

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary of Transportation

#### Notice of Funding Opportunity for the Reconnecting Communities Pilot (RCP) Discretionary Grant Program

**AGENCY:** Office of the Secretary of Transportation, U.S. Department of Transportation (DOT)

**ACTION:** Notice of Funding Opportunity (NOFO), Assistance Listing #20.940

**SUMMARY:** The purpose of this notice is to solicit applications for Reconnecting Communities Pilot (RCP) Program grants. Funds for the Fiscal Year (FY) 2022 RCP Program are to be awarded on a competitive basis for projects that reconnect communities by removing, retrofitting, or mitigating highways or other transportation facilities that create barriers to community connectivity, including to mobility, access, or economic development.

**DATES:** Applications must be submitted by 11:59 PM EDT on Thursday, October 13, 2022. Late applications will not be accepted.

**ADDRESSES:** Applications must be submitted through <https://www.grants.gov>. Opportunity number, DOT-RCP-FY22-01.

#### FOR FURTHER INFORMATION:

Ongoing updates, webinar notices, FAQs: <https://www.transportation.gov/reconnecting>.

Email: [reconnectingcommunities@dot.gov](mailto:reconnectingcommunities@dot.gov)

Call: Faith Hall at (202) 366-9055. A Telecommunications Device for the Deaf (TDD) is available (202) 366-3993.

Contact DOT operating administration field or headquarters offices:

- Federal Highway Administration, <https://www.fhwa.dot.gov/about/field.cfm>;
- Federal Transit Administration, <https://www.transit.dot.gov/about/regional-offices/regional-offices>;
- Federal Railroad Administration, <https://railroads.dot.gov/about-fra/contact-us>.

**TABLE OF CONTENTS:** Each section of this notice contains information and instructions relevant to the application process for RCP Program grants. All prospective applicants should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications.

A	PROGRAM DESCRIPTION
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## **A. Program Description**

### **1. Overview**

The purpose of the RCP Program is to reconnect communities by removing, retrofitting, or mitigating transportation facilities such as highways and rail lines that create barriers to community connectivity including to mobility, access, or economic development.

The program provides technical assistance and grant funding for planning and capital construction to address infrastructure barriers, restore community connectivity, and improve peoples' lives. The variety of transformative solutions to knit communities back together can include: high-quality public transportation, infrastructure removal, pedestrian walkways and overpasses, capping and lids, linear parks and trails, roadway redesigns and complete streets conversions, and main street revitalization. The RCP Program welcomes applications from diverse local, Tribal, and regional communities regardless of size, location, and experience administering Federal funding awards.

The total amount of funding available in this NOFO for FY 2022 is up to \$195 million.<sup>1</sup> The FY 2022 funding will be implemented in alignment with the priorities in Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64355).<sup>2</sup>

### **2. RCP Grant Types and Deliverables**

The RCP Program provides funding for two types of grants. Planning Grants fund the study of removing, retrofitting, or mitigating an existing facility to restore community connectivity; to conduct public engagement; and other transportation planning activities. Capital Construction Grants are to carry out a project to remove, retrofit, mitigate, or replace an existing eligible facility with a new facility that reconnects communities. See Section C for further eligibility information.

### **3. RCP Grant Priorities and Policy Priorities**

The primary goal of the RCP Program is to reconnect communities harmed by transportation infrastructure, through community-supported planning activities and capital construction projects that are championed by those communities. The RCP Program aligns with Biden-Harris Administration policies and priorities, including the DOT Strategic Plan goals of Safety,

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<sup>1</sup> Sections 11101(d)(3) and 11509 of Division A of the Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021, "Bipartisan Infrastructure Law," or "BIL") authorized a total of \$500 million of contract authority from the Highway Trust Fund to be awarded by the DOT for the FY 2022-2026 RCP Program. Title VIII, Division J appropriated an additional \$500 million from the General Fund to be awarded by the DOT for the FY 2022-2026 RCP Program. Of the total amount of the FY 2022 RCP funding available in this notice, \$95 million is authorized contract authority from the Highway Trust Fund (HTF) and \$100 million is appropriations from the General Fund (GF). Due to the imposition of the obligation limitation on the HTF, approximately \$86.7 million is available for award. Due to the Federal Highway Administration's 1.5% administrative take-down from GF funds, \$98.5 million is available for award.

<sup>2</sup> The priorities of Executive Order 14052, Implementation of the Infrastructure Investments and Jobs Act are: to invest efficiently and equitably, promote the competitiveness of the U.S. economy, improve job opportunities by focusing on high labor standards and equal employment opportunity, strengthen infrastructure resilience to hazards including climate change, and to effectively coordinate with State, local, Tribal, and territorial government partners.

Economic Strength, Equity, Climate and Sustainability, Transformation, and Organizational Excellence.<sup>3</sup>

A cornerstone of the RCP program is DOT's Equity Strategic Goal to reduce inequities across our transportation systems and the communities they effect. The RCP Program seeks to redress the legacy of harm caused by transportation infrastructure, including barriers to opportunity, displacement, damage to the environment and public health, limited access, and other hardships. In pursuit of this goal, the program will support and engage economically disadvantaged communities to increase affordable, accessible, and multimodal access to daily destinations like jobs, healthcare, grocery stores, schools, places of worship, recreation, and park space.

