

U.S. DEPARTMENT OF TRANSPORTATION
Federal Highway Administration
Notice of Funding Opportunity for Fiscal Years 2022, 2023, and 2024 Prioritization Process Pilot Program

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

ACTION: Notice of Funding Opportunity

SUMMARY: The purpose of this Notice of Funding Opportunity (NOFO) is to solicit applications for Fiscal Years (FY) 2022-2024 Prioritization Process Pilot Program (PPPP), which will result in the distribution of up to \$30 million in grants (\$10 million per fiscal year for FYs 2022-2024). The actual amount available to be awarded under this NOFO will be subject to the availability of funds.

Funds made available for FYs 2022-2024 for the PPPP are to be awarded on a competitive basis to metropolitan planning organizations (MPO) that serve a census designated urban area with a population over 200,000, or States. Funds will be made available for recipients to develop and implement a publicly accessible, transparent prioritization process for the selection of projects for inclusion in metropolitan and statewide long-range transportation plans, that support data-driven approaches to planning which, on completion, can be evaluated for public benefit. This NOFO describes the application requirements, selection and evaluation criteria, applicable program and Federal requirements, and available technical assistance during the grant solicitation period.

DATES: Applications must be submitted electronically through [grants.gov](https://www.grants.gov) no later than 11:59 p.m., Eastern Standard Time, on May 1, 2024. Applicants are encouraged to submit applications in advance of the application deadline; however, applications will not be evaluated, and awards will not be made, until after the application deadline.

Applicants are encouraged to submit questions to PPPP@dot.gov by April 11, 2024 to ensure FHWA has adequate time to respond prior to the May 1, 2024 application deadline. FHWA cannot guarantee that questions received after that date will be answered prior to the application deadline.

FHWA plans to conduct outreach regarding the PPPP in the form of a virtual Webinar on March 7th, 2024, 2:00-3:00, PM Eastern Standard Time and April 9th, 2024, 1:00-2:00, PM Eastern Standard Time. To register for the Webinar, visit the [PPPP](https://www.fhwa.dot.gov/planning/pppp) website to find registration information. The Webinar will be recorded and posted on FHWA's PPPP Website at <https://www.fhwa.dot.gov/planning/pppp>. A Telephone Device for the Deaf (TDD) is available for individuals who are deaf or hard of hearing at 202-366-3993.

ADDRESSES:

Applications must be submitted electronically through [grants.gov](https://www.grants.gov). Refer to Catalog of Federal Domestic Assistance Number: 20.205.

FOR FURTHER INFORMATION CONTACT:

Mishel McCants
Agreement Specialist
Office of Acquisition and Grants Management
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE.
Washington, DC 20590
Phone: (202) 366-4244
Email: PPPP@dot.gov (preferred)

Alternate:

Hector R. Santamaria
Agreement Officer/Team Leader
Office of Acquisition and Grants Management
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Washington, DC 20590
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Email: PPPP@dot.gov (preferred)

FHWA will not review applications in advance, but FHWA staff are available for general questions about PPPP and NOFO. FHWA will not provide technical assistance to any applicant, including providing guidance on how to address any information that should be included in an application. In addition, FHWA will post answers to questions and requests for clarifications at Grants.gov under this NOFO's page. To ensure applicants receive accurate information about eligibility or the program, the applicants are encouraged to contact FHWA directly at PPPP@dot.gov, rather than through intermediaries or third parties, with questions.

SUPPLEMENTARY INFORMATION:

Each section of this NOFO contains information and instructions relevant to the application process for PPPP grants. The applicants should read this NOFO in its entirety so that they have the information they need to submit eligible and competitive applications.

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NOTE:

This NOFO contains collection-of-information requirements subject to the Paperwork Reduction Act. The use of Standard Forms 424, 424A, 424B, 424C, 424 D, and SF-LLL has been approved by the Office of Management and Budget (OMB) under 2105-0520. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the Paperwork Reduction Act, unless that collection displays a currently valid OMB control number.

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

SECTION A - PROGRAM DESCRIPTION

1. Overview

Section 11204 of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021), established the Prioritization Process Pilot Program (PPPP), which has \$10 million authorized to be appropriated out of the Highway Trust Fund for each of FYs 2022 through 2026 for PPPP (\$50 million over 5 years).

The purpose of PPPP is to support data-driven approaches to planning that, upon completion, can be evaluated for public benefit. The program provides funding to develop and implement a publicly accessible, transparent prioritization process for the ranking and selection of projects for inclusion in short-range and long-range transportation plans. FHWA will award no more than \$10 million in total (\$2 million maximum per award) in each fiscal year for eligible prioritization process pilots that meet the eligibility requirements found in Section C.3 and the selection criteria described in Section E.

The vision of PPPP is to fund the development and implementation of pilot prioritization processes (also referred to herein as PPPP pilot(s) or Project(s)) that address and integrate the components of existing transportation programs and support projects that improve safety, climate change and sustainability, equity, and economic strength and global competitiveness consistent with DOT's strategic goals.¹ FHWA also seeks to award Projects that address environmental justice, barriers to opportunity, coordination and integration of transportation and land use, vulnerable users, transparent public involvement, complete streets, freight, and system condition and reliability.

FHWA seeks to award prioritization process pilots under PPPP that include a public involvement plan that ensures transparency, accessibility, and accountability to the public throughout the development of the prioritization process throughout its implementation and throughout its use. Public participation is an integral part of the transportation process which ensures that decisions are made in consideration of, and to benefit public needs and preferences. A continuous, transparent, and accountable process, bringing diverse viewpoints and values into the decision-making process, enables agencies to make better informed decisions throughout and builds mutual understanding and trust between the agencies and the public they serve. USDOT recently published a technical resource document titled Promising Practices for Meaningful Public Involvement in Transportation Decision-Making² to provide transportation practitioners with examples of practices that can promote public involvement into transportation decision-making and how to effectively engage a broad representation of community members.

¹ See U.S. Department of Transportation Strategic Framework FY 2022–2026 (December 2021) at <https://www.transportation.gov/administrations/office-policy/fy2022-2026-strategic-framework>.

² See U.S. Department of Transportation, Promising Practices for Meaningful Public Involvement in Transportation Decision-Making, Updated November 2023, at: https://www.transportation.gov/sites/dot.gov/files/2023-11/Promising%20Practices%20for%20Meaningful%20Public%20Involvement_2023Update_FINAL.pdf

Successful public participation is a continuous process, consisting of a series of activities and actions to inform the public and stakeholders of potential policies and projects, to obtain input from them on the choices surrounding those policies and projects, and inform them on the selections and reasoning behind those decisions. Federal-aid recipients, including recipients of PPPP funds, are responsible for involving the public, including traditionally underserved and underrepresented populations in transportation planning, and complying with participation and consultation requirements in Title 23, Code of Federal Regulations (CFR), Parts 450.210 and 450.316 and the statutory requirements of the PPPP, as applicable.

To assist with these public engagement efforts, FHWA expects PPPP applications to demonstrate an applicant's commitment to engage with all impacted communities and community leaders to determine which forms of communication are most effective, including gaining insight on the unique circumstances impacting various disadvantaged and underrepresented groups so that effective communication channels are developed, and to use this information to inform decisions across all aspects of PPPP Project development and implementation and project delivery.

Administration Priorities and Departmental Strategic Plan Goals

FHWA seeks to fund PPPP Projects under this NOFO that, in combination with the merit selection criteria advance the following goals:

Safety

DOT is committed to advancing safe, efficient transportation, including in FHWA's PPPP pilot program.

The National Roadway Safety Strategy (NRSS), issued January 27, 2022, commits DOT to respond to the current crisis in roadway fatalities by "taking substantial, comprehensive action to significantly reduce serious and fatal injuries on the Nation's roadways," in pursuit of the goal of achieving zero roadway deaths through a Safe System Approach.³ The data-driven prioritization and selection process of PPPP prioritized projects should align with the NRSS.

Climate Change and Sustainability

DOT seeks to fund PPPP Projects that incorporate prioritization and selection processes for identifying projects that could reduce greenhouse gas emissions in the transportation sector; incorporate evidence-based climate resilience measures and features; reduce the lifecycle greenhouse gas emissions from the project materials; avoid adverse environmental impacts to air or water quality, wetlands, and endangered species; and address the disproportionate negative environmental impacts of transportation on disadvantaged communities, consistent with Executive Order (E.O.) 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619).

Equity

³ <https://www.transportation.gov/NRSS>

DOT seeks to award PPPP Projects that will create data-driven prioritization and selection processes that lead to proportional impacts and benefits to all populations in the planning area, that remove transportation related disparities in the planning area, and that increase equitable access to the benefits of selected projects, consistent with E.O. 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009) and E.O. 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (88 FR 10825).

Workforce Development, Job Quality, and Wealth Creation

DOT intends to use PPPP to support the creation of good-paying jobs with the free and fair choice to join a union and the incorporation of strong labor standards and training and placement programs, especially registered apprenticeships, in project planning stages, consistent with E.O. 14025, Worker Organizing and Empowerment (86 FR 22829), and E.O. 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64335). DOT also intends to use PPPP to support wealth creation, consistent with the [Department's Equity Action Plan](#) through the inclusion of local inclusive economic development and entrepreneurship such as the use of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned Businesses, or 8(a) firms.

Section E of this NOFO, which outlines the FY 2022–2024 PPPP grant selection criteria, describes the process for selecting prioritization process pilots that further these goals. Section F.3 describes progress and performance reporting requirements for selected pilots, including the relationship between reporting and the program's selection criteria, and the Priorities and Departmental Strategic Plan Goals as appropriate.

2. Additional Information

The PPPP grant program is described in the Federal Assistance Listings under the assistance listing program title “Prioritization Process Pilot Program Notice of Funding Opportunity” and assistance listing number 20.205.

