U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration (PHMSA)

Notice of Funding Opportunity

Hazardous Materials State Inspection (HMSI) Grant

Fiscal Year (FY) 2023

NOFO Posted Date:	March 20, 2023
Updated NOFO Posted:	June 7, 2023
Original Applications Due Date:	June 19, 2023, 11:59 p.m. EST
Updated Application Due Date:	July 31, 2023, 11:59 p.m. EST
Questions Due Date:	July 28, 2023, 11:59 p.m. EST

Applicant must be registered at www.grants.gov to apply online. It is highly recommended that applicants begin the registration process as soon as possible to avoid delays in submission. Additionally, applicants must maintain an active registration in the System for Award Management at www.SAM.gov.

Furthermore, applicants are encouraged to register for an account with FedConnect at www.fedconnect.net before applying. FedConnect is a messaging platform where applicants can communicate directly with PHMSA. Your organization's Marketing Partner ID Number (MPIN), which can be retrieved from SAM, is required to create an account. For instructions on how to register in FedConnect and how to use the portal, view the *FedConnect: Ready, Set, Go! Tutorial* under the *Need Help?* section on the FedConnect home page.

Assistance Listing (formerly CFDA)
20.707 "HMSI Grant"

PHMSA Notice of Funding Opportunity Number
693JK323NF0001

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PROGRAM SUMMARY

Federal Agency Name:	U.S. Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA)
Funding Opportunity Title:	"Hazardous Material State Inspection – FY 2023"
Announcement Type:	Initial Announcement
Funding Opportunity Number:	693JK323NF0001
Assistance Listing Number:	20.707
NOFO Posted Date:	March 20, 2023
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MISSION

The U.S. Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) protects people and the environment by advancing the safe transportation of energy and other hazardous materials (hazmat) that are essential to our daily lives. To do this, PHMSA establishes national policy, sets and enforces standards, educates, and conducts research to prevent incidents. PHMSA also prepares the public and first responders to reduce consequences if an incident does occur. To accomplish this, PHMSA awards financial assistance to states to ensure industry compliance with the Hazardous Materials Regulations (HMR).

SECTION A - PROGRAM DESCRIPTION

A.1 Statement of Purpose

Congress provided up to $2,500,000 for the HMSI financial assistance program in the Consolidated Appropriations Act, 2021 (Pub. L. 116-260). This funding opportunity falls under Assistance Listing 20.707. PHMSA, through this NOFO, is requesting applications from states for Hazardous Materials State Inspection (HMSI) funding to carry out state-based inspections of hazmat shippers to increase compliance and ensure the safe transport of hazardous materials.

HMSI financial assistance awards will be in the form of a grant between PHMSA and participating state agencies to provide funding to perform hazmat shipper inspections. As part of the grant agreement, states must agree to collect and share hazmat shipper inspection data with PHMSA.

Consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009), PHMSA's FY 2023 HMSI funding priority is focused on HMSI hazmat shipper inspections in underserved communities.

PHMSA requires that applicants comply with all applicable federal financial assistance regulations and maintain an auditable accounting system that includes a detailed accounting and description of each grant expenditure. PHMSA measures performance based on whether the projects included in the approved financial assistance application fulfilled the needs outlined in the statement of need.

A.2 Statute and Program Authority

Congress provided up to $2,500,000 for the HMSI financial assistance program in the Consolidated Appropriations Act, 2021 (Pub. L. 116-260).

A.3 Background

HMSI grants will be awarded to state agencies to perform hazmat shipper inspections. HMSI funds will be used to increase industry compliance, thereby ensuring the safety of hazmat shipments nationwide.

PHMSA will issue no more than one HMSI award per state. States are strongly encouraged to coordinate and select one state agency to apply for HMSI funding.

SECTION B - FEDERAL AWARD INFORMATION

B.1 Funding

PHMSA plans to award $4,000,000 ($1,500,000 in FY 2022 carryover funds and $2,500,000 in FY 2023 appropriated funds) to support the FY 2023 HMSI financial assistance program.

B.2 Period of Performance

The period of performance is a minimum of 12 months from the effective date of the award. An applicant may request a period of performance up to 24 months. Applicants must only apply for funding that can be reasonably expended within this time frame and for allowable projects that can be completed within the period of performance.

B.3 Type of Award

Discretionary grant award.

