

U.S. DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Funding Opportunity for Fiscal Year 2023 Pollinator-Friendly Practices on Roadsides and Highway Rights-of-Way 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 Year (FY) 2023 Pollinator-Friendly Practices on Roadsides and Highway Rights-of-Way Program (also referred to as the Roadside Pollinator Program) grants that will result in the distribution of up to \$3 million. The actual amount available to be awarded under this NOFO will be subject to the availability of funds.

Funds made available for FY 2023 for the Roadside Pollinator Program are to be awarded to all satisfactory applications from State departments of transportation (State DOTs), Indian Tribes, and Federal Land Management Agencies (FLMAs) to carry out eligible activities to benefit pollinators on roadsides and highway rights-of-way on routes eligible for Federal-aid (Title 23, United States Code (U.S.C.) Section 332(a) and (e)(1)). This NOFO describes the application requirements, selection and evaluation criteria, applicable program and Federal requirements, and available technical assistance during the grant solicitation period.

Applicants are encouraged to refer to FHWA's Website at the [Roadside Pollinator Program Website \(FHWA\)](#) for more program information including fact sheets, additional resources, and points of contact.

DATES:

Applications must be submitted electronically through [grants.gov](#) no later than 11:59 p.m., Eastern Standard Time, on July 18, 2024 (the "application deadline"). 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.

FHWA plans to conduct outreach regarding the Roadside Pollinator Program in the form of a virtual meeting on April 29, 2024 from 2:30-4:00pm Eastern Standard Time. To join the Webinar, follow the instructions posted on the [Roadside Pollinator Program Website \(FHWA\)](#). The audio portion of the Webinar can be accessed from this teleconference line: TOLL FREE +1 669 254 5252; ACCESS CODE 000029. The Webinar will be recorded and posted on FHWA's Website at the [Roadside Pollinator Program Website \(FHWA\)](#). A

Telephone Device for the Deaf (TDD) is available for individuals who are deaf or hard of hearing at: +1 202-366-3993

ADDRESSES:

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

FOR FURTHER INFORMATION CONTACT:

Mishel R. 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
Email (preferred): pollinators@dot.gov
Phone: 202-366-4004

Alternate:

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

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

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 or review applications in advance, but FHWA staff are available for general questions about the Roadside Pollinator Program and NOFO. Applicants are encouraged to submit questions in writing at the email address listed above. In addition, FHWA will post answers to questions and requests for clarifications at [grants.gov](https://www.grants.gov) under this NOFO's page, at the [Roadside Pollinator Program Website \(FHWA\)](#) and on FHWA's BIL Guidance Website at [Bipartisan Infrastructure Law - Guidance | Federal Highway Administration \(dot.gov\)](#). 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.

Applicants are encouraged to submit questions to pollinators@dot.gov by *July 1, 2024* to ensure FHWA has adequate time to respond prior to the *July 18, 2024* application deadline. FHWA cannot guarantee that questions received after that date will be answered prior to the application deadline.

SUPPLEMENTARY INFORMATION:

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

TABLE OF CONTENTS

Section A – Program Description	4
Section B – Federal Award Information	6
Section C – Eligibility Information	8
Section D – Application And Submission Information	12
Section E – Application Review Information	20
Section F – Federal Award Administration Information	29
Section G – Federal Awarding Agency Contacts	34
Section H – Other Information	35

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.

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 NOFO.

SECTION A - PROGRAM DESCRIPTION

1. Overview

Section 11528 of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021), established the Pollinator-Friendly Practices on Roadsides and Highway Rights-of-Way Program (Roadside Pollinator Program), codified at 23 U.S.C. 332. This is the first NOFO under this program, and the total amount of funding available in this NOFO is up to \$3 million.¹ FHWA will award funding to State DOTs, Indian Tribes, and Federal Land Management Agencies (FLMAs) who are seeking to benefit pollinators on roadsides and highway rights-of-way on routes eligible for Federal-aid. See definitions for eligible applicants in Section C.1.

The goals of the Roadside Pollinator Program are to fund the implementation, improvement, or further development of the applicants' Pollinator Friendly Practices Plan (Plan) on routes eligible for Federal-aid. The United States has an estimated 3.9 million miles of roadway and suitable roadsides and rights-of-way represent a significant area that can be transformed into pollinator habitat through the planting of native plants and wildflowers. Roadsides can provide habitat for a diverse community of pollinators, including opportunities to forage for feeding, nesting and breeding. Roadsides extend across a variety of landscapes and can support ecological connectivity and the dispersal of pollinators by linking fragmented habitats. By acting as refugia for pollinators in otherwise inhospitable landscapes, roadside habitat can contribute to the maintenance of healthy ecosystems and provision of ecological services such as crop pollination services.

The Roadside Pollinator Program is a unique program that has some important differences from other FHWA and DOT discretionary grant programs, including the requirement for an applicant to submit a Plan (23 U.S.C. 332(c) and (d)), the requirement for FHWA to fund all satisfactory applications (23 U.S.C. 332(e)(1)), and the requirement for FHWA to base the amount of all awards on the number of PFPs that the applicant has implemented or plans to implement (23 U.S.C. 332(e)(2)(A)). Due to the unique nature of the Roadside Pollinator Program, FHWA is requiring applicants to use an Application Template.

The Roadside Pollinator Program may fund the implementation of pollinator-friendly practices (PFPs) included in a Plan or the improvement or further development of a Plan (23 U.S.C. 332(f)). The total activities to be funded by an applicant with a Roadside Pollinator Program award are referred to as the "Roadside Pollinator Project" throughout this NOFO.

2. Additional Information

¹ The Consolidated Appropriations Act, 2023 (Pub. L. 117-328) appropriated the first amount of funding for this program, providing \$3 million for FY 2023.

The Roadside Pollinator Program is described in the Federal Assistance Listings under the assistance listing program title “Highway Planning and Construction” and assistance listing number *20.205*.

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

The applicant should identify any other DOT programs and opportunities they intend to apply for (or utilize 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 the Financial Completeness section of the Application Template.

SECTION B - FEDERAL AWARD INFORMATION

1. Award Amount Available

For FY 2023, up to \$3 million is available for Roadside Pollinator Program awards under this NOFO.⁴ FY 2023 Roadside Pollinator Program funds must be obligated by September 30, 2026, (23 U.S.C. 332(l)(2)) and the last day for expenditures is September 30, 2031. FHWA will specify a period of performance for each Roadside Pollinator Project. FHWA intends to make the full \$3 million available for award and is using existing administrative resources to manage the program rather than set-aside 2 percent of the appropriated amount as authorized.

2. Award Size

A grant provided under the Roadside Pollinator Program will not exceed \$150,000 (23 U.S.C. 332(e)(2)(B)). The size of the award will be based on the number of PFPs the eligible entity has implemented or plans to implement (23 U.S.C. 332(e)(2)(A)).