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

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

SECTION B – FEDERAL AWARD INFORMATION

1. Award Amount Available

The BIL authorizes \$10 million to be appropriated out of the Highway Trust Fund for PPPP for each FYs 2022 through 2026 (\$50 million for all five FYs). These funds will be awarded by FHWA on a competitive basis. This NOFO solicits applications for PPPP up to \$10 million annually for FY 2022-2024 for awards for eligible entities, subject to availability.⁴

2. Award Size

Under Section 11204(c)(3) of BIL, the maximum amount of a grant under PPPP is \$2,000,000.

3. Statutory Funding Provisions

There are no statutory funding provisions for PPPP.

4. Type of Award

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

If the successful applicant is a non-State DOT, funds will be awarded upon the execution of a grant agreement with FHWA. A determination will be made if the successful applicant will administer the grant, or at the request of the successful applicant, an applicable State DOT will administer the project.

5. Availability of Funds

For each fiscal year of PPPP funds available under this NOFO, there is an obligation deadline as described in the chart below. Obligation of PPPP grant funds occurs when a selected applicant enters a project/grant agreement with FHWA and FHWA authorizes the project to proceed.

Fiscal Year	Highway Trust Fund (HTF) Obligation Deadline
FY 2022	September 30, 2025

⁴ The amount of PPP funding available for award and obligation is reduced from the authorized level based on the imposition of the Federal-aid Highway Program obligation limitation contained in each fiscal year's annual appropriations act. Based on the obligation limitation calculations, the amount available for award for FY 2022 is \$9,130,000 and the amount available for award for FY 2023 is \$8,780,000. The amount available for award for FY 2024 will be determined upon enactment of the DOT FY 2024 appropriations act.

FY 2023	September 30, 2026
FY 2024	September 30, 2027

6. Period of Performance

To ensure that projects are started and completed in an efficient manner, FHWA expects applicants to develop the prioritization process and begin implementation of PPPP awarded projects within 2 years from the date of obligation of the grant funds, including progress reporting requirements. The 2-year time frame does not include reporting on implementation performance indicators as outlined in section F.3.c.

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

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

7. Additional Transportation Planning

Any cost-savings realized after the conclusion of implementing a funded PPPP Project may be used for any transportation planning purpose. *See* BIL Section 11204(c)(2)(C). FHWA will provide additional guidance on use of remaining funds at a later date. Applicants are advised that FHWA will review the budget provided in Section E to ensure funds requested for the PPPP Project are reasonable for the award.

8. Additional Terms

For each PPPP Project that receives a grant under this NOFO, FHWA expects the applicant to include a detailed budget and cost estimate for the work, using a reasonable and complete scope of work appropriate for the undertaking and cost estimating assumptions appropriate for the study area. FHWA expects funded PPPP Projects to deliver the product as outlined in the application.

SECTION C – ELIGIBILITY INFORMATION

To be selected for a grant, an applicant must meet the eligibility requirements under this section including: Eligible Applicant; Eligible PPPP Project; Statutory Cost Sharing or Match requirements, and the Application Requirement. Applications that do not meet all threshold eligibility requirements will not be evaluated under criteria in Section E.

1. ELIGIBLE APPLICANTS

Eligible applicants for PPPP discretionary grants are (1) MPOs that serve a census delineated urban area with a population of over 200,000, and (2) States. (Section 11204(a)(1) of BIL) The term “metropolitan planning organization” has the meaning given the term in Title 23, United States Code (U.S.C.), Section 134(b). (Section 11204 of BIL)

2. COST SHARING OR MATCHING

The Federal share of the cost of a project carried out with a grant under PPPP may be 100 percent of the total project cost.

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

3. OTHER

a. Number of Applications

Only one application may be submitted by an eligible applicant.

b. Eligible Projects

States and MPOs shall use PPPP grant funds to develop and implement a publicly accessible, transparent prioritization process to guide project selection in the development of the transportation plan and transportation improvements program for the planning area, as applicable. (BIL Sections 11204(c)(2)(A)(i) and (c)(2)(B)(i))

c. Application Requirement

Applications must disclose how the applicant will address all of the statutory required uses of PPPP grants under BIL Sections 11204(c)(1)(A-D) and 11204(c)(2)(A) or (B), and 11204(c)(2)(D) during the development and implementation of the PPPP Project. If an application does not address all of the required uses, the application will receive an ineligible determination.

Statutory Required Use of PPPP Grants BIL Section 11204(c)(1)	
Metropolitan Transportation Planning	Statewide Transportation Planning
(A) Use priority objectives that are developed — (i) in the case of an urbanized area with a population of over 200,000, by the metropolitan planning organization that serves the area, in consultation with the State; and (iii) through a public process that provides an opportunity for public input; (B) Assess and score projects and strategies on the basis of— (i) the contribution and benefits of the project or strategy to each priority objective developed under subparagraph (A); (ii) the cost of the project or strategy relative to the contribution and benefits assessed and scored under clause (i); and (iii) public support; (C) Use the scores assigned under subparagraph (B) to guide project selection in the development of the transportation plan and transportation improvement program; and (D) Ensure that the public— (i) has opportunities to provide public comment on projects before decisions are made on the transportation plan and the transportation improvement program; and (ii) has access to clear reasons why each project or strategy was selected or not selected.	(A) Use priority objectives that are developed — (ii) in the case of an urbanized area with a population of 200,000 or fewer, by the State in consultation with all metropolitan planning organizations in the State; and (iii) through a public process that provides an opportunity for public input; (B) Assess and score projects and strategies on the basis of— (i) the contribution and benefits of the project or strategy to each priority objective developed under subparagraph (A); (ii) the cost of the project or strategy relative to the contribution and benefits assessed and scored under clause (i); and (iii) public support; (C) Use the scores assigned under subparagraph (B) to guide project selection in the development of the transportation plan and transportation improvement program; and (D) Ensure that the public— (i) has opportunities to provide public comment on projects before decisions are made on the transportation plan and the transportation improvement program; and (ii) has access to clear reasons why each project or strategy was selected or not selected.

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Statutory Required Use of PPPP Grants BIL Section 11204(c)(2)	
(A) Metropolitan Transportation Planning	(B) Statewide Transportation Planning
(i) Develop and implement a publicly accessible, transparent prioritization process for the selection of projects for inclusion on the transportation plan for the metropolitan planning area under 23 U.S.C. 134(i) and 49 U.S.C. 5303(i), which shall— (I) include criteria identified by the MPO which may be weighted to reflect the priority objectives developed under paragraph (1)(A), that the MPO has determined support— (aa) factors described in 23 U.S.C. 134(h) and 49 U.S.C. 5303(h) (see Section E.1.i Criterion 1.c.1); (bb) targets for national performance measures 23 U.S.C. 150(b) (see Section E.1.i Criterion 1.c.2); and (cc) applicable transportation goals in the metropolitan planning area or State set by the applicable transportation agency; and (dd) priority objectives developed under paragraph 11204(1)(A) of BIL; (II) evaluate the outcomes for each proposed project on the basis of the benefits of the proposed project with respect to each of the criteria described in subclause (I) relative to the cost of the proposed project; and	(i) Develop and implement a publicly accessible, transparent process for the selection of projects for inclusion on the long-range statewide transportation plan under section 23 U.S.C. 135(f), which shall— (I) include criteria identified by the State, which may be weighted to reflect statewide priorities, that the State has determined support— (aa) factors described in 23 U.S.C. 135(d) of Title 23 and 49 U.S.C. 5304(d) (see Section E.1.i Criterion 1.c.1); (bb) national transportation goals under 23 U.S.C 150(b) (see Section E.1.i Criterion 1.c.2); and (cc) applicable transportation goals in the State; and (dd) the priority objectives developed under paragraph 11204(1)(A) of BIL; (II) evaluate the outcomes for each proposed project on the basis of the benefits of the proposed project with respect to each of the criteria described in subclause (I) relative to the cost of the proposed project; and (III) use the evaluation under subclause (II) to create a ranked list of proposed projects; and

(III) use the evaluation under subclause (II) to create a ranked list of proposed projects; and	
PRIORITY RANKING Metropolitan Transportation Planning	PRIORITY RANKING Statewide Transportation Planning
(ii) with respect to the priority list under section 23 U.S.C. 134(j)(2)(A) and 49 U.S.C. 5303(j)(2)(A), include projects according to the rank of the project under clause(i)(III), except as provided in subparagraph (D).	(ii) with respect to the statewide transportation improvement program under section 23 U.S.C. 135(g) and 49 U.S.C. 5304(g), include projects according to the rank of the project under clause (i)(III), except as provided in subparagraph (D).

EXCEPTIONS TO PRIORITY RANKING 11204(c)(2)(D)	
Metropolitan Transportation Planning	Statewide Transportation Planning
In the case of any project that the eligible entity chooses to include or not include in the transportation improvement program under 23 U.S.C. 134(j), in a manner that is contrary to the priority ranking for that project established under the PPPP grant project, the eligible entity shall make publicly available an explanation for the decision, including: (i) a review of public comments regarding the project; (ii) an evaluation of public support for the project; (iii) an assessment of geographic balance of projects of the eligible entity; and (iv) the number of projects of the eligible entity in economically distressed areas.	In the case of any project that the eligible entity chooses to include or not include in the statewide transportation improvement program under 23 U.S.C. 135(g), in a manner that is contrary to the priority ranking for that project established under the PPPP grant project, the eligible entity shall make publicly available an explanation for the decision, including: (i) a review of public comments regarding the project; (ii) an evaluation of public support for the project; (iii) an assessment of geographic balance of projects of the eligible entity; and (iv) the number of projects of the eligible entity in economically distressed areas.