Thus, program will be implemented in line with the DOT Equity Action Plan<sup>4</sup>; Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*; Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*; Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*; *Interim Implementation Guidance for the Justice40 Initiative*; and these additional equity-related objectives:

- **Housing Supply:** DOT intends to further the goals of the White House Housing Supply Action Plan<sup>5</sup> by encouraging an increase in housing supply, particularly location-efficient affordable housing, locally-driven land use and zoning reform, rural main street revitalization, growth management, and transit-oriented development.
- **Rural and Tribal Communities:** Consistent with DOT's Rural Opportunities to Use Transportation for Economic Success (ROUTES) initiative, DOT seeks to award funding to rural and Tribal communities which face unique challenges related to mobility and economic development, including isolation, transportation cost burden, and traffic safety.

In addition to Equity, DOT will also promote the following DOT Strategic Plan priorities in evaluating applications and RCP program implementation:

- **Safety:** In support of the National Roadway Safety Strategy which commits DOT to respond to the current crisis in roadway fatalities<sup>6</sup>, DOT encourages communities to adopt and implement Complete Streets policies that prioritize safety of all users.<sup>7</sup>
- **Economic Strength and Global Competitiveness:** The program intends to strengthen the economy through the creation of good-paying jobs with the free and fair choice to join a union, strong labor standards, and workforce programs.
- **Climate and Sustainability:** As part of the United States' commitment to reaching net-zero emissions economy-wide by 2050, applicants are encouraged to consider environmental justice, climate change, energy efficiency, sustainability, resilience, flood risk, and shifting trips to more affordable, safe, and less polluting modes of travel.
- **Transformation:** The program will advance innovative solutions to reconnecting communities through technical assistance, applicants' research and study of communities divided by infrastructure, and program evaluation that will assess outcomes of the pilot.

See Section E.1.i for more detail on merit criteria that implement priorities outlined above.

#### **4. Technical Assistance**

The RCP Program provides DOT up to \$30 million, cumulatively for FY 2022 – FY 2026, to provide technical assistance and capacity building support for RCP applicants and grant recipients that complements existing DOT technical assistance offerings.<sup>3</sup>

Recipients of FY 2022 Planning Grants and Capital Construction Grants will have access to RCP technical assistance based on the availability of DOT resources. DOT will prioritize technical assistance for recipients serving economically disadvantaged communities. Overall, the goals of RCP technical assistance are to build organizational and community capacity to engage in transportation planning and support communities in identifying innovative solutions to infrastructure challenges as part of the Federal program.

Applicants may indicate their interest in receiving technical assistance by identifying the applicable topics listed in the Key Information table in Section D.2.ii. Later this year, DOT plans to issue more information about the availability of, and process for obtaining, access to a broad range of new technical assistance offerings that complement existing DOT resources.

For prospective applicants who are not ready to apply for an FY 2022 Planning or Capital Construction Grant but would still like to receive technical assistance specific to the RCP program, DOT intends to provide technical assistance through learning academies starting in 2023. Separately, DOT will also conduct one or more future competitive solicitations to select partner organization(s) to provide technical assistance through the RCP program and other technical assistance programs.

### **B. Federal Award Information**

#### **1. Total Funding Available**

In FY 2022, BIL allocates up to \$195 million for the RCP program. It allocates \$50 million for Planning Grants, which includes funding for technical assistance, and \$145 million for Capital Construction Grant funds. See Section C – Eligibility Information.

DOT understands that the amount allocated for Capital Construction Grants in FY 2022 may not cover the recipient’s full request. If a Capital Construction Grant recipient does not receive the full funds requested, the funded RCP project will receive a ‘Reconnecting Extra’ designation which encourages and facilitates RCP Program recipients’ pursuit of supplemental DOT discretionary program funding. If a project designated ‘Reconnecting Extra’ applies for funding under the FY 2023 – FY 2026 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) or Multimodal Projects Discretionary Grant (MPDG) programs and is determined eligible, DOT will deem the RCP project application ‘Highly Recommended’ subject to evaluation with the relevant program’s merit criteria. The Department will still consider the RCP project’s alignment with the relevant program’s requirements and any project risks before making any award to that RCP project. Projects with this designation that apply for DOT financing programs, such as the Transportation Infrastructure Finance and Innovation Act

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<sup>3</sup> See contact information on page 1 for DOT operating administration field and headquarters offices to learn more about existing technical assistance opportunities beyond this program.

(TIFIA) program and Railroad Rehabilitation and Improvement Financing (RRIF) program, will be considered for assistance to the extent permissible under law.

## **2. Availability of Funds**

RCP Program grant funds are available until expended. However, to ensure that projects are started and completed in an efficient manner, DOT encourages all projects awarded with FY 2022 RCP Program grant funds to be obligated by the same date of September 30, 2025. DOT retains the right to prioritize projects for selection that are most likely to achieve this timeline and choose from which source to award funds to recipients, as applicable.

Obligation occurs when a selected applicant and DOT enter into a written grant agreement after the applicant has satisfied applicable administrative requirements. Unless authorized by DOT in writing after DOT's announcement of FY 2022 RCP Program awards, any costs incurred prior to DOT's obligation of funds for a project ("pre-award costs") are ineligible for reimbursement per 23 CFR 1.9.<sup>4</sup> In order to meet this timeline, DOT will prioritize project readiness and the likelihood that obligation can occur by this deadline when making project selections.

RCP Program Funds are administered on a reimbursement basis. Grant recipients will generally be required to pay project costs up front using their own funds, and then request reimbursement for those costs through billings. DOT will reimburse recipients only for costs incurred and for work performed after a grant agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted. DOT may at its sole discretion and in limited circumstances establish "pre-award" authority for recipients.

Because award recipients under the RCP program may be first-time recipients of Federal funding, DOT is committed to implementing the program as flexibly as permitted by statute and providing assistance to help award recipients through the process of securing a grant agreement and delivering both Planning Grants and Capital Construction Grants.