SECTION C - ELIGIBILITY INFORMATION

C.1 Eligible Applicants and Activities

The FY 2023 HMSI program is open to state agencies who have the authority and capability to perform hazardous materials shipper inspections in accordance with the HMR and within the ***Hazardous Materials Transportation Investigator/Inspector Uniform Training Performance Standards.*** This includes performing inspections and/or investigations onsite or offsite of a hazmat shipper operation to determine whether the entity is in compliance with the HMR or applicable authorized international hazardous material transportation standards. A hazmat shipper inspection may be initiated based on a possible issue with the company's safety management controls or complaints.

Eligible grant projects/expenses include the following:

1. Hazmat shipper inspection cost (inspector time/wage, travel expenses)

2. Hazmat inspection equipment and supplies (personal protective equipment (PPE) and personal electronic devices (PEDs)
3. Hazmat inspector training

C.2 Cost Sharing or Matching

There are no cost-sharing or matching requirements for the HMSI program.

SECTION D - APPLICATION AND SUBMISSION INFORMATION

D.1 Address to Request Application Package

PHMSA requires applicants for this funding opportunity to apply electronically through grants.gov. Applicants must download the application package associated with this funding opportunity by following the directions provided on grants.gov.

To request a hard copy of the application package, please contact:

Hazardous Materials Grant Program
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Ave. SE, E23-446
Washington, DC 20590
E-mail: HMSI@dot.gov
Phone: 202-366-1109
If you are a hearing-impaired person, please contact the FR/TTY at 1-800-877-8339 or e-mail PHMSA-Accessibility@dot.gov.

D.2 Content and Form of Application Submission

Applications for FY 2023 HMSI funding should be submitted in electronic format in grants.gov according to the following outline. There are two overall sections: (1) standard forms that the applicant must download and complete from grants.gov under the FY 2023 HMSI funding opportunity; and (2) attachments the applicant will need to create and upload.

Sharing of Application Information - Except for the information properly marked as described in Section H, the Department may share application information within the Department or with other federal agencies if the Department determines that sharing is relevant to the respective program's objectives.

Standard Forms

The following forms are found in grants.gov under the FY 2023 HMSI Funding Opportunity and must be completed by the applicant.

1. Standard Form (SF)-424 – Application for Federal Assistance

2. SF-424A – Budget Information
3. Lobbying Form – Certifications Regarding Lobbying
4. Standard Title VI/Non-Discrimination Assurances – Civil Rights Assurances

Applicant Attachments

All required forms must be created by the applicant and uploaded to grants.gov under the FY 2023 HMSI Grant Funding Opportunity. Guidance for submitting the project narrative and budget narrative is listed in the following section.

1. Project Narrative attachment
2. Budget Narrative attachment
3. Indirect Cost Agreement and/or Statement claiming 10 percent de minimis (if applicable)
4. Letters of Support from partner organizations (if applicable)
5. Additional optional attachments (if applicable)

Applications should be well-written and free of mathematical errors in the line-item budget and budget narrative. Program narratives should have the sections clearly identified and follow the structure requested in this NOFO. The application forms and templates are available on grants.gov in the "Related Documents" tab with detailed instructions on the application process. Please also reference Section E to ensure that the application addresses the criteria on which PHMSA will evaluate.

Project Narrative

The following Project Narrative sections are required. To facilitate the application review and award process, submit the sections in the order as stated below. Applicants should clearly identify the sections in the project narrative section of the application.

1. **Organization Information and Capacity.** Briefly provide information about your organization. This should include: (1) your organization's mission; (2) a brief overview of your organization's structure, programs, leadership, and special expertise; and (3) your organization's experience and capacity to manage federal financial assistance programs.
2. **Contact Information.** Identify the designated project director, including the name, position, address, e-mail address, and telephone number, who will coordinate the funded activities. Additionally, identify authorized individuals who will accept the awarded grant document, as well as individuals responsible for the submission of required federal financial reports and progress reports.
3. **Statement of authority and hazmat shipper inspection capabilities.** Describe the state authority and capability to perform hazmat shipper inspections in accordance with the HMR. Describe the state's ability to train hazmat inspectors in accordance with the *Hazardous Materials Transportation Investigator/Inspector Uniform Training Performance Standards*.

