U.S. Department of Transportation

Federal Highway Administration

Notice of Funding Opportunity Number 693JJ324NF00014

"Strategic Innovation for Revenue Collection (SIRC) Program"

Issue Date: 3/27/2024

Application Due Date: 5/27/2024*

*This NOFO has multiple deadlines. See Pages 3 and 5

TABLE OF CONTENTS

This notice contains collection-of-information requirements subject to the Paperwork Reduction Act. This information collection has been approved by Office of Management and Budget (OMB) under 2125-0676. The use of Standard Forms 424, 424A, 424B, 424C, 424D, and SF-LLL has been approved by 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.

SUMMARY INFORMATION

Funding Opportunity Summary:		Up to $45 million ($30 million FY 2022 – 2023 and $15 million FY 2024) in Federal funding to provide grants to eligible entities to test the feasibility of a road usage fee and other user-based alternative revenue mechanisms to help maintain the long-term solvency of the Highway Trust Fund. Funds are subject to availability and reduced from the authorized set-aside level based on the imposition of the annual Federal-aid highway program obligation limitation.
Federal Agency Name:		U.S. Department of Transportation (DOT) Federal Highway Administration (FHWA) Office of Operations 1200 New Jersey Avenue, SE Mail Drop: E86-204 Washington, DC 20590 Attn: Carlos B. McCloud
Funding Opportunity Title:		Strategic Innovation for Revenue Collection (SIRC) Program
Announcement Type:		This is the initial announcement of this funding opportunity. This is not a follow-on notice.
Funding Opportunity Number:		693JJ324NF00014
Type of Award:		Allocations to State and local government agencies, Metropolitan Planning Organizations (MPOs), or a group of eligible entities.
Assistance Listing Number:		20.200 Highway Research & Development
Application Due Date:		FY 2022 – 2023 applications are due by May 27, 2024 at 11:59 pm Eastern Time, to Grants.gov. FY 2024 application due date to be determined and posted to Grants.gov via an amendment. Applicants may submit to either deadline. Applications to the FY 2022 – 2023 deadline that are not selected will be reconsidered with the next submissions in 2024.
Questions:		Submit Questions to: SIRCFHWA@dot.gov

FUNDING OPPORTUNITY ACCEPTANCE AND INFORMATIONAL WEBINARS

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

ACTION: Notice of Funding Opportunity for the Strategic Innovation for Revenue Collection (SIRC) Program

FUNDING OPPORTUNITY NUMBER: 693JJ324NF00014

ASSISTANCE LISTING NUMBER: 20.200 Highway Research & Development

SUMMARY:

The purpose of this notice is to solicit applications for FHWA's Strategic Innovation for Revenue Collection (SIRC) Program for Fiscal Years (FY) 2022 – 2024. Applications for FY 2022 – 2023 and FY 2024 funds will have two separate submission deadlines in 2024. The specific deadlines for each award cycle will be posted as an attachment to this multi-year NOFO via Grants.gov. The SIRC Program is authorized in Section 13001 of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58).

Based on the amounts authorized under the BIL, the anticipated funding available for discretionary grants each fiscal year between FY 2022 and 2024 will be $15,000,000 ($30 million for FY 2022 – 2023 and $15 million for FY 2024), subject to the availability of funds and obligation limitation. This is the first announcement of this funding opportunity and is not a follow-on notice. However, FHWA implemented a similar predecessor program, the Surface Transportation System Funding Alternatives (STSFA) Program authorized by section 6020 of the Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94), for the last several years. Information about awards funded under the STSFA Program is available at: https://ops.fhwa.dot.gov/stsfa/index.htm. The STSFA was repealed by Section 13001(f) of BIL.

Federal grant funds for the SIRC Program are to be awarded on a competitive basis to eligible entities to test the feasibility of a road usage fee and other user-based alternative revenue mechanisms to help maintain the long-term solvency of the Highway Trust Fund. This notice describes the eligibility criteria, application requirements, selection and evaluation criteria, applicable program and Federal requirements, and available technical assistance during the pilot program.

Applicants interested in applying are encouraged to email letters of intent to SIRCFHWA@dot.gov no later than 30 days prior to the submission deadline for the award cycle they are applying for with the applicant's name, the State in which the project is located, approximate total project cost, amount of the SIRC grant request, and a two-to three-sentence project description. This early notification of an applicant's interest in and intent to submit an application in response to this opportunity is not a requirement for submission of that

application. DOT seeks this early notification of interest to inform its allocation of resources for application evaluations and to facilitate timely and efficient awards.

DATES:

Applications must be submitted electronically through Grants.gov no later than the following deadlines, as defined by fiscal year:

- The application deadline for Fiscal Year 2022 – 2023 is 5/27/2024; and
- The application deadline for Fiscal Year 2024 is to be determined and will be posted to Grants.gov via an amendment.

Applicants may submit applications for both FY 2022 – 2023 and FY 2024 awards. Automatic reconsideration of applications submitted for FY 2022 – 2023 is permissible. However, applicants are recommended to update their applications and resubmit them for consideration of a FY 2024 award. If an applicant updates their application before the due date for consideration of a FY 2024 award, they should clearly state it is an update and the original application will not be reviewed.

Applicants are encouraged to submit applications in advance of each application deadline; however, applications will not be evaluated, and awards will not be made until after each respective application deadline.

ADDRESSES:

Applications must be submitted electronically through Grants.gov. Refer to Funding Opportunity Number: 693JJ324NF00014.

NOTE: 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 notice. Approval of user registrations for the site may take multiple weeks. It is the applicant's responsibility to monitor the Grants.gov site for any updates to this Notice.

FOR FURTHER INFORMATION CONTACT:

Primary:
Ryan Buck
Agreement Officer
Office of Acquisition and Grants Management
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Ave., SE.
Washington, DC 20590

Alternate:
Robin Hobbs
Agreement Officer/Team Leader
Office of Acquisition and Grants Management
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Ave., SE.
Washington, DC 20590

Email: SIRCFHWA@dot.gov (preferred)
Phone: (202) 366-4229

Email: SIRCFHWA@dot.gov (preferred)
Phone: 202-366-4004

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

FHWA will not review applications in advance, but FHWA staff are available for technical questions and assistance. In addition, FHWA will post answers to questions and requests for clarifications at Grants.gov under this NOFO's page. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact FHWA directly, rather than through intermediaries or third parties with questions.

SUPPLEMENTARY INFORMATION:

Note on Automatic Reconsideration: Applications submitted before the 2024 deadline that are not selected for an FY 2022 – 2023 award will be automatically reconsidered for an FY 2024 award. Applicants that submitted an application for FY 2022 – 2023 and were not selected may also choose to update their applications and resubmit the updated versions for consideration of a FY 2024 award. If an applicant updates and resubmits their FY 2022 – 2023 application before the FY 2024 due date, they should clearly state it is an update for consideration of a FY 2024 award and that the originally submitted application should be disregarded.

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

INFORMATIONAL WEBINARS:
FHWA plans to conduct outreach regarding the FY 2022 – 2024 SIRC Program in the form of two informational Webinars on how to apply, one before the FY 2022 – 2023 application deadline and one before the FY 2024 application deadline.

Details for the FY 2022 – 2023 Webinar: The FY 2022 – 2023 informational Webinar will be presented on **TBD, 2024** at 1:00 pm (APPROXIMATELY 21 DAYS AFTER NOFO PUBLICATION) Eastern Time. To join this Webinar, follow the instructions posted on https://ops.fhwa.dot.gov/stsfa/index.htm and https://ops.fhwa.dot.gov/bipartisan-infrastructure-law/index.htm.

The audio portion of the FY 2022 – FY 2023 Webinar can be accessed from this teleconference line: TOLL FREE **[NUMBER TBD and will be posted to Grants.gov via an amendment]**; **[ACCESS CODE TBD and will be posted to Grants.gov via an amendment]**. The Webinar will be recorded and posted on FHWA's Websites at https://ops.fhwa.dot.gov/stsfa/index.htm and https://ops.fhwa.dot.gov/bipartisan-infrastructure-law/index.htm. A Telephone Device for the Deaf (TDD) is available for individuals who are deaf or hard of hearing at (202) 366-3993.

Details for the FY 2024 Webinar: Access information for the FY 2024 informational Webinar will be provided via an amendment to this NOFO and posted to Grants.gov. Attending these informational Webinars <u>is not required</u> to apply.

FHWA will host two Informational Sessions regarding this funding opportunity focused on the SIRC Program. These sessions will be conducted as a virtual forum and will focus on specific topics to help potential applicants gather additional information and ask specific questions on the program.

Participation in these sessions is <u>not</u> mandatory in order to submit applications under this NOFO for FY 2022 – 2023, or FY 2024. However, FHWA encourages potential applicants to take advantage of these sessions to gather information regarding this specific funding opportunity.

INFORMATIONAL SESSIONS: SIRC PROGRAM

SESSION 1:	Virtual Webcast: Application Information for the SIRC Program: FY 2022 – FY 2023
DATE:	**TBD - will be posted to Grants.gov via an amendment to the NOFO.**
TIME:	1:00 pm Eastern Time
LIVE STREAM:	**TBD - will be posted to Grants.gov via an amendment to the NOFO.**

INFORMATION AND REGISTRATION:

TBD - will be posted to Grants.gov via an amendment to the NOFO.

SESSION 2:	Virtual Webcast: Application Information for the SIRC Program: FY 2024
DATE:	**TBD - will be posted to Grants.gov via an amendment to the NOFO.**
TIME:	1:00 pm Eastern Time
LIVE STREAM:	**TBD - will be posted to Grants.gov via an amendment to the NOFO.**

INFORMATION AND REGISTRATION:

TBD - will be posted to Grants.gov via an amendment to the NOFO.

SECTION A – PROGRAM DESCRIPTION

1. OVERVIEW

This NOFO announces the availability of up to $15 million for SIRC Program discretionary grants for each of Fiscal Years (FY) 2022 through 2024 (up to $30 million for FY 2022 – 2023 and $15 million for FY 2024).

2. LEGISLATIVE AUTHORITY

Specific statutory authority for conducting this effort is found in Section 13001 of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. No. 117-58), which authorized the Secretary of Transportation to establish the SIRC Program to provide grants to eligible entities to carry out pilot projects under the section.

