

AMENDMENT #2
Federal Funding Opportunity
Request for Applications (RFA)
Executive Summary

Federal Agency Point of Contact: U.S. Department of Transportation
Federal Highway Administration (FHWA)
Office of Acquisition Management
1200 New Jersey Avenue, SE, Room E65-101
Washington, DC 20590
Attn: Freida Byrd, HAAM-20F
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Email Freida.Byrd@dot.gov

Funding Opportunity Title: **“Highways for LIFE Technology Partnerships Program – 2012 Announcement”**

Announcement Type: This is the initial announcement of this 2012 funding opportunity. See <http://www.fhwa.dot.gov/hfl/tech.cfm> for information on 2007, 2008, and 2009 grant agreement awards.

Funding Opportunity Number: **Request for Applications (RFA) / Solicitation No. DTFH61-12-RA-00002**

CFDA Number: Catalog of Federal Domestic Assistance (CFDA) Number 20.200

Eligible Applicants: Competition under this solicitation is open to all sources. International companies may apply.

RFA Issue Date: **December 15, 2011**

Pre-proposal Teleconference: **January 5, 2011 at 2:00 p.m. EST**

Round I Application Due Dates: **January 26, 2012 at 4:15 p.m. EST**
May 3, 2012 at 4:15 p.m. EST

Information on Pre-proposal Teleconference

DATE / TIME: In an effort to provide clear guidance on solicitation requirements, FHWA plans to conduct a pre-proposal teleconference on January 5, 2011 from 2 pm – 3:30 pm, Eastern Time (EST). A second pre-proposal teleconference will be scheduled in the early spring.

PURPOSE: The purpose of the pre-proposal teleconference is to present the requirements of this solicitation, discuss the program and answer questions from potential applicants regarding this solicitation and the planned resulting awards. **Applicants are encouraged to read the Q&A's that were captured during prior pre-proposal teleconferences at <http://www.fhwa.dot.gov/hfl/partnerships/solicitation/ga.cfm>.**

REGISTRATION: Interested potential applicants who wish to participate must register for the meeting on the Highways for LIFE website at <http://www.fhwa.dot.gov/hfl/tech.cfm>. Participation from potential applicants shall be limited to two phone lines. FHWA will not release the identity of organizations and individuals participating in the pre-proposal teleconference. Pre-proposal Teleconference Point of Contact:

Ashley Cherok
Email: Ashley.Cherok.CTR@DOT.GOV
Phone: 202-366-0131

One day before the scheduled teleconference, FHWA will provide interested applicants the 1-888 phone number for applicants to call to participate in the teleconference.

QUESTIONS FOR PRE-PROPOSAL TELECONFERENCE: Applicants are encouraged to read the Q&A's that were captured during prior pre-proposal teleconferences at <http://www.fhwa.dot.gov/hfl/partnerships/solicitation/ga.cfm>. Potential applicants are encouraged to submit questions for the pre-proposal teleconference by email to Freida.Byrd@DOT.GOV no later than two days prior to the scheduled teleconference. FHWA will compile the questions and, to the extent possible, provide answers during the teleconference. FHWA will not reveal the identity of the individuals and/or organizations submitting the questions. Rather, questions will be paraphrased. As time permits, FHWA will also entertain additional questions during the pre-proposal teleconference. FHWA will add any new Questions & Answers to the existing summary and post them online at www.Grants.gov, and on the HfL website.

QUESTIONS & ANSWERS

During the period between release of the solicitation and proposal due dates, FHWA may periodically post a summary of questions received and answers to those questions. The periodic summaries of "Questions & Answers" will be posted at www.Grants.gov under Funding Opportunity Number DTFH61-12-RA-00002 and on the Highways for LIFE website at <http://www.fhwa.dot.gov/hfl/tech.cfm>. Accordingly, potential applicants are encouraged to register at www.Grants.gov under the subject Funding Opportunity Number to receive notifications by email of any new postings under this funding opportunity.

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SECTION I – FUNDING OPPORTUNITY DESCRIPTION

A. STATEMENT OF PURPOSE *(See Questions and Answers document)*

The Federal Highway Administration (FHWA) hereby requests applications for assistance to result in the award of multiple grant agreements under the Highways for LIFE Technology Partnerships Program.

B. LEGISLATIVE AUTHORITY

The authority to award a grant agreement for this effort is found in the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59), in Section 1502 entitled “Highways for LIFE Pilot Program.” Section 1502(c)(1) allows the Secretary of Transportation to make grant agreements or enter into cooperative agreements or other transactions to foster the development, improvement, and creation of innovative technologies and facilities to improve safety, enhance the speed of highway construction, and improve the quality and durability of highways. Section 1502(c)(2) states, “The Federal share of the cost of an activity carried out under this subsection shall not exceed 80 percent.”

C. BACKGROUND OF HIGHWAYS FOR LIFE PROGRAM

Highways for LIFE (HfL) is a discretionary program of SAFETEA-LU to demonstrate and promote state-of-the-art technologies, elevated performance standards, and new business practices that result in improved safety, quality and user satisfaction, faster construction, and reduced congestion from construction work zones. The purpose is to accelerate the rate of adoption of proven innovations and technologies. The program includes (1) incentive funding for highway projects that employ innovative approaches; (2) partnerships with industry to accelerate advancement of innovations from “proven” to “routine practice;” (3) extensive technology transfer and communication; (4) monitoring and evaluation to assess effectiveness; and (5) stakeholder involvement. The program focus is to work within the highway community to increase awareness, and understanding of the benefits of innovations through demonstration projects, technical assistance and technology transfer.

The focus of the 2012 Technology Partnership Program solicitation is to work with the highway industry to accelerate the adoption of promising innovations that 1) have the potential to directly reduce crashes or crash severity or 2) innovations that significantly enhance decision-making relative to the deployment of treatments to reduce crashes, crash severity and the understanding of the effectiveness of the treatments. The program is intended to provide the financial impetus to demonstrate a proven non-highway related innovation or to refine or improve existing innovations that have been demonstrated but not become adopted as routine or common practice in the highway industry.

D. STATEMENT OF OBJECTIVES

This program is targeting a very specific niche in the technology development continuum which, for purposes of this solicitation, is defined a concept exploration through the commercialization and implementation of an innovation. The program is intended to fund **proven** innovations that have already been developed to a late-stage prototype but require further refinement, testing, evaluation and first application in a real-world setting before they would be available for purchase, conventional practice or widespread application.

NOTE: For purposes of this solicitation, a “prototype” is a single, uniquely functional unit that has not moved into a multi-unit production. While there may be several iterations of prototypes in the course of developing a technology, the prototype must be in late-state development with a well-established proof-of-concept. While funding in this program may be used to improve or refine the prototype, it is expected that at the time of the application deadline that the innovation would be sufficiently developed so that it is suitable for application in the field on a real-world project, with only limited additional development. The prototype must be full scale and full capability.

NOTE: FHWA will deem an application “non-responsive” if the proposed innovation does not meet the definition of prototype provided above. Non-responsive applications will not be considered for award.

The Technology Partnerships Program is not a research program. It is intended to take the results of late-stage prototype development to commercialization. FHWA is strongly committed to seeing the innovations funded through these grant agreements reach market and become available to provide improved solutions for America’s highways. If the applicant intends to work with a second party to commercialize the innovation, early, substantial, and continuous participation of that party is deemed essential for success. For example, if the applicant plans to license the innovation to another organization for commercialization, that organization must be substantially involved throughout the project.

The program is NOT intended to fund innovations that have moved beyond the prototype stage and into multi-unit production or that are currently available for purchase. Incremental improvements to existing technologies, or demonstrations and evaluations of commercially available technologies are also not within the scope of this program. Subject to the availability of funding, FHWA intends to issue a separate solicitation in 2012 to conduct Product Safety Performance Evaluations (PSPEs) of commercialized and innovative safety technologies. To receive information on future HfL Technology Partnerships solicitations, interested parties are encouraged to sign up for an email notification at <http://www.fhwa.dot.gov/hfl/>

E. ELIGIBILITY REQUIREMENTS (*See Questions and Answers document*)

FHWA intends to award grant agreements that meet the following three (3) eligibility requirements:

1a) The innovation/treatment must offer significant potential to directly reduce crashes or crash severity in one of the following focus areas:

- roadway departure events, with a priority on those occurring on two-lane rural roads, or
- intersections, with a priority on rural, unsignalized intersections, or
- pedestrian-related detection, warning and enhanced conspicuity

The categories of innovations/treatments that would be considered under 1.a in this solicitation include, but are not limited to, the following:

- Static or dynamic traffic control devices (e.g., sign, signal, pavement marking, in-pavement warning devices, pedestrian sensors)
- Roadside Safety Hardware
- Pavement Treatments to reduce crashes (e.g. technologies that improve pavement texture or friction)

NOTE: For purposes of this solicitation FHWA is focusing on innovations/treatments that offer significant potential to directly reduce crash frequency and/or the severity in one of the following focus areas:

--Roadway departure, with a priority on those occurring on two-lane rural roads, are defined as non-intersection crashes that occurs after a vehicle crosses either an edgeline or a centerline or otherwise leaves the traveled roadway. Reduce the frequency of roadway departure crashes means providing mechanisms or improved guidance that helps drivers from unintentionally leaving the traveled way. Reduce severity refers to treatments that limit damage to vehicles and/or lessen injury potential to vehicle occupants when their vehicle leaves the traveled way.

-- Intersection crashes, with a priority on rural, unsignalized intersections are defined as crashes that occur within, or are related to, a highway intersection. Crashes “related to” an intersection are so identified by law enforcement when investigating a crash and completing a crash report.

-- Pedestrian-related detection and warning refers to systems that can detect the presence of the pedestrian at either an intersection or midblock location. For example, at an intersection, these systems could be used in conjunction with a traffic signal and would allow for the automatic detection of the pedestrian and possibly an extension of the pedestrian walk time if there is danger of the pedestrian not clearing the path when the signal changes. At a midblock location, such a system would provide warning to the driver and/or pedestrian that a crash is impending if both continue on their current travel path. Enhanced conspicuity refers to something (most likely lighting) that can improve the driver’s ability to see the pedestrian crossing the street. Generally, conspicuity is most important at nighttime.