4. **Projected outputs and objectives.** Provide quantifiable and measurable outputs planned for the award's performance period. Outputs are quantitative data that describe the proposed activities. For hazmat shipper inspection costs, outputs should include the projected number of hazmat shipper inspections, estimated cost per inspection (wage and travel expenses), and description and estimated cost of equipment and supplies. Additionally, provide the type of shipment activity performed (facility, loading/unloading operations, hazmat packaging operation, etc.). For hazmat training cost, outputs should include the projected number of personnel trained, title and description of training courses, and estimated cost. Broader outcomes or goals may be provided to describe the intended impact of the proposed outputs. This can be either quantitative or qualitative and should reflect the projected impact of the grant activity outputs.
5. **Monitoring and evaluation.** Provide an explanation of monitoring efforts, internal controls, and quality assurance plans to ensure program success. This may include, but is not limited to, random examinations, inspections, and audits of hazmat shipper inspections and inspector training activities to maximize the cost effectiveness and impact of the program.
6. **Safety.** Applicants must address how their project provides substantial safety benefits. Prior to receiving funds, all projects are expected to, at a minimum, identify and mitigate to the extent practicable any significant safety risks that could result after the project's completion. Applicants should include how their project will not negatively impact the overall safety of the traveling public.
7. **Equity.** Applicants are encouraged to use DOT's Transportation Disadvantaged Census Tracts (arcgis.com)[1] tool or equivalent tools in their assessment. Applicants should demonstrate how activities will occur throughout a grant's life cycle and, to the extent possible, target low-income communities, disadvantaged communities, communities underserved by affordable transportation, or overburdened communities. Applicants should also address the benefits of the activities and how they will improve safety.

Applicants should also review Section E, Application Review information, to ensure the narratives contain all information on which PHMSA will evaluate.

Budget Narrative

The budget narrative explains how each budget component supports the cost of the proposed work. The budget narrative should focus on how each budget item is required to achieve the proposed project goals and objectives. It should also justify how budget costs were calculated. Using the object class categories found on the SF-424A, explain why the amount is needed for each category in the project narrative. The budget narrative must correlate with the costs identified in the SF-424A line-item budget. Project budgets should show how different funding sources will share in each activity and present those data in dollars and percentages. The budget should identify other federal funds if any, that the applicant intends to use. Funding sources should be grouped into three categories: non-federal, PHMSA specific, and other federal with specific amounts from each funding source.

[1] https://usdot.maps.arcgis.com/apps/dashboards/d6f90dfcc8b44525b04c7ce748a3674a

The budget narrative should be clear, specific, detailed, mathematically correct, and correspond to the SF-424A line-item categories.

A well-developed budget narrative is an effective monitoring tool for both the awarding agency and the grant recipient. However, a budget narrative that does not represent a project's needs makes it difficult to recommend for full funding and to assess financial performance over the life of the project. A description of the object class categories is provided below:

1. **Personnel** costs are the employee salaries for those working directly on the grant project. Include the number, type of personnel, the percentage of time dedicated to the project, hourly wage or salary, and total cost to the grant.

2. **Fringe Benefit** costs are the allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe costs are benefits paid to employees, including the cost of the employer's share of FICA, health insurance, workers' compensation, and vacation. Include how the fringe benefit amount is calculated (e.g., actual fringe benefits estimate, approved rate, etc.). Include a description of specific benefits charged to a project and the benefit percentage.

   Additional considerations:

   - The personnel salaries should have corresponding fringe benefits and vice-versa. PHMSA cannot pay fringe benefits for a position that is not listed in the "Personnel" section.
   - Explain what is included in the benefit package and at what percentage.
   - Fringe benefits are only for the percentage of time devoted to the grant project.
   - The applicant must not combine the fringe benefit costs with direct salaries and wages in the personnel category.

3. **Travel** costs are those costs requested for field work or for travel to professional meetings associated with grant activities. Provide the purpose, method of travel, number of persons traveling, number of days, and estimated cost for each trip. If the details of each trip are not known at the time of application submission, provide the basis for determining the amount requested.

4. **Equipment** costs include those items that are tangible, nonexpendable, personal property having a useful life of more than one year, and an acquisition cost of $5,000 or more per unit unless the applicant has a clear and consistent written policy that determines a different threshold. Include a description, quantity, and unit price for all equipment.

   - Purchases of less than $5,000 should be listed under "Supplies" or "Other."
   - Each item of equipment must be identified with the corresponding cost. General-purpose equipment must be justified as to how it will be used on the project.

- Analyze the cost benefits of purchasing versus leasing equipment, particularly high-cost items and those subject to rapid technical advances. Depending upon the procurement method, rented or leased equipment costs should be listed in the "Contractual" or "Other" category.