For purposes of implementing the funding scheme provided for Roadside Pollinator Program grants and to ensure the effective use of the \$3 million available for grants, FHWA defines the number of PFPs that the eligible entity has carried out over the past 5 years from the date of the issuance of this NOFO, and for each practice, the measurable benefit to the pollinator as provided by the applicant.

FHWA defines the number of PFPs that an eligible entity plans to implement to mean the number of practices an applicant has identified from their Plan that they plan to implement using Roadside Pollinator Program grant funds, and for each practice, the measurable benefit to the pollinator as described by the applicant in their application.

A list of eligible categories of PFPs has been provided in Section C.3.iii of this NOFO. All PFPs to be implemented using Roadside Pollinator Program funding must fit into one of the nine categories in this list to be eligible to receive funding for their implementation and to also count towards determining the size of any potential award. PFPs that have already been implemented do not have to fit into one of the categories but will still count towards determining the size of any potential award. Applicants should accordingly list all PFPs that they have carried out during the past 5 years from the date of the issuance of this NOFO and all PFPs fitting into one of the categories provided in Section C.3.iii of this NOFO the applicant plans to implement using Roadside Pollinator Program funding in their application.

3. Type of Award

If the successful applicant is a State DOT, Roadside Pollinator Program funds will be awarded upon the execution of a project agreement, which is a type of grant agreement for the administration of funds to a State DOT, in the Fiscal Management Information System (FMIS).

If the successful applicant is an FLMA or Indian Tribe, funds will be administered upon the execution of a grant agreement with FHWA. A determination will be made if the successful

applicant will administer the grant, or when requested by the FLMA or Tribe, if the State DOT or FHWA Federal Lands Highway Division will administer the project.

4. Availability of Funds

For FY 2023, up to \$3 million is available for Roadside Pollinator Program awards under this NOFO. FY 2023 Roadside Pollinator Program funds must be obligated by September 30, 2026 (23 U.S.C. 332(l)(2)) and the deadline for expenditures is September 30, 2031. FHWA will specify a period of performance for each Roadside Pollinator Project.

Obligation of a Roadside Pollinator Program grant occurs when a selected applicant enters a project agreement with FHWA and FHWA authorizes the project to proceed. For construction, this is generally after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements and compliance with Title 23, Code of Federal Regulations (CFR), Part 635, subpart C (“Physical Construction Authorization”) for State DOT applicants or 2 CFR 200.318-.327 for non-State DOT applicants.

5. Period of Performance

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

If a grant recipient will be an FLMA or Indian Tribe, 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 that will obligate funds for the Roadside Pollinator Program and end on the period of performance that is listed in the grant agreement.

SECTION C - ELIGIBILITY INFORMATION

To be selected for a grant, an applicant must meet the eligibility requirements under Section C including: Eligible Applicant; the inclusion of a Plan; and the statutorily required coordination and consultation requirements, if applicable. Applications that do not meet these threshold eligibility requirements will not be evaluated under the merit criteria in Section E.

1. Eligible Applicants

Eligible applicants for the Roadside Pollinator Program are:

- (1) State DOTs;²
- (2) Indian tribes;³ and
- (3) FLMAs (23 U.S.C. 332(b)).

2. Cost Sharing or Matching

No cost sharing is required under this program (23 U.S.C. 332(g)). FHWA, however, expects applicants to complete the Roadside Pollinator Project for which they are applying, which may require the use of non-Federal or other Federal funds.

3. Other

i. Number of Applications

Only one award, not to exceed \$150,000, will be provided per eligible entity, regardless of the number of applications submitted (23 U.S.C. 332(e)(2)(B)). For this reason, FHWA encourages the submission of only one application per applicant. Eligible entities that elect to submit more than one application should rank their applications in order of priority. For entities that submit multiple applications, FHWA will fund the application the applicant has ranked the highest that has received an overall rating of Satisfactory. If an entity submits multiple applications and does not rank them, FHWA will fund the earliest submitted application that receives an overall Satisfactory rating. If, after funding all Satisfactory applications, there is sufficient funding FHWA reserves the right to fund multiple applications from an eligible entity up to the \$150,000 award limit.

ii. Eligible Pollinator-Friendly Practices Plan

² For the purposes of the Roadside Pollinator Program, a “State” refers to the 50 States, the District of Columbia, and Puerto Rico. *See* 23 U.S.C. 101(a)(28). A State DOT refers to the department of a State responsible for highway construction.

³ For the purposes of defining “Indian Tribe,” this NOFO is using the definition of the term in 23 U.S.C. 171, meaning any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians and also including a Native village and a Native Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (which is codified at 43 U.S.C. 1602).

All applicants must attach their existing Plan to their application or provide a Weblink to the applicant's existing Plan (23 U.S.C. 332(c) and (d)). The Plan may be a document, a subset of a document, multiple related documents, or a Web-based tool. If the included Plan is in any format other than a standalone document, i.e., a subset of a document or multiple related documents, the applicant must specify the relevant page numbers that are to be considered part of the Plan. By including a Plan in their application, the applicant is confirming that the Plan they are using is formal policy or guidance used and recognized by the applicant. Applicants must include a Plan as part of their application in order for their application to be eligible and further evaluated under this NOFO.

The Plan must include the PFPs that the applicant is including in the Roadside Pollinators Project as PFPs that the applicant plans to implement, except those in Category 7, below, which covers improving or further developing an existing Plan (23 U.S.C. 332(d) and (f)), in order to be eligible to receive Roadside Pollinator Program funds for the implementation of those PFPs.

iii. Eligible Practices

PFPs included in the Roadside Pollinators Project, meaning those for which the applicant is requesting funding to implement, must fall under one or more of the following nine Categories to be eligible for funding and to be used in determining the amount the application may be awarded (23 U.S.C. 332(d), (e)(2)(A), and (f)):

1. Pollinator-friendly mowing strategies

- a) Implementation of mowing strategies that promote early successional vegetation and limit disturbance during periods of highest use by target pollinator species on roadsides and highway rights-of-way such as: reducing the mowing swath outside of the State-designated safety zone, increasing mowing height, reducing mowing frequency, refraining from mowing monarch and other pollinator habitat during periods in which monarchs or other pollinators are present; use of a flushing bar and cutting at reduced speeds to reduce pollinator deaths due to mowing; or reducing raking along roadsides and highway rights-of-way.

2. Implementation of an integrated vegetation management plan or Pollinator-Friendly Practices Plan

- a) Implementation of additional vegetation management practices found in an integrated vegetation management plan that promote early successional vegetation and limits disturbance during periods of highest use by target pollinator species on roadsides and highway rights-of-way such as: mechanical tree and brush removal, targeted and judicious use of herbicides, mowing, controlled burns, grazing, and brush removal.
- b) Implementation of policies that reduce the negative impacts of herbicides on pollinators and nontarget plants on roadsides and highway rights-of-way.
- c) Creation of additional habitats on roadsides and highway rights-of-way that benefit pollinators such as overwintering areas, nesting areas, or other resources necessary to sustain their populations.
- d) Monitoring, evaluation, and adaptive management of pollinator habitat.