OR

1b) Innovations that significantly enhance decision-making relative to the deployment of treatments to reduce crashes, crash severity, and the understanding of the effectiveness of the treatments. The categories of innovations that would be considered under 1.b in this solicitation include, but are not limited to, the following:

- Roadway Surface Condition Monitoring Tools (e.g., identification of conditions which may impact safety such as rutting, texture deficiencies, pavement edge drop-off and/or pavement faulting)
- Data mining technologies (e.g. an innovation that captures roadway and/or traffic data from existing data sources or imagery (e.g., photo, video, satellite, lidar, etc.) and integrates the data into a transportation agency's geospatial platform to be used for safety analysis.

2) The innovations described under 1.a or 1.b above could be the following:

- a. a new innovation that would provide an easier to use, lower cost, and/or more reliable option than those currently available to reduce crashes or crash severity, or provide new capabilities to enhance decision making capabilities. or
- b. a non-highway related innovation that has been proven, either domestically or internationally, and has demonstrated clear potential for success in reducing crashes or crash severity or enhance decision making capabilities, or
- c. a significant refinement of an existing innovation that has been successfully used in the highway industry to reduce crashes or crash severity or enhance decision making capabilities. Examples of significant refinements could be, but are not limited to,
 - i. a large reduction in costs such as equipment, operating, or deployment costs, or
 - ii. a change in the rate of operation that results in a change in the time or performance or output of a product, or
 - iii. significant improvements in the benefits or ease of deployment

AND

3) The innovation must have already been adapted to the highway industry and developed to a late-stage prototype with a well established proof-of-concept. However, it must not yet be available for purchase. The prototype must be developed to a point whereby it is ready for a full-scale, controlled test and first application demonstration under real-world operating conditions within one year of the award date and be fully evaluated within two years of the award date.

NOTE: The prototype can be tested on any state highway or local road project which will provide for an evaluation of constructability and performance. It does not have to be on an interstate highway. Applicants are responsible for identifying and working directly with a State, local municipality, or contractor that is interested in the innovation and would consider using the innovation during the award period.

Technology Exceptions

Infrastructure-to-vehicle, vehicle-to-vehicle and vehicle-to-driver technologies are not eligible under this solicitation.

NOTE: If an applicant is invited to participate in Round II of this application process, the applicant will be required to submit at least one but not more than three current letters from a State Highway Agency, municipality or contractor, confirming that they are interested in the innovation and are willing to evaluate the use of the innovation in a current project during the grant agreement award. See SECTION IV – APPLICATION AND SUBMISSION INFORMATION.

Applicants needing assistance in making a first contact with someone in a State Highway Agency or local municipality can contact the Highways for LIFE Coordinator in the FHWA Division Office or Local Technical Assistance Program (LTAP) Center in their State. For further information on FHWA Division locations, please visit <http://www.fhwa.dot.gov/field.html#fieldsites>. For further information on the LTAP Centers please visit <http://www.ltapt2.org/>.

F. EXAMPLES OF ALLOWABLE ACTIVITIES *(See Questions and Answers document)*

Applications in response to this solicitation must propose activities in two phases in the application's required project management plan (see Section IV, Round 1 – Technical Application and Round 2 – Technical Application). Phase I includes activities related to refining and testing the prototype and Phase II includes activities related to the first application demonstration, project evaluation, and technology transfer.

Phase I: Activities that will be considered for funding under **Phase I** include, but are not limited to:

- prototype refinements
- development of product specifications and operating guidelines
- performance evaluations such as limited behavioral, human factors or development testing

Exception: For roadside safety hardware devices, FHWA acceptance of the device will be required before the product can be a candidate for the program. This will require the applicant to have the crash testing underway or completed by an accredited laboratory at the time of application. Crash tests for the purpose of potentially obtaining a letter of acceptance from FHWA will not be funded under this solicitation.

- For purposes of this solicitation, a software product or where software is a significant component of a technology, it would be considered to be a prototype if all the required components have been incorporated into the software and the package is complete, the alpha stage testing has been completed and the software is ready to begin beta testing. Alpha stage is defined as an in-house test of a pre-production software product to find and eliminate the most obvious defects, either conducted in a laboratory setting or in some part of the software manufacturer's regular operations.

Beta stage is defined as an external test of a pre-production software product at a limited number of end-user sites with the purpose to test the product for all functions in a breadth of field situations to find those failures that are more likely to show in actual use than in the software manufacturer's more controlled in-house alpha test before release to the end-user(s). The software will no longer be considered a prototype if the software is currently available for sale. A "bug" fix for commercially available software is not eligible for a grant agreement.

Phase II: Activities that will be considered for funding under **Phase II** include, but are not limited to:

- evaluation of the first full-scale project demonstration
- development of guidelines for performance specifications, application, use and maintenance
- modification(s) to the grantee's factory, plant and/or manufacturing and delivery processes necessary to produce and deliver sufficient prototype(s) to be used in the approved highway or road project or laboratory evaluation within the scope of the approved project. Any costs associated with the routine manufacture, production, delivery or marketing of the product resulting from this prototype development effort beyond the scope of the approved grant agreement are not eligible for funding under this grant agreement.

NOTE: Marketing and promotional activities are unallowable unless otherwise approved by the Agreement Officer.

The activities listed above are not intended to be all inclusive. Rather, they represent examples of activities which the applicant may propose to perform. We are seeking to achieve a level of confidence that the innovation can be successfully deployed in a real-world environment under real-world conditions, taking into consideration the skill level of the practitioner who will be responsible for deploying the technology in the field. The applicant should propose the most applicable approach for a full-scale first application demonstration project which would take place in Phase II, the second part of the grant agreement period.

Applicants should propose to perform the activities relevant to the proposed innovation in order to meet the project required submissions described in Section VI of this RFA. For example, some of the activities listed in the RFA may have already been completed by the applicant and should be documented accordingly in the application.

Applicants shall propose Phase I and Phase II durations that, when combined, total no more than two years. However, the duration of Phase I and Phase II does not have to be one year each. The total period of performance shall not exceed two years.

Depending on the technology, required submissions for this award may include, but are not limited to, a report of the performance specifications, testing results, operating

procedures, a report of the first demonstration project evaluation and guidelines for performance specifications, application, use and maintenance. (See Section VI – Award Administration Information, Paragraph B.4. for a list of required submissions.)

NOTE: During performance, Recipients shall NOT proceed with Phase II without prior written approval from the FHWA Agreement Officer's Technical Representative (AOTR). The FHWA AOTR will authorize work under Phase II only after determination of successful results under Phase I. **The FHWA AOTR will provide a response to the Recipient (either authorization to proceed or notice that Phase II will not be authorized) within two weeks of receipt of the Phase I Report deliverable. In the event the FHWA AOTR requires additional time to provide a response to the Recipient regarding Phase II authorization, the agreement period of performance and deliverable due dates may be amended accordingly based on agreement of the parties.**

NOTE: The Phase I Report shall include the applicant's analysis, as applicable, of whether the innovation can be manufactured, operated and purchased economically.

G. SECTION 508 OF THE REHABILITATION ACT OF 1973

While the requirements of Section 508 of the Rehabilitation Act of 1973, as amended, do not apply to assistance agreements, the FHWA is subject to the Act's requirements that all documents posted on an FHWA or FHWA-hosted website comply with the accessibility standards of the Act. Accordingly, final deliverable reports prepared under this agreement and submitted in electronic format must be submitted in a format whereby FHWA can easily meet the requirements of Section 508 of the Rehabilitation Act of 1973, as amended.

NOTE: Quarterly Progress Reports and financial reports are not considered final deliverables and therefore the following requirements do not apply.

Final required submission reports, power points and video clips must be provided as follows:

1. Final reports must be provided electronically in MSWORD and PDF. In addition, a separate MSWORD document must be submitted that provides written text descriptions sufficient to reasonably describe all images, charts, equations and their purpose within the context of the report. Images that are merely decorative require only a very brief "text equivalent" description. The document should include the page number where the image, chart or equation is located in the final report and include the caption.
2. PowerPoint's must have a separate MSWORD document that provides written text descriptions as described in paragraph #1 above, and a text version suitable for voice over if requested by the AOTR.
3. Video clips must be submitted with an exact text version of the audio content.

SECTION II – AWARD INFORMATION

A. FUNDING

FHWA anticipates that up to \$5,000,000 will be made available to fund multiple grant agreement awards resulting from this solicitation.

NOTE: Additional funding may become available at the time of award. FHWA reserves the right to award more than the anticipated \$5,000,000, subject to the availability of funding.

B. AWARD VALUES

The Federal share of each grant agreement award is estimated to range from \$250,000 to \$1,000,000 for a maximum of two years of performance. Applicants are invited to submit proposals requesting Federal funds ranging from \$250,000 to \$1,000,000. Applicants interested in applying for a smaller dollar award than the specified range should contact the agency contact provided in Section VII.

NOTE: Applicants must include the required cost share in addition to the Federal share cited above. See Section III, Paragraph B, Cost Sharing or Matching.

Applicants should not submit multiple applications for the same innovations at differing funding levels. Rather, applicants are encouraged to request the funding level they believe is warranted based on the applicant's innovation. As needed, based on the technical merit of the innovation and the funding available, FHWA may negotiate revisions to an applicant's requested funding amount.

In addition to the above listed funding amounts, FHWA may provide additional funding at the completion of the award period for supplemental or continuation projects such as a Product Demonstration Showcase.

C. NUMBER OF AWARDS ANTICIPATED

FHWA may select for award, all, none, or a subset of the acceptable proposals. The number of awards, and their dollar values, will vary depending on the merit of proposals received and their potential to directly reduce crashes or crash severity in one of the focus areas identified in Section I, Paragraph D. Statement of Objectives and advance new practices in the highway industry.

NOTE: Applicants may submit separate applications for separate innovations, and possibly receive multiple awards resulting from the multiple applications.

D. PERIOD OF PERFORMANCE

The total period of performance should not exceed 24 months commencing from the effective date of the agreement. For those applicants applying by the January 26, 2012 deadline, the anticipated effective date of the agreement is June 15, 2012. For those applicants applying by the May 3, 2012 deadline, the anticipated effective date of the agreement is September 22, 2012. FHWA anticipates the period of performance to range from 12 to 24 months depending on the project. Applicants should propose a period of performance from 12-24 months.

