have lower embodied GHG emissions; and
  - incorporating carbon-reducing uses of the rights-of-way, such as solar arrays, transmission of electricity from renewables, or vegetation management.
- Projects that typically increase GHG emissions, such as roadway expansion, will not score highly on the GHG reduction aspect of this criterion, though they may score highly on other aspects.
- Applicants will rate more highly on this criterion if they can demonstrate that:
  - the project would significantly reduce transportation GHG emissions, as shown through analysis with [USDOT tools](#) or similar;
  - the project is part of a State Carbon Reduction Strategy, State Electric Vehicle Infrastructure Deployment Plan, or other State, local, or Tribal GHG reduction plan;
  - the project aligns with the [U.S. National Blueprint for Transportation Decarbonization](#); and
  - the applicant has a plan to monitor the impact of the project on GHG emissions.

Incorporate evidence-based climate resilience and adaptation measures or features:

- Applicants will score more highly on this criterion if they can demonstrate that the project:
  - advances objectives in the [National Climate Resilience Framework](#);
  - uses best-available climate data sets, information resources, and decision-support tools (including [USDOT and other Federal resources](#)) to assess the climate-related vulnerability and risk of the project;
  - develops and deploys solutions that reduce climate change risks;
  - 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;
- is included in a Resilience Improvement Plan or similar plan;
- benefits communities most vulnerable to climate change impacts, such as FEMA-designated [Community Disaster Resilience Zones](#);
- follows the Federal Flood Risk Management Standard, consistent with current law; and
- includes plans to monitor the performance of climate resilience and adaptation measures.

**Criterion #7: Schedule and Budget**

FHWA will rate the responsiveness to the Schedule and Budget criterion as follows:

1. The application presents a detailed schedule and budget and amount of funds for each major project activity, milestone, and deliverable.
2. For the PROTECT Discretionary Grant Program, like the PROTECT Formula Program, grant funds can only be used for activities that are primarily for the purpose of resilience or inherently resilience related. The budget should detail the cost of making transportation assets more resilient. Other project components that are not inherently resilience-focused should generally be funded from other sources, including other Title 23 programs. To the extent that the primary purpose of a project is to address resilience, it would be eligible to be fully funded (up to the applicable Federal share)
3. The application includes a detailed budget that shows the total project cost, including the amount requested from the PROTECT Discretionary Grant Program and all other funding sources and amounts. (Other funding sources, as appropriate, include other Federal funds (including PROTECT Formula funds); State funds; Tribal funds; local funds; and other funds such as private funds. If the funding was received, please provide the date of award and how the funds have been or are expected to be used on the project.)
4. The project schedule presented in the application includes the anticipated start and end dates for each major activity or milestone.
5. The schedule and budget are feasible, reasonable, and commensurate with the work described in the application.

**Criterion # 8: Innovation**

FHWA will rate the responsiveness to the Innovation criterion as follows:

1. The project uses nature-based solutions to improve resilience.
  - Examples of nature-based solutions to manage stormwater include permeable pavement, stormwater harvest and reuse, and landscaping (greenspaces, rain gardens, bioswales, etc.) to absorb and slow the flow of stormwater. These stormwater nature-based solutions reduce downstream flooding and filter pollutants.
  - Nature-based solutions such as river training, bank protection, and riparian treatments, can be used in riverine environments near highways and rail to stabilize slopes, reduce erosion, and reduce flooding of transportation infrastructure.

- Additional examples of nature-based solutions include wetland buffers, marsh breakwaters, stormwater bioswales, sea grass plantings, dune restoration, and adding stream sinuosity.
2. The project employs innovative or novel technologies or techniques that will be used to mitigate risk of structural failure and/or increase reliability of the surface transportation asset throughout its anticipated service life.