SECTION D - APPLICATION AND SUBMISSION INFORMATION

1. ADDRESS TO REQUEST APPLICATION PACKAGE

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

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

- Opportunity Number: 693JJ324NF00010
- Opportunity Name: Prioritization Process Pilot Program Notice of Funding Opportunity
- Assistance Listing Number: 20.205 Highway Planning and Construction

When at one of these pages, select the Opportunity, which will open to a page with several tabs. The first tab is a synopsis of the opportunity. Select the Application Package tab to download the forms needed to submit an FY 2022 through FY 2024 PPPP grant application.

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

Mishel McCants
Agreement Specialist
Office of Acquisition and Grants Management
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Ave., SE.
Washington, DC 20590
Email: PPPP@DOT.gov (preferred)
Phone: (202) 366-4244

2. CONTENT AND FORM OF APPLICATION SUBMISSION

All applications must be submitted electronically through grants.gov.

The content and form of the application submission is described below. Please be advised that FHWA may share application information within DOT or with other Federal Agencies if FHWA determines that sharing is relevant to the respective program's objectives.

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

(i) Standard Form 424

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

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

Instructions for adding Item 15 Attachments:

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

Required attachment(s): the Project Narrative must be added as Attachments to Item 15 of the SF-424.

(ii) Required Forms for Non-Construction Projects

Applicants proposing non-construction-related projects must submit the Standard Form 424A (Budget Information for Non-Construction Programs).

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

(iii) Mandatory Forms for All Applications

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

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

(iv) Project Narrative

FHWA expects the project narrative will be submitted in the following order, using the following section names:

I. Basic Project Information – Description, Location, and Parties	See D.2.iv.I
II. Grant Funds, Sources and Uses of all Project Funding	See D.2.iv.II
III. Merit Criteria	See D.2.iv.III
IV. FHWA Project Readiness	See D.2.iv.IV

V. Administration Priorities and Departmental Strategic Plan Goals	See D.2.iv.V
VI. FHWA Priority Selection Considerations	See D.2.iv.VI
VII. Letters of Support	

Following this project narrative order will assist evaluators in locating relevant information during the review of an application.

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

To the extent practicable, applicants should provide supporting data and documentation in a form that is directly verifiable by FHWA. FHWA may, but is not required to, request additional information, including additional data, to clarify supporting data and documentation submitted in an application, but FHWA encourages applicants to submit the most relevant and complete information they can provide. FHWA also encourages applicants, to the extent practicable, to provide data in a form that is publicly available or verifiable. To ensure a fair and unbiased evaluation of applications submitted under this NOFO, FHWA will not request additional information to perfect incomplete applications.

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

Project Narrative Cover Page:

Each application should contain a project narrative cover page with the following chart:

What is the Project Name?	
Who is the Project Sponsor?	
Is the Project Sponsor a State, or an MPO?	

Does this project involve (a) private or non-private entity(ies) that will receive a direct and predictable financial benefit if the project is selected for award? This includes, but is not limited to, private or non-private owners of infrastructure facilities being improved or private and non-private entities directly benefitting from completion of the proposed project.	
If this project directly involves or benefits a specific private or non-private entity(ies), please identify the full name of each entity, separated by a comma.	
Total Project Cost	
Requested Grant Amount (Previously incurred costs are not eligible for grant funding.)	
Estimated Non-Federal Funding and Sources	
State(s) in which project is located	
Urban Area in which project is located, if applicable	
Population of Urban Area (According to 2020 Census)	

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

Project Description

The applicant should provide a concise description of the PPPP Project including a discussion of the project's history, including if the applicant already has a documented prioritization process, and a description of any previous development and documentation of a prioritization process. The applicant may use this section to place the PPPP Project into a broader context of other work pursued by the project sponsor.

The PPPP Project description should address how the PPPP Project will integrate into, be informed by, and inform policy development and project selection/prioritization for one or more, but not limited to, of the following transportation plans:

- Statewide or Metropolitan Long-Range Transportation Plan
- Statewide or Metropolitan Transportation Improvement Program
- State Freight Plan
- Transportation Asset Management Plan
- Strategic Highway Safety Plan and Highway Safety Improvement Program

- Transit Asset Management Plan
- Transit Safety Plan
- Congestion Mitigation and Air Quality Improvement Program (CMAQ) Performance Plan
- Congestion Management Process and/or Congestion Management Plan
- Resilience Improvement Plan
- Complete Streets Strategy, Process and Prioritization Plan
- Alternative Fuel Vehicle Corridor Plan
- Electric Vehicle Infrastructure Deployment Plan
- Safe Streets for All Action Plan
- Carbon Reduction Strategies Plan

Applicants are encouraged to document clearly within the narrative which plans and programs the prioritization process will integrate or be informed by. In addition, to the extent possible, FHWA encourages, but is not requiring, applicants to identify the degree to which the PPPP Project may contribute to the functioning and growth of the economy, including the extent to which the PPPP Project may be used to address congestion or freight connectivity, bridges service gaps in rural areas, or promote greater land-use productivity, including main street revitalization or locally-driven density decisions that support equitable commercial and mixed-income residential development.

Project Location

The applicant should describe in the application the PPPP Project location, including connections to existing transportation planning and programming.

The application should also identify:

If the project is located within the boundary of a 2020 Census-designated Urban Area with a population over 200,000, the application should identify the Urban Area.⁵

Lead Applicant

This section of the application should provide details about the lead applicant. The details should include the lead applicant's demonstrated experience with receipt and expenditure of Federal-aid highway program funds under 23 U.S.C. FHWA will consider the degree of experience as part of the project readiness evaluation. If an application is rated highly under other criteria, but the applicant has no or limited experience with the receipt and expenditure of Federal-aid highway program funds, FHWA may contact the applicant prior to final selection of awards to discuss technical resources that may be available to assist the applicant in obtaining the capacity and expertise to ensure compliance with all applicable Federal requirements and timely delivery of the project.

⁵ For the purposes of this NOFO, FHWA will use the population figures in the Census Bureau's ["2020 Census Qualifying Urban Areas and Final Criteria Clarifications" notice](#) (87 FR 80114) and the digital maps and geographic shapefiles for the 2020 Census urban areas depicted on the FHWA HEPGIS maps of [MPO and 2020 Census Urban Areas - FHWA HEPGIS Maps \(dot.gov\)](#) to determine if a project is located in an urban area with a population greater than 200,000.

Other Public and Private Parties

The applicant should describe in detail all of the other public and private parties who are involved in delivering the PPPP Project, including a specific description of the role of each entity in delivering the PPPP Project.

The applicant should state whether or not a private or non-private entity will receive a direct and predictable financial benefit if the PPPP Project is selected for award. This includes, but is not limited to, private and non-private entities directly benefitting from completion of the proposed PPPP Project. If this PPPP Project directly involves or benefits a specific private corporation, a non-public entity, or a public entity, please identify the full name of each entity, separated by a comma.

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

The applicant should describe the project's budget in detail and the plans for covering the full cost of the PPPP Project from all sources. For each project that receives a grant under this NOFO, FHWA expects the applicant to include a detailed cost estimate for the work, using a reasonable and complete scope of work appropriate for the undertaking and cost estimating assumptions appropriate for the study area. FHWA expects funded PPPP Projects to deliver the product as outlined in the application.

The PPPP Project budget should show how different funding sources (if applicable) will share in each major PPPP Project activity and present those data in dollars and percentages. The budget should identify other Federal funds the applicant is applying for or has been awarded, if any, that the applicant intends to use. Funding sources should be grouped into three categories: (1) Non-Federal; (2) PPPP funds; and (3) Other Federal funds with specific amounts from each funding source.

The PPPP Project budget should identify all Federal funds to be used for future eligible costs of the project, including the requested PPPP grant amount, other Federal grants that have been awarded to the PPPP Project or for which the applicant intends to apply in the future, and any Federal formula funds that have already been programmed for the PPPP Project or are planned to be programmed for the PPPP Project. For each category of Federal funds to be used for future eligible PPPP Project costs, the amount, nature, and source of any required non-Federal match for those funds also should be identified.

If the PPPP Project contains components, the budget should separate the costs of each PPPP Project component. If the PPPP Project will be completed in phases, the budget should separate the costs of each phase. The budget should be detailed enough to demonstrate that the project satisfies the PPPP statutory cost-sharing requirements described in Section C.2 and those associated with each category of Federal funding.

Eligible project costs must be necessary and reasonable for the performance of the PPPP award in accordance with the cost principles under 2 CFR 200, subpart E. Eligible project costs may include costs for development and implementation phase activities and costs, including planning,

data collection and analysis, and operational improvements directly relating to the project. Tasks and costs should be specifically described in the proposal budget in order to be eligible for reimbursement.

The application should include information showing that the applicant has budgeted sufficient contingency amounts to cover unanticipated cost increases. In addition to the information enumerated above, this section should provide complete information on how all PPPP Project funds may be used, availability, and funding commitments. For example, if a source of funds is available only after a condition is satisfied, the application should identify that condition and describe the applicant's control over whether it is satisfied. Similarly, if a source of funds is available for expenditure only during a fixed period, the application should describe that restriction. Complete information about project funds will ensure that the FHWA's expectations for award execution align with any funding restrictions unrelated to the FHWA, even if an award differs from the applicant's request.

III. Merit Criteria

The applicant should describe how the proposed PPPP Project meets the Merit Criteria listed in Section E.1. FHWA encourages applicants to address each criterion, or expressly state which criterion the application does not address and why. Insufficient information or insufficiently explaining all criteria not addressed and why, will negatively impact the rating of the applicable criterion. Applicants should address and describe the Merit Criteria in the order in which they are described in the NOFO and address each criterion separately. Guidance describing how DOT will evaluate projects against the Merit Criteria is in Section E.1 of this NOFO. Applicants should review that section before considering how to organize their application.

