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

Notice of Funding Opportunity

Pipeline Emergency Response Grant (PERG)

Fiscal Year (FY) 2024

NOFO Posted Date:	February 20, 2024
Application Due Date:	April 10, 2024 11:59 p.m. EST
Questions Due Date:	April 10, 2024, 11:59 p.m. EST

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

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

Assistance Listing (formerly CFDA)
20.706 "Pipeline Emergency Response Grant"

PHMSA Notice of Funding Opportunity Number
693JK324NF0002

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PROGRAM SUMMARY

Federal Agency Name:	U.S. Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA)
Funding Opportunity Title:	Pipeline Emergency Response Grant (PERG) – FY 2024
Announcement Type:	Initial Announcement
Funding Opportunity Number:	693JK324NF0002
CFDA Number:	20.706
NOFO Posted Date: Application Due Date: Question Due Date:	February 20, 2024 April 10, 2024, 11:59 p.m. EST April 10, 2024, 11:59 p.m. EST

MISSION

The mission of the U.S. Department of Transportation (DOT or Department) is to deliver the world's leading transportation system, serving the American people and economy through the safe, efficient, sustainable, and equitable movement of people and goods. DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA) protects people and the environment by advancing the safe transportation of energy and other hazardous materials that are essential to our daily lives. To achieve this, the agency establishes national policy, sets and enforces standards, educates, and conducts research to prevent incidents. We also prepare the public and first responders to reduce consequences if an incident does occur. To accomplish this, PHMSA awards grants to states, tribes, territories, localities, communities, and non-profits that help make sure pipelines operate safely and shipments arrive without incident.

SECTION A – PROGRAM DESCRIPTION

A.1 Statement of Purpose

This funding opportunity is associated with Assistance Listing 20.706. Only state, county, and local governments are eligible for the Pipeline Emergency Response Grant (PERG) competitive grant program. PERG focuses on incident response activities related to the transportation of gas or hazardous liquids by pipeline in high consequence areas. PERG funding will be awarded to eligible state, county, and local governments to train individuals with statutory responsibility to respond to pipeline incidents in high consequence areas (HCAs).

Funding under this award is critical to ensuring the safe transportation of hazardous materials by training emergency responders to respond to pipeline incidents. PHMSA's goal is to ensure that responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of pipeline accidents or incidents involving the transportation of hazardous materials.

PHMSA requires applicants to identify specific training projects based on needs and maintain a record of the following: 1) number of persons trained; 2) course type; 3) cost of training; 4) location of training; 5) name, title and position of the trainee; and 6) a detailed accounting and description of each grant expenditure, including the amount of, and purpose for, each expenditure. PHMSA will measure performance based on the training projects included in the approved grant application and whether those projects fulfill the training needs outlined in the statement of need.

The Department seeks to fund projects that advance the Departmental priorities of safety, equity, climate and sustainability, workforce development, job quality, and wealth creation as described in the USDOT Strategic Plan, the Research, Development and Technology Strategic Plan, and in executive orders.[2]

A.2 Statute and Program Authority

The PERG program is authorized pursuant to 49 U.S.C. § 60125(b).

A.3 Background

PHMSA's PERG program provides grants to state, county, and local governments. Recipients must be able to provide direct or web-based training to individuals with statutory responsibility to respond to pipeline incidents in high consequence areas.

SECTION B - FEDERAL AWARD INFORMATION

B.1 Funding

PHMSA anticipates that approximately $3,138,993 will be available in FY 2024 to support the PERG program, subject to appropriations. Grant awards under this notice of funding opportunity (NOFO) may not exceed $250,000 per recipient. Recipients may request up to 50 percent of the total amount of the award upon execution of the grant agreement. The remaining amount may be requested upon receipt and approval (by the PHMSA Agreement Officer) of the mid-term progress report.

B.2 Period of Performance

The period of performance can be up to 24 months from the effective date of award for each grant. Applicants must only apply for funding that can be reasonably expended within this time frame and for projects that can be completed within the period of performance.

B.3 Type of Award

This is a discretionary grant award. If funding is made available, PHMSA intends to award multiple grants under this NOFO. The number of awards will depend on the availability of funding, the quality of applications, the number of applications received, and the dollar amounts requested. PHMSA may, at its discretion, award a grant based on the application in its entirety, award funds for only portions of a grant application, or reject the application. Submission of an application is not a guarantee of award.