## **3. Award Size**

### **i. Planning Grants**

In FY 2022, DOT may award up to \$50 million for eligible public engagement, feasibility studies, and other planning activities. BIL specifies that the maximum RCP Program Planning Grant award is \$2 million. DOT anticipates that Planning Grants may range from \$100,000 to \$2 million.

### **ii. Capital Construction Grants**

In FY 2022, DOT may award up to \$145 million for eligible construction activities necessary to carry out a project to remove, retrofit, or mitigate an existing eligible facility or replace an existing eligible facility with a new facility that reconnects communities. BIL specifies that the

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<sup>4</sup> Pre-award costs are only costs incurred directly pursuant to the negotiation and anticipation of the RCP Program award where such costs are necessary for efficient and timely performance of the scope of work, as determined by DOT. Costs incurred under an advance construction (23 U.S.C. 115) authorization before the DOT announces that a project is selected for a FY 2022 RCP Program award cannot be charged to FY 2022 RCP funds. Likewise, costs incurred under an FTA Letter of No Prejudice under Chapter 53 of title 49 U.S.C. before the DOT announces that a project is selected for a FY 2022 RCP Program award, cannot be charged to FY 2022 RCP Program funds.

minimum capital construction grant award is \$5 million. DOT anticipates that Capital Construction Grants may range from \$5 million to \$100 million. If a project is partially funded, project components executed through the RCP award must demonstrate independent utility.

## **C. Eligibility Information**

### **1. Eligible Applicants**

The designated lead applicant will serve as the recipient to administer and implement the project. If the applicant seeks to transfer the award to another entity, that intention should be made clear in the application and a letter of support from the otherwise eligible, designated entity should be included in the application.

Applicants without experience in DOT funding requirements may opt to jointly apply with a partner in the same State or region, that has an established financial relationship with DOT and has knowledge of Federal grant administration requirements, to minimize delays in establishing and implementing funding agreements. For joint application partners that would also receive grant funds through the recipient (lead applicant), or if the recipient seeks to transfer the award to another agency, the recipient must determine whether such arrangement would be contractual (example, with philanthropic or community-based organizations), or if the partners would be treated as a sub-recipient (example, with other governmental entities). Ultimately, the recipient is responsible for compliance with all Federal requirements applicable to the award.

#### **i. Planning Grants**

Eligible applicants are: (1) a State; (2) a unit of local government; (3) a Federally recognized Tribal government; (4) a Metropolitan Planning Organization; and (5) a non-profit organization.

#### **ii. Capital Construction Grants**

Eligible applicants must be the owner(s) of the eligible facility proposed in the project for which all necessary feasibility studies and other planning activities have been completed.<sup>5</sup> Owners of an eligible facility, for the purposes of submitting a grant application, may submit a joint application with: (1) a State; (2) a unit of local government; (3) a Federally recognized Tribal government; (4) a Metropolitan Planning Organization; and (5) a non-profit organization.

### **2. Cost Sharing and Matching**

#### **i. Match Requirements**

Matching funds may include non-Federal sources such as:

- State funds originating from programs funded by State revenue,
- Local funds originating from State or local revenue-funded programs,
- Philanthropic funds, or
- Private funds.

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<sup>5</sup> DOT interprets this statutory pre-requisite (See Pub. L. 117-58, Section 11509 (d)(1)) to mean the capital construction project is included in the applicable Metropolitan Transportation Improvement Program (TIP) and / or Statewide Transportation Improvement Program (STIP), Tribal Transportation Improvement Program (TTIP) or equivalent, as applicable, by the time of the obligation of the award. Public transportation projects should be included in the applicable Transit Asset Management Plan.

Grant recipients may also use in-kind or cash contributions toward local match requirements so long as those contributions meet the federal legal requirements. In-kind contributions may include compensation for community members' time, materials, pro bono work provided to the project by third parties, and donations from private sponsors.<sup>6</sup>

ii. Federal Share

a) Planning Grants Federal Share

Planning Grants may not exceed 80 percent of the total cost of the project for which the grant is awarded. Recipients are required to contribute a local matching share of no less than 20 percent of eligible activity costs. As noted above, the local matching share may consist partially or entirely of in-kind contributions as well as contributions from the private sector and/or philanthropic organizations.

b) Capital Construction Grants Federal Share

Capital Construction Grants may not exceed 50 percent of the total cost of the project for which the grant is awarded. Federal assistance other than the RCP Program award (such as DOT formula funds, Tribal Transportation Program funds, or other Federal grants) may be used to partially satisfy the match requirement so long as total Federal assistance (all Federal sources), does not exceed 80 percent of the total cost of the project. Recipients are required to contribute a local matching share of no less than 20 percent of eligible activity costs. As noted above, the local matching share may consist partially or entirely of in-kind contributions as well as contributions from the private sector and/or philanthropic organizations.

**3. Eligible Facilities, Activities, and Costs<sup>7</sup>**

The proposed project must address an “eligible facility,” which is defined as a highway or other transportation facility that creates a barrier to community connectivity, including barriers to mobility, access, or economic development, due to high speeds, grade separations, or other design factors. Eligible facilities include: limited access highways, viaducts, any other principal arterial facilities, and other facilities such as transit lines, rail lines, gas pipelines, and airports. See Section H - Definitions for “highway” and Section D - Key Information table for a suggested list of other facilities.

i. Eligible Planning Grant Activities and Costs:

a) Public engagement activities, including community visioning or other place-based strategies for public input into project plans.

b) Planning studies to assess the feasibility of removing, retrofitting, or mitigating an existing eligible facility to reconnect communities, including assessments of:

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<sup>6</sup> Any in-kind contributions used to fulfill the cost-share requirement for Planning Grants and Capital Construction Grants must: be in accordance the cost principles in 2 CFR Part 200, Subpart E; including 2 CFR § 200.306(b) Cost Sharing or Matching; include documented evidence of completion within the period of performance; and support the execution of the eligible activities in Section C.3. See 23 CFR § 710.505 for requirements related to the donation of real property.