**Overall Merit Criteria Rating**

FHWA’s first-level review team will assign an overall Merit Criteria rating on the following basis:

<b>Overall Merit Rating</b>	<b>Individual Criteria Ratings</b>
Highly Recommended	<ul style="list-style-type: none"> <li>• ‘High’ ratings on at least six [6] of eight [8] criteria; and</li> <li>• ‘High’ or ‘Medium’ rating on Vulnerability and Risk; and</li> <li>• ‘High’ or ‘Medium’ rating on Equity and Justice<sup>40</sup> (Indian Tribes are assumed ‘High’ for Equity and Justice<sup>40</sup>); and</li> <li>• Zero ‘Non-Responsive’ ratings</li> </ul>
Recommended	<ul style="list-style-type: none"> <li>• At least five [5] ‘Medium’ or ‘High’ ratings, three [3] of which must be ‘High’; and</li> <li>• Zero ‘Non-Responsive’ ratings.</li> </ul>
Not Recommended	<ul style="list-style-type: none"> <li>• Fewer than three [3] ‘High’ ratings and fewer than five [5] ‘Medium’ or ‘High’ ratings; or</li> <li>• One or more ‘Non-Responsive’ ratings</li> </ul>

**The Economic Analysis Review and Statutory Prioritization**

**Economic Analysis and Statutory Prioritization for Resilience Improvement, and Community Resilience and Evacuation Routes**

FHWA will conduct an economic analysis for certain types of projects that receive an overall rating of Highly Recommended or Recommended, including for Resilience Improvement projects which are not on an applicable Resilience Improvement Plan under 23 U.S.C. § 176(e)(2), and Community Resilience and Evacuation Route projects that receive an overall rating of Highly Recommended or Recommended: FHWA will consider the costs and benefits of these projects seeking PROTECT Discretionary Grant Program funding in determining whether a project is cost effective. In addition, FHWA will consider: (1) the need to address the vulnerabilities of surface transportation assets of the eligible entity with a high risk or, and impacts associated with, failure because of the impacts of weather events, natural disasters, or changing conditions for Resilience Improvement projects; and (2) take into account current and future vulnerabilities to an evacuation route; and projected changes in development patterns,

demographics, and extreme weather events based on the best available evidence and analysis for Community Resilience and Evacuation Route projects.

To the extent possible, FHWA will rely on the applicant’s submission of well-supported BCA analysis results described in the project narrative. The purpose of the BCA is to enable the evaluation of the cost-effectiveness of the proposed project by comparing its expected benefits to its expected costs relative to the current or forecast problem often referred to as the “baseline” or “no-build alternative.” The baseline defines the world without the proposed project. Any benefits claimed for the proposed project, both quantified and unquantified, should be clearly tied to the expected outcomes of the proposed project. While benefits should be quantified whenever possible, FHWA acknowledges that some aspects of calculating resilience benefits are difficult to quantify (e.g., benefits associated with nature-based solutions or for documenting the benefit of evacuation during emergency events). Applicants should nonetheless discuss these types of benefits qualitatively, providing data, news reports, or other information to support the potential scale of the unquantified benefits.

For Resilience Improvement projects which are not on the applicable Resilience Improvement Plan and Community Resilience and Evacuation Routes projects, FHWA 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, FHWA will rely on quantitative, evidence-based, and data-supported analysis in this assessment. FHWA will also consider qualitative descriptions of benefits that are more difficult to quantify and/or value in monetary terms.

Based on FHWA’s assessment, FHWA 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

Resilience Improvement projects that are not on the applicable Resilience Improvement Plan and receive an economic analysis rating of Medium, Medium-High, or High will receive a determination that the benefits of the eligible activity proposed to be carried out by an eligible entity exceed the cost of the activity under 23 U.S.C. § 176(d)(4)(A)(iii)(I)(aa).

Community Resilience and Evacuation Routes projects that receive an economic analysis rating of Medium, Medium-High, or High will receive a determination that the eligible activity is cost-effective after taking into account:

- current and future vulnerabilities to an evacuation route because of future occurrence or recurrence of emergency events that are likely to occur in the geographic area in which the evacuation route is located and
- projected changes in development patterns, demographics, and extreme weather events based on the best available evidence and analysis under 23 U.S.C. § 176(d)(4)(B)(iii).

Resilience Improvement projects will be given priority if they receive an economic analysis rating of Medium, Medium-High, or High and FHWA determines that there is a need to address the vulnerabilities because of the high risk of, or impacts associated with failure because of, the impacts of weather events, natural disasters, or changing conditions. However, projects that receive a rating of Medium-Low or Low may be selected for an award if the project demonstrates clear potential benefits to resiliency, connectivity, community engagement, quality of life for disadvantaged communities, particularly in geographically remote or less populated areas.