5. **Supplies** are tangible personal property other than equipment. Include the types of property in general terms. It is not necessary to document office supplies in detail (for example: reams of paper, boxes of paperclips, etc.). However, applicants should include a quantity and unit cost for larger cost supply items such as computers and printers.

6. **Contractual** costs are those services carried out by an individual or organization, other than the applicant, in the form of a procurement relationship.

7. **Other** costs that do not fit any of the categories include rent for buildings used to conduct project activities, utilities, leased equipment, employee training tuition, etc. "Other" direct costs must be itemized.

8. **Indirect Costs** (if applicable, must include IDC agreement or statement claiming de minimis rate): Indirect costs are allowable under the HMSI grant. Indirect costs are incurred for common or joint objectives that benefit more than one project. The applicant must include a current and fully executed indirect cost rate agreement in the application, if claiming indirect costs. The rate must be applied to the appropriate base in the approved agreement. If the rate will not be approved by the application due date, attach the letter of renewal or letter of request that you sent to your cognizant agency to your application. If the applicant has never received or has an expired indirect cost rate agreement, the applicant may be eligible for the 10 percent de minimis rate provided by 2 CFR § 200.414. A nonprofit entity that has never received a negotiated indirect cost rate may elect to charge a de minimis rate of 10 percent of modified total direct costs, per 2 CFR § 200.414, which may be used indefinitely. Applicants intending to charge the de minimis rate must include a statement verifying that the organization has never received a negotiated indirect cost rate and that the organization has elected to charge the de minimis rate.

D.3 Unique Entity Identifier (UEI) and System for Award Management (SAM)

PHMSA may not make an award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements. If an applicant has not fully complied with the requirements by the time PHMSA is ready to make an award, PHMSA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant. PHMSA recommends that applicants review the SAM database at www.sam.gov/portal/public/SAM/ to ensure their UEI is updated and "active."

Each applicant is required to:

- Register in SAM (SAM.gov) before submitting their application.
- Provide a valid UEI in their application.
- Always maintain an active SAM registration and UEI with current information when they have an active federal award or an application under consideration.

D.4 Submission Dates and Times

Completed applications must be received electronically by 11:59 p.m. EST on July 17, 2023. If an applicant has technical difficulties submitting the application through grants.gov, that applicant should contact grants.gov at 800-518-4726 or e-mail support@grants.gov, as well as contact PHMSA's Hazmat Grants Program Office at 202-366-1109 or e-mail HMSI@dot.gov. Applications received after this deadline may not be considered. PHMSA will only accept one application from each applicant.

D.5 Funding Restrictions

The following costs are not eligible for reimbursement under the FY 2023 HMSI grant:

1. Entertainment, alcohol, or morale costs
2. Excessive costs for general office supplies, equipment, computer software, printing and copying
3. Expenses claimed and/or reimbursed by another program
4. Expenses counted as match funds towards another federal program
5. Any costs disallowed or stated as ineligible in 2 CFR Part 200
6. Pre-Award costs are not authorized, and grant recipients must separately obtain PHMSA's written approval to fund pre-award costs consistent with 2 CFR § 200.458.

D.6 Other Submission Requirements

Applications will only be accepted via grants.gov. Mail and fax submissions will not be accepted.

The application package contains all required electronic forms and the ability to upload attachments for the budget narrative, budget justification, project narrative, assurances, and certifications. The applicant must submit the information outlined in the Application Guide in addition to the program-specific information below.

Applicants must be registered with www.grants.gov to apply. It is highly recommended that applicants begin the registration process as soon as possible to avoid delays with submission. Failure to comply with the application requirements as described in this section may prevent an application from being reviewed.

Accessing Grant Systems

1. **Grants.gov.** For new users, go to www.grants.gov/web/grants/applicants.html or go to the main page at www.grants.gov/ and select "Register." New user registrations for grants.gov can take up to two weeks to complete. For additional questions on how to register, contact grants.gov support at 800-518-4726 or e-mail support@grants.gov.

2. **FedConnect.** Applicants are encouraged to register for an account with FedConnect at www.fedconnect.net before applying. Your organization's Marketing Partner ID Number (MPIN), which can be retrieved from SAM, is required to create an account. For instructions on how to register in FedConnect and how to use the portal, click on the link to review the *FedConnect: Ready, Set, Go! Tutorial*. For other technical issues or questions, e-mail fcsupport@unisonglobal.com or call 1-800-899-6665, option 2. The FedConnect Support Center is staffed Monday–Friday 8 a.m. –8 p.m. EST, except federal holidays.