E. TYPE OF AWARD

FHWA intends to award grant agreements as a result of this RFA. Awards under this solicitation will be either cost reimbursable, or fixed price with clearly defined milestone payments as agreed upon by the parties at grant agreement award. (see Round II Budget Application)

SECTION III - ELIGIBILITY INFORMATION**A. ELIGIBLE APPLICANTS**

The competition under this solicitation is open to all sources. International companies may apply.

B. COST SHARING OR MATCHING (*See Question and Answers document*)

Federal funds are restricted to 80% of project costs. The applicant must contribute a minimum of 20% of the total project costs. Additional cost sharing, above the minimum required, is encouraged and will be taken into consideration in the evaluation for award. See Section V, Evaluation Criteria.

NOTE: The cost share match must equate to 20% of the total project costs. “Total project costs” consist of two parts: (1) the Federal share plus (2) the applicant share. To calculate the 20% match amount required, applicants must propose 20% of the “total project costs.” For example, if Federal funds requested are \$250,000, then the 20% cost share match is \$62,500 ($\$250,000/.8$), for a total project cost of \$312,500. If Federal funds requested is \$500,000, then the 20% cost share match is \$125,000 ($\$500,000/.8$), for a total project cost of \$625,000. If the Federal funds requested is \$1,000,000, then the 20% cost share is \$250,000 ($\$1,000,000/.8$) for a total project cost of \$1,250,000.

The applicant’s cost sharing requirement can be met through direct financial support for the product development or testing or through “in-kind” services. For details on costs eligible to satisfy cost share requirements, see 49 CFR Part 19, paragraph 19.23 entitled Cost sharing or matching, available at <http://www.dot.gov/ost/m60/grant/49cfr19>. **NOTE:** Cost sharing contributions shall not consist of funds or costs paid by the Federal Government under

another award, except where authorized by Federal statute to be used for cost sharing or matching. Cost sharing contributions in the form of labor shall be incurred during the grant agreement period of performance.

SECTION IV – APPLICATION AND SUBMISSION INFORMATION

A. OVERVIEW OF APPLICATION AND SELECTION PROCESS

FHWA will conduct the grant application review process using a two-part process as described in Section V - APPLICATION REVIEW INFORMATION.

Round I: FHWA will evaluate Round I applications to determine responsiveness and technical merit in accordance with evaluation criteria listed below. The most highly rated applications from Round I will be invited to submit a more detailed application for evaluation in Round II.

Round II: FHWA will evaluate Round II applications to determine responsiveness and technical merit in accordance with evaluation criteria listed below. The most highly rated applications from Round II may be selected for grant agreement award under the terms of this solicitation.

Upon completion of Round I evaluations, FHWA will notify each applicant of the evaluation results, using the applicant's email address as provided on the application form SF 424 . FHWA will notify each applicant if they have been eliminated from further consideration, or if the applicant is invited to submit a detailed application for consideration in Round II.

If invited, applicants will have **two weeks** to submit their Round II application. Round II applications need not be submitted through GRANTS.GOV. Rather, FHWA will request Round II applications by email and hard copy directly to FHWA. FHWA anticipates final selections will be made within two months of receiving the Round II application.

B. SUBMISSION LOCATIONS, DATES AND TIMES

ROUND I

Round I Applications are due by the dates and times stated on Page 1 of this solicitation. Late applications will not be reviewed or considered unless the FHWA Agreement Officer determines it is in the Government's best interest to consider the late application.

FHWA encourages submission of applications anytime from solicitation release through application due date. FHWA will begin review of applications immediately upon submittal, including those submitted prior to the due date. **Accordingly, FHWA encourages early submission of applications.**

Round I Applications shall be submitted as follows:

1. Electronic Submittal through www.grants.gov - See content instructions below.
2. Hard Copy Submittal (8 copies) to FHWA at the following mailing address:

**Submit to: U.S. Department of Transportation
Federal Highway Administration
1200 New Jersey Avenue, SE, Room E84-436
Washington, D.C 20590
Attn: Julie Zirlin, HIHL-1
Phone Number: 202-366-9105**

Please be aware that the security procedures in the U.S. Department of Transportation Headquarters Buildings prohibit individuals from delivering material directly to offices. Individuals visiting the Headquarters Buildings must report to the visitor/guard station in the west building at the west entrance [closest to the Navy Yard Metro station]. All materials left there will be examined and x-rayed before being delivered to **Room E84-436** through the normal internal mail delivery procedures. As this could take several days, applicants must make allowances to assure that applications arrive in **Room E84-436** on time.

If so requested, the guard will call Ms. Julie Zirlin (Highways for LIFE Technology Partnerships Program Manager) at 202-366-9105 to have someone come down and accept the application once the guards have completed screening the material. Applications must be received and date/time stamped in **Room E84-436** by the prescribed date and time to be considered timely, not just delivered to the guard station, the mailroom or loading dock. While we will do our best to accommodate such requests, FHWA is not responsible if someone is not immediately available to pick up your application when called, or there are delays in clearing the materials. Applicants delivering applications directly to DOT headquarters are encouraged to call in advance.

Further, please be advised that mail for delivery to FHWA (items handled by the US Postal Service) is sent to another location for scanning and irradiation prior to delivery. This process can add several days to the normal delivery of US Postal Service mail.

Certain direct delivery services such as FedEx, United Parcel Service, etc. do have direct access to the building and offices.

Please keep these factors in mind as you determine the best means to deliver your proposal so as to ensure delivery in **Room E84-436** by the due date and time stated on Page 1 of this solicitation.

To assist in expediting delivery and ensure proper handling, the outermost envelope or package [this includes FedEx boxes] containing your proposal should be prominently marked as follows:

“Proposal in response to RFA DTFH61-12-RA-00002

To Be Opened By Authorized Government Acquisition Personnel Only”**ROUND II**

For those applicants invited to participate in Round II, FHWA will specify the due date and time at a later date. Late applications will not be reviewed or considered unless the Agreement Officer determines it is in the Government’s best interest to consider the late application.

Round II Applications shall be submitted as follows:

1. Electronic Submittal by email to Freida.Byrd@dot.gov - See content instructions below.
2. Hard Copy Submittal (8 copies) to FHWA at the following mailing address :

**Submit to: U.S. Department of Transportation
Federal Highway Administration
1200 New Jersey Avenue, SE, Room E84-436
Washington, D.C 20590
Attn: Julie Zirlin, HIHL-1
Phone Number: 202-366-9105**

C. CONTENT AND FORM OF APPLICATION SUBMISSION (ROUND I)

All eligible applicants are invited to submit a Round I application as follows. **Applicants are required to submit their application both electronically through GRANTS.GOV and hard copies to FHWA as detailed below.**

NOTE: The FHWA encourages applicants to register in advance of the application due date at www.grants.gov. Approval of grants.gov registration may take many days or weeks.

NOTE: Applicants may mark submittals as proprietary or source selection sensitive in accordance with Federal Acquisition Regulation (FAR) Part 3.104-4 -- Disclosure, Protection, and Marking of Contractor Bid or Proposal Information and Source Selection Information, available at www.arnet.gov.

ROUND I APPLICATION INSTRUCTIONS**1. GRANTS.GOV SUBMITTAL:**

Submit the following application package on-line at www.grants.gov.

• SF 424

- Applicant may leave Blocks 5a, 5b, 6, 7, and 13 blank on the form.

- SF 424A
 - Section A, Block 1(a) - print opportunity title listed on page 1 of this solicitation,
 - Block 1(b) - print CFDA number listed on page 1 of this solicitation,
 - Block 1(c) - print Total Federal Funds Requested (from \$250,000 to \$1,000,000), print Total Cost Share Proposed **in Block 1(d)**.
 - **Leave blank Sections B through F for Round I.**
 - Leave blank columns (e), (f), and (g) and rows 2, 3, and 4.
- SF 424B
- SF LLL
 - The form must be completed and submitted even if no lobbying to report. If no lobbying to report insert none or n/a in the relevant blocks.
- Grants.gov Lobbying Form
- Attachments Form
 - 1) Round I - Technical Application as described below

NOTE: The application under this RFA is not subject to the State review under E.O. 12372.

2. HARD COPY SUBMITTAL:

Send EIGHT hard copy sets of the following:

- Round I - Technical Application as described below.
- CD/DVD Video Clip - a short video clip (not to exceed five minutes) of the innovation proposed as described below. The CD/DVD video clip must be viewable in Windows media. Clearly label the cover of the CD/DVD with the applicant name and innovation title. **Applicants should verify that all eight CD/DVD's are viewable in Windows media.**

ROUND I – TECHNICAL APPLICATION (See Questions and Answers document)

Page Limit: The Round I, Technical Application, shall not exceed 10 pages. The Government will evaluate only the first 10 pages of the application. The cover sheet does not count towards the 10 page limitation.

Format: The format of the application shall be as follows:

1. Applications shall be prepared on 8½ x 11 inch paper except for foldouts used for charts, tables or figures, which shall not exceed 11 x 17 inches. Foldouts shall not be used for text, and shall count as two pages.

2. A page is defined as one side of an 8 ½ by 11 inch paper. Therefore, a piece of paper with printing on both sides is considered two pages.
3. Text shall be printed using a font size no less than 12 cpi.
4. Page margins shall be a minimum of 1 inch top, bottom and each side.
5. Applications shall contain applicant name and page number on each page.

Content Round I Technical Applications must contain:

1. **COVER SHEET – maximum 1 page. The cover sheet does not count towards the page limitation.**

The cover sheet should be a maximum of one page and contain the following information.

- a) Funding Opportunity Number DTFH61-12-RA-00002.
- b) Date of Application.
- c) Title of project.
- d) Name/address/phone number/fax/email of applicant and primary point of contact.
- e) Business Type (i.e., professional trade associations, manufacturers, trade contractors, and suppliers).
- f) Funding Requested. Cite total Federal funds requested and total cost share proposed.
- g) Brief summary of innovation and potential impact on current practice. If the applicant previously applied under If the applicant previously applied under previous FHWA's Highways for LIFE solicitations in 2007 (No. DTFH61-07-RA-00106), 2008 (No. DTFH61-08-RA 00010) or 2009 (No. DTFH61-09-RA-00006), the applicant shall indicate whether the innovation has technically advanced since that previous application submittal. If no technical advances have been completed, this section shall consist of a statement to that effect. If yes, additional technical information describing those advances will be required to be provided in the body of the application, Paragraph 9 below.
- h) State how you first learned of this Technology Partnerships Program solicitation.