[2] Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619).
Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009). Executive Order 14025, Worker Organizing and Empowerment (86 FR 22829), and Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64335).

SECTION C - ELIGIBILITY INFORMATION

C.1 Eligible Applicants and Eligible/Ineligible Activities

The FY 2024 PERG is open to state, county, and local governments for making grants benefitting high consequence areas, as defined by the Secretary, for emergency response management, training, and technical assistance. To the extent that such grants are used to train emergency responders, governments shall train emergency responders to protect nearby persons, property, and the environment from the effects of accidents or incidents involving gas or hazardous liquid pipelines in accordance with existing regulations. Some examples of eligible activities include:

- Pipeline emergency response planning, training, and exercises. Training that does not have a pipeline emergency response component (e.g., HAZMAT certification or refresher courses) will be considered an ineligible activity.
- PHMSA's Pipeline Emergency Responder Initiative (PERI) program development and training.
- Pipeline leak recognition and release evacuation training.
- Development and maintenance of pipeline training curriculum.
- Training props, equipment, and supplies. Requesting equipment and/or supplies that are **not** specific for pipeline emergency response will be considered ineligible activities.

High Consequence Areas include:

- A commercially navigable waterway, which means a waterway where a substantial likelihood of commercial navigation exists.
- A high population area, which means an urbanized area, as defined and delineated by the Census Bureau, that contains 50,000 or more people and has a population density of at least 1,000 people per square mile.
- Another populated area, which means a place, as defined and delineated by the Census Bureau, that contains a concentrated population, such as an incorporated or unincorporated city, town, village, or other designated residential or commercial area.
- An unusually sensitive area, as defined in 49 CFR § 195.6.

C.2 Cost Sharing or Matching

There are no requirements for cost-sharing or matching.

SECTION D - APPLICATION AND SUBMISSION INFORMATION

D.1 Address to Request Application Package

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

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

Tremayne Terry
Agreement Officer
Acquisition Services Division
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Avenue, SE, E22-301
Washington, D.C. 20590
Phone: 202-366-6942
E-mail: tremayne.terry@dot.gov

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

If you are a hearing-impaired person, please contact the FR/TTY at 1-800-877-8339 or e-mail PHMSA-Accessibility@dot.gov.

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

D.2 Content and Form of Application Submission

Applications for FY 2024 PERG funding should be submitted in electronic format in grants.gov. There are two overall sections: (1) standard forms that the applicant must download and complete from grants.gov under the FY 2024 PERG funding opportunity; and (2) attachments the applicant will need to create and upload.

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

Standard Forms

The following forms are found in grants.gov under the FY 2024 PERG Funding Opportunity and must be completed by the applicant:

- Standard Form (SF)-424 – Application for Federal Assistance
- SF-424A – Budget Information
- ED-80-0013 – Certifications Regarding Lobbying, Debarment, Suspension, Drug-Free Workplace, etc.

Applicant Attachments

The following attachments must be created by the applicant and uploaded to grants.gov under the FY 2024 Pipeline Emergency Response Grant Funding Opportunity:

- Project Narrative (description below)
- Budget Narrative (description below)
- Indirect cost agreement and/or Statement claiming 10 percent de minimis (if applicable)
- Letters of Support from partner organizations (if applicable)
- Standard Title VI/Non-Discrimination Assurances – Civil Rights Assurances
- Additional optional attachments (if applicable)

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

1) Project Narrative

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

a) **Organization Information and Capacity.** Briefly provide information about your organization. This should include: (1) your organization’s mission; (2) a brief overview of the structure of your organization, programs, leadership, and special expertise; and (3) your organization’s experience and capacity to manage federal grant programs—with emphasis on experience managing federal grants related to training individuals who have a statutory responsibility to respond to accidents and incidents involving hazardous materials. If your application proposes to partner with another nonprofit organization, a letter of agreement from the nonprofit organization is required with your application.

b) Contact Information. Identify the designated project director, including the name, position, address, e-mail address, and telephone number of the individual(s) who will be responsible for coordinating the funded activities. Additionally, identify authorized individuals who will accept the awarded grant document, as well as individuals responsible for the submission of required federal financial reports and progress reports.