3. Planting or Seeding

- a) Salvaging, collecting, purchasing, planting, or seeding of native, locally appropriate grasses and wildflowers on roadsides and highway rights-of-way to enhance pollinator habitat. Seeds must not be treated with any neonicotinoid pesticide for the PFP to be eligible for funding.
 - b) Carrying out site preparation to improve survival of native flowering plants on roadsides and highway rights-of-way to enhance pollinator habitat, such as the purchase and application of soil amendments or removal of invasive species.
 - c) Conducting maintenance during plant establishment on roadsides and highway rights-of-way, such as watering, weed control, replanting, and controlling invasive species.
- 4. Safety**
- a) Implementation of design, construction, or maintenance techniques to ensure that pollinator friendly habitat is protected but does not negatively impact roadway safety.
- 5. Obtaining expert training or assistance on pollinator-friendly practices**
- a) Training staff on the role of roadsides in pollinator conservation; the implementation of management techniques that benefit pollinators; the role of native plants in ecosystems; the identification of native plants; incorporating design elements, such as land management practices, to benefit pollinators and establish and manage locally-appropriate native plants; and pollinator-focused integrated vegetation management.
 - b) Obtaining expert training or assistance on PFPs described in this section and pollinator-friendly topics.
- 6. Outreach**
- a) Implementing outreach strategies to increase public support for pollinator habitat on roadsides and highway rights-of-way, including signage.
 - b) Coordinating with adjacent or nearby property owners and managers to roadsides and highway rights-of-way to promote pollinator habitat.
- 7. Updating, improving, or further developing the Pollinator Friendly Practices Plan**
- a) This may include updates and improvements to an applicant's existing Plan, such as general improvements and updates; increase in scope; incorporating changing conditions, new science, increased collaboration; or other conditions that necessitate a Plan update or improvement.
- 8. Protecting existing habitat**
- a) Perform inventories and identify existing habitat for pollinators on roadsides and highway rights-of-way.
 - b) Create or maintain an inventory database of pollinator habitat on roadsides and highway rights-of-way.
- 9. Removing nonnative grasses from planting and seeding mixes**
- a) Development of, or updates to, seed lists and mixes that remove or omit nonnative species from planting and seeding mixes, except for use as nurse or cover crops. May include development of additional information on plant attributes, functional roles, and value to pollinators.

iv. Coordination

State DOT and FLMA applicants must include documentation of coordination with applicable State agencies, including State agencies with jurisdiction over agriculture and fish and wildlife, in the development of the Plan (23 U.S.C. 332(d)(2)). This is an eligibility requirement, and

applications that do not include documentation or describe why this requirement is not applicable will be found ineligible and will not be further evaluated under this NOFO.

v. Consultation

State DOT and FLMA applicants must include documentation of consultation with affected or interested Indian tribes in the development of the Plan (23 U.S.C. 332(d)(3)(A)). This is an eligibility requirement, and applications that do not include documentation or describe why this requirement is not applicable will be found ineligible and will not be further evaluated under this NOFO.

Any eligible entity may also consult with nonprofit organizations, institutions of higher education, metropolitan planning organizations, and any other relevant entities in developing their Plan (23 U.S.C. 332(d)(3)(B)).

vi. Eligible Costs

An eligible entity that receives a grant under the Roadside Pollinator Program must use the funds for the implementation of PFPs included in their Plan that are described in Categories 1-6 and 8-9 of Section C.3.iii, or the improvement or further development of the Plan as described in Category 7 of Section C.3.iii (23 U.S.C. 332(f)). For PFPs that fall under Categories 1-4, funds can be used for work only within the right-of-way (ROW) unless the grant recipient can demonstrate that the area outside of the ROW is adequately controlled via lease, easement, or ownership by the recipient (23 U.S.C. 332(a)). Grant funding cannot be used to acquire ROW.⁴

Eligible Roadside Pollinator Project costs must be necessary and reasonable for the performance of the Roadside Pollinator Program award in accordance with the cost principles under 2 C.F.R. part 200, subpart E.

⁴ The purpose of the Roadside Pollinator Program is to provide grants to benefit pollinators on roadsides and highway rights-of-way. *See* 23 U.S.C. 332(a). Activities to be carried out using Roadside Pollinator Program funds, as applicable, must therefore be conducted where ROW is owned or adequately controlled by the applicant. For this reason, funds cannot be used to purchase ROW.

SECTION D - APPLICATION AND SUBMISSION INFORMATION

1. Address To Request Application Package

All application materials may be found on [grants.gov](https://www.grants.gov).

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

- Opportunity Number: **693JJ324NF00015**
- Opportunity Name: Pollinator-Friendly Practices on Roadsides and Highway Rights-of-Way Program
- Assistance Listing Number: - *20.205 Highway Planning and Construction*

When at one of these pages, select the Opportunity, which will open to a page with several tabs. The first tab is a synopsis of the opportunity. Select the Application Package tab to download the forms needed to submit an FY 2023 Roadside Pollinator Program 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 R. 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
Email (preferred): pollinators@dot.gov
Phone: 202-366-4004

Alternate:

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

2. Content And Form of Application Submission

- i. Application.

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

Note: The DOT may share application information within DOT or with other Federal Agencies if DOT determines that sharing is relevant to the respective program’s objectives.

The application package must consist of the following:

Required Forms for Non-Construction Project Applications:	Required Forms for Construction Project Applications:
Standard Form 424 (Application for Federal Assistance)	Standard Form 424 (Application for Federal Assistance)
Application Template	Application Template
Disclosure of Lobbying Activities form (SFLLL)	Disclosure of Lobbying Activities form (SFLLL)
Standard Form 424A (Budget Information for Non-Construction Programs)	Standard Form 424C (Budget Information for Construction Programs)

Note: All mandatory Standard Forms (SF) of the 424 family are available for viewing only at <https://www.grants.gov/forms/forms-repository/sf-424-mandatory-family>.

(a) 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) to the SF 424: The Application Template (see Section D.2.i.g) must be added as an Attachment to Item 15 of the SF-424. Applicants should not provide an additional Project Narrative.

(b) Disclosure of Lobbying Activities form (SF-LLL)

(c) Required Forms for Non-Construction Projects

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

(d) Required Forms for Construction Projects

Applicants proposing construction-related projects must submit SF 424C (Budget Information Construction Programs). This applies to any application that has construction-related work, including those that have additional non-construction elements:

(e) Map

Applicants should provide a map or maps of the areas for which they plan to implement PFPs funded under this NOFO.

(f) Application Template

Applicants must complete the Roadside Pollinator Program Application Template and attach it to their application for their application to be eligible to receive Roadside Pollinator Program funding. The Application Template should provide information necessary for FHWA to determine that the project satisfies the eligibility requirements described in Section C for the grant program and to evaluate the selection criteria specified in Section E.1. FHWA may, but is not required to, request additional information, including additional data, to clarify supporting data and documentation submitted in an application. 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 supplement incomplete applications.