2. **Innovation Description and Highways for LIFE (HfL) Goals.**

- a) Describe the innovation and how it has **significant potential to directly reduce crashes or crash severity in one of the following focus areas:**
 - roadway departure events, with a priority on those occurring on two-lane rural road horizontal curves,
 - intersections, with a priority on rural, unsignalized intersections,
 - pedestrian-related detection, warning and enhanced conspicuity,

OR

- b) **Describe the innovation and how it significantly enhances decision-making relative to the deployment of treatments to reduce crashes or crash severity and the understanding of the effectiveness of the treatments.**

3. Market Need and Potential Payoff for Routine Practice.

Describe the market need and potential benefits of widespread implementation of the innovation. Include results of market or trend analyses that have been completed.

4. Difference from Other Practices.

Using the table format below, succinctly describe how this innovation is different and/or more effective than other similar products currently in the marketplace. Cite the source for the comparison to other products for each table entry. For example, if your comparison is based on an article, product literature or research report, cite the source. If it is based on the applicant's observation or evaluation, indicate such.

Name of product/innovation that is similar to the applicant's proposal	Describe the key technical differences between the applicant's innovation and the existing product/innovation.	Explain how the technical differences would make the applicant's product/innovation better or more effective	Describe the source of information of the similar product/innovation (e.g., article, product literature, personal use)
(insert text)	(insert text)	(insert text)	(insert text)

5. Technical Aspects of the Innovation.

- As noted in Section I, Paragraph D. STATEMENT OF OBJECTIVES, the prototype must be in late-stage development and the proof of concept well established. Describe the results that substantiate the proposed performance as described in items 2, 3 and 4 above. Describe experimental proof of performance of the prototype's current state of development at the time of the application. The following is guidance on the documentation that is required:
- for static or dynamic traffic control devices provide supporting data that explains how the experimental device was developed, the circumstances and locations where it was applied, the results of its performance, and a disposition of its status relative to the MUTCD.
- for roadside safety hardware devices, describe the device, its intended purpose, and the crash tests conducted to demonstrate successful performance under the AASHTO Manual for Assessing Safety Hardware. FHWA

Acceptance of the device will be required before the product can be a candidate for the HFL program. This will require the applicant have the crash testing underway or completed by an accredited laboratory at the time of application under the HFL program.

- for pavement treatments provide documentation of increases in durability or coefficient of friction and the specific tests that were conducted.
- for Roadway Surface Condition Monitoring Tools, describe the evaluation and validation methods, the performance measures that were used to quantify the benefits, and how the results relate to performance prediction. Describe the results of the software alpha stage testing. (See Section I, Paragraph F. Examples of Allowable Activities for the requirements for technologies with a significant software component)
- For data mining technologies, FHWA is looking to capture as many as possible of the safety data elements included in the recent “Guidance Memorandum on Fundamental Roadway and Traffic Data Elements to Improve the Highway Safety Improvement Program (http://safety.fhwa.dot.gov/tools/data_tools/dcag.cfm). Identify the safety data elements that are captured and those, if any, of the data elements in the recent Guidance memo, that are problematic or cannot be captured. We are also looking for bicycle and pedestrian facilities (i.e., sidewalks, crosswalks, and bike lanes) and usage on arterial roads.

Provide the architecture and processing flow of the product to include the inputs, functions, and outputs. Provide the output format of the data elements and demonstrate how the data can be integrated into existing data systems used by safety analysts, planners and engineers. Provide fidelity and error rates for each safety data element. Describe how the developer has validated the software code referencing specific resources, tools, and/or sites. Describe the scope and the results of the software alpha stage testing. Alpha stage is defined as an in-house test of a pre-production software product to find and eliminate the most obvious defects, either conducted in a laboratory setting or in some part of the software manufacturer's regular operations. (See Section I, Paragraph F. Examples of Allowable Activities for the requirements for technologies with a significant software component)

- If the innovation is a significant refinement of an existing technology from within or outside the transportation industry, describe how the current configuration models what is proposed in the application. Show how any performance data can be realistically extrapolated to represent longer periods of time over the technology's anticipated lifecycle in the proposed application.
- If the innovation includes a significant software component, provide the architecture or functional diagram used to develop the product to include the

inputs, transfer functions, and outputs. In addition, state how the developer has validated the software code referencing specific resources, tools, and/or sites via completed alpha stage testing. Describe the scope and the results of the software alpha stage testing. Alpha stage is defined as an in-house test of a pre-production software product to find and eliminate the most obvious defects, either conducted in a laboratory setting or in some part of the software manufacturer's regular operations. (See section F. Allowable Activities for the requirements for technologies with a significant software component)

- NOTE: Output documentation of the validation may be requested by FHWA during the review process (via CD or DVD format). Copies of the functioning software prototype may be requested during Round II of the review process to further verify the operational status.
- If the innovation is based on an existing system which would be modified to address the specific need; describe the original system's capability, the extent of significant improvement or refinement that has already been completed, and the benefits of using it verse a "built from scratch" product.

6. Project Management Plan.

Using the table format below, describe the major tasks, estimated duration, success criteria and deliverable based on a period of performance of up to two years.

Description of task	Estimated duration	Milestone	Success Criteria of Milestone	Deliverable, if applicable

For the January 26, 2012 application deadline, FHWA anticipates selections will be made by June 15, 2012. FHWA anticipates that some applicants are currently working on refining or adapting an innovation and will continue to do so regardless of whether they receive an award. Such applicants should indicate what work is expected to be completed on the innovation from the application submittal date through the following 5 months. For example, if the applicant submits a proposal by January 26, 2012 and intends on continuing to work on the innovation, the proposal should indicate what work will be completed through June 15, 2012, the anticipated effective date. If the applicant submits a proposal by May 3, 2012 and intends on continuing to work on the innovation, the proposal should indicate what work will be completed through September 22, 2012, the anticipated effective date. The above statement does not apply to applicants that are not actively working on the innovation.

NOTE: If the applicant is invited to submit a Round II application, a more detailed project management plan and a detailed budget will be required as described below in Round II.

7. Partnership Structure.

Describe the partnership structure between the applicant and the anticipated specific public and private sector entities funding or otherwise substantially participating in the work and the role of each party.

NOTE: At the time of the Round I proposal, applicants are expected to have, at a minimum, verbal commitments of partnerships in place. Applicants invited to submit Round II applications will be required to provide letters of support as described in Round II below.

8. Commercialization Experience. The following questions apply to the applicant and should comprise no more than 1 page in the application.

NOTE: The Technology Partnerships Program is not a research program. It is intended to take the results of late-stage prototype development to commercialization. FHWA is strongly committed to seeing the innovations funded through these grant agreements reach market and become available to provide improved solutions for America's highways. If the applicant intends to work with a second party to commercialize the innovation, early, substantial, and continuous participation of that party is deemed essential for success. For example, if the applicant plans to license the innovation to another organization for commercialization, that organization must be substantially involved throughout the project.

Describe your most recent experience commercializing innovations.

- a. Identify the innovation(s) that was commercialized
- b. Did you partner or collaborate with a separate company, e.g. a licensee or venture capital firm, to take that innovation to market?
 - If so, identify the company that brought the innovations to market, and briefly describe that company's approach to commercialization of the innovation.
 - How successful was that commercialization? Is the product/service still commercially available?
- c. Describe your specific role and responsibility.
- d. For the current innovation, do you plan to partner with the same company which commercialized your most recent innovation? If not, identify who will be responsible for bringing the innovation to market?

9. Progress/Activities Since Previous Application (if applicable). Responses to Question # 9 do NOT count towards the page limitation.

NOTE: Question #9 applies to applicants who have submitted past applications under this program in 2007, 2008 and 2009.

- If the applicant previously applied under FHWA's Highways for LIFE Technology Partnerships solicitations in 2007 (No. DTFH61-07-RA-00106),

2008 (No. DTFH61-08-RA 00010) or 2009 (No. DTFH61-09-RA-00006), the applicant shall:

- Describe how the innovation has technically advanced since the previous application submittal. If no technical advances have been completed, this section shall consist of a statement to that effect.
- Include FHWA's past feedback and provide specific responses to each FHWA concern cited in the feedback. (**NOTE:** If you need a copy of FHWA's feedback on your past application, contact Julie.Zirlin@dot.gov.)

10. **CD/DVD VIDEO CLIP**

FHWA anticipates that at the time of the application deadline that the innovation would be developed to a state such that it represents how it would be used under real-world operating conditions. Visuals are required to assist the evaluation panel determine 1) that the proof of concept is well established and 2) that the prototype is in late stage development. For all products, provide a video-recorded demonstration of the prototype in the operational condition (via CD/DVD, viewable in Windows media format) with clearly visible time and date stamps on the image lasting the full extent of the video to demonstrate the major functions, not to exceed five minutes. A professional quality video clip is not required. The video must be viewable in Windows media. If necessary, photographs may also be provided in addition to the video clip. Photographs or evaluation results, such as traffic simulation model outputs, do not count towards the maximum page count limitation of the technical application. **If the submitter believes his or her innovation is not practical for a video demonstration, provide a statement explaining the reasons.**

11. **OTHER RELATED PROPOSALS (responses to item #11 do NOT count towards the page limitation).**

- a. Provide information on other active proposals in the same or related technical areas that have been prepared and submitted by the applicant to other agencies or programs. This includes proposals that have been submitted, that are planned to be submitted, or that have been funded. If the applicant is working under an ongoing research grant, provide a copy of the statement of work (SOW) and current timeline, and indicate what tasks have been completed. *Do not send a copy of the entire grant application.* Very briefly describe (e.g., half page) how the proposed project management plans fits into the SOW and timeline of the existing research grant.
- b. Describe attempts to obtain external private funding, e.g. venture capital. Indicate "not applicable" if no such awards or proposals have been submitted or received.

D. CONTENT AND FORM OF APPLICATION SUBMISSION (ROUND II)

If invited to participate in Round II, applicants will be requested to submit the following Round II application. Only Round II applications specifically requested by FHWA will be considered for award. Round II applications shall be submitted directly to FHWA in electronic and hard copy form, not through WWW.GRANTS.GOV. See paragraph B above.