c) Statement of Need. Describe the current capacity and any areas of deficiency as it concerns preparedness for pipeline incidents in high consequence areas. This may include: (1) a discussion of whether the applicant has identified or needs to identify the pipeline network/locations for improved response or efficiency within the state; (2) a description of the location and need for exercises to prepare for responses to incidents involving the transportation of hazardous materials via pipelines; or (3) the number of responders needing training in the different disciplines of response functions, such as firefighters, Emergency Medical Technicians, Emergency Medical Services, etc.

d) High Consequence Areas. Describe the high consequence areas within your jurisdiction that will be reached by the proposed training in your application. High consequence areas are defined in sections 192.903 and 195.450 of title 49, Code of Federal Regulations.

e) Proposed Training and Timeline. Describe the proposed activities that will take place under the grant. This section should include: (1) the number and type of activities/courses proposed; (2) the location of the activities if known, and if unknown, explain the methodology for selecting locations; (3) a plan for training individuals with statutory responsibility to respond to accidents and incidents involving hazardous materials via the pipelines; (4) the estimated cost of each activity; and (5) the timeframe when the activity will take place. The timeline should include benchmarks and milestones that will help monitor the project's success.

f) Projected Outputs and Objectives. Provide quantifiable and measurable outputs planned for the grant's performance period. Outputs are quantitative data that describe the proposed activities. For delivery of Pipeline Safety training courses, projected outputs should include: (1) number and type of course(s); and (2) the number of projected students trained for each course. Additionally, broader outcomes or goals may be provided to describe the intended impact of the proposed outputs. This can be either quantitative or qualitative and should reflect the projected impact of the grant activity outputs.

g) Course Description. Provide an outline or detailed description of the training activity that will be conducted.

h) Monitoring and Evaluation of Training. Provide an explanation of monitoring efforts, internal controls, and quality assurance plans to ensure grant program success. These may include, but are not limited to, random examinations, inspections, and audits of training to maximize the cost effectiveness and impact of the program.

i) Safety. Applicants must address how their project provides substantial safety benefits. Prior to receiving funds, all projects are expected to, at a minimum, identify and mitigate to the extent practicable any significant safety risks that could result after project completion. Applicants should include how their project will not negatively impact the overall safety of the traveling public.

j) **Equity.** Identify a plan for training responders in underserved communities who are affected by pipeline incidents. The term disadvantaged communities refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. See how your project will benefit disadvantaged communities by using the USDOT Equitable Transportation Community (ETC) Explorer. A screen shot of the results is encouraged.

2) Budget Narrative

The budget narrative is an explanation of each budget component and it supports the cost of the proposed work. The budget narrative should focus on how each budget item is required to achieve the proposed project goals and objectives. It should also justify how budget costs were calculated. Project budgets should show how different funding sources will share in each activity and present those data in dollars and percentages. The budget should identify other funds, if any, that the applicant intends to use. Funding sources should be grouped into three categories: non-federal, PHMSA-specific, and other federal with specific amounts from each funding source.

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

Provide a budget narrative justification with a reference to the object class categories found on the SF-424A for each proposed activity and explain why the amount is needed to implement the project as proposed in the project narrative. The budget narrative must correlate with the costs identified in the SF-424A line-item budget.

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

a. **Personnel** costs are the employee salaries for those working directly on the grant project. Include the number, type of personnel, the percentage of time dedicated to the project, hourly wage (or salary), and total cost to the grant. At least 75 percent of grant funding must be used for PERG programmatic activities, and no more than 25 percent of federal funding may be used for maintenance and administration costs (M&A). This does not include indirect costs.

- This category is limited to people employed by your organization. Those not employed by your agency shall be classified as subrecipients, or contractors, and should be listed under the "Contractual" or "Other" object class.
- Only include compensation paid to employees engaged in grant activities.
- Costs should be consistent with that paid for similar types of work within the

organization.

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

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

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

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

- Purchases of less than $5,000 should be listed under "Supplies" or "Other."
- Each item of equipment must be identified with the corresponding cost. General-purpose equipment must be justified as to how it will be used on the project and specifically needed for pipeline emergency response.
- Analyze the cost benefits of purchasing versus leasing equipment, particularly high-cost items and those subject to rapid technical advances. List rented or leased equipment costs in the "Contractual" or "Other" category, depending upon the procurement method.
- Requesting equipment and/or supplies that are not specific for pipeline emergency response will be considered ineligible activities.

e. **Supply** costs are tangible personal property other than equipment. Include the types of property in general terms. It is not necessary to document office supplies in detail (for example: reams of paper, boxes of paperclips, etc.), but should include information about how the supplies are specifically needed for pipeline emergency response. However, applicants should include a quantity and unit cost for larger cost supply items, such as computers and printers. Requesting equipment and/or supplies that are not specific for pipeline emergency response will be considered ineligible activities.

f. **Contractual** costs are those services carried out by an individual or organization, other than the applicant, in the form of a procurement relationship. When procuring goods or services, a recipient under a federal award must follow the procurement standards of 2 CFR Part 200, including Appendix II.