IV. Project Readiness

The application should include information that, when considered with the budget information, is sufficient for the FHWA to evaluate whether the PPPP Project is reasonably expected to begin and be completed in a timely manner. To assist the FHWA's PPPP Project readiness assessment, the applicant should provide the information requested on technical feasibility, PPPP Project schedule, PPPP Project approvals, and PPPP Project risks, each of which is described in greater detail in the following sections. Applicants are not required to follow the specific format described here, but this organization, which addresses each relevant aspect of PPPP Project readiness, promotes a clear discussion that assists PPPP Project evaluators.

a) Technical Feasibility

The applicant should demonstrate the technical feasibility of the PPPP Project with the development of their selection process and criteria; the basis for the cost estimate presented in the application, including the identification of contingency levels appropriate to its level of complexity; and any scope, schedule, and budget risk-mitigation measures. Applicants should include a detailed statement of work that focuses on the technical aspects of the PPPP Project and describes the details of the PPPP Project. The applicant must demonstrate compliance with Title VI/Civil Rights requirements, to ensure that no person is excluded from participation,

denied benefits, or otherwise subjected to discrimination under any program or activity, on the basis of race, color, national origin, sex, age, or disability.

b) Project Schedule

The applicant should include a detailed PPPP Project schedule that identifies all major PPPP Project milestones. Examples of such milestones include public involvement schedule, State and local planning (programming on the Transportation Improvement Program (STIP or TIP), Long Range Transportation Plans (MTP or LRSTP), State Planning and Research (SPR) or Unified Planning Work Program (UPWP)); State, MPO and local approvals or support letters; or project partnership and implementation agreements, including agreements with local community organizations or consultants that will work on the PPPP Project. The PPPP Project schedule should be sufficiently detailed to demonstrate that all necessary activities will be complete to allow PPPP funds to be obligated timely and that any unexpected delays will not put the funds at risk of expiring before they are obligated.

c) Required Approvals.

i. State and Local Approvals.

The applicant should demonstrate receipt of State and local approvals on which the PPPP Project depends (or the schedule for anticipated receipt), such as State and local planning approvals (STIP/TIP, LRSTP/MTP, and SPR/UPWP). An applicant should demonstrate that the PPPP Project has broad public support and is encouraged to submit letters of support showing coordination and consultation with stakeholders.

ii. Federal Transportation Requirements Affecting State and Local Planning.

The planning requirements applicable to the Federal-aid highway program apply to all PPPP Projects.⁶ Applicants should demonstrate that a project that is required to be included in the relevant State, metropolitan, and local planning documents has been or will be included in such documents. If this project is not included in a relevant planning document at the time the application is submitted, the applicant should submit a statement from the appropriate planning agency that the PPPP Project will be included in the relevant planning document prior to the obligation of funds. Applicants should provide links or other documentation supporting this consideration.

Because projects have different schedules, the start date for each grant will be specified in the project-specific agreements signed by FHWA and the grant recipients, will be based on critical

⁶ In accordance with 23 U.S.C. §§ 134 and 135, all projects requiring an action by FHWA must be in the applicable plan and programming documents (e.g., MTP, TIP, and STIP). Further, in air quality non-attainment and maintenance areas, all regionally significant projects, regardless of the funding source, must be included in the conforming MTP and TIP. Inclusion in the STIP is required under certain circumstances. To the extent a project is required to be on a MTP, TIP, and/or STIP, it will not receive a grant until it is included in such plans. Projects not currently included in these plans can be amended by the State and MPO. Projects that are not required to be in long range transportation plans, STIPs, and TIPs will not need to be included in such plans to receive a grant.

path items that applicants identify in the application, and will be consistent with relevant State and local plans.

iii. Assessment of Project Risks and Mitigation Strategies.

PPPP Project risks, such as procurement delays, uncommitted local match, pushback from stakeholders or impacted communities, or lack of legislative approval, affect the likelihood of successful PPPP Project start and completion. The applicant should identify all material risks to the PPPP Project and the strategies that the lead applicant and any PPPP Project partners have undertaken or will undertake to mitigate those risks.⁷ The applicant should assess the greatest risks to the project and identify how the PPPP Project parties will mitigate those risks.

To the extent it is unfamiliar with the Federal-aid highway program, the applicant should contact the FHWA division office in their State as found at [Field Offices | Federal Highway Administration \(dot.gov\)](#) for information on what steps are prerequisite to the obligation of Federal funds to ensure that their project schedule is reasonable and that there are no risks of delays in satisfying Federal requirements.

V. Administration Priorities and Departmental Strategic Plan Goals

The applicant should include information addressing how the PPPP Project supports the Administration Priorities and Departmental Strategic Plan Goals discussed in Sections A and E.1, and references to earlier sections of the narrative along with supporting documentation should be included in the application.

VI. FHWA Priority Selection Considerations

The applicant should describe how the proposal meets the FHWA Priority Selection Considerations listed in Section E.1. The applicant should include a section to highlight any priority considerations the project will address. Detailed information demonstrating how the project supports the priority consideration(s) and references to earlier sections of the narrative along with supporting documentation should be included in the application.

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

Applicants are required to use a UEI issued during the SAM.gov registration process. Active registrants in SAM.gov have had their SAM UEI automatically assigned and it is currently viewable within SAM.gov. There is no additional action necessary for registered entities to take to obtain their SAM UEI. If you are a new entity or your registration has expired, you must register your entity in SAM.gov and you will be assigned a UEI.

Each applicant is required to:

⁷ FHWA considers an applicant's lack of experience with receipt and expenditure of Federal-aid highway funds under 23 U.S.C. a material risk.

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

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

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

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

4. SUBMISSION DATES AND TIMES

Applications must be submitted electronically through Grants.gov no later than 11:59 p.m., Eastern Standard Time on May 1, 2024.

5. INTERGOVERNMENTAL REVIEW

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

6. FUNDING RESTRICTIONS

- a. Unless authorized by FHWA in writing after FHWA's announcement of FY 2022, 2023 and 2024 PPPP awards, any costs incurred prior to FHWA's obligation of funds for a PPPP Project ("pre-award costs") are ineligible for reimbursement.
- b. Grant funds may not be used to support or oppose union organizing, whether directly or as an offset for other funds.

7. OTHER SUBMISSION REQUIREMENTS

a. Scalable Project Options

Applicants are encouraged to identify scaled funding options in case insufficient funding is available to fund a PPPP Project or a bundled project at the full requested amount. If an applicant advises that a PPPP Project is scalable, the applicant must provide an appropriate minimum funding amount that will fund an eligible PPPP Project that achieves the objectives of the program and meets all relevant program requirements. The applicant must provide a clear explanation of how the PPPP Project budget would be affected by a reduced award. FHWA may award a lesser amount whether or not a scalable option is provided.

b. Submission Location

Applications must be submitted to Grants.gov.

c. Consideration of Applications

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

d. Late Applications

Applicants experiencing technical issues with Grants.gov that are beyond the applicant's control must contact PPPP@DOT.gov prior to the application deadline with the user name of the registrant and details of the technical issue experienced. The applicant must provide:

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

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

After FHWA reviews all information submitted and contacts the Grants.gov Help Desk to validate reported technical issues, FHWA staff will contact late applicants to approve or deny a request to submit a late application through Grants.gov. FHWA will not accept appeals of

FHWA decisions to approve or deny a request for a late application. If the reported technical issues cannot be validated, late applications will be rejected as untimely.

SECTION E - APPLICATION REVIEW INFORMATION

FHWA will award PPPP funds based on an evaluation of the Merit Criteria and responsiveness to FHWA Priority Selection Considerations and as described in this Section E.

1. CRITERIA

To be selected for a grant, an applicant must be an Eligible Applicant and the project must be an Eligible PPPP Project as described in Section C. Applications that do not meet the threshold eligibility requirements described in Section C will not be evaluated under the Criteria.

FHWA will award PPPP funds based on an evaluation of the Criteria and responsiveness to the FHWA Priority Selection Considerations as described in this Section E.

i. Merit Criteria

Criterion #1: Prioritization Process Plan

FHWA will evaluate whether the proposed prioritization process will support a data-driven approach to planning that on completion can be evaluated for public benefit. Under this criterion, FHWA will assess the responsiveness of the proposed prioritization process to the statutorily required use of PPPP grant funds as follows:

a) Priority Objectives

FHWA will evaluate how the applicant's proposed prioritization process would identify, develop, and implement priority objectives, including how consultation with the State (if the applicant is an MPO) or consultation with all designated MPOs within the State (if the applicant is the State) will be conducted and how the applicant will provide opportunities for public input. (BIL Section 11204(c)(1)(A)(i)-(iii))

Responsiveness Rating:

Highly Responsive	The application describes in detail how the applicant's proposed prioritization process would identify, develop, and implement priority objectives, and includes: (1) a comprehensive outline of how and when consultation will be conducted; (2) a public involvement plan with specific strategies and actions that will be used to ensure meaningful opportunities for public input in the development of the priority objectives that includes targeted outreach and engagement with diverse groups such as community-based organizations; AND (3) how input from consultations and public involvement will be used in the priority objectives development process.
Responsive	The application is moderately responsive to the Priority Objectives criterion. It includes a discussion of the applicant's proposed prioritization process and use of priority objectives, but lacks detail in

	how the applicant would identify, develop, and implement priority objectives in (1) how and when consultation will be conducted, OR (2) what specific strategies and actions will be used to ensure meaningful opportunities for public input in the development of the priority objectives, OR (3) how input from consultations and public involvement will be used in the priority objectives development process.
Low Responsive	The application includes references to priority objectives but contains insufficient information to assess the applicant's proposed prioritization process to identify, develop, and implement priority objectives.

b) Public Input, Transparency, and Accessibility of the Prioritization Process

FHWA will evaluate the extent to which the applicant's proposed project prioritization process is a publicly accessible, transparent prioritization process for the selection of projects. (BIL Section 11204 (c)(2)(A)(i) and (c)(B)(i)) FHWA will evaluate how the public will have opportunities to provide public comment on projects before decisions are made on the transportation plan and the TIP, and how the public will have access to clear reasons why each project or strategy was selected or not selected. (BIL Section 11204(c)(1)(D)(i) and (ii))

The application should describe how the proposed project prioritization process will include a continuous public involvement plan, with effective public participation that is accessible to all persons regardless of race, color, national origin, disability, age, and sex, consisting of a series of activities and actions to inform the public and stakeholders of potential policies and projects, to obtain input from the public on the choices surrounding those policies and projects, and clearly explaining to the public the reasoning behind the selection of projects and policies across all aspects of project delivery including the planning process, project selection, design, and the construction process.