<sup>7</sup> Eligible activity costs must comply with the cost principles set forth in with 2 CFR Subpart E (i.e., 2 CFR § 200.403 and § 200.405). DOT reserves the right to make cost eligibility determinations on a case-by-case basis.

- Current traffic patterns on the facility and the surrounding street network.
- Capacity of existing transportation networks to maintain mobility needs.
- Alternative roadway designs or other uses for the right-of-way.
- The project's impact on mobility of freight and people.
- The project's impact on safety.
- The estimated cost to restore community connectivity and to convert the facility to a different design or use, compared to any expected maintenance or reconstruction costs.
- The project's anticipated economic impact and development opportunities.
- The project's environmental, public health, and community impacts.

c) Other planning activities in advance of the project, such as:

- Conceptual and preliminary engineering, or design and planning studies that support the environmental review for a construction project.
- Associated needs such as locally-driven land use and zoning reform, transit-oriented development, housing supply, in particular location-efficient affordable housing, managing gentrification and neighborhood change, proposed project impact mitigation, green and open space, local history and culture, access and mobility barriers, jobs and workforce, or other necessary planning activities as put forth by the applicant that do not result in construction.

ii. Eligible Capital Construction Grant Projects and Costs:

Eligible projects include those for which all necessary feasibility studies and other planning activities have been completed. Projects must be consistent with the Long-Range Statewide Transportation Plan, included in the Metropolitan Long-Range Plan (if applicable), and in the Metropolitan Transportation Improvement Program (TIP) and / or Statewide Transportation Improvement Program (STIP), Tribal Transportation Improvement Program (TTIP) or equivalent, as applicable, prior to the obligation of the award. Transit projects must be included in the investment prioritization of the relevant Transit Asset Management (TAM) Plan by the time of the obligation of the award.

Eligible construction grant activities include: preliminary and detailed design activities and associated environmental studies; predevelopment / preconstruction; permitting activities including the completion of the National Environmental Policy Act (NEPA) process; the removal, retrofit, or mitigation of an eligible facility; the replacement of an eligible facility with a new facility that restores community connectivity; delivering community benefits and the mitigation of impacts identified through the NEPA process or other planning and project development for the capital construction project.

iii. Prohibited Use

Funds may not be used to support or oppose union organizing.

**4. Data Collection Requirements**

Performance indicators used in reporting (See Section F.3) should align with project goals at least two of the merit criteria defined in Section E.1.i. DOT funds may be used for data collection and performance reporting and should be accounted for in the applicant's budget.



DOT will work with grant recipients to determine the most appropriate indicators and metrics to assess project benefits before the grant agreement is established. Areas of measurement will relate to: 1) mobility, 2) access, 3) safety, 4) environmental impacts, 5) congestion, 6) economic development, 7) quality of life, and 8) community engagement. Indicators may document changes from an established baseline such as: new or improved physical pathways and crossings; new transportation options and services; population changes in the project area; employment opportunities for residents; partnerships formed; reduction of fatalities and serious injuries in the project area; location-efficient affordable housing units preserved and created; changes in land value; and monetary commitments for reinvestment in the project area.

For Planning Grants, the planning process could be used to collect data and establish a baseline of existing conditions and populations in the project area. For Capital Construction Grants, DOT will request a baseline report on existing conditions prior to the start of construction. (See Section F.3 – Reporting for specific requirements for deliverables and timelines.)

## **5. Application Limit**

DOT encourages joint applications from place-based partnerships headed by a lead applicant. A lead applicant may submit no more than three applications. Unrelated project components should not be bundled in a single application for the purpose of adhering to the limit. If a lead applicant submits more applications, only the last three received will be reviewed.

## **D. Application and Submission Information**

### **1. Address to Request Application Package**

All grant application materials can be accessed at [grants.gov](https://grants.gov). Applicants must submit their applications via [grants.gov](https://grants.gov) under the Opportunity Number, DOT-RCP-FY22-01. Potential applicants may also request paper copies of materials at:

Telephone: (202) 366-4114  
Mail: U.S. Department of Transportation  
1200 New Jersey Avenue SE  
W84-322  
Washington, DC 20590

### **2. Content and Form of Application Submission**

Planning Grants and Capital Construction Grants have distinct application submission and supporting document requirements. DOT strongly recommends use of the template provided below. All applications should submit the following: Standard Forms; Key Information; Narrative; and Budget.

#### **i. Standard Forms**

All applicants must submit the following Standard Forms (SF):

- All applicants must submit the Application for Federal Assistance (SF-424)
- **For Planning Grants:**
  - Budget Information for Non-Construction Programs (SF-424A)