3. BACKGROUND

The purpose of the SIRC Program is to provide grants to eligible entities to test the feasibility of a road usage fee and other user-based alternative revenue mechanisms to help maintain the long-term solvency of the Highway Trust Fund. Eligible entities include: a State or a group of States; a local government or a group of local governments; a Metropolitan Planning Organization (MPO) or a group of MPOs (as defined in 23 United States Code (U.S.C.) 134(b)); and multi-jurisdictional groups. A multi-jurisdictional group is any combination of States, local governments, or MPOs. BIL authorized $15 million per year for FYs 2022 – 2026 for SIRC grants from funds made available for the Highway Research and Development Program under 23 U.S.C. 503(b).

FY 2022 – FY 2023 is the first year of SIRC Program implementation. FHWA implemented a similar predecessor program, the STSFA Program authorized by section 6020 of the FAST Act (Pub. L. No. 114-94), for the last several years. Information about awards funded under the STSFA Program is available at: https://ops.fhwa.dot.gov/stsfa/index.htm. The STSFA was repealed by Section 13001(f) of BIL.

4. PROGRAM OBJECTIVES

SIRC grant funds must be used to carry out a pilot project that addresses one or more of the objectives provided in BIL section 13001(b)(3):

(A) To test the design, acceptance, equity, and implementation of user-based alternative revenue mechanisms, including among— (i) differing income groups; and (ii) rural and urban drivers, as applicable.

(B) To provide recommendations regarding adoption and implementation of user-based alternative revenue mechanisms.

(C) To quantify and minimize the administrative costs of any potential user-based alternative revenue mechanisms.

(D) To test a variety of solutions, including the use of independent and private third-party vendors, for the collection of data and fees from user-based alternative revenue mechanisms, including the reliability and security of those solutions and vendors.

(E) To test solutions to ensure the privacy and security of data collected for the purpose of implementing a user-based alternative revenue mechanism.

(F) To conduct public education and outreach to increase public awareness regarding the need for user-based alternative revenue mechanisms for surface transportation programs.

(G) To evaluate the ease of compliance and enforcement of a variety of implementation approaches for different users of the surface transportation system.

(H) To ensure, to the greatest extent practicable, the use of innovation.

(I) To consider, to the greatest extent practicable, the potential for revenue collection along a network of alternative fueling stations.

(J) To evaluate the impacts of the imposition of a user-based alternative revenue mechanism on— (i) transportation revenues; (ii) personal mobility, driving patterns, congestion, and transportation costs; and (iii) freight movement and costs.

(K) To evaluate options for the integration of a user-based alternative revenue mechanism with— (i) nationwide transportation revenue collections and regulations; (ii) toll revenue collection platforms; (iii) transportation network company fees; and (iv) any other relevant transportation revenue mechanisms.

FHWA interprets the focus of the SIRC Program to be on broad-based alternative revenue mechanisms that could ultimately be scaled to a national level to help maintain the long-term solvency of the Highway Trust Fund, as opposed to localized solutions that are not scalable. The contributions to the knowledge base of potentially transferrable solutions to maintain the solvency of the Highway Trust Fund must be made clear.

5. ADMINISTRATION GOALS

Safety: The Department is committed to advancing safe, efficient transportation, including in the SIRC Program. The National Roadway Safety Strategy (NRSS), issued January 27, 2022, commits the Department to respond to the current crisis in roadway fatalities by "taking substantial, comprehensive action to significantly reduce serious and fatal injuries on the Nation's roadways," in pursuit of the goal of achieving zero roadway deaths through a Safe

System Approach.[1] The outcomes that are anticipated from the projects funded by the SIRC Program should align with the NRSS.

Climate Change and Sustainability: The Department seeks to fund projects under the SIRC Program that reduce greenhouse gas emissions in the transportation sector, incorporate evidence-based climate resilience measures and features, reduce the lifecycle greenhouse gas emissions from the project materials, and avoid adverse environmental impacts to air or water quality, wetlands, and endangered species, and address the disproportionate negative environmental impacts of transportation on disadvantaged communities, consistent with Executive Order (EO) 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619).

Equity: The Department seeks to award projects under the SIRC Program that will create proportional impacts to all populations in a project area, remove transportation related disparities to all populations in a project area, and increase equitable access to project benefits, consistent with EO 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009).

To the extent practical, FHWA encourages programs and research that are consistent with the Administration's commitments to a fair, equitable tax system.

Section E of this NOFO outlines the FY 2022 – 2024 SIRC Program grant selection criteria and describes the process for selecting projects that further the program and Administration goals.

6. DELIVERABLES – STATEMENT OF WORK

The Recipient must perform the following tasks and submit the following deliverables. An electronic copy of all reports must be submitted to the SIRC mailbox at SIRCFHWA@dot.gov.

Task	Deliverable	Due Date (after effective date of award)	Section 508 Compliant?
#1	**Preliminary Kick-off Meeting** – Conduct a preliminary kick-off meeting with DOT at mutually-agreed-upon location.	Within 4 weeks after the announcement of project selection.	No
#2	**Draft Grant Agreement** FHWA will provide a template for the grant agreement, which will be completed by the applicant. The grant agreement shall include a Project Management Plan. The Project Management Plan, shall include, at a minimum:	Within 45 days after the announcement of project selection and prior to kick-off meeting.	No

[1] https://www.transportation.gov/NRSS.

	• **Statement of Work (SOW)**, with a description of **Tasks and Sub-Tasks** by which the project work activities will be organized, executed, and monitored. • A **Project Schedule** (Gantt Chart or equivalent) displaying start and end times for each Task and Sub-Task, plus achievement of Project Milestones. • A description of major **Project Milestones**, including key reports, the start of operations of important systems or subsystems, and other important deliverables or events. • A **Staffing** Table, which identifies a single Project Manager, plus project staff and/or consultants that will lead and support each Task (or Sub-Task if appropriate). • A **Project Budget**, displaying planned expenditures for each Task, with a further breakdown by Cost Element for each Task and by the Federal share vs. non-Federal share.		
#3	**Fully Executed Grant Agreement**	Within 6 weeks after completion of the draft grant agreement.	No
#4	**Kick-off Meeting** – Conduct a kick-off meeting with DOT at a mutually-agreed-upon location.	Within 4 weeks after the effective date of the fully executed grant agreement.	No
#5	**Quarterly Progress Reports** – Submit progress reports to document activities performed, anticipated activities, and any changes to the schedule or anticipated issues.	Quarterly	No
#6	**Systems Engineering Documents –** For any ITS construction projects funded under this program, in accordance with 23 Code of Federal Regulations (CFR) 940.11, the Recipient shall submit electronic copies of the Milestone Systems Engineering documents applicable to this project for approval by FHWA. This shall include, at a minimum:	As applicable, 90 days after the effective date of the fully executed grant agreement and prior to the Project Evaluation Plan submittal	No

	• Systems Engineering Review Form • Concept of Operations or • Systems Engineering Management Plan		
#7	**Project Evaluation Plan –** The Recipient shall submit to FHWA for approval a Project Evaluation Plan, which shall include, at a minimum: • Statement of **Project Objectives**, • List of **Evaluation Criteria** (e.g., quantitative performance metrics and/or qualitative assessments) tailored to the Project Objectives. • Description of **Data-Collection** procedures tailored to these criteria, which could include, for example, before/after data, surveys, interviews, system-monitoring data, or other data needed to report on the achievement of project objectives. • Outline of **Evaluation Report** (1-page, draft list of topics to be addressed)	Within 90 days after the effective date of the fully executed grant agreement	No
#8	**Data Management Plan (DMP)** The Recipient shall submit to FHWA for approval a DMP that provides a preliminary overview of data that may be collected or created through the project, which shall include, at a minimum: • **Data description** • **Data access policies** • **Data storage and retention approach** The Recipient shall then update the DMP throughout the project with more details on the data that is collected or created, including information on **data rights and standards**. Additional information on DMPs can be found at: https://ntl.bts.gov/ntl/public-access/creating-data-management-plans-extramural-research.	Within 90 days after the effective date of the fully executed grant agreement, to be updated as needed throughout the project.	No

<table>
<tr><td></td><td>The Recipient must make available to FHWA copies of all work developed in performance with the grant agreements, including but not limited to software and data.</td><td></td><td></td></tr>
<tr><td>#10</td><td>Annual Budget Review and Program Plan Reporting

Submit the Annual Budget Review and Program Plan Report. The report should describe:
Overview and schedule of tasks, activities, milestones, and deliverables for the upcoming year, to include:
the latest deliverables table or project management schedule; and
a discussion of whether the current approved Technical Application attached to the award needs to be updated or not. If an update is warranted, propose the updates.
Overview and forecast budget for the upcoming year, including a discussion of whether the current approved Budget Application attached to the award needs to be updated or not. If an update is warranted, propose the updates.</td><td>90 days prior to the anniversary date that the grant agreement was fully executed.</td><td>No</td></tr>
<tr><td></td><td>Final Report –The FHWA Agreement Officer's Representative (AOR), in consultation with the Recipient, will determine the final design and scope of the Final Report.</td><td>Within 90 days after the termination or expiration of the grant agreement</td><td>Yes</td></tr>
</table>

NOTE: Section 508 requirements are included in the General Terms and Conditions available online at: https://www.fhwa.dot.gov/cfo/contractor_recip/gtandc_after2023aug07.cfm. Section 508 information can also be found at the following link: https://www.fhwa.dot.gov/508/.

SECTION B – FEDERAL AWARD INFORMATION

1. FUNDING

The total amount of funding available for awards under this NOFO is up to $15 million per fiscal year (up to $30 million FY 2022 – FY 2023 and $15 million FY 2024). The amount of SIRC funding available for award and obligation is reduced from the authorized set-aside level based on the imposition of the Federal-aid highway program obligation limitation contained in each fiscal year's annual appropriations act. Based on the obligation limitation calculations, the amount available for award for FY 2022 is $13,695,000 and the amount available for award for FY 2023 is $13,170,000. The amount available for award for FY 2024 will be determined upon enactment of the FY 2024 annual appropriations act.

No legal liability on the part of the Government for any payment may arise until funds are available and obligated to an award. The Government reserves the right to make no awards under this NOFO.