SECTION E - APPLICATION REVIEW INFORMATION

E.1 Criteria

PHMSA will evaluate applications through administrative, technical, and programmatic reviews based on the evaluation criteria.

Merit Criteria:

PHMSA developed evaluation criteria to rate and select competing applications. Submission of an application is not a guarantee of award. PHMSA may, at its discretion, award a grant based on an application in its entirety, award only portions of a grant based on its application, or not award a grant at all.

1. Technical Criteria

- Do the application's proposed activities align with the intent of HMSI, including state authority and ability to conduct shipper inspections in accordance with the HMR?
- Does the applicant provide a statement of need that describes areas of deficiency as it concerns inspecting hazmat shippers?
- Are the activities listed allowable under HMSI?

2. Programmatic Criteria

- Does the applicant provide information on the organization?
- Does the applicant provide the number and description of each activity proposed?
- Are program activities allowable, allocable, necessary, and reasonable?
- Does the applicant provide a timeline that clearly communicates when project activities will take place?
- Does the application list clear outputs, goals, and objectives?
- Does the applicant outline a monitoring and evaluation strategy to help ensure that the project(s) will be successful?

- Did the applicant provide a completed and properly filled out SF-424 form?
- Did the applicant submit a completed Lobbying Form and Title VI/Non-discrimination form?
- Do the budget (SF-424A) and budget narrative align?
- Does the budget narrative provide detail as to how the costs under "Personnel" correspond to the staff included in the narrative and how they were calculated?
- Does the budget narrative provide an explanation or breakout of the staff fringe benefits?
- If there are funds entered under "Travel," does the budget narrative provide a clear and reasonable explanation that relates to the costs?
- Does the budget narrative identify supply costs and are the costs adequately explained?
- If there are funds under "Contractual," does the budget narrative clearly describe how contractual costs were derived for each agreement or subaward?
- If there are costs under "Other," have the costs been reasonably explained?
- If indirect costs are requested, does the application/budget narrative include an approved, current Indirect Cost Rate agreement or statement claiming the 10 percent de minimis rate?

Additional Considerations:

1. Safety – PHMSA may consider how the proposed grant funded activities provide substantial safety benefits.

2. Equity – PHMSA may consider how applicants address the unique challenges rural, underserved and Tribal communities face related to economic development, including isolation, transportation cost burden, and traffic safety (consistent with DOT's Rural Opportunities to Use Transportation for Economic Success (ROUTES) initiative). Potential applicants may find it useful to utilize one of the federal tools to determine disadvantaged community status available at https://www.transportation.gov/grants/dot-navigator/federal-tools-determine-disadvantaged-community-status

E.2 Review and Selection Process

1. **Administrative Review:** PHMSA will conduct an administrative review to ensure the application meets the eligibility criteria outlined in Section C on Eligibility Information. Each application will be reviewed for completeness to ensure it includes all the required elements to qualify for the grant. If the application does not meet the required elements, then the application is likely to be rejected.
2. **Technical Review:** PHMSA will conduct a technical review of the application to assess how the proposed work is to be performed and whether the application is responsive to

the applicable program requirements (e.g., performance measurement, methodology, and technical merit). PHMSA reserves the right to use outside expertise to perform application evaluation. PHMSA will utilize the technical review criteria in Section E.1 to determine how the applications address the needs for outreach and training.

3. **Programmatic Review:** PHMSA will conduct a programmatic review to assess programmatic factors identified in Section E.1. Programmatic factors are those factors that are relevant and essential to the process of selecting applications that best achieve the program objectives, in accordance with applicable statutes, regulations, policies, and guidelines. Other programmatic factors may include history of performance, program priorities, and other modal needs. For applicants with existing awards, PHMSA may consider award balances when making final funding decisions.

***Please note that in order to comply with the requirements of 2 CFR Part 200, Subpart E, and DOT's Guide to Financial Assistance, PHMSA's Agreement Officers and Grant Specialists may request additional information pertaining to your application during the application review and evaluation process.**

Ratings Guidelines

Based on these results from each review, each application will receive an overall rating either as:

Highly Recommended - The application demonstrates that the NOFO requirements are very well understood, and the approach will likely result in a very high-quality performance. The application clearly addresses and exceeds requirements with no weaknesses. The application contains outstanding features that meet or exceed on multiple dimensions the expectations of the government. The application scope aligns very well with DOT objectives and priorities. The risk of poor performance is very low.