Instructions are included in the Application Template itself. More detailed instructions on specific items of the Application Template are described below:

ii. Merit Criteria.

The applicant should use this space to provide a narrative that discusses how the specific PFPs they propose to fund wholly or partly with Roadside Pollinator Program funds will address each Merit Criteria #1 through #4 in Section E.1.i. Responses should not exceed 500 words for each criterion.

FHWA encourages applicants to address each criterion. Insufficient information to assess any criterion will negatively impact the application rating. Guidance describing how FHWA will evaluate applications against the merit criteria is in Section E.1.i. of this NOFO.

iii. Roadside Pollinator Project Implementation Readiness Criteria.

If an application requests funding to implement a project in the Roadside Pollinator Plan, the application should include information that is sufficient for the FHWA to evaluate whether the project is reasonably expected to begin work in a timely manner.

Criteria #1: Environmental Review and Permitting Risk.

The application should provide documentation of receipt (or the schedule for anticipated receipt) of all environmental approvals and permits necessary to ensure timely completion of all activities

necessary to meet the statutory obligation deadline, including satisfaction of all Federal, State, and local environmental requirements, planning approvals, and completion of the National Environmental Policy Act (NEPA) process. The applicant may briefly elaborate on the NEPA evaluation process. Pursuant to 23 CFR 771.129, with respect to environmental impact statements, if the final agency action with respect to NEPA occurred more than 3 years before the application date, the applicant should briefly describe a proposed approach for updating this material in accordance with applicable NEPA reconsideration requirements. The planning requirements applicable to the Federal-aid highway program apply to all Roadside Pollinator Projects.⁵

Criteria #2. Assessment of Project Risks and Mitigation Strategies.

The applicant should identify all material risks to the Roadside Pollinator Project and the strategies that the lead applicant and any Roadside Pollinator Project partners have undertaken or will undertake to mitigate those risks.⁶ The applicant should assess the greatest risks to the project and identify how the project parties will mitigate those risks.

To the extent an applicant 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 \(dot.gov\)](https://www.fhwa.dot.gov/fieldoffices/) for information on what steps are prerequisite to the obligation of Federal funds to ensure that the applicant's schedule is reasonable and that there are no risks of delays in satisfying Federal requirements.

Criteria #3: Technical Assessment.

In this area of the Application Template, applicants should provide details indicating that they are able to successfully deliver the Roadside Pollinator Project in compliance with all applicable Federal requirements. This section should include details about the applicant, demonstrating the applicant's experience with receipt and expenditure of Federal-aid highway program funds under 23 U.S.C. and the technical experience and resources dedicated to the Roadside Pollinator Project. The application should include information that, when considered with the Roadside Pollinator Project budget information, is sufficient for FHWA to evaluate whether the applicant has sufficient experience to both implement the work that the applicant plans to fund wholly or partly using the requested funds and to manage the funds administratively.

Criteria #4: Financial Completeness.

⁵ In accordance with 23 U.S.C. 134 and 135, all projects requiring an action by the Federal Highway Administration (FHWA) must be in the applicable plan and programming documents (e.g., metropolitan transportation plan, transportation improvement program (TIP), and statewide transportation improvement program (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 metropolitan transportation plan and TIP. Inclusion in the STIP is required under certain circumstances. To the extent a project is required to be on a metropolitan transportation plan, 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 metropolitan planning organization (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.

⁶ FHWA considers an applicant's lack of experience with receipt and expenditure of Federal-aid highway funds under title 23, U.S.C. a material risk.

The applicant should describe the Roadside Pollinator Project's budget. There is no cost share requirement for Roadside Pollinator Program grants; however, to the extent that the cost of implementing a Roadside Pollinator Project for which the applicant is seeking Roadside Pollinator Program funding is greater than the amount of Roadside Pollinator Program funding the applicant is requesting, applicants should use this part of the template to describe plans for covering the full cost of implementing the Roadside Pollinator Project from all sources. In such cases, the project budget should identify other Federal funding 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) Roadside Pollinator Program Funds; and (3) Other Federal Funds, with specific amounts from each funding source.

Project budgets should show how different funding sources will share in each activity and present the data in dollars and percentages. The budget should identify other Federal funds the applicant is applying for, has been awarded, or intends to use. Funding sources should be grouped into three categories: non-Federal, current application Roadside Pollinator Project, and other Federal programs with specific amounts for each funding source.

In addition to the information enumerated above, this section should provide information on how all Roadside Pollinator 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 FHWA's expectations for award execution align with any funding restrictions unrelated to FHWA, even if an award differs from the applicant's request.

iv. Summary of Pollinator-Friendly Practices.

The applicant should use the tables provided in Section III of the Application Template to provide a summary of PFPs in the applicant's Plan that they have carried out in the 5 years prior to the issuance of this NOFO and on the Roadside Pollinator Project that the applicant plans to implement using Roadside Pollinator Program funding. There is no upper or lower limit on the number of PFPs that can be included. Where the applicant seeks to fund with Roadside Pollinator Program funds multiple related activities from different Categories listed in Section C.3.iii of this NOFO that are taken at a single location, such as site preparation, planting, and ongoing invasive control, those activities should be described as separate PFPs in the Application Template.

For PFPs included in the applicant's Plan that the applicant has implemented in the 5 years prior to the issuance of this NOFO, applicants should include a reference to where the PFP can be found in their Plan, where applicable. Where applicable, applicants should include the category described in Section C.3.iii under which the previously implemented practice falls. FHWA, however, does not require previously implemented practices to be included in a Plan or to fall under one of the Categories in Section C.3.iii in order to affect the amount of funding an application may receive. For each previously implemented PFP, applicants should include a brief description of the PFP. For PFPs falling under categories 1-4 in Section C.3.iii, applicants

should list the approximate number of road miles on which the PFP occurred. For PFPs falling under categories 5-6 in Section C.3.iii, applicants should describe the approximate number of people reached via the PFP. Based on this information, FHWA will determine which of these previously implemented PFPs will impact the amount of Roadside Pollinator Program funding an applicant receives.

For PFPs that the applicant plans to implement using Roadside Pollinator Program funds as part of the Roadside Pollinator Project, the applicant should include a reference to the PFP in their Plan and include the category described in Section C.3.iii under which the PFP they plan to implement falls. For each PFP, applicants should include a brief description of the PFP, the location, the total cost, and the requested amount of Roadside Pollinator Program funds to implement the PFP. Applicants should also rank the PFPs they plan to implement in order of their priority to the applicant. Based on the availability of funding, FHWA reserves the right to decline to fund lower priority PFPs. For PFPs falling under categories 1-4 in Section C.3.iii, applicants should list the approximate number of road miles on which the PFP occurred. For PFPs falling under categories 5-6 in Section C.3.iii, applicants should describe the approximate number of people reached via the PFP. Based on this information, FHWA will determine which PFPs are eligible for Roadside Pollinator Program funding, which will impact the amount of Roadside Pollinator Program funding an applicant receives.