2. ANTICIPATED NUMBER OF AWARDS

The Government anticipates making not less than five awards for each fiscal year of funding (FY22, FY23, and FY24) as a result of this NOFO.

3. RESTRICTIONS ON FUNDING

The type of alternative revenue mechanism proposed is flexible, as long as it is user-based. BIL Section 13001(c) states that any revenue collected through a user-based alternative revenue mechanism established using SIRC funds shall not be considered a toll under 23 U.S.C. 301. In order to impose a toll on a Federal-aid highway under the SIRC, the public authority seeking to impose the toll must be authorized to do so under an applicable toll authorizing program.

If authorized to impose a toll, then Section 13001(c) applies, and any revenue generated pursuant to the user-based alternative revenue mechanism that is established using funds under the SIRC Program shall not be subject to the restrictions on toll revenue use under the relevant toll authorizing program. However, while the specific revenue use provisions do not apply, the public authority must use such revenues only for surface transportation activities that could be funded from the Highway Trust Fund in order to comply with the purpose of the SIRC Program—to demonstrate user-based alternative revenue mechanisms to maintain the long-term solvency of the Highway Trust Fund. This use would include any activities eligible under Title 23 and Chapter 53, Title 49, United States Code, as well as any uses that would otherwise be an eligible use of revenue under these provisions, such as operations and maintenance of highway and transit infrastructure.

Sec. 13001(b)(6) requires consideration of geographic diversity in awarding grants.

4. TYPE OF AWARD

The planned award type is a cost-reimbursement grant with cost-sharing. 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, funds will be awarded upon the execution of a project agreement, which is a type of grant agreement for administration of funds to a State DOT using the DOT Payment System referred to as the Fiscal Management Information System (FMIS). If the award Recipient is a non-State DOT, funds will be awarded upon the execution of a grant agreement with FHWA.

5. PERIOD OF PERFORMANCE

The period of performance shall not exceed 5 years. The period of performance will be determined based on the proposed work tasks outlined in the work plan and defined in the grant agreement or in FMIS, if applicable.

SECTION C – ELIGIBILITY INFORMATION

1. ELIGIBLE APPLICANTS

Eligible entities include a State or a group of States; a Metropolitan Planning Organization (MPOs) or a group of Metropolitan Planning Organizations (as defined in 23 U.S.C. 134(b)); a local government or a group of local governments; and multi-jurisdictional groups. An eligible multi-jurisdictional group is any combination of States, local governments, or Metropolitan Planning Organizations for which each member of the group has signed a written agreement to participate in the SIRC pilot project across jurisdictional boundaries. If the applicant is a multi-jurisdictional group, one entity in the group will be required to administer the Federal funding, which may also entail providing project oversight. Where applicable, FHWA expects that all relevant State agencies (e.g., Department of Motor Vehicles, Department of Revenue) needed to initiate a full-scale deployment of the proposed revenue mechanism will be actively involved in the planning and operation of a pilot project.

If a State has previously proven the viability of an alternative revenue mechanism in a limited capacity through its own research, it may still be a candidate for funding under the SIRC Program. Applications for full, new pilot projects and for extensions or enhancements of previous pilot or demonstration projects are both eligible if they meet the other eligibility requirements.

2. COST SHARING OR MATCHING

Cost sharing or matching is required. The Federal share of the cost of a SIRC project may not exceed:

A. 80 percent of the total cost of a project carried out by an eligible entity that has not otherwise received a SIRC grant; and

B. 70 percent of the total cost of a project carried out by an eligible entity that has received at least one SIRC grant.

The remainder of the total project cost must come from non-Federal sources. Overall project cost consists of the total value of Federal share and non-Federal cost share combined. Applicants must propose at least a (A) 20 percent matching share for first time applicants, or (B) 30 percent matching share if an applicant has received a previous SIRC award(s).

Other Federal funds using their appropriate matching share may be leveraged for a pilot project but <u>cannot be</u> considered as part of the required SIRC matching funds, which must come from non-Federal sources, unless otherwise allowed by statute.

All forms of cost sharing must adhere to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – 2 CFR Part 200, including section 200.306 on Cost Sharing or Matching.

FHWA will consider the following funds or contributions as contributing to the non-Federal cost share requirement:

- Non-Federal funds
- Toll credits under 23 U.S.C.
- Soft match and in-kind services

Further, State DOTs may use matching strategies available to them under the Federal-aid highway program such as "tapered match." Detailed information is located at: https://www.fhwa.dot.gov/ipd/finance/tools_programs/federal_aid/matching_strategies/tapered_match.aspx.

However, FHWA cannot consider the following funds or contributions as a match:

- Funds already expended prior to execution of the grant agreement or project agreement (or otherwise encumbered)
- Funds for which the source is ultimately a Federal program (unless otherwise allowed by statute)

Additional information on non-Federal matching requirements can be found at https://www.fhwa.dot.gov/legsregs/directives/policy/memonfmr_tapered20190515.htm.

See Section D.2 (Volume 2, Section III) for information about documenting cost sharing in the application.

For each project that receives a grant under this notice, FHWA expects the project to be completed using at least the level of non-Federal funding that was specified in the application.

3. OTHER

There is no limitation on the number of applications that may be submitted by an eligible applicant. However, only one project may be included in each application.

SECTION D – APPLICATION AND SUBMISSION INFORMATION

1. ADDRESS TO REQUEST APPLICATION PACKAGE

Applicants may obtain application forms at Grants.gov under the Notice of Funding Opportunity Number cited herein. All application materials may be found on *Grants.gov* at http://www.grants.gov.

Once at Grants.gov, select the Search Grants tab. Then enter one of the following (for best results use the Opportunity Number):

- **Opportunity Number:** 693JJ324NF00014
- **Opportunity Name:** Strategic Innovation for Revenue Collection Program
- **Assistance Listing Number:** 20.200

Select the Opportunity, which will open to a page with several tabs. The first tab is a synopsis of the opportunity.

Select the "Package" tab to download the forms needed to submit a SIRC application.

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 points of contact email addresses below.

Requests should be sent to:

Ryan Buck
Agreement Officer
Office of Acquisition and Grants Management
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Ave., SE.
Washington, DC 20590
Email: SIRCFHWA@dot.gov (preferred)
Phone: (202) 366-4229

For a Telephone Device for the Deaf (TDD), please call (202) 366-3993.

2. CONTENT AND FORM OF APPLICATION SUBMISSION

Early Notification of Intent to Submit: Applicants interested in applying are encouraged, but not required, to provide early notification of the intent to submit an application by emailing SIRCFHWA@dot.gov no later than 30 days prior to the submission deadline for the award cycle for which they are applying. This notification should include: the applicant's name, the State in which the project is located, approximate total project cost, amount of the SIRC grant request, and a two-to three-sentence project description. This early notification is not a requirement for submission of an application. DOT seeks this early notification of interest to inform its allocation of resources for application evaluations and to facilitate timely and efficient awards.

APPLICATION SUBMISSION REQUIREMENTS

Applicants shall submit an application consisting of the following application volumes and sections:

1. Volume 1: Technical Application.
2. Volume 2: Budget Application, including the Standard Form (SF) 424 (Application for Federal Assistance); SF-424A (Budget Information for Non-Construction Projects); and SF-LLL (Disclosure of Lobbying Activities).

Volume	Section	Page Limitations	
		Individual page limit	Overall page limit
Volume 1. Technical Application	I – Cover Page	None	
	II – Project Narrative (including Table of Contents)	None	One (1) file, 30-page overall limit
	III – Responsiveness to Project Objectives and Additional Selection Considerations	None	
	IV – Management Structure	None	
	V – Staffing Description	5-page limit	
	Exhibits and Attachments	5-page limit	
	Appendix – Résumés*	Individual résumés limited to 4 pages each and do not count against Volume 1's page limitation.	
Volume 2. Budget Application	I – Application Standard Forms	One (1) file, no page limit	
	II – Summary Budget Information		
	III – Cost Share Information (including letters of commitment)		
	IV – Other Business Information		

For the submitted application package, FHWA suggests that pictures, graphics, and other large files be reduced in number and quality to keep the size of the files manageable. A maximum size

of 200 megabytes for the entire grant application package is recommended to keep the package aligned with Grants.gov recommendations.
FHWA recommends that applicants use a file naming format of: **"[Applicant organization]-[year]-SIRC-[file ID (e.g., Vol-1, Vol-2)]**," where "Applicant organization" reflects the applicant's legal name (abbreviated as appropriate) and file ID is the volume. If an applicant organization is submitting multiple applications, project names or identifiers may be added to the workspace title in parentheses after the applicant organization. For example, a workspace in Grants.gov may be titled "Applicant organization (Project 1)-2022-SIRC." If necessary, the workspace title can be edited per the instructions on Grants.gov.

<u>Sharing of Application Information</u>

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.

VOLUME 1 – TECHNICAL APPLICATION

a) Section I - Cover Page Including the following information:

Project Name	
Eligible Entity Applying to Receive Federal Funding	
Total Project Cost (from all sources)	$
SIRC Funding Request (Federal share)	$
Non-Federal share for SIRC Funding Request	$
Are matching funds restricted to a specific project component? If so, which one?	Yes/No
[FY 2024 application requests only] Has the applicant received previous SIRC Program funding, if so, what fiscal year was funding received?	Yes/No
State(s) in which the project is located	
Is the project currently programmed in the: • Transportation Improvement Program (TIP) • State Transportation Improvement Program (STIP) • MPO Long Range Transportation Plan • State Long Range Transportation Plan	Yes/No – *please specify in which plans the project is currently programmed*
Rural Considerations: a) Is the project serving a rural area(s)? A rural area is an area not in a Census-designated urbanized area (a Census-designated urban area with 50,000 residents or more).	Yes/No $

b) If yes, how much SIRC funding is being requested to be put toward serving the rural area(s)?	

b) Section II - Project Narrative

The Project Narrative must include all the necessary information required for FHWA to determine that the project satisfies the SIRC Program objectives and requirements described in Sections A, B, and C, and for FHWA to evaluate the project in relation to the selection criteria specified in Section E.1. To the extent practicable, applicants should provide data and evidence of project merits in a form that is verifiable or publicly available. FHWA expects applications to be complete upon submission.