- Assurances for Non-Construction Programs (SF-424B)
- **For Capital Construction Grants:**
  - Budget Information for Construction Programs (SF-424C)
  - Assurances for Construction Programs (SF-424D)

ii. Key Information Table

<p>Lead applicant name and organization type. (Please select one.)</p>	<p><input type="checkbox"/> State  <input type="checkbox"/> Unit of local government  <input type="checkbox"/> Federally recognized Tribal government  <input type="checkbox"/> Metropolitan Planning Organization  <input type="checkbox"/> Nonprofit organization  <input type="checkbox"/> Facility Owner</p>
<p>If a joint application, please provide organizational names of sub-recipients that will receive funds and other key partners.</p>	
<p>Indicate the annual budget and staffing of lead applicant organization and partner organization(s), if applicable. For non-profits, also indicate how long your organization has been in operation.</p>	
<p>Does the lead applicant have experience delivering Federally funded projects? If yes, please indicate granting Federal agency.</p>	
<p>Application type: (Please select one.)</p>	<p><input type="checkbox"/> Planning Grant  <input type="checkbox"/> Capital Construction Grant</p>
<p>If interested in receiving DOT technical assistance, which of the following topics are of most interest for your organization? (Please select all that apply.)</p>	<p><input type="checkbox"/> Transportation Planning  <input type="checkbox"/> Community Engagement  <input type="checkbox"/> Environmental Compliance and Permit Approvals  <input type="checkbox"/> Equitable Economic Revitalization  <input type="checkbox"/> Place-Making and Urban Design  <input type="checkbox"/> Community Stabilization  <input type="checkbox"/> Data, Performance, and Mapping  <input type="checkbox"/> Location-efficient Affordable Housing  <input type="checkbox"/> Other _____</p>

<p>Eligible Facility Type. (Please select all that apply.)</p>	<p><input type="checkbox"/> Interstate highway  <input type="checkbox"/> State highway  <input type="checkbox"/> Arterial roadway  <input type="checkbox"/> Other street or road  <input type="checkbox"/> Bridge or viaduct  <input type="checkbox"/> Transit  <input type="checkbox"/> Rail  <input type="checkbox"/> Airport  <input type="checkbox"/> Port  <input type="checkbox"/> Gas pipeline  Other infrastructure – <i>please describe</i></p>
<p>Location of eligible facility and project area: State and County, place name of the city, town, or jurisdiction.</p> <p>Provide Census FIPS codes or other geographic code identifiers for the facility location and project area.</p> <p>Provide geographic coordinates for the facility (bounding box comprised of four pairs of coordinates that create a rectangle around the facility).</p>	
<p>Are the eligible facility and project area located in an economically disadvantaged community? See Section H - Definitions. (Please select one.)</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p>
<p>Is the project located in a rural area? See Section H - Definitions. (Please select one.)</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p>
<p>For Capital Construction Grant applicants: Is the lead applicant the Facility Owner? (Please select one.)</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p>
<p>Pre-requisite for Capital Construction Grant applicants: Is the proposed project already included in the STIP, TIP, or equivalent? For transit projects, is the project in the TAM Plan? (Please select one and provide a link or include as a supplemental document.)</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No (Please provide additional details in the Project Readiness portion of the application describing how the project will be in such plan by the time of obligation of the award.)</p>

iii. Narrative

The primary purpose of the Narrative is for the applicant to state their case for meeting the merit criteria laid out in Section E. For Planning Grants, the narrative should not exceed 10 pages; for Capital Construction Grants, the narrative should not exceed 20 pages. The Narrative should be in PDF format, with font size of no less than 12-point Times New Roman, single-spaced, minimum 1-inch margins on all sides, and page numbers. Supplemental Project Readiness and Benefit Cost Analysis information for Capital Construction Grants will not count against this page limit.

Suggested Narrative Structure:

Planning & Capital Construction	Overview	D.2.iii.a
Planning & Capital Construction	Location & Map	D.2.iii.b
Planning & Capital Construction	Response to Merit Criteria	D.2.iii.c
Capital Construction	Project Readiness: Environmental Risk	D.2.iii.d
Capital Construction	Benefit Cost Analysis	D.2.iii.e

a) Overview

This section should provide an introduction, describe barriers posed by the eligible facility, describe the history and character of the community most impacted by the facility, and any other high-level background information that would be useful to understand the rest of the application.

b) Location & Map

This section should describe the location of the eligible facility that creates barriers to community connectivity, including to mobility, access, or economic development, as well as a description of the surrounding community impacted by the facility. This section should include a detailed geographic description and map of the facility location and identify elements of the existing transportation network.

c) Response to Merit Criteria

This section should describe how the project addresses each of the merit criteria: Equity, Environmental Justice, and Community Engagement; Mobility and Community Connectivity; Community-based Stewardship, Management, and Partnerships; and Equitable Development and Shared Prosperity. See Section E.1.i for detailed criteria descriptions.

d) Project Readiness

There is no narrative requirement for Project Readiness for Planning Grants. See Section E.1.ii for details on how Planning Grant applications are reviewed for Project Readiness.

There are narrative requirements for the Environmental Risk element of Project Readiness for Capital Construction Grants. This section should include sufficient information for DOT to assess the project's likelihood of being included in the STIP or equivalent by the time of award

obligation, and in the TAM Plan for transit projects, and can be reasonably expected to begin construction in a timely manner. As DOT will perform an Environmental Risk review, the applicant should provide a project schedule and address required approvals and permits, NEPA class of action and status, public involvement, right-of-way acquisition plans, risk and mitigation strategies. See Section E.1.ii for full details on how Capital Construction Grant applications are reviewed for Project Readiness. For additional guidance and resources, visit <https://www.transportation.gov/reconnecting>

#### e) Benefit Cost Analysis for Capital Construction Grants

Planning Grant applicants do not need to submit the results of a benefit cost analysis (BCA).