All procurement transactions must be a full and open competition unless the application demonstrates that one of the exceptions for procurement by noncompetitive proposals is met. If an applicant plans to subcontract part of its award to another organization(s), the application must reflect that procurement standards were complied with or provide a statement verifying that upon award, the organization will fully comply with procurement standards outlined in 2 CFR § 200.317–.327.

For all contractual line-item costs, include the rationale for the costs; the specific contract goods and/or services provided; and the related expenses for those goods and services. Simply entering the statement "contractual services" will not be considered sufficient. There are two ways to capture costs in this category: subgrants and contracts.

- A **Subgrant** is an award provided by a pass-through entity (recipient) to a subrecipient. That subrecipient carries out part of a program for which the recipient received federal support. A subrecipient has its performance measured in relation to whether objectives of a federal program were met; has responsibility for programmatic decision making; is responsible for adherence to applicable federal program requirements specified in the federal award; and (in accordance with its agreement), uses the federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity.
- A **Contract** is a legal instrument by which a recipient purchases property or services needed to carry out the project or program under an award. A contract/contractor provides the goods and services within normal business operations; provides similar goods or services to many different purchasers; normally operates in a competitive environment; and provides goods or services that are ancillary to the operation of the federal program.

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

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

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

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

D.4 Submission Dates and Times

Completed applications must be received electronically by 11:59 p.m. EST on April 10, 2024. If an applicant has technical difficulties submitting the application through grants.gov, that applicant should contact the Grants Program Office by phone at 202-366-1109 or e-mail PERG@dot.gov. Applications received after this deadline may not be considered. PHMSA will only accept one application from each applicant.

D.5 Funding Restrictions

The following costs are not eligible for reimbursement under the FY 2024 PERG program:

- Personnel costs such as overtime, backfill, stipends, and fees for the state and local personnel receiving training.
- Entertainment, alcohol, or morale costs.
- Costs for general office supplies, equipment, computer software, printing, and copying.
- Any costs disallowed or stated as ineligible in 2 CFR Part 200.
- Pre-award costs are not permitted without PHMSA's prior approval consistent with 2 CFR § 200.458.

D.6 Other Submission Requirements

To begin the process, applicants must be registered with www.grants.gov to submit an application. It is highly recommended that applicants begin the registration process as soon as possible to avoid delays with submission. **Failure to comply with the prescribed application requirements as described in this section may result in the rejection of the application.**

Each applicant is required to:

- Register in SAM (www.SAM.gov) before submitting its application.
- Provide a valid UEI number in its application.
- Always maintain an active SAM registration and UEI with current information during which it has an active federal award or an application under consideration.

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

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

SECTION E - APPLICATION REVIEW INFORMATION

E.1 Criteria

DOT is prioritizing projects that help to address transportation insecurity, which is the inability for people to get to where they need to go to meet the needs of their daily life regularly, reliably, and safely due to either the high cost of transportation, lack of access, or lack of safe transportation options. When identifying projects, applicants should consider how the project will increase safety. PHMSA will evaluate applications through administrative, technical, and programmatic reviews based on the evaluation criteria below.

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

Merit Criteria:

1. **Technical Criteria -** Within the application, demonstrate the extent to which the project will:
    - Align with the intent of PERG.
    - Provide a statement of need that describes areas of deficiency as it concerns preparedness for pipeline safety.
    - List activities allowable under PERG.
    - Identify high consequence areas within its jurisdiction.
    - Certify that responders trained will be treated equitably.
    - Include a plan for training responders in underserved communities who are affected by pipeline incidents.