At a minimum, the Project Narrative should include the following content:

- A table of contents
- A short (50-70 words) summary of the proposed project at the beginning of the Project Narrative section.
- An introduction that provides a clear, concise description of the project's proposed alternative revenue mechanism (s) and how it relates to the Program Objectives outlined in Section A. 4. of this NOFO.
- A description of the geographic area or jurisdiction the pilot project will service, including whether or not the area in question is considered rural.
- A detailed statement of work including a detailed schedule for feasibility research, tests, evaluations, and/or deployment activities for completion of all proposed deliverables, in addition to achievable timeframes for successful execution of project milestones.
- The applicant's past initiatives conducting feasibility research, tests, evaluations, and/or deploy activities related to user-based alternative revenue mechanisms, if applicable, and current plan to contact and coordinate with adjacent and nearby communities.
- A data collection plan that provides an overview of data that may be obtained or created through the project.
- Identify and rate what User-Based Alternative Revenue Mechanism (UB-ARM) Technology Readiness Maturity Scale level the proposed pilot project will be rated at the beginning of the project and the rating upon completion, using the scale provided below. The UB-ARM maturity level scale is a systematic way to assess the readiness of a technology for implementation or deployment. The rating should denote either Basic Feasibility Research (Level 1 or 2), Proof of Concept (Level 3) Applied Test Research (Level 4), Evaluation (Level 5), System Testing and Refinement (Level 6 – 8), or Deployment (Level 9). Explain how the technology design plan will progress along the UB-ARM maturity level scale during the grant period. Describe any proposed approaches to addressing regulatory, environmental, or other requirements that may be necessary for advancing the maturity or readiness of the mechanism.

User-Based Alternative Revenue Mechanism (UB-ARM) Technology Readiness Maturity Level Scale

Phase	Level	Name	Description
Basic Feasibility Research	Level 1	Feasibility Studies	Conducting initial research, analysis, and formulation of a user-based alternative revenue mechanism, including but not limited to benefit cost, public acceptance outreach, awareness, and education.
	Level 2	System Application Formulated	Conceptualizing technology applications and assessing their potential. Potential system applications identified, and system components user interface are at least partly described. Preliminary analyses confirms that the technology application might meet the user need.
Proof of Concept	Level 3	Establish Pilot Program	Conducting proof-of-concept studies to demonstrate the technical feasibility of proposed user-based alternative revenue mechanism solutions. Modeling and simulation conducted to validate performance predictions of system capability. System user interface feasibility and performance metrics established. Technology addresses a need or introduce an innovation in the field of user-based alternative revenue mechanisms.
Applied Test Research	Level 4	Components Validated on a Roadway Network	Implementing pilot programs to validate and evaluate components of a user-based alternative revenue mechanism on a transportation network. End-user requirements and component compatibility demonstrated and documented. A plausible draft integration plan exists, and individual components are successfully tested on a roadway network. External and internal user system interfaces are documented.
Evaluation	Level 5	System Prototype Demonstration	Demonstrating and operating a prototype of the user-based alternative revenue mechanism simulated continuously on a roadway network for at least a one-year period. User-based system has been a fully integrated prototype demonstrated in an operational environment (i.e., real-world conditions, including the user community) on a roadway network and the prototype satisfies all

			operational requirements when confronted with realistic operational challenges (public acceptance, administrative complexity, privacy and enforcement compliance, equity and fairness, technology infrastructure is compatible across different vehicle types and year models).
System Testing and Refinement	Level 6	Prototype Refined	System prototype refined based on feedback and lessons learned from the prototype demonstration evaluation.
	Level 7	Testing Refined System on a Roadway Network	Testing the refined system in real-world conditions on a roadway network and evaluating its performance, functionality, and user acceptance.
	Level 8	Final Refinement	Refine the system based on the results of testing and evaluations to improve its effectiveness, efficiency, and reliability.
Deployment	Level 9	Technology Proven and Adopted	Technology meets its stated purpose and functionality as designed. Technology is proven in an operational environment (i.e., meets target performance measures) on a roadway network and rigorous testing and evaluation has been completed and documented successfully. Deploying the user-based alternative revenue mechanism in an operational environment on a roadway network based on operational experience and gaining adoption by the governing body.

c) Section III – Responsiveness to Program Objectives and Additional Selection Considerations

FHWA encourages applicants to describe how their proposed project addresses (1) the **Program Objectives** detailed in Section A.4 above and, (2) if applicable, the **Additional Selection Considerations** detailed in Section E.2: **Administration Goals** (see below), **Program Topics of Interest**, and **Maturity or Readiness of the User Based Revenue Mechanism Technology Integration**. Identify each Program Objective and Additional Selection Consideration by name and include data (qualitative or quantitative) or evidence (newspaper articles, public meetings, etc.) that supports how the project will respond to each identified item. Insufficient information to assess the responsiveness of the proposed project to these objectives and considerations may negatively impact the project rating. To minimize redundant information in the application, FHWA encourages applicants to cross-reference relevant substantive information in other sections of the application.

In addressing the Administration Goals Additional Selection Consideration (see Section E.2), provide the following information, as applicable.

1. <u>Safety</u>: Applicants must address how their project provides substantial safety benefits. Prior to receiving funds, all projects are expected to, at a minimum, identify and mitigate to the extent practicable any significant safety risks that could result after the project completion. Applicants should include how their project will not negatively impact the overall safety of the traveling public.
2. <u>Climate Change and Sustainability</u>: Applicants must address how the project will consider climate change and environmental justice in the planning stage and in project delivery. In particular, applicants must address how the project reduces greenhouse gas emissions in the transportation sector, incorporates evidence-based climate resilience measures and features, and reduces the lifecycle greenhouse gas emissions from the project materials, if applicable. Applicants also must address the extent to which the project avoids adverse environmental impacts to air or water quality, wetlands, and endangered species, as well as address disproportionate negative impacts of climate change and pollution on disadvantaged communities.

3. <u>Equity</u>: Applicants must address how their project will include an equity assessment that evaluates whether a project will create proportional impacts and remove transportation related disparities to all populations in a project area. Applicants should demonstrate how meaningful public engagement will occur throughout a project's life cycle. Applicants should address how project benefits will improve safety, fight climate change, and/or improve access to resources and quality of life.

d) Section IV – Management Structure

The applicant shall describe the proposed management structure that will oversee implementation of the project and administer the agreement. The section should include the following information:

1. A description of the organization that would be entering into the agreement (i.e., receiving Federal funding) with FHWA, including a description of how the entity will manage the program, including management of project funding.
2. A plan for partnering with the private sector or public agencies, as applicable, including multimodal and multi-jurisdictional entities, research institutions, organizations representing transportation and technology leaders, or other transportation stakeholders.
3. Designation of all proposed sub-recipients and their role in delivering the project. See 2 CFR § 200.331 for the definition and distinction between a sub-recipient and a contractor.
4. A diagram or flow chart depicting the organizational structure of the project team. Organizations that are designated as sub-recipients or contractors should be clearly identified.
5. If the applicant is a multi-jurisdictional group, provide a written agreement with signatures from all group members documenting their agreement to participate in the SIRC pilot project across jurisdictional bounds. See Section C.1 above for a description of eligible muti-jurisdictional groups.

e) Section V - Staffing Description

Applicants shall provide a staffing description that includes the following information:

1. A description of the staffing to manage and conduct the project, including identification of no more than five key personnel total across participating organizations, including their organization, role, and responsibility. Applicants shall describe key personnel's past or current experience managing federally funded grants and identify the expected level of involvement for each designated key personnel (e.g., percent of work time to be committed to the project during the period of performance). Key personnel résumés must be provided in the Appendix to Volume 1.

2. A primary point of contact (POC) with complete contact information for this individual, to include name, title, phone number(s), and email address.

f) Exhibits and Attachments

Include only those exhibits or attachments that support the assertions or conclusions made in Volume 1 and will aid in the review and assessment of the application. All exhibits and attachments must clearly identify which section of the Volume 1 Technical Application the document supports.

g) Appendix - Résumés for Key Personnel

Applicants shall provide résumés for all designated key personnel. Individual résumés shall not exceed 4 pages each and shall only contain relevant experience pertinent to the subject matter of this NOFO.

h) Formatting

FHWA recommends that Volume 1 be prepared with standard formatting preferences: a single-spaced document, using a standard 12-point font such as Times New Roman, with 1-inch margins formatted for 8.5 by 11-inch paper. Applications may include appropriately sized pages for conveying detailed information important for the technical review, such as maps. All application pages shall be consecutively numbered.

i) Page Limitations

In accordance with the table in section D.2, Volume 1, Sections II through V shall not exceed 30 pages in total length, including any tables of contents. Section V shall not exceed 5 pages. Exhibits and Attachments do not count against the overall 30-page limit but must not exceed 5 pages total. Résumés for Key personnel do not count against the overall 30-page limit but must not exceed 4 pages each.

VOLUME 2 – BUDGET APPLICATION

a) Section I - Application Standard Forms (SFs)

Volume 2 of the application must include Standard Form (SF)-424 (Application for Federal Assistance), SF-424A (Budget Information for Non-Construction Programs), SF-424B (Assurances for Non-Construction Programs) and the Grants.gov Lobbying Form (SF-LLL). Standard Forms are available online at https://www.grants.gov/forms/forms-repository/sf-424-family. On the SF-424, the information in block 8a (Applicant's "Legal Name") must be the same as entered for registration in www.SAM.gov and for the Applicant's System for Award Management (SAM) Universal Entity Identifier (UEI) number. The title for an applicant's workspace on www.Grants.gov is limited to 240 characters and may be different than the SAM UEI.