ROUND II APPLICATION INSTRUCTIONS**ELECTRONIC SUBMITTAL:**

Email the Round II Application (Technical Application and Budget Application) to: Freida.Byrd@dot.gov.

HARD COPY SUBMITTAL:

Send EIGHT hard copy sets of the Round II Application (Technical Application and Budget Application) to Julie Zirlin at the FHWA address cited above under Paragraph B, SUBMISSION LOCATIONS, DATES AND TIMES.

ROUND II – TECHNICAL APPLICATION

Page Limit: The Round II, Technical Application, shall not exceed 15 pages. The Government will evaluate only the first 15 pages of the application. The following items do NOT count towards the page limitation: Cover Page, Resumes, Letters, and Additional Technical Information as requested by FHWA.

Round II Technical Applications must contain:

- 1. COVER SHEET – maximum 1 page. The cover sheet does not count towards the page limitation.**

The cover sheet should be a maximum of one page and contain the following information.

- Funding Opportunity Number DTFH61-12-RA-00002.
- Date of Application.
- Title of project.
- Name/address/phone number/fax/email of applicant and primary point of contact.
- Business Type (i.e., professional trade associations, manufacturers, trade contractors, and suppliers).

- Funding Requested. Cite total Federal funds requested and total cost share proposed.
- Brief summary of innovation and potential impact on current practice.

2. DETAILED PROJECT MANAGEMENT PLAN

Applicants shall provide a project management plan and timeline to perform activities under Phase I and Phase II as described above in Section I Paragraph F, Examples of Allowable Activities. The proposed work breakdown schedule must be provided to describe both the major tasks and the subtasks at a level of detail sufficient to ensure that individual subtasks are clearly identified and allocated to a single project group or functional group within the proposing organization or to a single clearly identified subcontractor.

The following information must be provided for each task and subtask in a table format:

1. Describe the major tasks and subtasks.
2. Describe the approach to completing the tasks including the methodology, data collection techniques, equipment requirements, significant testing, simulations, lab demonstrations and/or field demonstrations.
3. Describe the proposed effort, significant timing constraints, the anticipated duration in both calendar time (weeks) and the planned utilization of key personnel in resource time (level of effort in hours).
4. Describe the anticipated results, products or deliverables associated with the completion of each task/subtask.
5. Describe the key areas of identified risk that may impact the successful completion of the project and how those risks will be minimized.

NOTE: For the January 26, 2012 application deadline, FHWA anticipates selections will be made by June 15, 2012. FHWA anticipates that some applicants are currently working on refining or adapting an innovation and will continue to do so regardless of whether they receive an award. Such applicants should indicate what work is expected to be completed on the innovation from the application submittal date through the following 5 months. For example, if the applicant submits a proposal by January 26, 2012 and intends on continuing to work on the innovation, the proposal should indicate what work will be completed through June 15, 2012, the anticipated effective date. If the applicant submits a proposal by May 3, 2012 and intends on continuing to work on the innovation, the proposal should indicate what work will be completed through September 22, 2012, the anticipated effective date. The above statement does not apply to applicants that are not actively working on the innovation.

3. COMMERCIALIZATION PLAN

The proposal must contain a proposed plan that demonstrates capability to commercialize the innovation. This is not to be confused with a marketing plan promoting awareness of the product through professional meetings, conferences and advertising. The following information must be provided:

1. Describe previous experience commercializing innovations.
2. Discuss the company's business strategy for bringing the product into the market. Describe your business model for the commercialization of that innovation.
 - a. Who will be interested in this product
 - b. How many prospective customers are there?
 - c. What margin do you hope to achieve?
3. Describe the basic elements of your business plan, including partnering, investment, production, marketing and distribution.
4. Describe the competitive strengths, challenges and opportunities of your innovation.
5. Describe the company strengths for capitalizing on the advantages of the proposed new technology and overcoming challenges in implementation.
6. Indicate what additional investment, if any, will be needed to commercialize the technology and where that investment will come from.
7. If applicable, describe the activities that may need to be coordinated with AASHTO or ASTM technical committees before the product could be commercialized.

NOTE: The activities associated with the commercialization plan are not funded by this solicitation.

4. ORGANIZATION, PERSONNEL AND FACILITIES

Describe the organizational structure and reporting relationships for the project, and the key personnel. Indicate the proposed level of effort (staff-hours) to be expended by each person during the proposed program. Provide resumes for key personnel, not to exceed 2 pages per resume. (NOTE: Resumes do NOT count towards page count limitations.) Describe resources and facilities that are available for the project. Indicate liaison or cooperative work arrangements, if any, with states, other research organizations, producers, or potential product users.

~~5. OTHER RELATED PROPOSALS~~

~~Provide information on other proposals in the same or related technical areas that have been prepared and submitted by the applicant to other agencies or programs, that are planned to be submitted in the current year, or that have been funded previously. Describe attempts to obtain external private funding, e.g. venture~~

~~capital. Indicate “not applicable” if no such awards or proposals have been submitted or received. Provide a brief synopsis of other ongoing or completed work related to this application.~~

5. PATENT INFORMATION AND PROPRIETARY CLAIMS

Indicate whether the proposed technology/innovation is described in a pending patent application or covered by a patent. If so, provide the patent number and/or patent application number. Provide a summary of any proprietary claims to results, software, hardware, prototypes, or systems supporting and/or necessary for the use of the research, results, software, hardware, prototype, or systems supporting and/or necessary for the use of the project. If there are no proprietary claims this section shall consist of a statement to that effect.

6. LETTERS OF SUPPORT

Below is a summary of required and recommended letters of support. These letters do not count towards the application page limit.

FHWA recommends that applicants scan letters for inclusion in the electronic submittal of the application, as well as include photocopies of the letters in the eight hard copy submittals. If such scanning method is not possible, originals of letters may be sent (mailed or faxed) directly to the agency point of contact Freida Byrd (see contact information in Section VII herein), by the Round II application due date to be specified by FHWA in the future. Applicants are encouraged to contact Freida Byrd by email or phone to confirm receipt of letters sent separately from the electronic and hard copy Round II application submittals.

- A. Non-Highway Agency Applicants are required to submit at least one but not more than three current letters from a State Highway Agency, municipality or contractor, addressed to the applicant, confirming that they are interested in the innovation and are willing to evaluate the use of the innovation in a current project during **Phase I of the grant agreement award. A letter expressing general interest in the technology is not sufficient.**
- B. Non-Highway Agency Applicants are encouraged to submit at least one but not more than 3 letters of interest from State Highway Agencies and/or local municipalities **or contractors** that may be interested in participating in the first application demonstration, subject to the successful results of the testing and evaluation in Phase I.
- C. **Senior Executive** —A letter of commitment from an authorized senior executive of all project partners is required. Indication of the importance of the project to the company, and the company’s commitment to supply key resources (e.g., the time of key personnel, cost-share funding, facilities, and commercialization after the project ends) is helpful. This letter should verify

the availability of cost-sharing funds for any direct cost share and for all indirect costs and describe any in-kind contributions being made to the project. If the application is a joint venture, a letter should be provided from each company.

D. Contingent Funding—Sometimes a potential investor will indicate a strong interest in evaluating the results of a project for possible future commercialization funding. This type of letter can help verify that the pathway to commercialization in the proposal has been studied and is feasible. However, if this funding is critical to the financial viability of the company in the first year of the project, a letter is required.

E. Other Letters of Support—Letters of support indicate a willingness from potential partners to become involved in the project if it is awarded and successful. These letters are not required but are encouraged. Examples of support letters to include:

Subcontractors—Letters of support from subcontractors who are key to the technical and business plan's success are useful for verifying the availability of resources.

Prospective Employees—Letters of commitment to join the company are useful for verifying the availability of key personnel, who are not yet employed at the proposing company, to participate in the project if awarded. These letters are especially useful for very small companies.

Strategic Partners—Strategic partners can aid in any element of the commercialization plan. Letters from strategic partners can demonstrate that the applicant has researched the market, has the necessary contacts and commitments to validate the commercialization plan and has considered the later commercialization needs early in project planning.

7. TECHNICAL INFORMATION.

Applicants may be requested to provide additional technical information to elaborate on information provided or questions resulting from the Round I Technical Application. This information would not count towards the page limit.

ROUND II – BUDGET APPLICATION *(See Questions and Answers document)*

Page Limit: There is no page limit to the Budget Application.

NOTE: Profit is not allowable for payment with Federal funds for the prime awardee under this agreement. Profit may be allowable for subawardees under this agreement.

Budget applications must contain:

1. Summary Table (Below).
2. Detailed Budget. Detailed spreadsheet(s) and supporting information (i.e. budget footnotes with explanation of all costs) clearly delineating and supporting all proposed costs as follows **for each grant agreement year**. A budget in summary form is also required as illustrated below. The following cost elements should be clearly delineated into three columns: (1) the FHWA share; (2) the cost share; (3) Total (FHWA share + cost share):
 - Direct Labor
 - Travel
 - Equipment/Supplies
 - Subcontractor Costs
 - Indirect Costs

Submit the Budget Summary information in the table below.

Budget Summary Table			
Description	Federal Share – must <u>total</u> 80% max*	Cost Share – must <u>total</u> 20% min*	Total
Task 1:	\$	\$	\$
Task 2:	\$	\$	\$
Task 3:	\$	\$	\$
Task 4:	\$	\$	\$
Task 5:	\$	\$	\$
Total	\$	\$	\$

***NOTE:** The chart above includes cells for Federal Share and Cost Share related to each Task. Cost Share must TOTAL a minimum 20% of the project value, but does not have to total 20% of each individual Task value. The applicant may propose to satisfy the minimum cost share all in one Task, or across multiple Tasks.

1. In addition, display costs delineated by Phase I activities, Phase II activities, and total.
 - Direct Labor: Identify names, provide labor categories, labor hours or percentage of time by task, labor rates.

- Indirect Costs: Provide indirect rates and bases, include any audit information to support rates.
- Provide supporting information to clearly justify estimates for Other Direct Costs such as equipment, travel, etc. Provide copies of quotes as applicable, explain and justify purpose of proposed travel and estimated rates.