Applicants should not include planned PFPs that they are not requesting Roadside Pollinator Program funds for in the Application Template.

3. Unique Entity Identifier and System for Award

The Data Universal Numbering System (DUNS), required for entities doing business with the Federal government, was replaced by the Unique Entity Identifier (UEI) in the System for Award Management (SAM). Applicants must now use their UEI, issued during the SAM.gov registration process, to do business with DOT. If your entity was actively registered, then your UEI was automatically assigned and it is currently viewable in SAM.gov; there is no action for registered entities to take at this time to obtain your 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:

- 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.

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 **July 18, 2024** (the “application deadline”).

5. Intergovernmental Review

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

6. Funding Restrictions

- i. Unless authorized by FHWA in writing after FHWA’s announcement of FY 2023 Roadside Pollinator Program awards, any costs incurred prior to FHWA’s obligation of funds for a project (“pre-award costs”) are ineligible for reimbursement.
- ii. 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

- i. Submission Location.

Applications must be submitted to *Grants.gov*.

- ii. Consideration of Applications.

Only applicants who are an eligible entity, 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.

- iii. Late Applications.

Applicants experiencing technical issues with grants.gov that are beyond the applicant’s control must contact pollinators@dot.gov prior to the application deadline with the username of the registrant and details of the technical issue experienced. The applicant must provide:

- 1) Details of the technical issue experienced.

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

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

After FHWA reviews all information submitted and contact the [grants.gov](https://www.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](https://www.grants.gov). FHWA will not accept appeals of FHWA decision to approve or deny a request for a late application. If the reported technical issues cannot be validated, late applications will be rejected as untimely.

iv. Compliance with Section 508 of the Rehabilitation Act of 1973.

FHWA encourages applicants to submit documents that are compliant with Section 508 of the Rehabilitation Act of 1973. Section 508 guidelines are available at [Information and Communication Technology- Revised 508 Standards and 255 Guidelines](#).

SECTION E - APPLICATION REVIEW INFORMATION

1. Criteria

FHWA will award Roadside Pollinator Program funds based on an evaluation of the Merit Criteria and Project Readiness Criteria as described in this Section E.

i. Merit Criteria.

FHWA will evaluate FY 2023 Roadside Pollinator Program grant applications using the following Merit Criteria.

Criterion #1: Overall Benefits to Pollinator Species and Habitats

Within the application, demonstrate the extent to which the project will provide benefits to pollinator species, life-stages, and habitat.

For applications seeking funding to implement PFPs, applicants should describe: (a) the size of the area that will be affected by the implementation of PFPs to be funded using Roadside Pollinator Program funds; and (b) the anticipated increase in the diversity and status of targeted pollinator species and habitats over existing conditions due to the implementation of PFPs to be funded using Roadside Pollinator Program funds.

For applications seeking funds to improve or further develop their Plans, FHWA will evaluate (a) and (b) above, with a focus on how the updated Plan would provide an increase in the size of the area to be affected by the Plan and how the updated Plan would provide an increase in the diversity and status of targeted pollinator species and habitats over the existing Plan; and the level of commitment to implementation of the updated Plan, such as a letter of commitment or legislation.

High:

- For applications seeking funding to implement PFPs, the Roadside Pollinator Project is expected to create a high level of measurable benefit to pollinators and or pollinator habitat in (a) the size of the area in which the Roadside Pollinator Project will be implemented or the size of the area as a percentage of the applicant's overall road network; and (b) the anticipated increase in the diversity and status of targeted pollinator species and habitats over existing conditions.
- For applications seeking funding to improve or further develop their Plans, the application describes an anticipated high level of improvement in both (a) and (b) above over the existing Plan, and a commitment to implementation of the new Plan.

Medium:

- For applications seeking funding to implement PFPs, the Roadside Pollinator Project is expected to create a measurable but not large benefit to pollinators and or pollinator habitat in (a) the size of the area in which the Roadside Pollinator Project will be implemented or the size of the area as a percentage of the applicant's overall road

- network; and (b) the anticipated increase in the diversity and status of targeted pollinator species and habitats over existing conditions.
- For applications seeking funding to improve or further develop their Plans, the application shows an anticipated moderate level of improvement in both (a) and (b) above over the existing Plan, and a commitment to implementation of the new Plan.

Low:

- For applications seeking funding to implement PFPs, the application describes a Roadside Pollinator Project with no benefit to pollinators or pollinator habitat.
- For applications seeking funding to improve or further develop their Plans, the application shows no anticipated improvement in (a) or (b) above over the existing Plan or no commitment to implementation of the new Plan.

Criterion #2: Context and Connectivity

Within the application, demonstrate the extent to which the project will benefit pollinator species in the local or regional context. The application should discuss whether the Roadside Pollinator Project is a priority in the applicant's existing Plan, a species recovery plan, integrated vegetation management plan, State wildlife plan, or other similar planning or prioritization document or effort; whether the applicant is part of a Candidate Conservation Agreement with Assurances (CCAA) or other voluntary conservation agreement; whether the applicant provides or will provide direct physical connection to existing or proposed future pollinator habitat through the implementation of the Roadside Pollinator Project; and whether the applicant contributes to the recovery or sustainability of federally protected or at-risk species or habitats.

For applications seeking funding to improve or further develop their Plan, the application should discuss how landscape context and connectivity to existing or planned pollinator habitat will be addressed in the updated Plan, including any planned coordination or consultation, and the alignment of landscape context and connectivity with the applicant's existing Plan.

High:

- For applications seeking funding to implement PFPs, the Roadside Pollinator Project includes a specific location or locations that is a named priority in the Plan, or in a local, regional, or national planning or species recovery document; or the applicant otherwise describes a high level of connectivity to existing pollinator habitat that is immediately adjacent to the Roadside Pollinator Project site(s).
- For applications seeking funding to improve or further develop their Plans, the application provides clear information that guidance to improve landscape context and connectivity will be included in the updated Plan and indicates how that landscape context and connectivity will be a priority in the updated Plan.

Medium:

- For applications seeking funding to implement PFPs, the PFPs in the Roadside Pollinator Project are described as priority types of actions in a local, regional, or national planning or species recovery document; or the applicant otherwise demonstrates a moderate level of connectivity to existing or proposed pollinator habitat on lands adjacent or nearby to the Roadside Pollinator Project site(s).

- For applications seeking funding to improve or further develop their Plans, the application provides clear information on how landscape context and connectivity will be included in the updated Plan.