Recommended - The application demonstrates that the NOFO requirements are understood, and the approach will likely result in satisfactory performance. The application addresses and meets requirements with some minor but correctable weaknesses. The application demonstrates requisite experience, qualifications, and performance capabilities. The application scope aligns with DOT objectives and priorities. The risk of poor performance is low.

Acceptable - The application demonstrates that the NOFO requirements are mostly understood, and the approach will likely result in satisfactory performance for part of the requirements. The application addresses some of the requirements with some weaknesses. The application demonstrates some experience, qualifications, and/or performance capabilities. The application partially aligns with DOT objectives and priorities. The risk of poor performance is moderate.

Not Acceptable - The application does not meet the NOFO requirements. The application fails to address many requirements. The applicant may be ineligible to apply for the grant. The application could not satisfy critical requirements without a major revision and/or a rewrite of the application or a major redirection effort. The application

scope does not align with DOT objectives and priorities. The risk of poor performance is high.

PHMSA will recommend applications for awards based on the final overall rating as described above. Final award recommendations will be made by PHMSA's Associate Administrator for the Office of Hazardous Materials Safety after taking into consideration recommendations made during the administrative, technical, and programmatic reviews and how well the applications address PHMSA's safety priorities. The PHMSA Administrator will make final award selection decisions.

E.3 FAPIIS Review

Prior to making an award, PHMSA is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see 41 U.S.C. § 2313). An applicant may review and comment on any information about itself that a federal awarding agency previously entered. PHMSA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 CFR § 200.205.

E.4 Anticipated Announcement and Federal Award Dates

Applicants chosen for funding will receive electronic notification of the federal award. Upon notification, the applicant's authorized official must sign and return the award within the timeframe prescribed by PHMSA. PHMSA plans to make awards by September 30, 2023, with a proposed period of performance start date of October 1, 2023.

SECTION F - FEDERAL AWARD ADMINISTRATION INFORMATION

F.1 Federal Award Notices

PHMSA's grant awarding official will award grants to responsible and eligible applicants, at its discretion, whose applications are judged most meritorious under the procedures set forth in this NOFO. All funds provided by PHMSA must be expended solely for the purpose for which the funds are awarded in accordance with the approved application and budget, regulations, terms and conditions of the award, applicable federal cost principles, and DOT's financial assistance regulations. Funds may not be used for lobbying or litigation.

The grant award, signed by both the PHMSA Agreement Officer and the recipient's Authorized Representative, is the authorizing document and will be provided through electronic means to the Authorized Representative. The award document will provide pertinent instructions and information including, at a minimum, the following:

1. The legal name and address of recipient
2. Title of project
3. Name(s) of key personnel chosen to direct and control approved activities
4. Federal Award Identification Number assigned by PHMSA
5. Period of Performance, specifying the duration of the project
6. Total amount PHMSA approved for the project
7. Legal authority under which the award is issued
8. Assistance Listing Program Number (formerly CFDA)
9. Applicable award terms and conditions
10. Approved budget plan for categorizing allocable project funds to accomplish the stated purpose of the award
11. Other information or provisions deemed necessary by PHMSA

F.2 Administrative and National Policy Requirements

The administration of this award by PHMSA and the Recipient will be based on the following federal statutory and regulatory requirements:

1. The authorizing language of the Consolidated Appropriations Act, 2016, P.L.114-113 (the Act).
2. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
3. The Recipient must comply with 49 CFR Part 20, "New Restrictions on Lobbying." 49 CFR Part 20 will be incorporated by reference into any award under this program and is available at www.ecfr.gov/ by clicking on Title 49 CFR Part 20.
4. Civil Rights and Title VI - As a condition of a grant award, grant recipients will demonstrate that the recipient has a plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR Part 21); the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act; and all other civil rights requirements and accompanying regulations. This should include a current Title VI plan, completed Community Participation Plan, and a plan to address any legacy infrastructure or facilities that are not compliant with ADA standards. DOT's and the applicable Operating Administrations' Offices of Civil Rights will work with awarded grant recipients to ensure full compliance with federal civil rights requirements.