2. **Programmatic Criteria -** Within the application, demonstrate the extent to which the project will:
    - Provide information on the organization.
    - Provide the number and a description of each activity proposed.
    - Be allowable, allocable, necessary, and reasonable.
    - Provide a timeline that clearly communicates when project activities will take place.
    - List clear outputs, goals, and objectives that indicate the grant will have a projected impact on reducing risk and enhancing pipeline safety.
    - Outline a monitoring and evaluation strategy to help ensure that the project(s) will be successful.
    - Provide a completed and properly filled out SF-424 form.
    - Submit a completed ED-80-0013 combined assurance and Title VI form.
    - Provide an aligned budget (SF-424A) and budget narrative.
    - Provide a detailed budget narrative as to how the costs under personnel correspond to the staff included in the narrative, and how they are calculated.
    - Provide an explanation or breakout of the staff fringe benefits.
    - Provide a clear and reasonable travel budget narrative (if applicable).
    - Provide adequate supply costs.
    - Provide a budget narrative for contractual costs.
    - Provide an explanation for other costs.
    - Provide an approved and current Indirect Cost Rate agreement or statement claiming the 10 percent de minimis rate (if applicable).

Selection Considerations:

- Safety – PHMSA may consider how the project will provide substantial safety benefits compared to existing conditions, including the project’s ability to foster a safe pipeline transportation system for the movement of energy, consistent with the Department’s strategic goal to reduce transportation related fatalities and serious injuries across the pipeline transportation system.

- Equity – PHMSA may consider the project’s ability to encourage equity by investing in projects that proactively mitigate safety risks in disadvantaged communities. Potential applicants may find it useful to utilize USDOT Equitable Transportation Community (ETC) Explorer to determine disadvantage community status.

In determining the allocation of program funds, PHMSA may also consider geographic diversity, funding, and the applicant's receipt of other competitive awards.

E.2 Review Processes

Administrative Review: PHMSA will conduct an administrative review to ensure the application meets the eligibility criteria outlined in Section C on Eligibility Information. Each application will be reviewed for completeness to ensure it includes all the required elements to qualify for the grant. If the application does not meet the required elements, then the application is likely to be rejected.

Technical Review: PHMSA will conduct a technical review of the application to assess how the proposed work is to be performed and whether the application(s) are responsive to the applicable program requirements (i.e., performance measurement, methodology, and technical merit). PHMSA reserves the right to use outside expertise to perform application evaluation. PHMSA will utilize the technical review criteria in Section E.1 to determine how the applications address the needs for outreach and training.

Programmatic Review: PHMSA will conduct a programmatic review to assess programmatic factors identified in Section E.1. Programmatic factors are those factors that are relevant and essential to the process of selecting applications that best achieve the program objectives, in accordance with applicable statutes, regulations, policies, and guidelines. Other programmatic factors may include history of performance, program priorities, and other modal needs.

Rating Guidelines

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

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

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

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

Not Acceptable - The application does not meet the NOFO requirements. The application fails to address many requirements. The applicant may be ineligible to apply for the grant. The application could not satisfy critical requirements without a major revision and/or a rewrite of the application or a major redirection effort. The application scope does not align with DOT objectives and priorities. The risk of poor performance is high.

Selection Process

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

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

E.3 Integrity and Performance Review

Prior to making an award, PHMSA is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently the Federal Awardee Performance and Integrity Information System, FAPIIS) (see 41 U.S.C. § 2313). An applicant may review and comment on any information about itself that a federal awarding agency previously entered. PHMSA will consider any comments by the applicant in addition to the other information in the designated integrity and performance system in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 CFR § 200.206.

E.4 Anticipated Announcement and Federal Award Dates

Applicants chosen for funding will receive electronic notification of the federal award. Upon notification, the applicant's authorized official must sign and return the award within the timeframe prescribed by PHMSA. PHMSA plans to make awards no later than September 30, 2024, with a proposed period of performance start date on the award agreement.

SECTION F - FEDERAL AWARD ADMINISTRATION INFORMATION

F.1 Federal Award Notices

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

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

1. The legal name and address of recipient
2. Title of project
3. Name(s) of key personnel chosen to direct and control approved activities
4. Federal Award Identification Number assigned by PHMSA
5. Period of Performance, specifying the duration of the project
6. Total amount PHMSA approved for the project
7. Legal authority(ies) under which the award is issued
8. Assistance Listing Program Number (formerly CFDA)
9. Applicable award terms and conditions

10. Approved budget plan for categorizing allocable project funds to accomplish the stated purpose of the award
11. Other information or provisions deemed necessary by PHMSA.