Capital Construction Grant applicants should include the results of a BCA. The BCA should be briefly summarized in the Project Narrative. Applicants should provide the technical basis of the BCA sufficient to allow DOT to reproduce the analysis. Supplemental materials do not count against the overall application length. Many benefits of RCP Program projects may be difficult to quantify but should be explained as well as possible, whether such benefits are quantified or unquantified. Any claimed benefits should be clearly tied to the expected outcomes of the project and address benefits for users of the facility as well as benefits to the surrounding communities. For additional guidance and resources, visit <https://www.transportation.gov/reconnecting>

#### iv. Budget

In addition to the SF-424, applicants should describe the budget for the RCP Program project. At a minimum, the project budget should include:

- Costs for the FY 2022 RCP project. If the project contains distinct components or phases, the costs of each project component or phase should be separated and described. For a Capital Construction Grant, include information about the degree of design completion on which the cost estimates are based.
- The source, amount, and usage for all funds to be used for eligible project costs. Funding sources should be listed in one of three categories: Reconnecting Communities, other Federal funds (which together with the Reconnecting Communities funds cannot exceed 80 percent of total costs) and the 20 percent non-Federal match such as local, State, Tribal, philanthropic, private, and/or “in-kind” funds.
- For Federal funds to be used for eligible project costs, the amount, nature, and source of any required non-Federal match for those funds. If applicable, the budget should identify Federal funds that have been previously authorized by a Federal agency.
- For non-Federal funds to be used for eligible project costs, documentation of funding commitments.
- If the applicant is not a State DOT and contributions from a State DOT are included either as Federal funds or as non-Federal match, a supporting letter from the State DOT should be provided that indicates the amount and source of the funds

The budget should show the distribution of each funding source in each major planning or construction activity, including sub-recipient activity and compensation.

For each source of funds, the budget should discuss any restrictions on timing or use. For example, if a particular source of funds is available only after a condition is satisfied, the application should identify that condition and describe the applicant’s control over whether it is

satisfied. Similarly, if a particular source of funds is available for expenditure only during a fixed time period, the application should describe that restriction.

Note: The budget should not include any expenses incurred prior to award of the grant. Expenses incurred between time of award and obligation are not eligible for reimbursement or for cost sharing, unless written authorization is received at the time of award selection, as described in Section B.2.

- **3. Unique Entity Identifier and System for Award Management (SAM)**

Each applicant is required to: (i) Register in SAM.gov before submitting an application; (ii) Provide a valid unique entity identifier in its application; and (iii) Maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal agency. DOT may not make a Federal award to an applicant until the applicant has complied with all unique entity identifier and SAM requirements. If an applicant has not fully complied with the requirements by the time DOT is ready to make an award, DOT may determine that the applicant is not qualified to receive an award.

#### **4. Submission Dates and Times**

Applications must be submitted by 11:59 PM EDT on Thursday, October 13, 2022.

#### **5. Funding Restrictions**

For funding restrictions that may affect an applicant's ability to develop an application and budget consistent with program requirements, see Section C of this notice.

#### **6. Other Submission Requirements**

The complete application must be submitted via [www.grants.gov](http://www.grants.gov). In the event of system problems or the applicant experiences technical difficulties, contact grants.gov technical support via telephone at 1-800-518-4726 or email at [support@grants.gov](mailto:support@grants.gov).

### **E. Application Review Information**

#### **1. Criteria**

This section specifies the evaluation criteria DOT will use to evaluate and select Planning Grant and Capital Construction Grant applications for RCP Program grant awards: Merit Criteria, Project Readiness, Benefit Cost Analysis (for Capital Construction Projects), and Other Considerations. Section E.2 describes the review, rating, and selection process. As described in greater detail in Sections E.1 and E.2, some evaluations are conducted for only a subset of eligible applications that advance to "Second-Tier Analysis."

##### **i. Merit Criteria**

#### **#1: Equity, Environmental Justice, and Community Engagement**

DOT will rate Planning Grant proposals on their approach to, and Capital Construction Grant proposals on having addressed, one or more of the following:

- Analysis, informed by community engagement findings and research, of harmful historic or current policies (e.g., displacement, segregation, exclusionary zoning<sup>8</sup>), existing socioeconomic disparities, environmental burdens and risks, the needs of the surrounding community—including special consideration for those most affected by the eligible facility—and how proposed solutions equitably distribute benefits and mitigate impacts supported by geospatial tools like [EPA’s EJSCREEN](#) and [FHWA’s Screening Tool for Equity Analysis of Projects](#).
- Community Participation Plan that facilitates meaningful engagement in planning, design, construction, operations, and related land use decisions. The Plan engages hard-to-access community members through culturally appropriate and innovative practices, which may include: surveys, interviews, focus groups, reimbursing local organizations and community members for their time and knowledge, childcare at public meetings, virtual and in-person platforms, and multi-language translation and outreach. The Plan establishes goals and measures for effectiveness.<sup>9</sup>

In addition to the above, Capital Construction Grant applications should also address mitigation plans for negative impacts of the proposed capital project by describing:

- Any construction-related displacement in the community and providing a robust mitigation plan that exceeds the basic requirements of the Uniform Relocation Act.
- The anticipated negative construction impacts, such as noise, dust, pollution, public transportation service disruptions, disturbances to sacred or historic sites, or flood risks, and a robust mitigation plan.

## **#2: Mobility and Community Connectivity**

DOT will rate Planning Grant proposals on their approach to, and Capital Construction Grant proposals on having addressed, one or more of the following:

- Facility presents significant barriers to access, mobility, and economic development and is poorly suited to the community. Proposes removal of barriers, including over-reliance on automobiles, to reconnect communities for people to live, work, play, and move freely and safely.
- Existing feasibility studies provide basis for further investigation to creatively convert the corridor for better access to daily destinations like jobs, healthcare, grocery stores, schools, places of worship, recreation, and parks.
- New or improved, affordable transportation options to increase safe mobility and connectivity for all, including for people with disabilities, through lower-carbon travel like walking, cycling, rolling, and transit that reduce greenhouse gas emissions and promote active travel.