Low:

- For applications seeking funding to implement PFPs, the Roadside Pollinator Project is not a named priority or priority type of action, and the applicant does not describe at least a moderate level of connectivity to existing or proposed future pollinator habitat on lands adjacent to or nearby to the Roadside Pollinator Project site(s). For applications seeking funding to improve or further develop their Plans, the application provides little or unclear information on how landscape context and connectivity will be included in the updated Plan or demonstrates no commitment to doing so.

Criterion #3: Roadside Pollinator Project Design and Methods:

Within the application, demonstrate the extent to which the project will use appropriate PFPs for the Roadside Pollinator Project location, the technical merit of the described PFPs, and the likelihood of the selected PFPs to provide benefits to pollinator species and habitat as planned. FHWA will also evaluate the inclusion of appropriate safety considerations in the Roadside Pollinator Project, including but not limited to, adherence to applicable clear zone requirements; consideration of sight line; maintenance practices; and compliance with applicable wildlife interaction requirements.

For applications seeking funding to improve or further develop their Plan, the application should discuss the anticipated improvement in future Roadside Pollinator Project designs or best management practices compared to those carried out under the existing Plan, as well as describe the applicant's commitment to adhering to the improved Plan.

High:

- For applications seeking funding to implement PFPs, the Roadside Pollinator Project consists of location-specific practices, methodology, trainings, or site design, as applicable to each specific practice. PFPs are well described, reflect current best science, and demonstrate a high likelihood of success in providing benefits to pollinator species and habitat as planned. The Roadside Pollinator Project either benefits or does not negatively impact roadway safety.
- For applications seeking funding to improve or further develop their Plans, the application provides clear information that updated and improved methodology and design guidance will be included in the updated Plan and a commitment to implementation of the new Plan.

Medium:

- For applications seeking funding to implement PFPs, the Roadside Pollinator Project consists of practices, methodology, trainings, or site design, as applicable to each specific practice, that appear to be generally appropriate for the locations in which they are to be implemented, are adequately described, and demonstrate a reasonably high likelihood of success across a number of sites. The Roadside Pollinator Project either benefits or does not negatively impact roadway safety.

- For applications seeking funding to improve or further develop their Plans, the application provides clear information that updated and improved methodology and design guidance will be included in the updated Plan.

Low:

- For applications seeking funding to implement PFPs, the practices are not appropriate for the locations, are poorly described, are not technically sound, or will negatively impact roadway safety.
- For applications seeking funding to improve or further develop their Plans, the application does not provide information on how any updated and improved methodology and design guidance will be included in the updated Plan; or the described changes are likely to negatively impact pollinators or pollinator habitat.

Criterion #4: Maintenance and Management

Within the application, demonstrate the applicant's commitment to ensuring the persistence of the pollinator habitats beyond the grant period of performance using any combination of monitoring, adaptive management, appropriate ongoing maintenance, and adoption of training.

For applications seeking funds to further develop or update their Plan, the application should discuss if maintenance, adaptive management, and monitoring recommendations for PFPs will be included in the updated or improved Plan or, where applicable, discuss if prior monitoring or adaptive management data and outcomes will be used in the updated Plan.

High:

- For applications seeking funding to implement PFPs, the application demonstrates a commitment to appropriate maintenance or adaptive management including monitoring, long-term maintenance, or adoption of training that is technically sound, well described, and highly likely to ensure the long term or indefinite persistence of pollinator habitat linked to activities carried out with Roadside Pollinator Program funds. The application also demonstrates a commitment to minimizing impacts of ongoing maintenance activities.
- For applications seeking funding to improve or further develop their Plans, the application details a commitment to incorporating technically sound adaptive management strategies, including monitoring, and ongoing maintenance of pollinator habitat in the updated Plan that is likely to ensure the long term or indefinite persistence of pollinator habitat.

Medium:

- For applications seeking funding to implement PFPs, the application demonstrates a commitment to appropriate maintenance or adaptive management including monitoring, or adoption of training that is technically sound and highly likely to ensure the short to medium term persistence of pollinator habitat linked to activities carried out with Roadside Pollinator Program funds.
- For applications seeking funding to improve or further develop their Plans, the application details a commitment to ongoing maintenance of pollinator habitat in the updated Plan that is likely to ensure the short to medium term persistence of pollinator habitat.

Low:

- For applications seeking funding to implement PFPs, the application does not adequately describe appropriate maintenance or adaptive management strategies; the application describes activities or practices with a low likelihood to ensure the continued persistence of pollinator habitat; or there is a high likelihood of significant avoidable impacts from ongoing maintenance activities described in the application.
- For applications seeking funding to improve or further develop their Plans, the application does not detail a commitment to ongoing maintenance of pollinator habitat; or describes a process or practices that are likely to negatively impact the persistence or quality of pollinator populations or habitat.

ii. Roadside Pollinator Project Readiness Criteria.

FHWA will consider Roadside Pollinator Project readiness to assess the likelihood of a successful Roadside Pollinator Project for all eligible applications. FHWA will consider four evaluation ratings: Environmental Review and Permitting Risk, Project Risks and Mitigation Strategies, Technical Assessment, and Financial Completeness Assessment.

Environmental Review and Permitting Risk

The environmental review and permitting risk assessment analyzes the Roadside Pollinator Project's environmental approvals and likelihood of the necessary approvals affecting Roadside Pollinator Project obligation, and results in a rating of "high risk," "moderate risk," or "low risk."

Project Risks and Mitigation Strategies.

The project risk assessment analyzes the Roadside Pollinators Project's material risks to the project and the strategies that the lead applicant and any project partners have undertaken or will undertake to mitigate those risks and results in a rating of "high risk," "moderate risk," or "low risk." Material risks include risk of project components not being achievable, such as procurement of seed stock, access to ROW, acquisition of appropriate herbicide, or non-availability of expert-level training professionals, for example.

Technical Assessment

The Technical Assessment criterion assesses the applicant's capacity to successfully deliver the project in compliance with applicable Federal requirements based on factors including the recipient's experience working with Federal agencies, previous experience with DOT or FHWA discretionary grant awards, and the technical experience and resources dedicated to the Roadside Pollinator Project. Technical Assessment ratings will be one of the following: "low," "moderate," or "high."

Financial Completeness

The Financial Completeness Assessment reviews the ability for all PFPs funded using Roadside Pollinator Program funds to be fully implemented. While there is no cost share requirement for this program, for PFPs that require funding outside of Roadside Pollinator Program funding to be

fully implemented, FHWA will review the availability of other funds and whether the applicant presented a complete funding package. Applications will receive a rating of “complete,” “partially complete,” or “incomplete.” For Roadside Pollinator Projects that receive a rating of “complete” and include funding estimates that are based on early stages of design (e.g., less than 30 percent design) or outdated cost estimates, without specified contingency, evaluators may add a comment to note the potential for uncertainty in the estimated project costs.