For applications under this NOFO, the breakdown of the applicable sections of SF-424A is:

- **Section A:** Since this is an initial application, only columns (a) through (d) and (g) need to be completed. The applicant should enter the proposed project as one program or function; however, as an option, the applicant may subdivide this entry into partial programs (e.g., Phase I and Phase II).
- **Section B** is a summary of the entire project budget across all years.
- **Section C** is the source of the non-Federal matching share
- **Section D** is the forecasted funding needs for year one (1).
- **Section E** is the forecasted funding needs for years two (2) and after (i.e., it does not include the first year's funding).

b) Section II - Summary Budget Narrative

The applicant shall provide a summary budget narrative that describes all planned project costs (i.e., direct labor, travel, equipment, supplies, contractual, construction, and other), and how these planned costs are connected to the project scope. The summary budget narrative must be sufficiently clear, concise, and detailed to describe how funds will be spent under the project. The applicant shall also provide a summary budget table that provides estimated costs across project components or tasks, and across all years of the project. The summary budget should represent the total cost of the project, inclusive of both the Federal share and the required matching non-Federal cost share. An example of a summary level budget table is provided below:

Table 2. Example of Summary Budget Figures

	Year 1 Costs	Year 2 Costs	Year 3 Costs	Year 4 Costs	Year 5 Costs
Description of Project Component or Task					
Description of Project Component or Task					
Description of Project Component or Task					

Description of Project Component or Task					
Total Federal Share					
Total Non-Federal Share					

Grant Funds, Sources and Uses of Project Funds

Project budgets must show how different funding sources will share in each activity and present those data in dollars and percentages. The budget should identify other Federal funds 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: non-Federal, SIRC Program, and other Federal with specific amounts for each funding source.

c) Section III - Cost Share Information

The applicant should show evidence that funding has been identified for the project that will cover the 20 percent or 30 percent non-Federal cost-share requirement, as applicable.

The applicant must include letters of commitment from organizations that will provide a portion of the cost-share and identify the source of those funds (e.g., general treasury funds, revolving loan fund, capital budget, in-kind labor, in-kind equipment, etc.).

d) Section IV - Other Business Information (for Prime applicant only)

In addition to the forms and budget information noted above, provide the following other business information in a PDF format:

a. Identify any exceptions to the anticipated award terms and conditions as contained in Section F, Federal Award Administration Information. Identify any preexisting intellectual property that you anticipate using during award performance and your position on its data rights during and after the award period of performance.

b. Effective April 4, 2022, the use of a SAM UEI is required on all applications for Federal grants agreements. Please provide your organization's SAM UEI number in your budget application.

c. A statement to indicate whether your organization has previously completed an A-133 Single Audit and, if so, the date that the last A-133 Single Audit was completed.

d. A statement regarding conflicts of interest. The applicant must disclose in writing any actual or potential personal or organizational conflict of interest in its application. It must describe in a concise manner all past, present, or planned organizational, contractual, or other interest(s) that may affect the applicant's ability to perform the proposed project in an impartial and objective manner. Actual or potential conflicts of interest may include but are not limited to any past, present, or planned contractual, financial, or other relationships, obligations, commitments, or responsibilities that may bias the applicant or affect the applicant's ability to perform the agreement in an impartial and objective manner. The Agreement Officer (AO) will review the statement(s) and may require additional relevant information from the applicant. All such information, and any other relevant information known to FHWA, will be used to determine whether an award to the applicant may create an actual or potential conflict of interest. If any such conflict of interest is found to exist, the AO may (a) disqualify the applicant, or (b) determine that it is otherwise in the best interest of the United States to enter into an agreement with the applicant and include appropriate provisions to mitigate or avoid such conflict in the agreement pursuant to 2 CFR 200.112.

e. A statement to indicate whether a Federal or State organization has audited or reviewed the applicant's accounting system, purchasing system, and/or property control system. If such systems have been reviewed, provide summary information of the audit/review results to include, as applicable, summary letter or agreement, date of audit/review, and Federal or State POC for such review.

f. Terminated Contracts - List any contract/agreement that was terminated for the convenience of the Government within the past three years and any contract/agreement that was terminated for default within the past five years. Briefly explain the circumstances in each instance.

g. The applicant is directed to review Title 2 CFR Part 170, Reporting Subaward and Executive Compensation Information, dated September 14, 2010, and Appendix A thereto, and acknowledge in its application that it understands the requirement, has the necessary processes and systems in place, and is prepared to fully comply with the reporting described in the agreement if it receives funding resulting from this notice. The text of Appendix A will be incorporated in the award document as a General Term and Condition as referenced under this notice's Section F, Federal Award Administration Information.

h. Disclose any violations of Federal criminal law involving fraud, bribery, or gratuity violations. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.339 entitled Remedies for Noncompliance, including suspension or debarment. (See also 2 CFR Part 180 and 31 U.S.C. 6102).

i. Acknowledgement of acceptance of the NOFO terms and acknowledgement and acceptance of any Amendments issued to this NOFO. List Amendment numbers and issue dates, if any.

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

Effective April 4, 2022, the Data Universal Numbering System (DUNS) number is no longer a valid UEI for entities doing business with the Federal government and has been replaced by the SAM UEI. Applicants now will need to use a UEI created in SAM.gov.

Active registrants in SAM.gov have had their SAM UEI automatically assigned, and it is currently viewable within SAM.gov; there is no action for registered entities to take at this time to obtain their SAM UEI. Other applicants will need to go into SAM.gov to obtain a SAM UEI.

Each applicant is required to:

a. Have an active registration in SAM.gov at the time the applicant submits an application;

b. Provide a valid UEI in their application; and

c. Continue to maintain an active SAM registration with current information at all times during which the applicant has an active Federal award or an application or plan under consideration by a Federal awarding Agency.

Please see https://www.grants.gov/applicants/applicant-faqs for more information on the transition from DUNS to SAM UEI, including what UEI to enter into the UEI field on grants.gov and on application package forms.

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

The SAM requires the registrant to provide a UEI number to complete the registration. **These processes can take several weeks to complete, so they should be started well before the application deadline.**

4. SUBMISSION DATES AND TIMES

Applications must be submitted through www.grants.gov by the application due date/time listed on the Summary Information on page 3 of this NOFO (or as updated by a NOFO Amendment, if applicable). The due date/time is the date and time by which FHWA must receive the full and completed application, including all required sections.

Late Applications

A late application will not be reviewed or considered unless the AO determines that doing so is in FHWA's best interest. FHWA will not consider late applications that are the result of failure to register or comply with *Grants.gov* applicant requirements in a timely manner.

Applications received after the deadline will not be considered except in the case of unforeseen technical difficulties with Grants.gov that are beyond the applicant's control. In those instances, the applicant must contact the Grants.gov help desk prior to the application deadline with the username of the registrant and details of the technical issue experienced.

If applicants are unable to use the system due to unresolved, verifiable technical difficulties prior to the application deadline, applicants must email the FHWA point of contact listed in the NOFO Section G no later than the NOFO application deadline cited herein with explanation supporting documents regarding the nature of the technical difficulties, and the complete application package that would otherwise have been submitted through grants.gov. If the reported technical issues cannot be validated and verified as being consistent with the circumstances described below, late applications will be rejected as untimely.

Please note, applicants must obtain a Grants.gov Help Desk Tracking Number if they are experiencing technical difficulties. Before the submission deadline, the applicant must contact the SIRCFHWA@dot.gov email address and provide the following information:

a. Details of the technical issue experienced;

b. Screen capture(s) of the technical issues experienced along with corresponding Grants.gov grant tracking number;

c. The legal business name for the applicant that was provided in the SF–424;

d. The Authorized Organization Representative name submitted in the SF–424;

e. The SAM UEI number associated with the application; and

f. The Grants.gov Help Desk Tracking Number.

After FHWA staff review all information submitted and contact the Grants.gov Help Desk to validate reported technical issues, FHWA staff will contact late applicants to approve or deny a request to submit a late application through Grants.gov or via other authorized means, such as email. If the reported technical issues cannot be validated, late applications will be rejected as untimely.

5. INTERGOVERNMENTAL REVIEW

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

6. FUNDING RESTRICTIONS

FHWA will not reimburse any pre-award costs (that is costs incurred before the award agreement date) or application preparation costs.

Grant funds may not be used to support or oppose union organizing, whether directly or as an offset for other funds.

7. OTHER SUBMISSION REQUIREMENTS

a. How to Register to Apply Through Grants.gov

Instructions: Read the instructions below about registering to apply for FHWA funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

The registration process can take up to 4 weeks to complete. Therefore, registration should be done timely to ensure it does not impact your ability to meet required application submission deadlines.

Organization applicants can find complete instructions here: https://www.grants.gov/applicants/applicant-registration

1) *Obtain a SAM UEI*: All entities applying for funding must have a SAM UEI number from SAM.gov. Applicants must enter the SAM UEI number in the data entry field labeled "UEI" on the SF-424 form.

For more detailed instructions for obtaining a SAM UEI, refer to: Applicant FAQs | GRANTS.GOV

2) *Register with SAM*: In addition to having a SAM UEI, organizations applying online through Grants.gov must register with SAM. All organizations must register with SAM in order to apply online. Failure to register with SAM will prevent your organization from applying through Grants.gov.

For more detailed instructions for registering with SAM, refer to: https://www.grants.gov/applicants/applicant-registration

3) *Create a Grants.gov Account*: The next step in the registration process is to create an account with Grants.gov. Applicants must know their organization's SAM UEI number to complete this process. Completing this process automatically triggers an email request for applicant roles to the organization's E-Business (EBiz) POC for review. The EBiz POC is a representative from your organization who is the contact listed for SAM. To apply for grants on behalf of your organization, you will need the Authorized Organization Representative role.

For more detailed instructions about creating a profile on Grants.gov, refer to: https://www.grants.gov/applicants/applicant-registration

4) *Authorize Grants.gov Roles*: After creating an account on Grants.gov, the EBiz POC receives an email notifying them of your registration and request for roles. The EBiz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the Authorized Organization Representative role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been approved as an Authorized Organization Representative.

For more detailed instructions about creating a profile on Grants.gov, refer to: https://www.grants.gov/applicants/applicant-registration

5) *Track Role Status*: To track your role request, refer to: https://www.grants.gov/applicants/applicant-registration

Electronic Signature: When applications are submitted through Grants.gov, the name of the organization's Authorized Organization Representative that submitted the application is inserted into the signature line of the application, serving as the electronic signature.

The EBiz POC **must** authorize individuals who are able to make legally binding commitments on behalf of the organization as an Authorized Organization Representative; **this step is often missed, and it is crucial for valid and timely submissions.**

b. How to Submit an Application to FHWA via Grants.gov

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different Webforms within an application. For each funding opportunity announcement, you can create individual instances of a Workspace.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to: https://www.grants.gov/applicants/grant-applications/how-to-apply-for-grants.