FHWA will also evaluate the applicant's plan and method to inform the public when decisions to include or not include a project in the TIP under 23 U.S.C. 134(j) or in the STIP under 23 U.S.C. 135(g) are made in a manner that is contrary to the priority ranking for that project established under the PPPP Project process. A publicly available explanation for the decision must include: (1) a review of public comments regarding the project; (2) an evaluation of public support for the project; (3) an assessment of geographic balance of projects of the eligible entity; and (4) the number of projects of the eligible entity in economically distressed areas, should a project be selected or not selected in accordance with the prioritization process. (Exceptions to Priority Ranking, BIL Section 11204(c)(2)(A)(i)(III) or 11204(c)(2)(B)(i)(III))

FHWA will evaluate the extent to which the applicant has involved relevant stakeholders and gained their interest and support for their proposed prioritization process development and implementation. States and MPO applicants should include letters of support in their

application. MPO applicants are encouraged to provide letters of support from the MPO Board (officials that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation and appropriate local and State officials) the State, and local stakeholder groups such as those that represent traditionally underserved communities. State applicants are encouraged to have letters of support from DOT leadership, MPOs and other relevant stakeholders.

Responsiveness Rating:

Highly Responsive	The application (1) comprehensively presents a publicly accessible, transparent prioritization process that will ensure a continuous public engagement process as described under this criterion AND (2) includes a detailed plan to ensure explanations when decisions are made in a manner that is contrary to the priority ranking for a project are publicly available and the plan includes a detailed approach to ensuring the explanations include (A) a review of public comments regarding the project; (B) an evaluation of public support for the project; (C) an assessment of geographic balance of projects of the eligible entity; and (D) the number of projects of the eligible entity in economically distressed areas AND (3) describes how the applicant will engage all impacted communities and community leaders to determine which forms of public communication are most effective, including the identification of unique circumstances impacting various disadvantaged and underrepresented groups so that new channels for communication may be developed AND (4) the application includes letters of support from relevant stakeholders.
Responsive	The application is moderately responsive to the requirements of this criteria. It includes a discussion of the applicant's proposed public input plan and process but lacks detail on how the applicant would (1) ensure a continuous and transparent public engagement process OR (2) ensure the public can access it easily and in a timely manner (A) reviews of public comments regarding the project(s); (B) evaluations of public support; (C) assessments of geographic balance of projects; and (D) analysis on the number of projects of the eligible entity in economically distressed areas OR (3) how the applicant will engage all impacted communities and community leaders, including disadvantaged and underrepresented groups.
Low Responsive	The application (1) includes references to Public Input, Transparency, and Accessibility but contains insufficient information to assess the responsiveness of the application to the criterion OR (2) the application did not address how one or more of the requirements of this criteria will be fulfilled.

c) State DOT and MPO Criteria

FHWA will evaluate the extent to which the applicant's proposed prioritization process would include criteria identified by the State or MPO, which may be weighted to reflect the priority objectives (BIL Section 11204(c)(1)(A)(i)-(iii)) that the State or MPO has determined support:

- (1) Planning factors described in 23 U.S.C. 134(h) and 49 U.S.C. 5303(h);
- (2) Targets for national performance measures under 23 U.S.C. 150(b);
- (3) Applicable transportation goals in the metropolitan planning area or State set by the applicable transportation agency; and

FHWA will evaluate (1) through (3) separately under this criterion and assign an overall rating to State DOT and MPO Criteria based on those sub-component ratings.

(1) Planning Factors

FHWA will evaluate the extent to which the proposed project prioritization process includes criteria to address the planning factors as described in 23 U.S.C. 134(h) and 135(d) and 49 U.S.C. 5303(h) and 5304(d). Applicants do not have to address all ten planning factors but should provide the reason(s) as to why a planning factor was not addressed.

Planning Factors
1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
2) Increase the safety of the transportation system for motorized and nonmotorized users.
3) Increase the security of the transportation system for motorized and nonmotorized users
4) Increase the accessibility, and mobility of people and for freight.
5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth, housing, and economic development patterns.
6) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.
7) Promote efficient system management and operation.
8) Emphasize the preservation of the existing transportation system.
9) Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation.
10) Enhance travel and tourism.

Based on FHWA's assessment, the proposed prioritization process will be assigned a Planning Factors acceptable rating as follows:

Highly Acceptable	The application includes criteria or a plan to develop criteria that addresses eight or more of the ten planning factors based on data or evidence (qualitative or quantitative) and provides for the consideration of projects and strategies that will support each factor. For each factor that will not be included, the applicant provides a reason why the factor will not be included in the prioritization process.
Acceptable	The application that includes criteria or a plan to develop criteria that addresses no less than five and no more than seven planning factors based on data or evidence (qualitative or quantitative) and provides for the consideration of projects and strategies that will support those factors will receive a medium rating. For each factor that will not be included, the applicant provides a reason why the factor will not be included in the prioritization process.
Low Acceptability	The application that includes criteria or a plan to develop criteria that addresses less than five planning factors based on data or evidence (qualitative or quantitative) and provides for the consideration of projects and strategies that will support those factors will receive a low rating, OR The application includes criteria or a plan to develop criteria for any amount of factors but does not provide data or evidence (qualitative or quantitative) for how the consideration of projects and strategies will support those factors, OR For each factor that will not be included, the applicant does not include a reason why the factor will not be included in the prioritization process.

(2) Transportation Performance Measures

FHWA will evaluate the extent to which the proposed project prioritization process would use system information and data analysis to make investment and policy decisions to achieve national performance goals as established in 23 U.S.C. 150(b) and implemented under 23 CFR 490.105 for: (A) safety; (B) infrastructure condition; (C) congestion reduction; (D) system reliability; (E) freight movement and economic development; (F) environmental sustainability; and (G) reduced project delivery delays.⁸

⁸Safety - To achieve a significant reduction in traffic fatalities and serious injuries on all public roads. Infrastructure Condition - To maintain the highway infrastructure asset system in a state of good repair. Congestion Reduction - To achieve a significant reduction in congestion on the National Highway System. System Reliability - To improve the efficiency of the surface transportation system. Freight Movement and Economic Vitality - To improve the National Highway Freight Network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development. Environmental Sustainability - To enhance the performance of the transportation system while protecting and enhancing the natural environment. Reduced Project Delivery Delays - To reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

Applicants should address the transportation performance measures that are applicable for their State or metropolitan planning area or provide a reason as to why they were not addressed.

Based on FHWA’s assessment, the proposed prioritization process will be assigned a Transportation Performance Measures acceptability rating as follows:

Highly Acceptable	The application describes in detail a process that will use system information and data analysis to make project selections based on data-driven investment and policy decisions to achieve the national performance goals. Applicants should explain in detail how the process will be a living process that continuously identifies the transportation performance measures that are applicable for their State or metropolitan planning and provides a reason why a transportation performance measure is not applicable. The application describes in detail a process that will use system information and data analysis to make project selections based on data-driven investment and policy decisions to achieve the national performance goals and also achieve other performance goals and targets as established by the State or MPO. Applicants that show how the prioritization process will aid in selecting projects that will help the State and/or MPO achieve or meet their performance measures targets. For each transportation performance measure that will not be included, the applicant provides a reason why it will not be included in the prioritization process.
Acceptable	The application moderately describes a process to make project selections to achieve the national performance measures but does not explain how the process will be data driven or policy driven. For each transportation performance measure that will not be included, the applicant provides a reason why it will not be included in the prioritization process.
Low Acceptability	The application references Transportation Goals in the Planning Area as part of the prioritization process but does not include a discussion of the process that will be used to make project selections to achieve the national performance goals. The applicant does not provide a reason for why one or more transportation performance measures are not included in the prioritization process.

(3) Transportation Goals in the Planning Area

FHWA will consider the extent to which the proposed prioritization process will integrate goals, objectives, and metrics (in the metropolitan planning area or State) identified within transportation plans such as, but not limited to, the State Freight Plan, the Transportation Asset Management Plans, the Strategic Highway Safety Plan, and the Carbon Reduction Strategies Plan.

Based on FHWA’s assessment, the proposed prioritization process will be assigned a Transportation Goals in the Planning Area acceptability rating as follows:

Highly Acceptable	The application describes in detail how transportation goals in the planning area will be included in the criteria identified by the State or MPO that includes quantitative and qualitative integration of strategic goals from regional transportation plans. AND The application includes a detailed description of the procedures, measures, and methods that will be evaluated under the PPPP grant for formalizing the input of goals of multiple programs and transportation agencies to strengthen multimodal and intermodal planning and to improve programming decisions.
Acceptable	The application moderately describes how Transportation Goals in the Planning Area will be included in criteria identified by the State or MPO but does not describe in detail the quantitative and qualitative integration of strategic goals from regional transportation plans OR does not provide in detail how procedures, measures and methods that will be evaluated under the PPPP grant for formalizing the input of goals of multiple programs and transportation agencies to strengthen multimodal and intermodal planning and to improve programming decisions.
Low Acceptability	The application references Transportation Goals in the Planning Area as part of criteria identified by the State or MPO but does not describe quantitative and qualitative integration of strategic goals from regional transportation plans OR does not address how procedures, measures and methods that will be evaluated under the PPPP grant for formalizing the input of goals of multiple programs and transportation agencies to strengthen multimodal and intermodal planning and to improve programming decisions.