The Project Readiness Ratings described above will be translated to a Satisfactory or Unsatisfactory rating, using the table below:

Rating	1	2	3
Environmental Review and Permitting Risk	High Risk: The Roadside Pollinator Project has environmental concerns including environmental permitting, consultation, and NEPA, that preclude implementation or cause substantial schedule delays.	Moderate Risk: The Roadside Pollinator Project has environmental concerns including environmental permitting, consultation, and NEPA but these can be likely addressed by the Roadside Pollinator Project without significant delays.	Low Risk: The Roadside Pollinator Project has completed all required environmental permitting, consultation, and NEPA, or it is highly likely that these will be completed in the time necessary to meet schedule requirements.
Project Risks and Mitigation Strategies	High Risk: The Roadside Pollinator Project has a high level of material risk that may preclude implementation and the applicant has not identified mitigation strategies.	Moderate Risk: The Roadside Pollinator Project has some material risks, but the applicant has identified mitigation strategies that are likely to address them without significant delays.	Low Risk: The Roadside Pollinator Project has few or no material risks and the applicant has identified appropriate mitigation strategies, where applicable.
Technical Assessment	Low: Reviewers are not confident in the applicant’s capacity to deliver the Roadside Pollinator Project in a manner that satisfies Federal requirements.	Moderate: Reviewers are moderately confident in the applicant’s capacity to deliver the Roadside Pollinator Project in a manner that satisfies	High: Reviewers are confident in the applicant’s capacity to deliver the Roadside Pollinator Project in a manner

		Federal requirements.	that satisfies Federal requirements.
Financial Completeness	Incomplete Funding: If the Roadside Pollinator Project requires additional funding to complete the source of that funding has not been identified and it is unlikely to be secured in time to complete the Project in a timely manner.	Partially Complete: If the Roadside Pollinator Project requires additional funding to complete the likely source of that funding has been identified and it is likely to be secured in time to complete the Project in a timely manner.	Complete: If the Roadside Pollinator Project requires additional funding to complete that funding is secured.

Rating	Description
Satisfactory	All 3s OR three 3s and one 2.
Unsatisfactory	More than one 2 OR any 1s.

iii. Overall Application Rating.

FHWA will assign each eligible application an overall rating of Satisfactory or Not Satisfactory. The rating will be assigned by FHWA on the following basis:

Overall Merit Rating	Individual Criteria Ratings
Satisfactory	A Satisfactory application is one that: - Receives a rating of High in either Criterion #1 (Overall Benefit to Pollinators) <i>or</i> Criterion #2 (Context and Connectivity) And - Does not receive a Low score for any Merit Criteria. And - Receives a Satisfactory Project Readiness Rating
Not Satisfactory	Is not rated Satisfactory

2. Review and Selection Process

FHWA will conduct an application intake and eligibility review by providing an initial eligibility screening based on the criteria in Section C. Only eligible applications will be evaluated against the merit criteria and project readiness criteria in Section E.1. The Roadside Pollinator Program application evaluation and selection process consists of (1) a Technical Review and (2) an FHWA Senior Review and Funding Allocation, and (3) FHWA Senior Review Team (SRT) Review and Project Selections.

i. Technical Review.

The evaluation of eligible applications will be conducted by a Technical Review Team (TRT) who may consist of individuals from DOT offices. The TRT will evaluate each eligible application against the merit and project readiness criteria in section E.1. Based on the outcome of these reviews, the TRT will assign an overall rating of “Satisfactory” or “Not Satisfactory” to each application.

All Satisfactory applications will be reviewed by the FHWA Division Office in the State in which the application is located. The Divisions will review the respective applications and evaluate whether there are any aspects of the Roadside Pollinator Project that may prevent it from timely implementation upon recipient of a Roadside Pollinator Program grant.

ii. Funding Recommendations.

Per 23 U.S.C. 332(e), all Satisfactory applications will receive an award of no more than \$150,000, with the amount of the award based on the number of PFPs the applicant has implemented or plans to implement using Roadside Pollinator Program funds.

For all applications rated Satisfactory, the TRT will develop initial funding recommendations using the definitions of “number of pollinator-friendly practices the eligible entity has implemented” and “number of pollinator-friendly practices an eligible entity plans to implement” in Section B.2. The TRT will use these definitions to determine the amount of Roadside Pollinator Program funds for each application that receives a Satisfactory rating.

If funding is limited, because all Satisfactory applications must receive an award based upon the number of practices an applicant has implemented and plans to implement, the TRT may provide initial funding recommendations less than the amount of Roadside Pollinator Program funds requested. In such a situation, the TRT may take into account which PFPs applicants rank as priorities, and the TRT may suggest to not award Roadside Pollinator Program funds to implement lesser ranked PFPs.

The TRT will send to the FHWA SRT all applications rated Satisfactory, along with the initial funding recommendation.

iii. FHWA SRT Process.

FHWA SRT consists of senior FHWA officials. The SRT, which may include the FHWA Administrator's participation in the SRT review process, advises the FHWA Administrator on the funding amount for each Satisfactory application up to \$150,000.

The FHWA Administrator makes final funding decisions.

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

3. Additional Information

- i. FHWA may, during the selection process, enter into discussions with an applicant that may include mutually agreeing upon a lesser amount of a potential award than originally requested in the application if necessary due to the quantity, size, and scope of the applications received in response to this NOFO and the results of the application review process. While all Satisfactory applications will receive some amount of Roadside Pollinator Program funding, discussions may include FHWA awarding less Roadside Pollinator Program funds than requested by choosing to not award PFPs that applicants rank as lesser priorities.
- ii. Prior to award, each selected applicant will be subject to a risk assessment as required by 2 CFR 200.206. DOT must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). An applicant may review information in FAPIIS and comment on any information about itself that a federal awarding agency previously entered. FHWA will consider comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants.

SECTION F - FEDERAL AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

Following the evaluation outlined in Section E, the Secretary will announce awarded projects by posting a list of selected applications at the [Roadside Pollinator Program Website \(FHWA\)](#). Notice of selection is not authorization to begin performance or to incur costs for the implementation, improvement, or further development of a Plan. Following that announcement, FHWA will contact the point of contact listed in the SF 424 to initiate the negotiation of a grant agreement. Recipients of Roadside Pollinator Program grant awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds. Instead, FHWA will reimburse Roadside Pollinator Program 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 2023 Roadside Pollinator Program awards, any costs that a recipient incurs before FHWA executes a grant agreement are ineligible for reimbursement.