5. The Recipient must comply with 49 CFR Part 32, "Government-Wide Requirements for Drug- Free Workplace (Financial Assistance)," which implements the requirements of Public Law 100-690, Title Subtitle D, "Drug-Free Workplace Act of

1988." 49 CFR Part 32 will be incorporated by reference into any award under this program and is available at www.ecfr.gov/ by clicking on Title 49 CFR Part 32.

6. Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Throughout the Federal Government.

F.3 Reporting Requirements

Progress Reports – Each grant recipient is required to submit a progress report to show progression of approved projects and activities. The reports must follow the instructions outlined in the terms and conditions of the grant award. Grant recipients with a 12- or 24- month period of performance are required to submit an annual progress report that must include:

1. A summary of the activities and outputs that took place during the period of performance. This should include the total number of hazmat shipper inspections completed, and the equipment, supplies, and training activities purchased using grant funds. If the projected outputs listed in the approved project narrative were not met, an explanation should be provided.
2. The challenges that the award recipient faced, and the strategies taken to mitigate such challenges.
3. A completed timeline of the activities that took place during the completed period of performance.
4. As available, impact statements or analysis from state hazmat inspectors or other stakeholders regarding the impact current period of performance grant activities have had on ensuring hazmat shipper compliance and protecting people and the environment from the risks of hazardous materials transportation

Federal Financial Reports – Each grant recipient is required to submit a Federal Financial Report (SF-425) to show a cumulative account of expenditures from approved activities. Grant recipients with a 12- or 24-month period of performance are required to submit either a biannual or annual federal financial report and must follow the instructions outlined in the terms and conditions of the grant award.

Final Report(s) - Each recipient is required to submit a final progress report and a final Federal Financial Report (Final SF-425). Final financial and progress reports are to be submitted by e-mail at HMSI@dot.gov. The reports are due no later than 120 days after the performance period has ended.

Final reports must follow the instructions outlined in the terms and conditions of the grant award and must include:

1. A summary of the activities and outputs that took place during the period of performance. This should include the total number of hazmat shipper inspections completed, and the equipment, supplies and training activities purchased using grant

funds. If the projected outputs listed in the approved project narrative were not met, an explanation should be provided.

2. The challenges that the award recipient faced, and the strategies taken to mitigate such challenges.
3. A completed timeline of the activities that took place during the completed period of performance.
4. As available, impact statements or analysis from state hazmat inspectors or other stakeholders regarding the impact current period of performance grant activities have had on ensuring hazmat shipper compliance and protecting people and the environment from the risks of hazardous materials transportation.

All applications and reports will be made available to the public upon request.

Performance and Program Evaluation: As a condition of grant award, grant recipients may be required to participate in an evaluation undertaken by DOT or another agency or partner. The evaluation may take different forms such as an implementation assessment across grant recipients, an impact and/or outcomes analysis of all or selected sites within or across grant recipients, or a benefit/cost analysis or assessment of return on investment. DOT may require applicants to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor or DOT staff; (2) provide access to program records and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor or DOT staff.

Recipients and subrecipients are also encouraged to incorporate program evaluation including associated data collection activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting an agency priority goal(s). Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435 (2019) urges federal awarding agencies and federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, improve equitable delivery, and elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency." 5 U.S.C. § 311. Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

For grant recipients receiving an award, evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such costs may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation. (2 CFR Part 200). This paragraph does not authorize pre-award costs and grant recipients must separately obtain PHMSA's written approval to fund pre-award costs consistent with 2 CFR § 200.458.

SECTION G - FEDERAL AWARDING AGENCY CONTACTS

Questions related to the content of this funding opportunity should be submitted to the points of contact below or e-mail HMSI@dot.gov.

Agreement Administrator
Dwayne Cross
Phone: 202-366-4429
E-mail: Dwayne.Cross@dot.gov

Program Contact
Carla Sheppard
Phone: 202-366-1109
E-mail: Carla.Sheppard@dot.gov

SECTION H – OTHER INFORMATION

Given the complexity of some aspects of the application process, technical assistance is available to inexperienced applicants and/or under-resourced applicants to help with the application process. Please contact the program point of contact listed in Section G for technical assistance.

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

Information and resources regarding DOT's discretionary grant programs relevant to disadvantaged communities can be found on DOT's Transportation Disadvantaged Census Tracts (arcgis.com)[2] tool.

[2] https://usdot.maps.arcgis.com/apps/dashboards/d6f90dfcc8b44525b04c7ce748a3674a