Overall rating for State DOT and MPO Criteria

Highly Responsive	Application received a Highly Acceptable rating for each sub-component criterion 1-3
Responsive	Application received an Acceptable rating for at least one sub-component criterion 1-3
Low Responsive	Application received a Low Acceptability rating for at least one sub-component criterion 1-3

d) Assessment and Scoring

FHWA will evaluate how the proposed prioritization process will assess and score projects and strategies on the basis of: (i) the contribution and benefits of the project or strategy to each priority objective; (ii) the cost of the project or strategy relative to the contribution and benefits of the project or strategy; and (iii) public support. (BIL Section 11204(c)(1)(B)(i) – (iii))

FHWA will consider the extent to which the application identifies the development and implementation of a data driven plan or method to:

- (1) Assess and score projects and strategies on the basis of their contribution and benefits to each priority objective identified and public support,
- (2) Use the scores to guide project selection in the development of the transportation plan and TIP;
- (3) Evaluate the outcomes for each proposed project on the basis of the benefits of the proposed project with respect to each of the criteria relative to the cost of the proposed project; and
- (4) Use the evaluation of benefits vs. cost vs. criteria to create a ranked list of proposed projects.

Responsiveness Rating:

Highly Responsive	The application describes in detail the development and implementation of a data driven plan or method that addresses each of the four factors listed under this criterion.
Responsive	The application moderately describes a plan or method to assess and score projects that incorporates each of the four factors listed above OR the application does not explain fully how data will be used to assess and score the contribution and benefits of the project or strategy to each priority objective, the cost of the project or strategy relative to the contribution and benefits of the project or strategy, and public support.
Low Responsive	The application includes references to Assessment and Scoring but contains insufficient information to assess the responsiveness of application to the Assessment and Scoring sub-criterion OR the application does not include a method or plan for one or more of the four factors.

Overall Rating for Criterion #1: Prioritization Process Plan

FHWA will evaluate how the applicant addressed the four sub-criteria elements of Criterion #1 and assign a final overall rating.

Highly Responsive	Application received a Highly Responsive rating for each sub-criterion a-d of the Prioritization Process Plan criterion.
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Responsive	Application received a Responsive rating for at least one sub-criterion a-d of the Prioritization Process Plan criterion.
Low Responsive	Application received a Low Responsive rating for at least one sub-criterion a-d of the Prioritization Process Plan criterion.

Criterion #2: Equity

FHWA will evaluate the inclusion of equity considerations in the project prioritization process based on the following:

- (1) Whether the prioritization process includes completion or use of an equity impact analysis for the selection of projects.
- (2) How equity considerations will be identified and used to prioritize the selection of projects that proactively address equity and barriers to opportunity. Equity considerations include but are not limited to:
 - i. Adoption of an equity and inclusion program/plan or equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure equity in the overall project delivery and implementation.
 - ii. Comprehensive planning and policies to promote hiring of underrepresented populations, including local and economic hiring preferences and investments in high-quality workforce development programs with supportive services, including labor-management programs, to help train, place, and retain people in good-paying jobs or registered apprenticeships.
 - iii. Projects with physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation.
 - iv. New or improved walking and bicycling infrastructure, reduces automobile dependence, and improves access for people with disabilities, elderly, young, and low-income people.
 - v. New or improved freight access to underserved communities to increase access to goods and job opportunities for those underserved communities.
 - vi. Addressing automobile dependence as a form of barrier to opportunity.
 - vii. Improving quality of life in rural areas or urban areas that support greater transportation and housing affordability that: Coordinate and integrate land use, affordable housing, and transportation planning in order to create more livable communities and expand travel choices; or Improve access to daily destinations like

- jobs, healthcare, grocery stores, schools, places of worship, recreation, or parks through transit and active transportation; or Implement transit-oriented development that benefits existing residents and businesses, low-income and disadvantaged communities, and minimizes displacement.
- viii. Projects that invest in and benefit Historically Disadvantaged Communities or populations, or Areas of Persistent Poverty.
 - ix. Reduce disparities in community and health impacts.
- (3) Whether the prioritization process includes a data-driven method to identify and select projects that enable all people within multimodal transportation networks to reach their desired destination safely, affordably, and with a comparable level of efficiency and ease.
- (4) Whether the prioritization process includes a plan or process to address equity and environmental justice for communities that have experienced underinvestment in system resiliency planning and are most impacted by climate change and natural hazards in the selection of projects.

Responsiveness Rating:

Highly Responsive	The application comprehensively describes how each of the four considerations described under the Equity criterion will be included in the project prioritization process. The application explains in detail: (1) what type of and how an equity impact analysis will be used in the selection of projects; (2) identifies several equity considerations that are currently important to the planning area as well as how other considerations will be identified and how all of those will be used in the selection of projects that proactively address equity and barriers to opportunity; (3) a method to identify and select projects that enable all people within multimodal transportation networks to reach their desired destination safely, affordably, and with a comparable level of efficiency and ease or why this consideration does not apply to the planning area; <i>AND</i> (4) a plan or method to address equity and environmental justice for communities that have experienced underinvestment in system resiliency planning and are most impacted by climate change and natural hazards in the selection of projects or why this consideration does not apply to the planning area.
Responsive	The application moderately describes, without the detail described for a project rating of High, how one or more of the four considerations described under the Equity criterion will be included in the project prioritization process.
Low Responsive	The application includes references to Equity but contains insufficient information to assess the responsiveness of the application to one or more of the equity considerations; OR does not address at all one or more of the equity considerations under the criterion.

Criterion #3: Budget and Schedule

FHWA will evaluate the proposed schedule and budget for each grant application. Applications should include a schedule for development and implementation of the applicant's proposed project prioritization process. The schedule should include a detailed description of the start and end dates for major project activities, milestones, and deliverables. The application should include a detailed project budget with the total project cost. The budget should identify all additional funding sources and amounts, including the requested PPPP grant amount.

Responsiveness Rating:

Highly Responsive	The application includes a detailed schedule and budget. The schedule includes already completed activities and activities currently underway, the amount of funds for each major project activity, milestones, deliverables, and a detailed budget that shows the total project cost, all funding sources, and amounts. The project schedule presented in the application should include the anticipated start and end dates for each activity, as well as a detailed post-grant description of how the prioritization process will be implemented. The information provided is sufficient for reviewers to evaluate with certainty the feasibility of the project schedule and estimated budget.
Responsive	The application is moderately responsive to the Budget and Schedule criterion. The application includes a schedule and budget but does not include or identify some project activities, milestones, or deliverables. Reviewers are able to assess the feasibility of the project schedule in alignment with the project budget.
Low Responsive	The application does not include both a schedule for development and implementation, and a budget OR the budget does not include each major project activity or deliverable or does not specify the source of funds and amount for each or provide sufficient detail on all sources and funding amounts OR The information provided does not allow reviewers to evaluate the feasibility of the project schedule OR the budget with certainty, because the information is incomplete. Reviewers are unable to assess the feasibility of the project schedule in alignment with the project budget.

Overall Application Rating

FHWA will assign each eligible application a project rating of Highly Recommended, Recommended, or Not Recommended. The rating will be assigned by FHWA on the following basis:

A rating of “**Highly Recommended**” will be assigned to a project that:

- Received a Highly Responsive rating for a Prioritization Process Plan and no less than a Responsive rating on the remaining two Merit Criteria.

A rating of “**Recommended**” will be assigned to a project that:

- Received a Responsive rating for Prioritization Process Plan and no less than a Responsive rating on the remaining two Merit Criteria.

A rating of “**Not Recommended**” will be assigned to a project that:

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

FHWA Priority Considerations

After completing the merit review, among projects of similar merit, FHWA will prioritize projects for FY 2022 through FY 2024 PPPP grants that meet one or more of the following:

(1) The proposed prioritization process includes a data driven safety analysis enabling consideration of safety, including NRSS and Complete Streets,⁹ to safely restore community connections, to ensure that safety is a key input in decision-making. (Safety)

(2) The proposed project prioritization process supports selecting transportation investments that consider climate change and sustainability. This includes a data driven analysis of the impact of transportation projects on greenhouse gas emissions and transportation pollution to build a more resilient and sustainable surface transportation network. (Tools for this type of analysis available at: <https://www.transportation.gov/priorities/climate-and-sustainability/greenhouse-gas-analysis-resources-and-tools>.) The proposed project prioritization process should use the best available climate data to assess and address the climate-related vulnerability and risk of projects, including use of nature-based solutions. (Tools for this type of analysis available at: <https://www.transportation.gov/priorities/climate-and-sustainability/climate-adaptation-resources-and-tools>) (Climate Change and Sustainability)

(3) The proposed prioritization process allows for consideration of a project’s ability to enable or enhance access to goods and job opportunities throughout the planning area. (Workforce Development, Job Quality, and Wealth Creation).

(4) A State and MPO does not have an established prioritization process or has one that needs significant improvements to an existing process.

(5) But for the award of a PPPP grant, the applicant would not be able to begin or complete the activity.