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 DOT at 2 CFR Part 1201. Applicable Federal laws, rules, and regulations set forth in title 23, U.S.C., and title 23 of the CFR, 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 the Office of Management and Budget. In complying with these requirements, recipients, in particular, must ensure that no concession agreements are denied or other contracting decisions made on the basis of speech or other activities protected by the First Amendment. If FHWA determines that a recipient has failed to comply with applicable Federal requirements, FHWA may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

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

Regulations in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

i. Program Requirements.

a. *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 DOT and the U.S. Department of Homeland Security, will be required to do so before receiving funds.

b. *Domestic Preference Requirements*

As expressed in E.O. 14005, *Ensuring the Future Is Made in All of America by All of America's Workers* (86 FR 7475), the executive branch 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 23 U.S.C. 313 and 23 CFR 635.410 for steel, iron, and manufactured products, and the domestic preference requirements in the Build America, Buy America Act (Pub. L. No 117-58, div. G §§ 70901–70927), as implemented by 2 CFR part 184, for construction materials; or the Buy American Act (41 U.S.C. § 8301 et seq.), as applicable. 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 NEPA reviews for that project. For example, under 23 U.S.C. § 313(g), Buy America requirements apply to all contracts that are eligible for assistance under title 23, U.S.C., and are carried out within the scope of the NEPA finding, determination, or decision regardless of the funding source of such contracts if at least one contract is funded with Title 23 funds. As another example, Americans with Disabilities Act (ADA) regulations apply to all projects funded under this NOFO.

c. *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 Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

d. 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 goal 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: [Construction Compliance Frequently Asked Questions](#).

e. Project Signage and Public Acknowledgements

Recipients are encouraged for construction and non-construction projects to post project signage and to include public acknowledgments in published and other collateral materials (e.g., press releases, marketing materials, website, etc.) satisfactory in form and substance to DOT, that identifies the nature of the project and indicates that "the project is funded by the Bipartisan Infrastructure Law." In addition, recipients employing project signage are required to use the official Investing in America emblem in accordance with the Official [Investing in America Emblem Style Guide](#). Costs associated with signage and public acknowledgments must be reasonable and limited. Signs or public acknowledgments should not be produced, displayed, or published if doing so results in unreasonable cost, expense, or recipient burden. The Recipient is encouraged to use recycled or recovered materials when procuring signs.

3. Reporting

i. Progress Reporting on Grant Activities.

Each applicant selected for Roadside Pollinator Program grant funding must submit semi-annual progress reports and Federal Financial Reports (SF-425) to monitor progress and ensure accountability and financial transparency of any work funded under the Roadside Pollinator Program.

ii. 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(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).

iii. Roadside Pollinators Program Specific Reporting Requirements.

Each applicant selected for Roadside Pollinator Program grant funding must collect and report to FHWA information on the awarded application’s performance based on performance indicators FHWA identifies related to program goals (creating, enhancing, restoring, sustaining, and maintaining pollinator species and their habitat; minimizing threats to pollinator species and their habitat; and reducing the impact of routine maintenance on pollinator species and their habitat) and other information as requested by FHWA. Performance indicators should include measurable goals or targets that FHWA will use internally to determine whether the awarded application meets program goals, and grant funds achieve the intended long-term outcomes of the Roadside Pollinator Program. FHWA will work with the grant recipient to establish a recommended two to four performance measures that enable FHWA to measure and evaluate the outcomes of the individual grant. Performance reporting may continue for several years after funded activities are completed.

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

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

v. Other.

FHWA reserves the right to request additional information, if deemed needed, to better understand the status of the awarded application. 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 inspections and FHWA will provide notice for such inspections.

vi. Technical Assistance.

As stated in Section A, DOT will not provide technical assistance during the application period. Additional information and resources specific to this program can be found at https://www.environment.fhwa.dot.gov/env_topics/ecosystems/pollinators.aspx.

Additional grant resources can be found on [DOT Navigator](#) and the [BIL Technical Assistance Webpage](#).

In accordance with the 23 U.S.C. 332(i), on request of an applicant that receives a Roadside Pollinator Program grant, FHWA will provide technical assistance with the implementation, improvement, or further development of their Plan.

SECTION G - FEDERAL AWARDING AGENCY CONTACTS

For questions concerning this NOFO and the Roadside Pollinator Program, please contact:

Mishel R. 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 (preferred): pollinators@dot.gov
Phone: 202-366-4004

Alternate:

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

A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993.

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

SECTION H - OTHER INFORMATION

1. Protection of Confidential Business Information.

All information submitted as part of or in support of any application 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 § 7.29 will be exempt from disclosure under FOIA.

2. Publication/Sharing of Application Information.

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

3. FHWA Feedback on Applications

Debriefs by FHWA are available to applicants not selected for award to receive information about the evaluation of their application. Debrief request should be submitted to pollinators@dot.gov.

4. Definitions

Term	Definition
Candidate Conservation Agreement with Assurances	A CCAA is a voluntary agreement that provides incentives for non-Federal landowners to conserve candidate and other unlisted species likely to become candidates in the future. For the length of the agreement, landowners agree to undertake specific activities that address the identified threats to the target species. <u>USFWS-Candidate Conservation Agreements with Assurances.</u>
Federal Land Management Agency	Means units of the Federal Government currently responsible for the administration of public lands (e.g., U.S. Forest Service, U.S. Fish and Wildlife Service, Bureau of Land Management, and the National Park Service). [See 23 CFR 450.104]
Highway	The term "highway" includes: (A) a road, street, and parkway; (B) a right-of-way, bridge, railroad-highway crossing, tunnel, drainage structure including public roads on dams, sign, guardrail, and protective structure, in connection with a highway; and (C) a portion of any Interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State transportation department, including such facilities as may be required by the United States Customs and Immigration Services in connection with the operation of an international bridge or tunnel. (23 U.S.C. 101)
Indian Tribe	For the purposes of defining "Indian Tribe," this NOFO is using the definition of the term in 23 U.S.C. 171, meaning any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians and also including a Native village and a Native Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (which is codified at 43 U.S.C. 1602).
Invasive Species	Means, with regard to a particular ecosystem, a non-native organism whose introduction causes or is likely to cause economic or environmental harm, or harm to human, animal, or plant health. [E.O. 13751]
Pollinator	Pollination is a mutually beneficial interaction between plants and pollinators. Animals visit flowers seeking nectar and/or pollen grains, and in the process of foraging transfer pollen grains between blooms, enabling flowering plants to reproduce. The great majority of pollinators are insects, including bees, wasps, flies, beetles, butterflies, and moths, but hummingbirds and nectar-feeding bat species pollinate as well.

Pollinator-Friendly Practices	PFPs are those practices that contribute to the preservation, establishment, or persistence of pollinator populations and/or habitat.
Pollinator-Friendly Practices Plan	A document, Webpage, set of documents or combination thereof that outline an applicant's strategy for the preservation, establishment or maintenance of pollinator populations and/or habitat.
Right-of-way (ROW)	Means real property and rights therein obtained for the construction, operation, maintenance, or mitigation of a transportation or related facility funded under title 23, United States Code. [23 CFR 710.105]
Roadside	The portion of the right-of-way outside the roadway. [FLH Project Development and Design Manual https://flh.fhwa.dot.gov/resources/design/pddm/]
Roadway	The portion of a highway, including shoulders, for vehicular use. A divided highway has two or more roadways. [FLH Project Development and Design Manual https://flh.fhwa.dot.gov/resources/design/pddm/]