NOTE: For guidance on treatment of depreciation, see:

- OMB Circular A-122, Cost Principles for Non-Profit Organizations, available at http://www.whitehouse.gov/OMB/circulars/a122/a122_2004.html, or
- Federal Acquisition Regulation Part 31.2, for commercial for-profit organizations, available at www.arnet.gov.

2. Subcontractor Costs. If sub-recipients/subcontractors (lower-tiered organizations and/or individual consultants) will be used in carrying out the technical work of this project, provide the following minimum information concerning such proposed subcontractors:

- Name and address of the organization or consultant.
- Description of the portion of work to be conducted by the organization or consultant.
- Cost details for that portion of work, to include the same level of cost detail as prescribed above in paragraph 1.
- Letter of commitment from sub-recipient.

3. Awards under this solicitation will be either cost reimbursable, or fixed price with clearly defined milestone payments as agreed upon by the parties at grant agreement award. If proposing fixed price, the applicant shall propose a Milestone Payment Schedule wherein:

- Payments are made no more frequently than monthly, and
- Payments are clearly tied to accomplishment by the grantee of a predetermined tangible milestone or performance event.

The proposed Milestone Payment Schedule shall include the proposed payment amount and corresponding milestone. The amount proposed shall correspond to the estimated costs of achieving the milestone to the extent possible.

4. The use of a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number is required on all applications for Federal grants or grants. Please provide your organization's DUNS number in your budget application.

5. A statement to indicate whether your organization has previously completed an A-133 Single Audit and, if so, the date that the last A-133 Single Audit was completed.
6. Describe how the company will obtain the necessary resources to fund and fulfill the proposed cost share.
7. A statement to indicate date of most recently completed financial statements or annual report. (FHWA may request a copy of such information prior to award if selected).
8. Representation of Limited Rights Data and Restricted Computer Software

The applicant shall provide the following information to either state that none of the data qualify as limited rights data or restricted computer software, or identify, to the extent feasible, which of the data qualifies as limited rights data or restricted computer software. Any identification of limited rights data or restricted computer software in the applicant's response is not determinative of the status of such data should an agreement be awarded to the applicant.

The applicant shall include the following text in the application, filled in by the applicant:

"The applicant has reviewed the requirements for the delivery of data or software (see Data Rights Clause of the solicitation) and states [*applicant check appropriate block*] --

_____ * None of the data proposed for fulfilling such requirements qualifies as limited rights data or restricted computer software.

_____ * Data proposed for fulfilling such requirements qualify as limited rights data or restricted computer software and are identified as follows:

NOTE: "Limited rights data" and "Restricted computer software" are defined in the agreement clause entitled "Data Rights."

E. FUNDING RESTRICTIONS

FHWA will not provide any reimbursement of pre-award costs under this proposed agreement.

F. WWW.GRANTS.GOV

Applicants must register with www.Grants.gov and use the system to submit applications electronically. In the event of system problems or technical difficulties with the application submittal, applicants should contact the FHWA point of contact designated on page 1. If applicants are unable to use the www.Grants.gov system due to technical difficulties, applicants must e-mail applications to the FHWA point of contact listed on page 1 no later than the application deadline cited above.

SECTION V – APPLICATION REVIEW INFORMATION

A. EVALUATION FOR RESPONSIVENESS

FHWA will evaluate the application for responsiveness to the solicitation. If an application is found to be nonresponsive at any time during evaluation, the FHWA will notify the applicant of the non-responsive determination, and the application will not receive further consideration, unless otherwise determined by the Agreement Officer that further consideration is in the best interest of the Government. The FHWA will consider the application non-responsive for any of the following reasons:

- The application is received after the specified receipt date;
- The application is incomplete;
- The application does not comply with the content and format requirements of the solicitation;
- The application does not comply with the requirements of the solicitation;
- The material presented is insufficient to permit an adequate review.

B. EVALUATION CRITERIA

ROUND I APPLICATIONS

FHWA will use the following criteria to evaluate the Round I applications.

(1) Technical - Criteria listed below are of equal importance. Sub-criteria within each criteria are of equal importance.

Significance of Innovation

- a) Does the innovation offer significant potential to directly reduce crashes or crash severity in one of the following focus areas:
 - roadway departure events, with a priority on those occurring on two-lane rural road horizontal curves
 - intersections, with a priority on rural, unsignalized intersections
 - pedestrian-related detection, warning and enhanced conspicuity

Either criteria a) OR b)

- b) Does the innovation significantly enhance decision-making relative to the deployment of treatments to reduce crashes or crash severity and the understanding of the effectiveness of the treatments?
- c) Will the innovation produce a significant advancement to conventional practice? Is there a demonstrated market need? Will the innovation benefit the transportation industry nationally?

Technical Merit – Is the technology a prototype in late-stage development and the proof of concept is well established? Does the application sufficiently demonstrate the experimental proof of performance of the technology and that it is within 2 years of being commercialized? **If the applicant is working under an ongoing research grant, is there demonstrated value to proceed with an additional grant at this time?**

Meets Program Objectives –Is the project management plan accomplishable within 2 years? Is there likelihood for successful deployment after 2 years? Does the applicant demonstrate previous experience commercializing innovations? Is there a partnership structure between the applicant and public and/or private sector entities?

ROUND II APPLICATIONS

FHWA will use the following criteria to evaluate the Round II applications.

- (1) Technical** - Criteria are listed in equal level of importance. Sub-criteria within each criteria are of equal importance.

Significance of Innovation-

- a) Degree to which the innovation significantly address the reduction of crashes or crash severity in one of the following focus areas:
 - roadway departure events, with a priority on those occurring on two-lane rural road horizontal curves
 - intersections, with a priority on rural, unsignalized intersections
 - pedestrian-related detection, warning and enhanced conspicuity

Either criteria a) OR b)

- b) Degree to which the innovation significantly enhances decision-making relative to the deployment of treatments to reduce crashes or crash severity and the understanding of the effectiveness of the treatments.

Degree to which the proposed innovation will produce a significant advancement to conventional practice. Degree to which there is a demonstrated market need. Degree to which the innovation will benefit the transportation industry nationally.

Detailed Project Management Plan. Is the project management plan well thought out and accomplishable within 2 years? Is there likelihood for successful deployment after 2 years?

Qualifications of the Team members, and partnerships—Is there evidence of a solid organizational structure, partnerships, and highly qualified staff and experience to complete the project management plan as proposed? Are there strong commitments from partner organizations?

Commercialization Capability and Commitment – Does the project team have a commercialization strategy that indicates an understanding of the industry and the challenges of bring the innovation to market? Has the project team demonstrated the experience, commitment, and ability to have the innovation manufactured, marketed and distributed?

(2) Budget

In addition to the criteria listed above, relative cost will be considered in the ultimate award decision. The budget application will be analyzed to assess cost reasonableness and conformance to applicable Federal cost principles. Applications will be evaluated to ensure compliance with the minimum cost share requirement cited above. Applications proposing to exceed the required minimum cost share may receive preference in the evaluation process.

FHWA will consider the amount of cost sharing to be an indicator of potential for continued development and commercialization should the first application demonstration prove successful.

C. REVIEW AND SELECTION PROCESS

The Agreement Officer (AO) is the official responsible for final award selections. The Government is not obligated to make any award as a result of this announcement.

FHWA will make award based on the criteria cited above to the applicants that collectively best meet the program objectives stated herein. FHWA may take into consideration information from both Round I and Round II submittals in the award decision.

D. ANTICIPATED ANNOUNCEMENT AND AWARD DATES

FHWA anticipates making award selections by June 2012 for applications submitted by January 26, 2012 and September 2012 for applications submitted by May 2012.

E. AWARD SELECTION NOTICES

Only the Agreement Officer can commit the Government. The award document, signed by the AO, is the authorizing document.

Notice that an organization has been selected as a Recipient does not constitute approval of the application as submitted. Before the actual award, FHWA will enter into negotiations concerning such items as program components, staffing and funding levels, and administrative systems. If the negotiations do not result in an acceptable submittal, the FHWA reserves the right to terminate the negotiation and decline to fund the applicant.

SECTION VI – AWARD ADMINISTRATION INFORMATION

A. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. GOVERNING REGULATIONS

Performance under this grant agreement shall be governed by and in compliance with the following requirements as applicable to the type of organization of the Recipient and any applicable subrecipients:

- “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-profit Organizations (49 CFR 19)”, [located at: <http://www.dot.gov/ost/m60/grant/49cfr19.htm>]; (Note: 49 CFR Part 19 also applies to for-profit companies.
- 2 CFR Part 230 (OMB Circular A-122), “Cost Principles for Non-Profit Organizations” [located at: http://www.whitehouse.gov/OMB/circulars/a122/a122_2004.html]
- OMB Circular A-133, “Audits of States, Local Governments, and Non-Profits” [<http://www.whitehouse.gov/omb/circulars/a133/a133.html>];
- 2 CFR Part 215 (OMB Circular A-110), “Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations” [located at: http://www.access.gpo.gov/nara/cfr/waisidx_05/2cfr215_05.html]; and

- FAR Part 31 Cost Principles for Commercial Organizations
- Any other applicable Federal statute or regulation.

2. RESPONSIBILITIES OF THE RECIPIENT

The Recipient shall provide overall program management. Specifically, the Recipient shall be responsible for the following, as a minimum:

- Performing the Statement of Work as described in Section I and the approved Technical Application.
- Coordinating and managing work, including issuing and managing subcontracts/sub awards and consulting arrangements, as necessary.
- Submitting all required reports including Quarterly Progress Reports. (See Paragraph B of this Section, entitled Reporting.)
- Meeting with the FHWA Agreement Officer's Technical Representative (AOTR) as necessary.
- Participating in a kick-off meeting with the AO and/or the AOTR to discuss agreement expectations and procedures.
- Participating in Annual Budget Review meetings as needed with the AO and/or AOTR.

3. TRAVEL AND PER DIEM

For for-profit organizations, travel will be reimbursed in accordance with the Federal Travel Regulations in effect at the time of travel. For nonprofit organizations, travel and per diem authorized under this grant agreement shall be reimbursed in accordance with the applicant's acceptable written travel policy in accordance with the OMB Cost Principles for Nonprofit Organizations. In the absence of an acceptable written travel policy, travel will be reimbursed in accordance with the Federal Travel Regulations in effect at the time of travel. In addition, all non-domestic travel shall be approved by the AO prior to incurring costs.