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<sup>8</sup> See *How We Grow Economic Opportunity for All* in USDOT’s Beyond Traffic report for more information, [https://www.transportation.gov/sites/dot.gov/files/docs/BeyondTraffic\\_tagged\\_508\\_final.pdf](https://www.transportation.gov/sites/dot.gov/files/docs/BeyondTraffic_tagged_508_final.pdf).

<sup>9</sup> For current recipients of Federal financial assistance, please describe how your Title VI Plan and Community Participation Plan inform the activities described in the Reconnecting Communities grant application. For new applicants of Federal financial assistance, please describe any current or anticipated activities in support of drafting a Title VI Plan and Community Participation Plan and timeline for completion pursuant to the Title VI regulations, See 49 CFR § 21. For details on the Community Participation Plan, see DOT Title VI Order 1000.12C. See also Planning Assistance and Standards, Interested parties, public involvement, and consultation. For State DOTs, see 23 CFR § 450.210 (a)(1)(ix); For MPOs, see 23 CFR § 450.316 (a)(1)(x).

- Safe accommodation for all users and seamless integration with the surrounding character, context, and land use with consideration of climate resilience, stormwater and flood risk management, public health, and the economy.<sup>10</sup>
- Facility replacement or significant reconstruction is anticipated within a 20-year period based on facility age and condition.

In addition to the above, Capital Construction Grant applications should also address goods movement by describing:

- Impacts to goods movement, both regional and local, that uses the eligible facility.

### **#3: Community-based Stewardship, Management, and Partnerships**

DOT will rate Planning Grant proposals on their approach to, and Capital Construction Grant proposals on having addressed, one or more of the following:

- Community-centered approach to envision a reconnection solution that meaningfully redresses inequities and benefits economically disadvantaged communities.
- Formal partnerships, substantiated through signed commitment letters and budget, include entities with geographic ties to communities adjacent to the facility. Partners may include community-based organizations, anchor institutions, community development financial institutions, philanthropic and civic organizations, private sector entities, and State and local government.
- A representative community advisory group, advisory board or other place-based management organization to oversee community-developed priorities and initiatives, including the use of a community land trust, community benefits agreement, or other community development activities to redress transportation-related disparities.

Capital Construction Grant applications should also address how resources of partners and other Federal and non-Federal funds will support the success of proposed activities by providing:

- A complete description of resources committed to the project and fully outlining funding commitments from Federal and non-Federal sources, including: DOT formula funding, State or local funding, in-kind support, philanthropic contributions, public and private financing, and private sector funds. All funding should be reflected numerically in the budget.

Except as necessary to determine eligibility, as described in Section C.2, and as a factor in the Financial Completeness Assessment, as described in Section E.1.ii, DOT does not consider the proposed Federal share of an application when selecting among eligible applications.

### **#4: Equitable Development and Shared Prosperity**

DOT will rate Planning Grant proposals on their approach to, and Capital Construction Grant proposals on having addressed, one or more of the following:

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<sup>10</sup> The project application demonstrates that the project will be constructed or upgraded consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law.



- Comprehensive plan or framework that outlines a community’s vision, policies, and priorities to increase mobility and connectivity, create thriving and resilient communities, and redress inequities and barriers to opportunity.
- Community restoration, stabilization, and anti-displacement strategies, such as value capture, assistance for renters and legacy homeowner and small businesses, preservation, rehabilitation and expansion of location-efficient affordable housing, mixed-income, mixed use development, affordable commercial spaces, and other community wealth-building activities.
- Creative place-making that celebrates local history and culture through public art, greenspace, and recreational spaces for residents and visitors.
- Local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned Businesses, or 8(a) firms.

In addition to the above, Capital Construction Grant applications should also address labor considerations by describing how the grant will support and use:

- Good-paying jobs with the free and fair choice to join a union, the incorporation of strong labor standards, pro-active anti-discrimination and anti-harassment plans, project labor agreements, workplace rights notices, training and placement programs, and local hiring and procurement preferences, particularly for underrepresented workers and individuals with convictions.
- High-quality workforce development programs with supportive services to train, place, and retain workers, especially joint-labor management training partnerships and registered apprenticeships.

ii. Project Readiness

For projects that advance to Second-Tier Analysis during application evaluation, DOT will assess project readiness to evaluate the likelihood of a successful project. In the project readiness analysis, DOT will evaluate Planning Grant applications and Capital Construction Grant applications according to a Technical Assessment and Financial Completeness Assessment. DOT will also evaluate Capital Construction Grant applications for Environmental Risk.

	Technical Assessment	Financial Completeness	Environmental Risk
Planning Grants	X	X	
Capital Construction Grants	X	X	X

- Technical Assessment is based on information contained throughout the application and does not require an additional submission. The Technical Assessment addresses the applicant’s capacity to successfully deliver the project in compliance with Federal requirements, previous experience with DOT discretionary grant awards, and the technical experience and resources dedicated to the project.
- Financial Completeness Assessment is based on information contained throughout the application and does not require an additional submission. The Financial Completeness Assessment reviews the availability of matching funds and whether the applicant

presented a complete funding package. For projects that receive a rating of ‘complete’ and include funding estimates that are based on early stages of design (e.g., less than 30 percent design) or outdated cost estimates, without specified contingency, evaluators may add a comment to note the potential for uncertainty in the estimated project costs. All applicants should describe a plan to address potential cost overruns.

- Environmental Risk Assessment requires additional information from the Capital Construction Grant applicant. It analyzes the project’s environmental approvals and the likelihood of outstanding, necessary approvals affecting project obligation.