1) *Create a Workspace*: Creating a Workspace allows you to complete it online and route it through your organization for review before submitting.

2) *Complete a Workspace*: Add participants to the Workspace, complete all the required forms, and check for errors before submission.

a. *Adobe Reader*: If you decide not to apply by filling out Webforms, you can download individual PDF forms in Workspace so that they will appear similar to other Standard or FHWA forms. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at: https://www.grants.gov/applicants/adobe-software-compatibility.html

b. *Mandatory Fields in Forms:* In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.

c. *Complete SF-424 Fields First*: The forms are designed to fill in commonly required fields across other forms, such as the applicant's name, address, and SAM UEI number. To trigger this feature, an applicant must complete the SF-424 information first. Once it is completed, the information will transfer to the other forms.

3) *Submit a Workspace*: An application may be submitted through Workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab.

Grants.gov recommends submitting your application package <u>at least 24-48 hours prior to the close date</u> to provide you with time to correct any potential technical issues that may disrupt the application submission.

4) *Track a Workspace*: After successfully submitting a Workspace package, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the package. The number will be listed on the Confirmation page that is generated after submission.

For additional training resources, including video tutorials, refer to: https://www.grants.gov/web/grants/applicants/applicant-training.html

Applicant Support: Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at support@grants.gov. For questions related to the specific grant opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist FHWA with tracking your issue and understanding background information on the issue.

c. Intent to Release Applications and Names of Applicant

In order to expand public awareness of SIRC and its underlying concepts and ideas, FHWA may post publicly or release publicly all Volume 1 Technical Applications after award. By submitting an application in response to this NOFO, the applicant provides FHWA permission to:

- Release publicly the names of all applicants after selection of the SIRC awardees; and
- Release publicly Volume 1 Technical Application documents (without the résumés of key personnel) after selection of the SIRC awardees.

<u>Protection of Confidential Business Information</u>

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 application includes information you consider to be a trade secret or confidential commercial or financial information, the applicant should do the following:

(1) Note on the front cover that the submission “Contains Confidential Business Information (CBI),”

(2) mark each affected page “CBI,” and

(3) highlight or otherwise denote the CBI portions.

FHWA 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 marked in accordance with this section, and ultimately determined to be confidential under § 7.29 will be exempt from disclosure under FOIA.

SECTION E – APPLICATION REVIEW INFORMATION

1. MERIT CRITERIA FOR SELECTION OF SIRC AWARDS

FHWA will evaluate applications based on the following merit criteria: technical merit, staffing, and cost. The technical merit criterion has the most importance, while the staffing and cost criteria are approximately equally important.

a. TECHNICAL MERIT:

- Degree to which the proposed pilot project aligns with the SIRC Program Objectives in Section A.4 of this NOFO.

- Clarity, quality, and cohesiveness of the project narrative in outlining the pilot project objectives and expected outcomes.

- Ability of the applicant to develop feasibility research, tests, and evaluations, and/or deploy a practicable pilot project that aligns with the applicant's self-identified User-Based Alternative Revenue Mechanism (UB-ARM) Technology Readiness Maturity Level and any progression in levels for the proposed project (See Section D. 2., Volume 1. Technical Application for information on identifying Technology Readiness Maturity levels for the project).

- Identification of the UB-ARM Technology Readiness Maturity Scale level the proposed pilot project will be rated at the beginning of the project and the rating upon completion.

- Degree to which the applicant details its approach, commitment, and ability to evaluate the effectiveness of activities proposed in their application.

- Practical feasibility that the pilot project could lead to a viable scalable alternative revenue mechanism model.

- Degree to which the project sponsor has developed a community outreach action plan, including plans to conduct equity-focused community outreach, education, and public engagement with adjacent and nearby communities in proximity to the project area during the project's feasibility research, testing, evaluation, and/or deployment phases.

- Scalability or portability of the proposed pilot to other jurisdictions or nationally to help maintain the long-term solvency of the Highway Trust Fund.

- Degree to which the proposed project includes cooperating partners in the funding and or in the implementation of the project, including a description of the entities' specific role(s) in the project.

- If applicable, the degree to which the application explains the independent toll authorization that will be used for the proposed project.

- If applicable, inclusion of a determination and explanation of whether the proposed project will or may require a waiver under the Buy America Act.

b. STAFFING:

- Degree to which the Application includes a clear program/project management structure or organization, inclusive of any project partners, that will successfully oversee the proposed pilot project.

- Expertise and qualifications of key personnel for managing or conducting appropriate aspects of the proposed pilot project through the period of performance, as well as the expected level of involvement of designated key personnel (e.g., percent of work time to be committed to the project during the period of performance).

c. COST:

- Degree to which budget applications represent costs that are realistic, reasonable, and commensurate with the applicant's technical application, as well as the degree to which they conform to applicable cost principles.

- Determination whether the required matching funds and supporting detail for these funds are provided.

2. REVIEW AND SELECTION PROCESS

FHWA will use a merit review process to evaluate applications and make selections for an award.

a) Phase I: Application Review and Selection

Any ineligible applications, based on a finding of lateness, incompletion, duplicate submissions, or other deficit of eligibility, will be eliminated from further consideration in the review process. FHWA will review all remaining eligible applications.

The SIRC application review process consists of a technical evaluation phase in which technical experts will determine whether each project satisfies the statutory requirements and rate how well it addresses the technical merit, staffing, and cost merit selection criteria as described in Section E.1 and the Additional Selection Considerations as described in stated below. The evaluation team will individually evaluate the applications. The FHWA Senior Review Team (SRT) consists of senior FHWA officials who have been requested to serve by the FHWA Administrator. The SRT, using the technical evaluators' feedback and ratings and summary information prepared by the SIRC Grant Program Manager about all of the projects, will consider the applications and the technical evaluations to determine which projects to advance to the FHWA Administrator for consideration. The technical evaluation phase team's evaluations, which will be appraised during the senior review phase, will place all eligible projects into one of three rating categories: Highly Recommended, Recommended, and Not Recommended. The evaluations will not assign numerical scores, nor will there be any sorting or rankings within each of the three subcategories. In summary, any project slotted into each category will have the same weight of recommendation in that category. The FHWA Administrator will select the projects for award, including options for reduced awards. FHWA reserves the right to use outside expertise or contractor support to perform application evaluations. In addition, in accordance with BIL Section 13001(b)(6), FHWA shall consider geographic diversity in awarding SIRC grants.

The adjectival rating categories to be used during the review and selection process, as described in the paragraph above, are defined as follows:

Highly Recommended:

- Project aligns extremely well with the objectives of the SIRC Program described in Section A.4 of this NOFO.
- Application meets or exceeds NOFO requirements and demonstrates excellent alignment with the merit criteria for selection described in Section E.1: technical merit, staffing, and cost.
- The proposed project aligns with **all three** of the Additional Selection Considerations described in Section E.2 of this NOFO. Projects must address at least one area from each of the three considerations below.

    1. Administration Goals: demonstrates alignment with at least one goal listed in Section A.5 and Section E.2.
    2. Program Topics of Interest: demonstrates alignment with at least one Topic of Interest listed in Section E.2, and
    3. Maturity or Readiness of the User Based Revenue Mechanism Technology Integration: demonstrates alignment with FHWA goals on advancement of maturity of mechanisms described in Section E.2.

- Application offers outstanding value towards advancing the SIRC Program.
- Application represents a low risk of an unsuccessful pilot project.

Recommended:

- Proposed pilot project aligns sufficiently well with the objectives of the SIRC Program described in Section A.4 of this NOFO.
- Application meets NOFO requirements and demonstrates good alignment with the merit criteria for selection described in Section E.1: technical merit, staffing, and cost.
- The proposed project aligns with at least **one or more** of the three Additional Selection Considerations described in Section E.2 of this NOFO. Projects must address at least one area in one of the follow considerations:

    1. Administration Goals: demonstrates alignment with at least one goal listed in Section A.5 and Section E.2.

2. Program Topics of Interest: demonstrates alignment with at least one Topic of Interest listed in Section E.2, or
3. Maturity or Readiness of the User Based Revenue Mechanism Technology Integration: demonstrates alignment with FHWA goals on advancement of maturity of mechanisms described in Section E.2.

- Application offers value towards advancing the SIRC Program.
- Application represents a low to moderate risk of an unsuccessful pilot project.

Not Recommended:

- Proposed pilot project does not clearly align with the objectives of the SIRC Program described in Section A.4 of this NOFO.
- Application does not meet NOFO requirements nor demonstrate sufficient alignment with the merit criteria for selection described in Section E.1: technical merit, staffing, and cost.
- Application does not clearly offer value towards advancing the SIRC Program.
- Application represents a moderate to high risk of an unsuccessful pilot project.

FHWA will award the applications that are considered the most advantageous to FHWA using the criteria cited above and subject to the results of an applicant risk assessment, as detailed below. The FHWA Administrator is the official responsible for final award selections. FHWA is not obligated to make any awards as a result of this notice.

Note: The maximum amount that will be awarded will depend on the number of awards and any reduction in SIRC funds due to the imposition of the Federal-aid highways obligation limitation. Selection of an application to receive grant funding in one fiscal year is <u>not</u> a commitment of any future funding. Applications will be solicited annually for competitively selecting grant recipients for that funding year.

b) ***Phase II – Post-Selection Discussions and Method of Award***

In Phase II, FHWA and the applicant will reach an agreement on the method for the award. There are two possible options for award: 1) award through an allocation to the State department of transportation or 2) a direct award from FHWA.

In Phase II, FHWA will also conduct discussions with the selected applicant to clarify elements of the applicant's technical and budget applications.

Discussions will include a request for detailed and itemized cost information, including direct labor categories, hours and rates, fringe benefit rates, travel, equipment, supplies, sub-recipient, contractor, and consultant costs and supporting documentation, construction costs, other direct costs, indirect cost rates, and additional supporting budget narrative. The selected applicant will also be required to provide a Project Management Plan prior to entering into the grant agreement.