4. AMENDMENTS

Amendments to this agreement may only be made in writing, signed by both parties for bilateral actions and by the AO for unilateral actions, and specifically referred to as an amendment to this agreement.

5. AGREEMENT OFFICER'S TECHNICAL REPRESENTATIVE (AOTR)

The AO has designated [To be filled in at award.] as AOTR to assist in monitoring the work under this agreement. The AOTR will oversee the technical administration of this agreement and act as technical liaison with the performing organization. The AOTR is not authorized to change the scope of work or specifications as stated in the agreement, to make any commitments or otherwise obligate the Government or authorize any changes

which affect the agreement funding, delivery schedule, period of performance or other terms or conditions.

The AO is the only individual who can legally commit or obligate the Government for the expenditure of public funds. The technical administration of this agreement shall not be construed to authorize the revision of the terms and conditions of performance. The AO shall authorize any such revision in writing.

6. EQUIPMENT

Equipment purchased under this grant agreement is subject to the requirements of 49 CFR Part 19.34, including requirements for ownership, equipment records, disposition, etc. (<http://www.dot.gov/ost/m60/grant/49cfr19.htm#19.34>). Pursuant to the regulation, title to equipment acquired by a Recipient with Federal funds shall vest in the Recipient, subject to conditions of the regulation. If equipment is no longer needed by the Recipient, the Federal awarding agency may reserve the right to transfer the title to the Federal Government.

7. INDIRECT COSTS

Indirect costs are allowable under this agreement as follows:

<i>Indirect Rate Type</i>	<i>Rate (%)</i>	<i>Base</i>
<i>(Information to be filled in at award)</i>		

In the event the recipient determines the need to adjust the above listed rates, the Recipient shall notify the FHWA of the planned adjustment and provide rationale for such adjustment. In the event such adjustment rates have not been audited by a Federal agency, the adjustment of rates must be pre-approved in writing by the Agreement Officer.

This Indirect Cost provision does not operate to waive the limitations on Federal funding provided in this document. The Recipient's audited final indirect costs are allowable only insofar as they do not cause the Recipient to exceed the total obligated funding available.

8. INTANGIBLE PROPERTY *(See Questions and Answers document)*

Pursuant to 49 CFR Part 19.36, Intangible property,

- (a) The recipient may copyright any work that is subject to copyright and was developed, or for which ownership was purchased, under an award. The Federal awarding agency(ies) reserve a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.

(b) Recipients are subject to applicable regulations governing patents and inventions, including government-wide regulations issued by the Department of Commerce at 37 CFR part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements.”

(c) The Federal Government has the right to:

(1) Obtain, reproduce, publish or otherwise use the data first produced under an award; and

(2) Authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

(d)(1) In addition, in response to a Freedom of Information Act (FOIA) request for research data relating to published research findings produced under an award that were used by the Federal Government in developing an agency action that has the force and effect of law, the Federal awarding agency shall request, and the recipient shall provide, within a reasonable time, the research data so that they can be made available to the public through the procedures established under the FOIA. If the Federal awarding agency obtains the research data solely in response to a FOIA request, the agency may charge the requester a reasonable fee equaling the full incremental cost of obtaining the research data. This fee should reflect costs incurred by the agency, the recipient, and applicable subrecipients. This fee is in addition to any fees the agency may assess under the FOIA (5 U.S.C. 552(a)(4)(A)).

(2) The following definitions apply for purposes of this paragraph (d):

(i) *Research data* is defined as the recorded factual material commonly accepted in the scientific community as necessary to validate research findings, but not any of the following: preliminary analyses, drafts of scientific papers, plans for future research, peer reviews, or communications with colleagues. This “recorded” material excludes physical objects (e.g., laboratory samples). *Research data* also do not include:

(A) Trade secrets, commercial information, materials necessary to be held confidential by a researcher until they are published, or similar information which is protected under law; and

(B) Personnel and medical information and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, such as information that could be used to identify a particular person in a research study.

(ii) *Published* is defined as either when:

(A) Research findings are published in a peer-reviewed scientific or technical journal; or

(B) A Federal agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law.

(iii) *Used by the Federal Government in developing an agency action that has the force and effect of law* is defined as when an agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law.

(e) Title to intangible property and debt instruments acquired under an award or subaward vests upon acquisition in the recipient. The recipient shall use that property for the originally-authorized purpose, and the recipient shall not encumber the property without approval of the Federal awarding agency. When no longer needed for the originally authorized purpose, disposition of the intangible property shall occur in accordance with the provisions of paragraph §19.34(g).

9a. PAYMENT – SUBMISSION INSTRUCTIONS

The Recipient shall submit an electronic copy of the Standard Form (SF) 270, “Request for Advance or Reimbursement,” no more frequently than monthly, to the FHWA finance office in Oklahoma City using the submission instructions below.

Instructions for Submission of SF 270, Requests for Advance or Reimbursement:

The Recipient shall submit the SF 270 and required supporting documents via e-mail to the following e-mail address: 9-AMC-AMZ-FHWA-Invoices@faa.gov.

- a) Include the SF 270 and supporting documents as one attached PDF document.
- b) Include in the e-mail subject line the following:
 - (i) Number of the Request (i.e. Invoice Number)
 - (ii) Agreement Number
 - (iii) Name of your Company/Organization
 - (iv) Attn: (insert name of FHWA Agreement Specialist)

Example: Invoice No. 1, DTFH61-12-G-000##, XYZ Company, Attn: Jane Doe

If the SF 270 and supporting documents exceed 8 MB, as an e-mail attachment, the Recipient must select one of two non-electronic submission options presented below:

1. Submit SF 270 and supporting documents via regular U.S. Postal Service to the following P.O. Box address:

Federal Highway Administration
Markview Processing
P.O. Box 268865
Oklahoma City, OK 73126-8865
Attention: (insert name of FHWA Agreement Specialist)

2. SF 270's submitted via an overnight service must use the following physical address because delivery services other than the U.S. Postal Service will not deliver to the P.O. Box address noted above:

MMAC
 FHWA/AMZ-150
 6500 MacArthur Blvd.
 Oklahoma City, OK 73169
 Attention: (insert name of FHWA Agreement Specialist)
 Express Delivery Point of Contact: April Grisham, 405-954-8269

NOTE: All three request for advance or reimbursement submission options described above (e-mail, U.S. Postal Service or overnight service) result in the delivery of the request for advance or reimbursement to the same FHWA finance office in Oklahoma City, OK.

The Agreement Specialist and the AO reserve the right to withhold processing requests for payment until sufficient detail is received. In addition, reimbursement will not be made without AOTR review and approval to ensure that progress on the Agreement is sufficient to substantiate payment. After AOTR approval, the Agreement Specialist will certify and forward the advance or request for reimbursement to the payment office.

NOTE: Standard Forms may be located at <http://fhwa.dot.gov/aaa/hamhome.htm>.

9b. MILESTONE PAYMENT SCHEDULE, (IF APPLICABLE)

NOTE: Awards under this solicitation will either be cost reimbursable, or fixed price with clearly defined milestone payments as agreed upon by the parties at grant agreement award. If fixed price is accepted, FHWA shall make fixed payments to the Recipient based on the successful completion by the Recipient of predetermined tangible milestones.

(a) By submission of the first invoice, the Recipient is certifying that it has an established accounting system which complies with generally accepted accounting principles, with the requirements of this agreement, and that appropriate arrangements have been made for receiving, distributing, and accounting for Federal funds received under this agreement.

(b) If applicable, payments will be made upon satisfactory completion of the following milestones:

<u>Payment Milestone</u>	<u>Amount</u>	<u>Estimated Completion Date</u>
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[To be filled in at award as negotiated. The schedule for payments may be based upon the Recipient's completion of specific tasks, submission of specified reports, or whatever is appropriate.]

(c) Upon submission by the Recipient of invoices in accordance with the provisions of the agreement and upon certification by FHWA of successful completion of the payable milestone, the AO shall authorize payment.

(d) A payment milestone may be successfully completed in advance of the date appearing in paragraph (b) of this section. If completed in advance, the Recipient is authorized to request payment for milestones achieved, up to the obligated funding limitation.

(e) The recipient is not entitled to partial payment for partial completion of a payment milestone.

(f) Unless approved by the AO, all preceding payment milestones must be completed before payment can be made for the next payment milestone.

(g) If the grant agreement is terminated prior to achievement of all milestones, FHWA's funding is limited to milestone payments already made plus FHWA's share of costs incurred to meet commitments of the Recipient, which had in the judgment of FHWA become firm prior to the effective date of termination. In no event, however, shall the amount of FHWA's share of these additional costs exceed the amount of the next scheduled milestone payment, or the total amount of funding obligated..

10. ACKNOWLEDGEMENT OF SUPPORT AND DISCLAIMER

An acknowledgment of FHWA support and a disclaimer must appear in any publication of any material, whether copyrighted or not, based on or developed under the grant agreement, in the following terms:

"This material is based upon work supported by the Federal Highway Administration under grant agreement No. DTFH61-12-G-#####(to be filled in at award)".

All materials must also contain the following:

"Any opinions, findings, and conclusions or recommendations expressed in this publication are those of the Author(s) and do not necessarily reflect the view of the Federal Highway Administration."

11. SITE VISITS

The Federal Government, through its authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and management control systems and to provide such technical assistance as may be required. If any site visit is made by the Federal Government on the premises of the Performing Organization or a subrecipient under this grant agreement, the Performing Organization shall provide and shall require their subrecipients to provide all reasonable facilities and assistance for the safety and convenience of the Government representative in the performance of their duties. All site visits and evaluations shall be performed in such a manner as will not unduly delay work.

12. TERMINATION AND SUSPENSION

FHWA may terminate or suspend this agreement, in whole or in part, at any time prior to its expiration date in accordance with 49 C.F.R. Part 19.

13. BUDGET REVISION/REALLOCATION OF AMOUNTS

The Recipient is required to report deviations from budget and program plans, and request prior approval for budget and program plan revisions in accordance with CFR Part 19.25.

NOTE: The Recipient must obtain prior written approval from the AO to transfer amounts budgeted for direct cost categories when the cumulative value of such transfers will exceed 10% of the value of Federal share of this agreement. When requesting such approval, a letter request suffices.