⁹ Section 11206 of the BIL defines Complete Streets standards or policies as those which “ensure the safe and adequate accommodation of all users of the transportation system, including pedestrians, bicyclists, public transportation users, children, older individuals, individuals with disabilities, motorists, and freight vehicles.” A Complete Street includes, but is not limited to: sidewalks, bike lanes (or wide paved shoulders), dedicated bus lanes, accessible public transportation stops, safe and accommodating crossing options, median islands, pedestrian signals, curb extensions, narrower travel lanes, and roundabouts. A Complete Street is safe, and feels safe, for everyone using the street. States and MPOs are encouraged to prioritize projects that promote and improve safety for all road users, particularly vulnerable users, and increase accessibility.

(6) The proposed prioritization process integrates into, is informed by, and will apprise the policy development and project selection processes for one or more of, but not limited to, the other transportation plans listed below:

- Statewide or Metropolitan Long-Range Transportation Plan
- Statewide or Metropolitan Transportation Improvement Program
- State Freight Plan
- Transportation Asset Management Plan
- Strategic Highway Safety Plan and Highway Safety Improvement Program
- Transit Asset Management Plan
- Transit Safety Plan
- CMAQ Performance Plan
- Congestion Management Process and/or Congestion Management Plan
- Resilience Improvement Plan
- Complete Streets Strategy, Process and Prioritization Plan
- Alternative Fuel Vehicle Corridor Plan
- Electric Vehicle Infrastructure Deployment Plan
- Safe Streets for All Action Plan
- Carbon Reduction Strategies Plan

Project Readiness

After completing the merit review and priority considerations selections, FHWA may use information provided within the project readiness portion of the grant application to prioritize the selection of projects that, when considered with the budget and schedule information, is sufficient for FHWA to evaluate whether the PPPP Project is reasonably expected to begin and be completed in a timely manner. A Project Readiness Rating will be assigned to each application on the following basis:

A rating of “**Low Risk**” will be assigned to a project that:

- Based on the available information, it is highly likely that the project will:
 - Begin in a timely manner.
 - Be able to reach obligation within the statutory timeframe.
 - Be able to expend awards within the statutory timeframe.

A rating of “**Moderate Risk**” will be assigned to a project that:

- Based on the available information, there is some possibility that the project will not be able to:
 - Begin in a timely manner.
 - Be able to reach obligation within the statutory timeframe.
 - Be able to expend awards within the statutory timeframe.

A rating of “**High Risk**” will be assigned to a project that:

- Based on the available information, there is a high likelihood that the project will not be able to:
 - Begin in a timely manner.
 - Be able to reach obligation within the statutory timeframe.
 - Be able to expend awards within the statutory timeframe.

2. REVIEW AND SELECTION PROCESS

FHWA will conduct an application intake and eligibility review by providing an initial eligibility screening based on the statutory eligibility criteria in Section C. Only applications from eligible entities and eligible projects will be evaluated against the Merit Criteria in Section E. The PPPP application evaluation process consists of (1) a Technical Review and (2) an FHWA Senior Review.

The Technical Review Team

The evaluation of eligible applications will be conducted by a Technical Review Team who may consist of individuals from FHWA Headquarters (HQ) and Division offices. The Technical Review Team will evaluate each eligible application against the Merit Criteria in section E.1. and assign an overall application rating. The Technical Review Team will also evaluate each Highly Recommended and Recommended application to determine whether it meets one or more of the FHWA Priority Considerations and Project Readiness.

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

The Technical Review Team will send to the FHWA SRT the Overall Application Rating for each Highly Recommended PPPP application for consideration. Applications with a rating of Recommended may be sent to the SRT for consideration if there is funding for FY 2022-2024 available beyond funding Highly Recommended projects.

FHWA Senior Review Team Process

The FHWA SRT consists of senior FHWA officials who have been requested to serve by the FHWA Administrator. The SRT, which may include the FHWA Administrator's participation in the review process, advises the FHWA Administrator on which projects the FHWA Administrator should select for funding.

The FHWA Senior Review Team will determine which Highly Recommended PPPP projects to advance to the FHWA Administrator. The FHWA SRT may also recommend for selection a PPPP project that is rated Recommended over a Highly Recommended project. When recommending a PPPP project that is rated Recommended over a Highly Recommended project, the FHWA SRT will select Recommended projects by considering how well the project addressed the merit criteria and number of criteria rated High, as well as the responsiveness to the FHWA Priority Selection Considerations and Project Readiness.

The FHWA Administrator makes final project selections and will select among the projects advanced by the FHWA SRT. The review process gives the FHWA Administrator the discretion to determine which applications best address program requirements, advance the Administration's Priorities and Departmental Plan Strategic Goals, and should be selected. When selecting projects, the Administrator may also consider geographic diversity including the need for a balance of awards across the nation and by selecting projects that ensure the effective use of Federal funding.

FHWA is not obligated to make any award as a result of this notice.

3. ADDITIONAL INFORMATION

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

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

SECTION F – FEDERAL AWARD ADMINISTRATION INFORMATION

1. FEDERAL AWARD NOTICES

Following the evaluation outlined in Section E, FHWA will announce awarded projects by posting a list of selected projects on the [PPPP](#) website. Notice of selection is not authorization to begin performance or to incur costs for the proposed project. Following that announcement, FHWA will advise the point of contact listed in the SF 424 to initiate negotiation of the project agreement for authorization. Recipients of PPPP Grant awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds. Instead, FHWA will reimburse PPPP Grant funds to recipients only after a project agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted. Unless authorized by FHWA in writing after FHWA's announcement of FY 2022, FY 2023, and FY 2024 PPPP awards, any costs that a recipient incurs before FHWA executes a project agreement for that recipient's project are ineligible for reimbursement and are ineligible match for cost share requirements.

2. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 CFR Part 200, as adopted by FHWA at 2 CFR Part 1201. Applicable Federal laws, rules, and regulations set forth in 23 U.S.C. shall apply to awards provided under this program.

In connection with any program or activity conducted with or benefiting from funds awarded under this NOFO, recipients of funds must comply with all applicable requirements of Federal law, including, without limitation, the Constitution of the United States; the conditions of performance, non-discrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of DOT and FHWA; and applicable Federal financial assistance and contracting principles promulgated by OMB. In complying with these requirements, recipients, in particular, must ensure that no concession agreements are denied, or other contracting decisions made, on the basis of speech or other activities protected by the First Amendment. If FHWA determines that a recipient has failed to comply with applicable Federal requirements, FHWA may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

In particular, E.O. 14005, Ensuring the Future Is Made in All of America by All of America's Workers (86 FR 7475), directs the Executive Branch Departments and Agencies to maximize the use of goods, products, and materials produced in, and services offered in, the United States through the terms and conditions of Federal financial assistance awards. If selected for an award, grant recipients must be prepared to demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their project. Any grant projects involving vehicle acquisition must involve only vehicles that comply with applicable Federal Motor Vehicle Safety Standards (FMVSS) and Federal Motor Carriers Safety Regulations (FMCSR), or vehicles that are exempt from FMVSS or FMCSR in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

A. Program Requirements

i. Critical Infrastructure Security and Resilience

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

ii. Domestic Preference Requirements

As expressed in E.O. 14005, the executive branch is to maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Funds made available under this NOFO are subject to the domestic preference requirements at Pub. L. No 117-58, div. G §§ 70901–70927. FHWA expects all applicants to comply with those requirements.

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

iii. Civil Rights and Title VI

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

iv. Federal Contract Compliance

As a condition of grant award and consistent with E.O. 11246, Equal Employment Opportunity (30 FR 12319, and as amended), all federally assisted contractors are required to make good faith

efforts to meet the goals of 6.9 percent of construction project hours being performed by women, in addition to goals that vary based on geography for construction work hours and for work being performed by people of color. Under Section 503 of the Rehabilitation Act and its implementing regulations, affirmative action obligations for certain contractors include an aspirational employment goal of 7 percent workers with disabilities.

The U.S. Department of Labor's (DOL) Office of Federal Contract Compliance Programs (OFCCP) is charged with enforcing E.O. 11246, Section 503 of the Rehabilitation Act of 1973, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. OFCCP has a Mega Construction Project Program through which it engages with project sponsors as early as the design phase to help promote compliance with non-discrimination and affirmative action obligations. Additional information on how OFCCP makes their selections for participation in the Mega Construction Project Program is outlined under "Scheduling" on DOL's Website: <https://www.dol.gov/agencies/ofccp/faqs/construction-compliance>.

v. Climate Change and Environmental Justice

Each applicant selected for PPPP Project grant funding must demonstrate effort to consider climate change and environmental justice impacts. PPPP Projects that have not sufficiently demonstrated consideration of climate change and environmental justice in their application, as determined by FHWA, will be required to do so before receiving funds, consistent with E.O. 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619).

vi. Equity and Barriers to Opportunity

Each applicant selected for PPPP grant funding must demonstrate effort to improve equity and reduce barriers to opportunity. PPPP Projects that have not sufficiently considered equity and barriers to opportunity in their planning, as determined by FHWA, will be required to do so before receiving funds for construction, consistent with E.O. 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009) and E.O. 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (88 FR 10825).

vii. Labor and Workforce

Each applicant selected for PPPP grant funding must demonstrate, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of high labor standards. To the extent that applicants have not sufficiently considered job quality and labor rights in their planning, as determined by DOL, the applicants will be required to do so before receiving funds for construction, consistent with E.O. 14025, Worker Organizing and Empowerment (86 FR 22829), and E.O. 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64335).

3. REPORTING

a. Progress Reporting on Grant Activities

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

b. Performance and Program Evaluation

As a condition of grant award, grant recipients may be required to participate in an evaluation undertaken by FHWA or another Agency or partner. The evaluation may take different forms such as an implementation assessment across grant recipients, an impact and/or outcomes analysis of all or selected sites within or across grant recipients, or a benefit/cost analysis or assessment of return on investment. FHWA may require applicants to collect data elements to aid the evaluation and/or use information available through other reporting. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor or FHWA staff; (2) provide access to program records, and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; (4) access to right-of-way to contractor or FHWA staff for long-term data and observation collection; and (5) follow evaluation procedures as specified by the evaluation contractor or FHWA staff.