ADDITIONAL SELECTION CONSIDERATIONS

After completing the merit review, among projects of similar merit, FHWA will prioritize projects that advance one or more of the following: Administration Goals, Program Topics of Interest, and Maturity or Readiness of the User Based Revenue Mechanism Technology Integration.

a. Administration Goals

Policy priorities for the Administration Goals, which are further detailed in Section A.5 of this NOFO, include the following:

- Safety:
    - Not negatively impact safety for all users.
    - Promote safety through design and a systems approach (if applicable).

- Climate Change and Sustainability:
    - Address the disproportionate negative environmental impacts of transportation on disadvantaged communities, such as considering the benefits and burdens a project may create, and what communities or populations would be most affected.
- Equity:
    - Conducted or propose a plan to conduct meaningful public involvement, inclusive of underserved communities throughout the project lifecycle.
    - Address the unique challenges rural communities face related to mobility and economic development, including isolation, transportation cost burden, and traffic safety (pursuant to DOT's Rural Opportunities to Use Transportation for Economic Success (ROUTES) initiative).
    - Enable all people within the multimodal transportation networks to reach their desired destination safely, affordably, and with a comparable level of efficiency and ease.

b . Program Topics of Interest

FHWA will prioritize proposals that address gaps in information and the development of lessons learned from implementation of user-based alternative revenue mechanisms that can help advance multi-State and national application of these mechanisms.

Topics of particular interest include the following:

- Quantifying implementation and operational costs for varying approaches, particularly those that are broadly scaled;

- Harmonizing collection programs across States, including approaches to account for interstate travel that accommodate low-technology solutions as well as advanced technology-based solutions;

- Collection methods or combinations of collection methods that would encompass all system users, including difficult to access populations, such as the unbanked and technology averse;

- Enforcement and auditing of collections, particularly for potential programs that would apply to all system users;

- Identifying relative advantages and disadvantages of alternative collection methods that engage different populations;

- Impacts on the travel behavior of various populations from user-based alternative revenue mechanisms in comparison to fuel taxes;

- Approaches for looking at user acceptance based on fees reflecting the costs associated with driving (e.g., fees that vary by vehicle weight or fuel efficiency), including pavement damage, environmental impacts, safety and health impacts, and other costs.

c. Maturity or Readiness of the User Based Revenue Mechanism Technology Integration

FHWA will prioritize projects that advance the state of current practice for user-based alternative revenue mechanisms in the specific context of the proposed project to new phases on the UB-ARM Technology Readiness Maturity Level Scale. FHWA will use the UB-ARM rating information provided in the Project Narrative to assess this consideration. For example, FHWA will prioritize proposed projects that progress from Level 1 to Level 3 in a location or State that has no prior experience with user-based alternative revenue mechanisms because those projects advance the state of current practice in their context.

In a location or State that has already conducted Basic Feasibility Research (Level 1 or 2) on a user-based alternative revenue mechanism (either under a prior STSFA grant or a different funding source), FHWA will prioritize projects that progress that mechanism to higher maturity levels, such as Proof of Concept (Level 3), Applied Test Research (Level 4), and Evaluation (Level 5). The type of project prioritized will depend on the context of the proposed project, including its location, the mechanism proposed, innovative technology involved, prior activities conducted (if any), and the role, if any, of multi-jurisdictional partnerships.

3. APPLICANT RISK ASSESSMENT

NOTE: The "Applicant Risk Assessment" is independent of the assessment of risk associated with a project, as included in each of the adjectival ratings above.

FHWA must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM. An applicant may review information in SAM.gov and comment on any information about itself. FHWA will consider comments by the applicant, in addition to other information in SAM.gov, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards

when completing the risk assessment. FHWA reserves the right to deny an award based on the results of the risk assessment.
FHWA will assess the risks posed by an applicant before they receive an award. If the Federal awarding Agency determines that a Federal award will be made, special conditions that correspond to the degree of risk assessed may be applied to the Federal award. This Risk Assessment will include an evaluation of some or all the following items relative to the applicant and/or sub-applicants, as applicable:

(1) Applicant's financial stability;

(2) Applicant's quality of management systems and ability to meet the management standards prescribed in 2 CFR Part 200;

(3) Applicant's history of performance;

> **Note:** History of performance includes the applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, conformance to the terms and conditions of previous Federal awards, and, if applicable, the extent to which any previously awarded amounts will be expended prior to future awards. The Government will evaluate the relevant merits of the applicant's history of performance based on its reputation and record with its current and/or former customers with respect to quality, timeliness, and cost control. The history of performance will be reviewed to assure that the applicant has relevant and successful experience and will be considered in the risk assessment.
> In evaluating the history of performance, the Government may consider both written information provided in the application, as well as any other information available to the Government through outside sources.

(4) Applicant's audit reports and findings from audits performed on the applicant pursuant to 2 CFR Part 200 Subpart F – Audit Requirements or the reports and findings of any other available audits;

(5) Applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities;

(6) Applicant's potential for conflict of interest, if applicable; and

> **Note:** FHWA will review information provided by the applicant, and any other relevant information known to FHWA, to determine whether an award to the applicant may create an actual or potential conflict of interest. If any such conflict of interest is found to exist, FHWA may (a) disqualify the applicant or (b) determine that it is otherwise in the best interest of the United States to award to the applicant and include appropriate provisions to mitigate or avoid such conflict in the agreement pursuant to 2 CFR 200.213.

(7) Applicant's eligibility to receive Federal funding. Per the guidelines on government-

wide suspension and debarment in 2 CFR Part 180, the Government will confirm that the applicant and any named sub-applicants are not debarred, suspended, or otherwise excluded from or ineligible for participation in Federal programs or activities.

Pursuant to 2 CFR Part 200.206, prior to making a Federal award, the Federal awarding Agency is required to review information available through any Office of Management and Budget-designated repositories of governmentwide eligibility qualification or financial integrity information, such as Dun & Bradstreet (D&B) and data available via SAM.gov. The Government's review of this information will occur as part of the risk assessment of the applicant.

SECTION F – FEDERAL AWARD ADMINISTRATION INFORMATION

1. FEDERAL AWARD NOTICES

Following the evaluation outlined in Section E, FHWA will notify the selected applicants and announce the selected projects. Notice that an applicant has been selected as a recipient does not constitute approval of the application as submitted. Before the award, FHWA will contact the POC listed in the SF-424 to initiate the negotiation of a project-specific agreement. If the negotiations do not result in an acceptable submittal, FHWA reserves the right to terminate the negotiation and decline to fund the applicant.

Recipients of awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds. Instead, FHWA will reimburse Recipients only after a project agreement or award has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted by the Recipient.

2. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

All awards made as a result of this opportunity will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 CFR Part 200, as adopted by FHWA at 2 CFR Part 1201. Applicable Federal laws, rules, and regulations set forth in title 23, U.S.C. and 23 and 49 CFR shall also apply to awards provided under this program.

GENERAL CLAUSES

The online clauses entitled "General Terms and Conditions for Assistance Award (for award effective after August 07, 2023)," apply to the resulting award, and are available in full text online at: https://www.fhwa.dot.gov/cfo/contractor_recip/gtandc_after2023aug07.cfm

SPECIAL CLAUSES

In addition to the General Clauses cited above, the following Special Clauses will apply to the resulting award.

a. PUBLIC ACCESS TO DOCUMENTS

The applicant agrees that the resulting deliverables/documentation submitted to FHWA under this Agreement may be posted online for public access and/or shared by FHWA with other interested parties. FHWA anticipates the documents cited herein may be posted on an FHWA Website or other appropriate Website.

b. INDIRECT COSTS

Indirect costs are allowable under the grant agreements in accordance with the Recipient's federally Negotiated Indirect Cost Rates as documented in writing and approved by the Recipient's cognizant Government Agency.

In accordance with 2 CFR 200.414(f), any non-Federal entity that does not have a current negotiated (including provisional) rate, except for those non-Federal entities described in 2 CFR Part 200, appendix VII, paragraph D.1.b, may elect to charge a de minimis rate of 10 percent of modified total direct costs which may be used indefinitely. No documentation is required to justify the 10-percent de minimis indirect cost rate. This Indirect Cost provision does not operate to waive the limitations on Federal funding provided in the grant agreements. The Recipient's audited final indirect costs are allowable only insofar as they do not cause the Recipient to exceed the total obligated funding.

c. DATA RIGHTS

The Recipient must make available to FHWA copies of all work developed in performance with the grant agreements, including but not limited to software and data. Data rights under the grant agreements shall be in accordance with 2 CFR 200.315, Intangible property.

d. PERSONALLY IDENTIFIABLE INFORMATION (PII)

PII as defined at 2 CFR 200.1 will not be requested unless necessary and only with prior written approval of the AO with concurrence from the AOR.

e. AVAILABLE FUNDING

The total estimated amount of Federal funding that may be provided under the grant agreement is up to **[to be filled in upon award]** for the entire period of performance, subject to the limitations shown below:

Currently, Federal funds in the amount of **[to be filled in upon award]**, are obligated to this grant agreement.

Subject to availability of funds, and an executed document by the AO, the difference between the current funding and the total estimated amount of Federal funding may be obligated to the grant agreements.

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

f. KEY PERSONNEL

Pursuant to 2 CFR 200.308(c)(2), the Recipient must request prior written approval from the AO for any change in Key Personnel specified in the award. The following person(s) are/have been identified as Key Personnel:

Name	Title/Position
(*** to be filled in at award ***)	

g. PROGRAM INCOME

Pursuant to 2 CFR 200.307, program income earned during the grant agreement's period must be added to the Federal award and used for the purposes and under the conditions of the Federal award, unless otherwise approved by the AO. Program income must not be used to offset the Federal or Recipient contribution to this project.

h. SUBAWARDS

Unless described in the application and funded in the approved award, the Recipient must obtain prior written approval from the AO or other cognizant FHWA division office personnel in the case of a project administered through a State DOT, for the subaward, transfer, or contracting out of any work under this award. This provision does not apply to the acquisition of supplies, material, equipment, or general support services.

The following subaward provisions will apply based on the DOT Office for contract authorization:

1. If the FHWA Office for Subaward and Contract Authorization is "FHWA Division," then the Recipient shall comply with subaward and contract authorization requirements under 23 CFR Part 172 and 23 CFR Chapter I., subchapter G.