Resilience Improvement projects that are on the applicable Resilience Improvement Plan will be prioritized. Applicants should consult with their State DOT or MPO regarding applicable Resilience Improvement Plans.

**FHWA FY 2024-2026 PROTECT Discretionary Grant Priority Considerations for Resilience Improvements, Community Resilience and Evacuation Routes, and At-Risk Coastal Infrastructure Grants**

After completing the merit review, among projects of similar merit, FHWA will prioritize projects that meet one or more of the following:

1. Exceptional benefits under merit criterion #5 Equity and Justice<sup>40</sup>
2. Workforce Development, Job Quality, and Wealth Creation

Application demonstrates that the project will do one or more of the following:

- Create good-paying, safe jobs with free and fair choice to join a union including through the use of a project labor agreement;
- promote investments in high-quality workforce development programs with supportive services to help train, place, and retain people in good-paying jobs or registered apprenticeships. These programs should have a focus on women, people of color, and others that are underrepresented in infrastructure jobs (people with disabilities, people with convictions, etc.);

- adopt local and economic hiring preferences for the project workforce or include other changes to hiring policies and workplace cultures to promote the entry and retention of underrepresented populations; or
- promote local inclusive economic development and entrepreneurship, such as the utilization of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned Businesses, or 8(a) firms.

### 3. Construction Readiness

Priority may be given to a project that is post-design with the incorporation of evidence-based climate change measures and features to address future vulnerabilities. Projects should be ready to proceed to construction within 10 months of selection to receive a PROTECT Discretionary Grant Program grant. The FY 2024 funds may be prioritized for construction ready projects because of the need to be obligated before the end of 2027.

### 4. Funding Needs

FHWA will assess whether, but for the award of a PROTECT Discretionary Grant Program Resilience Grant, the applicant would not be able to begin or complete the activity. For State DOT applicants, this could be demonstrated by showing that the need exceeds the amount provided under the PROTECT Formula Program.

## **2. Review and Selection Process**

FHWA will conduct an application intake and eligibility review by providing an initial eligibility screening based on the statutory eligibility criteria in Section C. Only eligible projects will be assessed against the Merit Criteria in Section E.

The PROTECT Discretionary Grant Program application evaluation process consists of (1) a technical review, economic analysis review with statutory prioritization, and (2) an FHWA and the Office of the Secretary (OST) Senior Review.

### **The Technical Review**

The evaluation of eligible applications will be conducted by a Technical Review Team who may consist of individuals from: (1) FHWA; (2) Federal Transit Administration; (3) Maritime Administration; (4) FRA; (5) OST; and (6) other Federal agencies such as NOAA and FEMA. The Technical Review Team will assess each eligible application against the Merit Criteria in section E.1. and assign an overall application rating.

**Planning Grant Applications.** After assigning an overall rating to each Planning grant application, the Technical Review Team will assess and prepare a narrative on each Highly Recommended and Recommended application's responsiveness to FHWA Priority Considerations.

**Resilience Grants.** After assigning an overall rating to each Resilience Improvement and Community Resilience and Evacuation Routes grant application, the Technical Review Team will assess and prepare a narrative on each Highly Recommended and Recommended application's responsiveness to FHWA Priority Considerations.

### **The Economic Analysis Review**

The economic analysis evaluation of Highly Recommended and Recommended Resilience Improvement and Community Resilience and Evacuation Route applications will be conducted by the Economic Analysis Review Team. The Economic Analysis Review Team may consist of individuals from: (1) FHWA Office of Transportation Policy Studies; (2) FHWA Resource Center; (3) other FHWA HQs and division offices; (4) and OST. The Economic Analysis Team will assess the benefit-cost analysis of Community Resilience and Evacuation Route projects, and Resilience Improvement projects not on the applicable Resilience Improvement Plan.

Projects that receive a rating of Medium-Low or Low may be selected for an award if the project demonstrates clear potential benefits to resilience, connectivity, community engagement, quality of life for economically disadvantaged communities, particularly in geographically remote or rural areas.