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 or goals. Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Pub. L. No. 115-435 (2019)) urges Federal awarding agencies and Federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.” (5 U.S.C. 311) Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

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

c. PPPP Project Specific Reporting Requirements

Each applicant selected for PPPP grant funding must collect and report to FHWA information on the PPPP Project’s performance based on performance indicators FHWA identifies related to program goals (e.g., data driven approach to project prioritization, publicly accessible and transparent process, implemented process and other information as requested by FHWA). Performance indicators should include measurable goals or targets that FHWA will use internally to determine whether the project meets program goals, and grant funds achieve the intended

long-term outcomes of the PPPP. FHWA will work with the grant recipient to establish recommended two to four performance indicators that enable FHWA to measure and evaluate the outcomes of the individual grant, relative to the program goals (identified in Section E.1). Performance reporting continues for several years after the project is completed.

d. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of a selected applicant's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the applicant during that period of time must maintain the currency of information reported to the SAM that is made available in the designated integrity and performance system (currently FAPIIS) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under Section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by Section 3010 of Public Law 111-212 (Making supplemental appropriations for the fiscal year ending September 30, 2010), all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

e. Other

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

SECTION G – FEDERAL AWARDING AGENCY CONTACTS

For questions concerning this NOFO and the BIL program, please contact:

Mishel McCants
Agreement Specialist
Office of Acquisition and Grants Management
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE.
Washington, DC 20590
Phone: (202) 366-4244
Email: PPPP@dot.gov (preferred)

Alternate:

Hector R. Santamaria
Agreement Officer/Team Leader
Office of Acquisition and Grants Management
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE.
Washington, DC 20590
Phone: (202) 493-2402
Email: PPPP@dot.gov (preferred)

A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993. In addition, up to the application deadline, the FHWA will post answers to common questions and requests for clarifications on FHWA's website at <https://www.fhwa.dot.gov/planning/pppp/faq/>. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact FHWA directly, rather than through intermediaries or third parties, with questions. FHWA staff may also conduct briefings on the PPPP grant selection and award process upon request.

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

SECTION H – OTHER INFORMATION

1. Protection of Confidential Business Information.

All information submitted as part of or in support of any application 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 FHWA receives a Freedom of Information Act (FOIA) request for the information that the applicant has marked in accordance with this section, FHWA will follow the procedures described in its FOIA regulations at 49 CFR 7.29. Only information that is in the separate document, marked in accordance with this section, and ultimately determined to be confidential under 49 CFR 7.29 will be exempt from disclosure under FOIA.

2. Publication/Sharing of Application Information.

Following the completion of the selection process and announcement of awards, FHWA may publish a list of all applications received along with the names of the applicant organizations and funding amounts requested.

3. DOT Feedback on Applications

Debriefs by FHWA are available to applicants not selected for award to receive information about the evaluation of their application. Applicants not selected for a PPPP grant may submit a request for a debrief to PPPP@dot.gov.

4. Definitions

Term	Definition
Applicant's Jurisdiction(s)	The U.S. Census tracts where the applicant operates or performs their safety responsibilities. If an applicant is seeking funding for multiple jurisdictions, all of the relevant Census tracts for the jurisdictions covered by the application should be included. https://www.census.gov/terms-and-definitions https://data.census.gov/map
Areas of Persistent Poverty	Defined by the 2021 Consolidated Appropriations Act, a project is located in an area of persistent poverty if: (1) the county in which the project is located consistently had greater than or equal to 20 percent of the population living in poverty in all three of the following datasets: (a) the 1990 decennial census; (b) the 2000 decennial census; and (c) the 2021 Small Area Income Poverty Estimates; OR (2) the Census Tract in which the project is located has a poverty rate of at least 20 percent as measured by the 2014-2018 5-year data series available from the American Community Survey of the Bureau of the Census; OR (3) the project is located in any territory or possession of the United States. DOT has published a table to help applicants identify if a project meets the Area of Persistent Poverty definition for a County or Census Tract. https://www.transportation.gov/
Climate Vulnerability	The potential impacts of climate change and extreme weather events. DOT tools and resources are available to assess the vulnerability and risk of plans and projects and the development, deployment, and monitoring of resilience solutions. Methods to address this risk include climate vulnerability assessments informed by climate change science, including national climate assessments produced by the United States Global Change Research Program under Section 106 of the Global Change Research Act of 1990 (15 U.S.C. 2936), developing relevant feasibility analyses of resilient transportation improvements, and transportation resilience planning. https://toolkit.climate.gov https://www.transportation.gov/priorities/climate-and-sustainability/climate-adaptation-resources-and-tools

Term	Definition
Complete Streets Standards or Policies	Standards or policies that ensure the safe and adequate accommodation of all users of the transportation system, including pedestrians, bicyclists, public transportation users, children, older individuals, individuals with disabilities, motorists, and freight vehicles.¹⁰ A Complete Street includes but is not limited to: sidewalks, bike lanes (or wide paved shoulders), dedicated bus lanes, accessible public transportation stops, safe and accommodating crossing options, median islands, pedestrian signals, curb extensions, narrower travel lanes, and roundabouts. A Complete Street is safe, and feels safe, for everyone using the street. https://highways.dot.gov/complete-streets
Environmental Justice	Environmental justice, as defined by the Environmental Protection Agency, is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. https://www.epa.gov/environmentaljustice.
Equity	The consistent and systematic treatment of all individuals in a fair, just, and impartial manner, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American, Native Hawaiian, and Pacific Islander persons and other persons of color; members of religious minorities; women and girls; LGBTQI+ persons; persons with disabilities; persons who live in rural areas; persons who live in the United States Territories; persons otherwise adversely affected by persistent poverty or inequality; and individuals who belong to multiple such communities.¹¹ Executive Order 14091

¹⁰ IIJA/BIL Sec. 11206(a)

¹¹ E.O. 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009) and E.O. 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (88 FR 10825). See also https://www.planning.dot.gov/transportation_equity for additional resources.

Term	Definition
Historically Disadvantaged Communities	Defined as, and consistent with OMB's Interim Guidance for the Justice40 Initiative, a project is located in a historically disadvantaged community if: (1) the project is located in certain qualifying census tracts, identified in this table¹²; OR (2) the project is located on Tribal land; OR (3) the project is located in any territory or possession of the United States. CEQ has provided a mapping tool to assist applicants in identifying whether a project is located in a historically disadvantaged community. https://screeningtool.geoplatform.gov/en/
Resilience	The ability to anticipate, prepare for, or adapt to conditions or withstand, respond to, or recover rapidly from disruptions, including the ability to resist hazards or withstand impacts from weather events and natural disasters; or to reduce the magnitude or duration of impacts of a disruptive weather event or natural disaster on a project; and to have the absorptive capacity, adaptive capacity, and recoverability to decrease transportation assets vulnerability to weather events or other natural disasters; and through the implementation and consideration of incorporating natural infrastructure. Source: Public Law 117-58, Section 11103 https://www.transportation.gov/priorities/climate-and-sustainability/climate-adaptation-resources-and-tools https://www.fhwa.dot.gov/bipartisan-infrastructure-law/climate.cfm
Rural	For the purposes of this NOFO, we use the FHWA definition of rural, which are areas outside a census designated Urban Area (UA) of 5,000 or more. A list of UAs is available in the U.S. Census Bureau's December 29, 2022, Federal Register notice on Census Qualifying Urban Areas and Final Criteria Clarifications at https://www.federalregister.gov/documents/2022/12/29/2022-28286/2020-census-qualifying-urban-areas-and-final-criteria-clarifications.
Safe System Approach	A guiding principle to address the safety of all road users. It involves a paradigm shift to improve safety culture, increase collaboration across all safety stakeholders, and refocus transportation system design and operation on anticipating

¹² <https://datahub.transportation.gov/stories/s/tsyd-k6ij>

Term	Definition
	human mistakes and lessening impact forces to reduce crash severity and save lives. ^{13, 14}
Transportation Performance Management	A strategic approach that uses system information to make investment and policy decisions to achieve national performance goals. Transportation Performance Management is used to improve the condition, resilience, and safety of road and bridge assets, consistent with asset management plans (including investing in preservation of those assets); accommodate new and emerging technologies; direct Federal funds to their most efficient and effective use, and prioritize maintenance. Performance management requirements passed by Congress into law and reflected in 23 U.S.C. 150 focuses attention on these issues by creating national goals and by requiring FHWA to establish performance measures for which States and MPOs set targets (23 CFR 490.105(a)). Federal performance management regulations (23 CFR part 490) have been adopted by FHWA to meet the performance-related requirements for highways.
Underserved Community	An underserved community as defined for this NOFO is consistent with the DOT definition of a disadvantaged community designation, which includes U.S. Census tracts identified in the interim US DOT Equitable Transportation Community Explorer (ETCE) https://experience.arcgis.com/experience/0920984aa80a4362b8778d779b090723/page/Applicant-Explorer/ ; any Tribal land; or any territory or possession of the United States. Census tracts identified as disadvantaged communities in DOT-OST-2023-0020-0001 and any subsequent iterations of the ETCE through the Department and during the NOFO period will be considered as an underserved community for the purposes of this NOFO. ¹⁵

¹³ See: <https://www.transportation.gov/NRSS/SafeSystem>

¹⁴ Safety culture can be defined as the shared values, actions, and behaviors that demonstrate a commitment to safety over competing goals and demands.

¹⁵ Request for Information: Equitable Transportation Community Explorer Tool and Index Methodology <https://www.regulations.gov/document/DOT-OST-2023-0020-0001>