2. If the FHWA Office for Subaward and Contract Authorization is "FHWA Office of Acquisition and Grants Management," then the Recipient shall obtain prior written approval from the FHWA AO pursuant to 2 CFR 200.308 and 23 CFR 172 as applicable for the subaward or contracting out of any work under this agreement. Approvals under 2 CFR 200.308 will be contingent upon a fair and reasonable price determination on the part of the Recipient and the AO's concurrence on that determination. Consent to enter into subawards will be issued through a formal amendment to the Agreement. This provision does not apply to the acquisition of supplies, material, equipment, or general support services.

The following subawards are currently approved under the Agreement: (*** to be filled in at award ***)

Approval of each subaward is contingent upon a fair and reasonable price determination, and approval by the AO, or other cognizant FHWA division office personnel in the case of a project administered through a State DOT, for each proposed subcontractor/sub-recipient. Consent to enter into subawards will be issued through a formal amendment to the Agreement.

i. ORDER OF PRECEDENCE

Upon award, the Recipient's technical and budget applications will have been accepted, approved, and incorporated therein as Attachments. In the event of any conflict between the grant agreement document and the Recipient's application, the grant agreement document shall prevail.

j. DESIGNATION AS RESEARCH OR NON-RESEARCH AGREEMENT

Any awards made as a result of this opportunity will be designated as: *RESEARCH & DEVELOPMENT*.

k. CONFERENCE SUPPORT RESTRICTIONS

The Recipient must obtain written approval from the AOR prior to incurring any costs for conference support. See the definition of conference as contained in 2 CFR 200.432.

Food and beverage costs are not allowable conference expenses for reimbursement under the grant agreements.

NOTE: Costs of meals are allowable as a travel per diem expense for individuals on travel status and pursuant to the Travel clause of the grant agreements.

l. DISPUTES

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

Whenever a dispute arises, the parties will attempt to resolve the issues involved by discussion and mutual agreement as soon as practical. In no event will a dispute which arose more than three months prior to the notification made under the following paragraph of this provision constitute the basis for relief under this article unless FHWA waives this requirement. Failing resolution by mutual agreement, the aggrieved party will document the dispute by notifying the other party in writing of the relevant facts, identify unresolved issues and specify the clarification or remedy sought. The AO will conduct a review of the matters in dispute and render a decision in writing within thirty calendar days of receipt of such written request. Any decision of the AO is final and binding unless a party will, within thirty calendar days, request further review as provided below.

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

m. CLOSEOUT OF AGREEMENT FILE

The Government will initiate the administrative closeout of the grant agreements after receiving evidence that all technical work and administrative requirements have been completed.

The Recipient shall furnish all required documents in support of the closeout of the grant agreements within the timeframes requested by the Government. The Government anticipates the timeframe to complete administrative closeout of the grant agreements will not exceed 6 months.

n. TRAVEL

Travel and per diem authorized under the grant agreements will be reimbursed in accordance with the travel costs section of 2 CFR 200.475.

o. PUBLIC ACCESS REQUIREMENTS AND COMPLIANCE

In response to the White House Office of Science and Technology Policy memorandum dated February 22, 2013, entitled Increasing Access to the Results of federally Funded Scientific Research, FHWA is incorporating Public Access requirements into all funding awards (grants) for scientific research. This section sets forth the requirements a funding recipient must satisfy to be in full compliance with the DOT Public Access plan. For all wholly or partially Federal funded scientific research agreements, the Recipient hereby agrees to comply with the requirements of the DOT Public Access plan. The Recipient is required to include these obligations in any sub-awards or other related funding agreements. The full requirements of the DOT Public Access plan requirements include, but are not limited to, the following:

A. Copyright License

Recipient hereby grants to the DOT a worldwide, non-exclusive, non-transferable, paid-up, royalty-free copyright license, including all rights under copyright, to any and all Publications and Digital Data Sets as such terms are defined in the DOT Public Access plan, resulting from scientific research funded either fully or partially by this funding agreement. Recipient herein acknowledges that the above copyright license grant is first in time to any and all other grants of a copyright license to such Publications and/or Digital Data Sets, and that DOT shall have priority over any other claim of exclusive copyright to same.

B. Reporting and Compliance Activities

Recipient hereby agrees to satisfy the reporting and compliance requirements as set forth in the DOT Public Access plan, including, but not limited to, the submission and approval of a Data Management Plan, the use of Open Researcher and Contributor ID numbers, the creation and maintenance of a research project record in the Transportation Research Board's Research in Progress database, and the timely and complete submission of all required publications and associated digital data sets as such terms are defined in the DOT Public Access plan. Additional information about how to comply with the requirements can be found at: https://ntl.bts.gov/public-access/how-comply.

p. PROGRAM REQUIREMENTS

In connection with any program or activity conducted with or benefiting from funds awarded under this notice, 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, nondiscrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of the DOT; 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.

SIRC projects involving vehicle acquisition must involve only vehicles that comply with applicable Federal Motor Vehicle Safety Standards and Federal Motor Vehicle Safety Regulations, or vehicles that are exempt from Federal Motor Carrier Safety Standards or Federal Motor Carrier Safety Regulations in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

The following national policy considerations need to be addressed by project sponsors before they can receive Federal funds for the program:

(a) Critical Infrastructure Security, Cybersecurity 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 the

Department and the Department of Homeland Security, will be required to do so before receiving funds.

(b) Domestic Preference Requirements

As expressed in EO 14005, Ensuring the Future Is Made in All of America by All of America's Workers (86 FR 7475), the executive branch should 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 notice are subject to the Build America, Buy America Act (BIL Div. G, Title IX), 23 U.S.C. 313, 23 CFR 635.410, and 2 CFR 200.322. DOT expects all applicants to comply with those requirements.

(c) 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 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 DOT staff; (2) provide access to program records, and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor or DOT staff.

Recipients and subrecipients are also encouraged to incorporate program evaluation including associated data collection activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting an agency priority goal(s).

Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435 (2019) urges Federal awarding Agencies and Federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, 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).

(d) Federal Contract Compliance:

As a condition of grant award and consistent with EO 11246, Equal Employment Opportunity (30 FR 12319, and as amended), all federally assisted contractors are required to make good faith efforts to meet the goals of 6.9 percent of construction project hours being performed by women, in addition to goals that vary based on geography for construction work hours and for work being performed by people of color. Under Section 503 of the Rehabilitation Act and its implementing regulations, affirmative action obligations for certain contractors include an aspirational employment goal of 7 percent workers with disabilities.

The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) is charged with enforcing Executive Order 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. OFCCP will identify projects that receive an award under this notice and are required to participate in OFCCP's Mega Construction Project Program from a wide range of Federally- assisted projects over which OFCCP has jurisdiction and that have a project cost above $35 million. DOT will require project sponsors with costs above $35 million that receive awards under this funding opportunity to partner with OFCCP, if selected by OFCCP, as a condition of their DOT award.

(e) 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 Americans with Disabilities Act of 1990 (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. DOT's and the applicable Operating Administrations' Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

3. REPORTING

a. Progress Reporting on Grant Activity. Each applicant selected for a SIRC grant must submit a Quarterly Progress Report that includes the Federal Financial Report (SF–425) on the financial condition of the project and its progress, in addition to a Program Plan (submitted within 45 days after the announcement of project selection and prior to kick-off meeting) and an Annual Budget Review (within 90 days of the anniversary date the grant agreement was fully executed) to monitor the use of Federal funds and ensure accountability and financial transparency in the SIRC Program.

b. Reporting of Matters Related to Integrity and Performance. In accordance with Appendix XII to Part 200 of 2 CFR, Section A.1, General Reporting Requirement, 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 (e.g., FAPIIS) about civil, criminal, or administrative proceedings as described in the terms and conditions of any resultant award. 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.

c. Final Report. Not later than 90 days after the termination or expiration of the grant agreement, the recipient shall submit a final report that describes:

i. Deployment and operational costs of the project compared to the benefits and savings the project provides; and

ii. How the project has met (1) the original expectations described in the application, and (2) at least one of the Program Objectives described in Section A.4 of this NOFO, including any lessons learned and quantifying data of the following:

(Note: If expectations have not been met articulate the circumstances that prohibited the delivery, if applicable.)

a. data on how the project has provided recommendations regarding adoption and implementation of user-based alternative revenue mechanisms;

b. data quantifying administrative costs;

c. data on test results on a variety of solutions for the collection of data and fees from user-based alternative revenue mechanisms and the privacy and security of data collected;

d. data evaluating the ease of compliance and enforcement of a variety of implementation approaches for different users of the surface transportation system;

e. data on public education and outreach to increase public awareness regarding the need for user-based alternative revenue mechanisms for surface transportation programs;

f. data on the use of innovation;

g. data on the potential for revenue collection along a network of alternative fueling stations;

h. data on evaluating the impacts of the imposition of a user-based alternative revenue mechanism on— (i) transportation revenues; (ii) personal mobility, driving patterns, congestion, and transportation costs; and (iii) freight movement and costs; and

i. data evaluating options for the integration of a user based alternative revenue mechanism with— (i) nationwide transportation revenue collections and regulations; (ii) toll revenue collection platforms; (iii) transportation network company fees; and (iv) any other relevant transportation revenue mechanism;

The Agency will offer a standard template to format the annual reports to FHWA.

SECTION G – FEDERAL AWARDING AGENCY CONTACTS

For questions concerning this NOFO or the Strategic Innovation for Revenue Collection Program please contact the points of contact listed on the Summary Information page on page 2 of this NOFO, and/or send an email to SIRCFHWA@dot.gov.

In addition, FHWA will post answers to questions and requests for clarifications via Grants.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.

SECTION H – OTHER INFORMATION

1. Publication/Sharing of Application Information.

   Following the completion of the selection process and announcement of awards, FHWA intends to 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 D.7, FHWA may make application narratives publicly available or share application information within FHWA or with other Federal Agencies if FHWA determines that sharing is relevant to the respective program's objectives.

2. Department Feedback on Applications.

   FHWA strives to provide as much information as possible to assist applicants with the application process. FHWA will not review applications in advance, but FHWA staff are available for technical questions and assistance. Program staff will address questions received at SIRCFHWA@dot.gov throughout the application period. If applicants not selected to receive SIRC Program funding have questions about why their proposed projects were not selected, FHWA staff will make reasonable efforts to schedule meetings to provide feedback on applications after selections are made.