### **Applications Recommended for Consideration by the FHWA Senior Review Team (SRT)**

The Technical Review Team will send to the FHWA SRT the overall project rating for each eligible Planning Grant and the evaluation of responsiveness to FHWA Priority Considerations. For the Resilience Improvement, and Community Resilience and Evacuation Route grant applications, the Technical Review Team will send to the FHWA SRT the Highly Recommended and Recommended projects that meet the Statutory Priority Criteria, the results of the economic analysis review, and the evaluation of responsiveness to FHWA Priority Considerations. For the At-Risk Coastal Infrastructure applications, the Technical Review Team will send to the FHWA SRT the Highly Recommended and Recommended projects and the evaluation of responsiveness to FHWA Priority Considerations.

### **FHWA Senior Review Team Process and Project Selection**

The FHWA SRT may consist of senior FHWA and other USDOT officials who have been requested to serve by the FHWA Acting Administrator. The SRT, with the FHWA Acting Administrator's participation in the review process, advises the FHWA Acting Administrator which projects the FHWA Acting Administrator should select for funding.

**Planning Grants:** FHWA SRT will determine which Highly Recommended or Recommended Planning projects to advance to the Acting Administrator. The FHWA SRT may recommend a Planning grant project that is rated Recommended over a Highly Recommended project, if the Recommended project is responsive to the Priority Considerations.

**Resilience Grants:** The FHWA SRT will determine which Highly Recommended or Recommended Resilience Grant projects to advance to the Administrator. The FHWA SRT may

recommend a Resilience grant project that is rated Recommended over a Highly Recommended project if the Recommended project is responsive to the Priority Considerations.

FHWA will use not less than 2 percent for grants to Indian Tribes. The FHWA SRT may recommend for funding all Highly Recommended applications under the set-aside and then recommend for funding additional Recommended applications up to the minimum amount. FHWA reserves the flexibility to increase the minimum Tribal set-aside to fund all Highly Recommended Tribal projects and additional Recommended Tribal projects selected to receive funding. When selecting among applications, the FHWA SRT may consider a project's merit criteria ratings as well as responsiveness to the Priority Considerations. Any remaining Recommended applications will be considered for funding with the remaining non-Tribal applicants under review by the SRT.

The FHWA Acting Administrator will determine which Highly Recommended Planning Grant and Resilience Grant projects, and any Recommended Planning Grant and Resilience Grant projects, after considering the FHWA SRT recommendations including the responsiveness to FHWA Priority Considerations. The FHWA Acting Administrator may consider options for reduced awards and the ability to award certain eligible applications under any of the four grant types. To the extent possible, all applications will be considered for any of the four grant programs regardless of which grant is applied for.

The FHWA Acting Administrator makes final project selections that best address the PROTECT Discretionary Grant Program goals for Planning, Resilience Improvements, Community Resilience and Evacuation Routes, and At-Risk Coastal Infrastructure Grants, Secretarial Statutory Selection Priorities, and FHWA Priority Considerations.

### **3. Additional Information**

a. FHWA may, during the selection process, enter into discussions with an applicant that may include mutually agreeing upon a lesser amount of a potential award than originally requested in the application, if necessary, because of the quantity, size and scope of the applications received in response to this notice and the results of the application review process. Discussions may include scalable project options as described under Section D.7.a. of this notice.

b. Prior to award, each selected applicant will be subject to a risk assessment as required by 2 CFR 200.206. FHWA 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. FHWA 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.



## **SECTION 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.fhwa.dot.gov/environment/protect/discretionary>. Notice of selection is not authorization to begin performance or to incur costs for the proposed project. Following that announcement, FHWA will contact the point of contact listed in the SF-424 to initiate negotiation of the project agreement for authorization. Recipients of PROTECT Discretionary Grant Program grant awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds. Instead, FHWA will reimburse PROTECT Discretionary Grant Program funds to recipients only after a project agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted. Unless authorized by FHWA in writing after announcement of FY 2024-2026 PROTECT Discretionary Grant Program awards, any costs that a recipient incurs before FHWA executes a project agreement for that recipient's project are ineligible for reimbursement and are ineligible match for cost share requirements.