F.2 Administrative and National Policy Requirements

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

1. The authorizing language of the Consolidated Appropriations Act, 2021, Division R, PIPES Act of 2020, Pub. L. 116- 260.
2. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
3. 49 CFR Part 20, "New Restrictions on Lobbying." 49 CFR Part 20 will be incorporated by reference into any award under this program and is available at www.gpoaccess.gov/ecfr/ by clicking on Title 49 CFR Part 20.
4. As a condition of a grant award, grant recipients will demonstrate that the recipient has a plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR Part 21), the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act, and all other civil rights requirements and accompanying regulations. This should include a current Title VI plan. DOT’s and the applicable Operating Administrations’ Office of Civil Rights will work with awarded grant recipients to ensure full compliance with federal civil rights requirements. See “Standard Title VI/Non-Discrimination Assurances” for the form by the same name that must be completed and returned by the grant applicant.
5. 49 CFR Part 32, “Governmentwide Requirements for Drug-Free Workplace (Financial Assistance),” which implements the requirements of Public Law 100-690, Title Subtitle D, “Drug-Free Workplace Act of 1988.” 49 CFR Part 32 will be incorporated by reference into any award under this program and is available at: www.gpoaccess.gov/ecfr/ by clicking on Title 49 CFR Part 32.
6. The Administration’s Executive Order on Advancing Racial Equity and Support for Underserved Communities Throughout the Federal Government (EO 13985).

F.3 Reporting Requirements

1. Mid-Term Progress Reports - Each grant recipient is required to submit a mid-term federal financial report (SF-425) and a mid-term progress report to the Agreement Officer and Agreement Officer Representative. The reports are due no later than 30 days after mid-year cycle from the award date. Progress reports must follow the instructions outlined in the terms and conditions of the grant award and must include:

- A summary of the activities and outputs that have taken place during the reporting period. This should include, at a minimum, the number of courses delivered during the period of performance, along with the number of students trained, the city and state where the training took place, and the employer or state that the students or emergency responders are in.
- The challenges that the recipient has faced, and the strategies implemented to mitigate

those challenges.

- An updated timeline of grant activities projected to take place for the remainder of the grant period of performance.
- As available, impact statements or analysis, from instructors, public sector responders, or other stakeholders regarding the impact that current period of performance grant activities have had on protecting people and the environment from the risks of pipeline transportation.

2. Final Reports - Each recipient is required to submit a final progress report and a final federal financial report (Final SF-425) to the Agreement Officer and Agreement Officer Representative. The reports are due no later than 60 days after the performance period has ended. Final reports must follow the instructions outlined in the terms and conditions of the grant award. Final performance reports are to be submitted via e-mail as directed by the terms and conditions of the grant award, and must include:

- A summary of the activities and outputs that took place during the period of performance. This should include the total number and type of courses delivered during the period of performance, along with the number of students trained, and the city and state where the training took place. Final reports should also include a list of employers or state who represents the students trained. If the projected outputs listed in the approved project narrative were not met, an explanation should be provided. This must include the challenges that the recipient faced, and the strategies taken to mitigate such challenges.
- A completed timeline of the activities that took place during the completed period of performance.
- As available, impact statements or analysis, from training instructors, public sector responders or other stakeholders, regarding the impact current period of performance grant activities have had on protecting people and the environment from the risks of pipeline transportation.

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

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

Recipients and subrecipients are also encouraged to incorporate program evaluation data, including associated data collection activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting an agency priority goal(s). Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L.

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

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

SECTION G - FEDERAL AWARDING AGENCY CONTACTS

Questions related to the content of this funding opportunity should be submitted via the Message Center in FedConnect. For technical issues or questions related to FedConnect, please e-mail fcsupport@unisonglobal.com. Applicants can also submit questions through the portal on their Web site or call 1-800-899-6665 option 2.

Tremayne Terry
Agreement Officer
Acquisition Services Division
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Avenue, SE, E22-301
Washington, D.C. 20590
Phone: 202-366-6942
E-mail: tremayne.terry@dot.gov

Hung Nguyen
Agreement Officer Representative
State Programs Division
Pipeline and Hazardous Materials Safety Administration
Phone: 202-713-7913
E-mail: hung.nguyen@dot.gov

SECTION H – OTHER INFORMATION

Given the complexity of some aspects of the application process, technical assistance is available to rural applicants and inexperienced or under-resourced applicants to help with the application process. Please contact the PHMSA points of contact listed above for technical assistance.

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