14. FINANCIAL MANAGEMENT SYSTEM

By signing this agreement, the Recipient verifies that it has, or will implement, a financial management system adequate for monitoring the accumulation of costs and in compliance with the financial management system requirements of 49 CFR Part 19.21, available at <http://www.dot.gov/ost/m60/grant/49cfr19.htm#19.21>. The Recipient's failure to comply with these requirements may result in agreement termination.

15. ALLOWABILITY OF COSTS

Determination of allowable costs will be made in accordance with the applicable Federal cost principles, e.g., Non-Profit Organizations-2 CFR Part 230; Educational Institutions-2 CFR Part 220; FAR Part 31 – For Profit Organizations.

16. COST SHARING OR MATCHING

The Applicant shall provide a minimum of a 20% match to the total cost of the project. The applicant's 20% match requirement can be met through direct financial support for the product development or testing or through "in-kind" services. By the completion date of the agreement, the applicant must have met the cost-sharing requirement. All cost share contribution must be submitted with sufficient detail and/or documentation to support the value of the contribution. If additional detail and/or documentation are determined necessary in order to verify the contribution, the applicant shall provide the requested information in a timely fashion.

17. AVAILABLE FUNDING

The total not-to-exceed amount of Federal funding that may be provided under this grant agreement is \$____(to be filled in at award) for the entire period of performance, subject to the limitations shown below:

(1) Currently, Federal funds in the amount of \$____ (to be filled in at award), are obligated to this agreement.

(2) Subject to availability of funds, and an executed document by the AO, \$____ (to be filled in at award) may be obligated to this agreement.

The Government's liability to make payments to the Recipient is limited to those funds obligated under this agreement as indicated above and in any subsequent amendments.

18. CENTRAL CONTRACTOR REGISTRY (CCR)

The Recipient must be registered in the CCR in order to receive payments under this agreement. Use of the CCR is to provide one location for applicants and Recipients to change information about their organization and enter information on where government payments should be made. The registry will enable Recipients to make a change in one place and one time for all Federal agencies to use. Information for registering in the CCR and online documents can be found at www.ccr.gov.

19. KEY PERSONNEL

The Recipient shall request prior written approval from the AO for any change in key personnel specified in the award.

20. PROGRAM INCOME

Program Income earned during the project period shall be retained by the Recipient and added to funds committed to the project by the Federal awarding agency and the Recipient and used to further eligible project or program objectives.

21. SUBAWARDS

Unless described in the application and funded in the approved award, or an amendment thereto, the Recipient shall obtain prior written approval from the AO for the subaward, transfer, or contracting out of any work under this award. This provision does not apply to the purchase of supplies, material, equipment or general support services.

22. DEBARMENT AND SUSPENSION REQUIREMENTS

The Recipient shall comply with the Subpart C of 49 CFR Part 29, Government Debarment and Suspension (Nonprocurement). Further, the Recipient shall flow down this requirement to applicable subawards by including a similar terms or condition in

lower-tier covered transactions. See 49 CFR Part 29 for detail of the requirement. (Note: 49 CFR Part 29 is available online at <http://www.dot.gov/ost/m60/grant/regs.htm>).

23. DRUG FREE WORKPLACE

The Recipient shall comply with Subpart B of 49 CFR Part 32, Governmentwide Requirements for a Drug-Free Workplace (Financial Assistance). See 49 CFR Part 32 for details of the requirement. (Note: 49 CFR Part 32 is available online at <http://www.dot.gov/ost/m60/grant/regs.htm>).

24. DISPUTES

The parties to this agreement shall communicate with one another in good faith and in a timely and cooperative manner when raising issues under this Disputes provision. Any dispute, which for the purposes of this provision includes any disagreement or claim, between the FHWA and the Recipient concerning questions of fact or law arising from or in connection with this Agreement and whether or not involving alleged breach of this Agreement, may be raised only under this Disputes provision.

Whenever a dispute arises, the parties shall attempt to resolve the issues involved by discussion and mutual agreement as soon as practical. In no event shall a dispute which arose more than three months prior to the notification made under the following paragraph of this provision constitute the basis for relief under this article unless FHWA waives this requirement.

Failing resolution by mutual agreement, the aggrieved party shall document the dispute by notifying the other party in writing of the relevant facts, identify unresolved issues and specify the clarification or remedy sought. Within five working days after providing written notice to the other party, the aggrieved party may, in writing, request a decision from the AO. The other party shall submit a written position on the matters in dispute within thirty calendar days after being notified that a decision has been requested. The AO shall conduct a review of the matters in dispute and render a decision in writing within thirty calendar days of receipt of such written position. Any decision of the AO is final and binding unless a party shall, within thirty calendar days, request further review as provided below.

Upon written request to the FHWA Director, Office of Acquisition Management or designee, made within thirty calendar days after the AO's written decision or upon unavailability of a decision within the stated time frame under the preceding paragraph, the dispute shall be further reviewed. This review shall be conducted by the Director, Office of Acquisition Management. Following the review, the Director, Office of Acquisition Management, will resolve the issues and notify the parties in writing. Such resolution is not subject to further administrative review and to the extent permitted by law, shall be final and binding. Nothing in this Agreement is intended to prevent the parties from pursuing disputes in a United States Federal Court of competent jurisdiction.

25. Encouraging Contractor Policies to Ban Text Messaging While Driving (Aug 2011)

(a) Definitions. As used in this clause--

“Driving”—

(1) Means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light, stop sign, or otherwise.

(2) Does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

“Text messaging” means reading from or entering data into any handheld or other electronic device, including for the purpose of short message service texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication. The term does not include glancing at or listening to a navigational device that is secured in a commercially designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to park.

(b) This clause implements Executive Order 13513, Federal Leadership on Reducing Text Messaging while Driving, dated October 1, 2009.

(c) The Contractor is encouraged to—

(1) Adopt and enforce policies that ban text messaging while driving—

(i) Company-owned or -rented vehicles or Government-owned vehicles; or

(ii) Privately-owned vehicles when on official Government business or when performing any work for or on behalf of the Government.

(2) Conduct initiatives in a manner commensurate with the size of the business, such as—

(i) Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and

(ii) Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

(d) Subcontracts. The Contractor shall insert the substance of this clause, including this paragraph (d), in all subcontracts that exceed the micro-purchase threshold.

(End of clause)

B. REPORTING

1. ADDRESSES FOR SUBMITTAL OF REPORTS AND DOCUMENTS

The Recipient shall submit all required reports and documents, under transmittal letter referencing the grant agreement number, as follows:

Submit one hard copy and one electronic copy by email to the Agreement Specialist at the following address:

U.S. Department of Transportation
Federal Highway Administration
Office of Acquisition Management
1200 New Jersey Avenue, SE, Room E65-101
Washington, DC 20590
Attention: (TO BE FILLED IN AT AWARD)
Email: (TO BE FILLED IN AT AWARD)

Submit two hard copies and one electronic copy by email to the AOTR at the following address:

Department of Transportation
Federal Highway Administration
1200 New Jersey Avenue, SE, **Room E84-436**
Washington, DC 20590
Attention: (TO BE FILLED IN AT AWARD)
Email: (TO BE FILLED IN AT AWARD)

2. QUARTERLY PERFORMANCE PROGRESS REPORT (PPR)

The Recipient shall submit an electronic copy and one hard copy of the SF-PPR, in PDF format, to each the AOTR and the Agreement Specialist, on or before the 30th of the month following the calendar quarter being reported. Final progress reports are due 90 calendar days after expiration of the award. Calendar quarters are:

- (1) January - March
- (2) April – June
- (3) July – September
- (4) October - December

The SF-PPR is available online at
http://www.whitehouse.gov/omb/grants/grants_forms.html.

The quarterly submittal shall consist of the SF-PPR cover page and the following required attached information. Block 10 (Performance Narrative) and Block 11 (Other Attachments) of the SF-PPR shall include the following information as attached pages:

- (a) A clear and complete account of the work performed each quarter.
- (b) An outline of the work to be accomplished during the next report period.
- (c) A description of any problem encountered or anticipated that will affect the completion of the work within the time and fiscal constraints as set forth in the grant agreement, together with recommended solutions to such problems; or, a statement that no problems were encountered.
- (d) A tabulation of the current and cumulative costs expended by quarter versus budgeted costs, including cost share. Detail costs expended by cost element (labor, travel, equipment, indirect costs, subcontract costs, etc.)
- (e) SF425, Federal Financial Report.

3. ANNUAL BUDGET REVIEW AND PROGRAM PLAN

The Recipient shall submit two copies of the Annual Budget Review and Program Plan to the AOTR and one copy to the Agreement Specialist 60 days prior to the end of each agreement year. The Annual Budget Review and Program Plan shall provide a detailed schedule of activities, estimate of specific performance objectives, include forecasted expenditures, and schedule of milestones for the upcoming agreement year. If there are no proposed deviations from the Approved Project Budget, the Annual Budget Review shall contain a statement stating such. The Recipient will meet with FHWA to discuss the Annual Budget Review and Program Plan. Work proposed under the Annual Budget Review and Program Plan shall not commence until AO written approval is received.

4. REQUIRED SUBMISSIONS

Required Submissions/Milestone	Due Date
Kick off Annual Meeting	TBD
Detailed Workplan with timetable if needed	30 days after grant agreement effective date
Phase I - Report of performance specifications, testing results, operating procedures, and/or other phase I findings. The Phase I report shall include the applicant's analysis, as applicable, of whether the innovation can be manufactured, operated and purchased economically.	TBD
Phase II - Report of the first demonstration project evaluation	TBD
Guidelines for performance specifications, application, use and maintenance and/or other phase II findings.	TBD

Quarterly Progress Reports	On or before the 30th of the month following the calendar quarter being reported
Miscellaneous project information of interest to the public for HfL website and booth (e.g., video clips)	TBD
Final SF 425	90 days after expiration of award
Annual Budget Review and Program Plan	60 days prior to end of agreement year 1

SECTION VII - AGENCY CONTACT

Submit any questions to the following individuals:

PRIMARY AGENCY CONTACT

Name: Freida Byrd
Phone: (202) 366-6547
Fax: (202) 366-3705
Email: Freida.Byrd@dot.gov

and

SECONDARY AGENCY CONTACT

Name: Carl Rodriguez
Phone: (202) 366-4240
Fax: (202) 366-3705
Email: Carl.Rodriguez@dot.gov