### **2. ADMINISTRATIVE AND NATIONAL POLICY 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 FHWA at 2 CFR Part 1201. Applicable Federal laws, rules, and regulations set forth in Title 23, U.S.C., and Title 23 of the CFR, apply to awards provided under this program.

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, non-discrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of DOT and FHWA; 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 FHWA determines that a recipient has failed to comply with applicable Federal requirements, FHWA may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

In particular, E.O. 14005 directs the Executive Branch Departments and agencies to maximize the use of goods, products, and materials produced in, and services offered in, the United States through the terms and conditions of Federal financial assistance awards. If selected for an award, grant recipients must be prepared to demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their project. Any grant projects involving vehicle acquisition must involve only vehicles that comply with applicable Federal Motor Vehicle Safety Standards (FMVSS) and Federal Motor Carriers Safety Regulations (FMCSR), or vehicles that are exempt from FMVSS or FMCSR in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

## A. Program Requirements

### i. 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 threats and hazards, including physical and cyber risks, consistent with National Security Memorandum 22 (NSM 22) to Secure and Enhance the Resilience of U.S. Critical Infrastructure. Each applicant selected for Federal funding must demonstrate, prior to the signing of the grant agreement, the 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 FHWA and the U.S. Department of Homeland Security, will be required to do so before receiving funds.

### ii. Domestic Preference Requirements

As expressed in E.O. 14005, Ensuring the Future Is Made in All of America by All of America's Workers (86 FR 7475), the executive branch should, consistent with law, maximize the use of goods, products, and materials produced in, and services offered in, the United States. Funds made available under this notice are subject to the domestic preference requirements at Pub. L. No 117-58, div. G §§ 70901–70927. FHWA expects all applicants to comply with those requirements.

The applicability of Federal requirements to a project may be affected by the scope of the National Environmental Policy Act (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, U.S.C., 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.

### iii. 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 part 21), the ADA, and Section 504 of the Rehabilitation Act, all other civil rights requirements, and accompanying regulations. This should include a current Title VI Plan, a completed Community Participation Plan, and a plan to address any legacy infrastructure or facilities that are not compliant with ADA standards. FHWA Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

### iv. Federal Contract Compliance

As a condition of grant award and consistent with E.O. 11246, EEO (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 DOL's OFCCP is charged with enforcing E.O. 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 through which it engages with project sponsors as early as the design phase to help promote compliance with non-discrimination and affirmative action obligations. The 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. FHWA 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 award.

#### v. 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.

### 3. REPORTING

#### a. Progress Reporting on Grant Activities

Each applicant selected for PROTECT Discretionary Grant Program grant funding must submit semi-annual progress reports and Federal Financial Reports (SF-425) to monitor project progress and ensure accountability and financial transparency in the PROTECT Discretionary Grant Program.

#### b. Performance and Program Evaluation

As a condition of grant award, grant recipients may be required to participate in an evaluation undertaken by FHWA 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. FHWA may require applicants to collect data elements to aid the evaluation and/or use information available through other reporting. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor or FHWA staff; (2) provide access to program records, and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; (4) access to right-of-way to contractor or FHWA staff for long-term data and observation collection; and (5) follow evaluation procedures as specified by the evaluation contractor or FHWA staff.

FHWA is required (See 23 U.S.C. § 176(f)(1)) to establish impact and effectiveness metrics and evaluation procedures for the PROTECT Discretionary Grant Program. FHWA will select a representative sample of projects to evaluate their effectiveness and impact. Projects selected as part of this representative sample may have additional reporting requirements. The metrics will not affect award decisions and should not impact applicant's proposals. FHWA will notify recipients of projects selected for the representative sample. Applicants can learn more about the establishment of the metrics at <https://www.fhwa.dot.gov/environment/protect/discretionary/>.

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." 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).

For grant recipients receiving an award, evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such costs may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation. (2 CFR Part 200).

#### c. PROTECT Discretionary Grant Program Project Specific Reporting Requirements

Each applicant selected for PROTECT Discretionary Grant Program grant funding must collect and report to FHWA information on the project's performance based on performance indicators FHWA identifies related to program goals (e.g., increase resiliency, improve evacuation routes, strengthen at-risk coastal infrastructure project) and other information as requested by FHWA. Performance indicators should include measurable goals or targets that FHWA will use internally to determine whether the project meets program goals, and grant funds achieve the intended long-term outcomes of the PROTECT Discretionary Grant Program. FHWA will work with the grant recipient to establish a recommended two to four performance measures that enable FHWA

to measure and evaluate the outcomes of the individual grant, relative to the program goals (identified in Section E.1.). Performance reporting continues for several years after project construction is completed. Monitoring and measurement costs can be included in project budgets.

d. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of a selected applicant's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the applicant during that period of time must maintain the currency of information reported to the SAM that is made available in the designated integrity and performance system (currently FAPIIS) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. § 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

e. Other

FHWA reserves the right to request additional information, if deemed needed, to better understand the status of the project. The successful applicant will provide additional financial reporting beyond the semi-annual reporting if such statements are necessary to address FHWA's Stewardship and Oversight responsibility of the funds. The successful applicant also agrees to allow periodic project inspections and FHWA will provide notice for such inspections.

## **SECTION G - FEDERAL AWARDING AGENCY CONTACTS**

For questions concerning this NOFO and the PROTECT Discretionary Grant Program, please contact:

Vincent C. Speaks  
Agreement Specialist  
Office of Acquisition and Grants Management  
Federal Highway Administration  
U.S. Department of Transportation  
1200 New Jersey Ave., SE.  
Washington, DC 20590  
Email: [PROTECTdiscretionary@dot.gov](mailto:PROTECTdiscretionary@dot.gov) (preferred)  
Phone: (202) 366-7799

Alternate:

Ryan Buck  
Agreement Officer/Team Leader  
Office of Acquisition and Grants Management

Federal Highway Administration  
U.S. Department of Transportation  
1200 New Jersey Ave., SE.  
Washington, DC 20590  
Email: [PROTECTdiscretionary@dot.gov](mailto:PROTECTdiscretionary@dot.gov) (preferred)  
Phone: (202) 366-4229  
A TDD is available for individuals who are deaf or hard of hearing at (202) 366-3993.

Office hours are from 7:30 a.m. to 4:00 p.m., Eastern Time, Monday through Friday, except Federal holidays.

## **SECTION H - OTHER INFORMATION**

### **1. Protection of Confidential Business Information.**

All information submitted as part of or in support of any application must 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 applicant submits information that the applicant considers to be a trade secret or confidential commercial or financial information, the applicant must provide that information in a separate document, which the applicant may cross-reference from the application narrative or other portions of the application. For the separate document containing confidential information, the applicant must do the following: (1) State on the cover of that document that it "Contains Confidential Business Information (CBI)"; (2) mark each page that contains confidential information with "CBI"; (3) highlight or otherwise denote the confidential content on each page; and (4) at the end of the document, explain how disclosure of the confidential information would cause substantial competitive harm. FHWA will protect confidential information complying with these requirements to the extent required under applicable law. If FHWA receives a Freedom of Information Act (FOIA) request for the information that the applicant has marked in accordance with this section, FHWA will follow the procedures described in its FOIA regulations at 49 CFR 7.29. Only information that is in the separate document, marked in accordance with this section, and ultimately determined to be confidential under § 7.29 will be exempt from disclosure under FOIA.

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

Following the completion of the selection process and announcement of awards, FHWA may publish a list of all applications received along with the names of the applicant organizations and funding amounts requested. Except for the information properly marked as described in Section H.1., FHWA may make application narratives publicly available or share application information within FHWA or with other Federal agencies if FHWA determines that sharing is relevant to the respective program's objectives.

### **3. FHWA Feedback on Applications**

Unsuccessful applicants may request a debriefing up to 90 days after the selected funding recipients are publicly announced. The request must be submitted by the applicant identified on the SF-424. The debrief will be limited to how the application responded to the grant program evaluation criteria described in Section E of the NOFO. All debrief requests should be submitted to [PROTECTDiscretionary@dot.gov](mailto:PROTECTDiscretionary@dot.gov).