### iii. Benefit Cost Analysis (BCA)

For Capital Construction Grant projects that advance to a Second-Tier Analysis, DOT will consider the project’s costs and benefits. To the extent possible, DOT will rely on the applicant’s submission of well-supported BCA analysis results described in Section D.2.iii.e. DOT acknowledges that many of aspects of reconnecting solutions, such as connectivity, community benefits, and quality of life, are difficult to quantify. Applicants should nonetheless discuss these types of benefits qualitatively. DOT will assign a rating to the project of either negative (costs exceed benefits), positive (benefits exceed costs), or uncertain. Projects with negative ratings may be selected for an award only if the project demonstrates clear potential benefits to connectivity, community engagement, quality of life for economically disadvantaged communities, particularly in geographically remote or less populated areas which may not be fully reflected in the BCA analysis.

## **2. Review and Selection Process**

This section addresses the methodology for evaluation, including intake, how applications will be rated according to selection criteria and considerations, and how those criteria and considerations will be used to and the process for creating a the list of Highly Rated Applications for Consideration by the Secretary. The RCP Program grant review and selection process consists of: eligibility review; Merit Criteria review; Project Readiness; Benefit Cost Analysis (for Capital Construction Grants); and Senior Review. The Secretary makes final project selections.

### i. Application Intake

For each application, an initial review will assess whether the applicant is eligible and submitted all the information requested for a complete application. Applications that may not have all the necessary components will be referred to an Evaluation Management Oversight Team, which will contact the applicant if it is determined they are an eligible applicant and request the missing information with a response time of 5 business days.

### ii. Merit Criteria Ratings

Teams comprising DOT staff, Federal inter-agency partner staff, and contractor staff review all eligible applications received by the deadline for a Merit Review and assign ratings as described in Section E.1.i. For each Merit Criterion, DOT will consider whether the application narrative is responsive to the selection criterion focus areas which will result in a rating of ‘High,’ ‘Medium,’ ‘Low,’ or ‘Non-Responsive’:

Rating Scale	High	Medium	Low	Non-Responsive
Description	The application is substantively and comprehensively responsive to the criterion. It makes a strong case about advancing the program goals as described in the criterion descriptions.	The application is moderately responsive to the criterion. It makes a moderate case about advancing the program goals as described in the criterion descriptions.	The application is minimally responsive to the criterion. It makes a weak case about advancing the program goals as described in the criterion descriptions.	The narrative indicates the proposal is counter to the criterion or does not contain sufficient information. It does not advance or may or negatively impact criterion goals.

Based on the criteria ratings, an overall application merit rating of ‘Highly Recommended,’ ‘Recommended,’ ‘Acceptable,’ or ‘Not Recommended’ will be assigned using the following methodology:

Overall Application Rating	Individual Criteria Ratings
Highly Recommended	<ul style="list-style-type: none"> <li>At least two ‘High’ ratings,</li> <li>Zero ‘Non-Responsive’ ratings</li> </ul>
Recommended	<ul style="list-style-type: none"> <li>At least one ‘High’ rating,</li> <li>No more than one ‘Low’ rating, and</li> <li>Zero ‘Non-Responsive’ ratings</li> </ul>
Acceptable	<ul style="list-style-type: none"> <li>Combination of ratings that do not fit within the definitions of Highly Recommended, Recommended, or Not Recommended</li> </ul>
Not Recommended	<ul style="list-style-type: none"> <li>Two or more ‘Non-Responsive’ ratings</li> </ul>

iii. Senior Review Team (SRT) Phase

Applications that receive an overall rating of ‘Highly Recommended’ based on the methodology above, proceed to the Second-Tier Analysis. The SRT may advance ‘Recommended’ applications that exhibit exceptional benefits for economically disadvantaged communities per Criterion #2 – Mobility and Community Connectivity and Criterion #4 – Equitable Development and Shared Prosperity to Second-Tier Analysis.

#### iv. Second-Tier Analysis

Second-Tier Analysis for Planning Grant applications consists of a two-part project readiness assessment for Technical Assessment and Financial Completeness. Second-Tier Analysis for Capital Construction Grant applications consists of a review of the Benefit-Cost Analysis and a three-part readiness assessment for Technical Assessment, Financial Completeness, and Environmental Risk. Assessments will be rated as follows:

- Technical Assessment results in a rating of: ‘Certain,’ ‘Somewhat Certain,’ ‘Uncertain,’ or ‘Unknown.’ Lack of previous project delivery according to Federal requirements is not sufficient justification for a rating of ‘Uncertain,’ but may result in a rating of ‘Unknown.’
- The Financial Completeness Assessment reviews the availability of matching funds and whether the applicant presented a complete funding package. It results in a rating of ‘Complete,’ ‘Partially Complete,’ or ‘Incomplete.’
- Environmental Risk Assessment analyzes the project’s environmental approvals and likelihood of the necessary approvals affecting timely project obligation. It results in a rating of ‘High Risk,’ ‘Moderate Risk,’ or ‘Low Risk.’
- Benefit Cost Analysis results are Positive (benefits outweigh costs) or Negative (costs outweigh benefits) or Uncertain.

Low ratings in any of these readiness areas do not disqualify projects from award, but competitive applications clearly and directly describe a realistic and achievable project and address risk mitigation strategies. A project with mitigated risks or with a risk mitigation plan is more competitive than a comparable project with unaddressed risks.

Each project readiness criterion has its own rating, but translates to ‘High,’ ‘Medium,’ or ‘Low’:

Rating	High	Medium	Low
<b>Technical Assessment</b>	<b>Certain:</b> The team is confident in the applicant’s capacity to deliver the project in a manner that satisfies federal requirements	<b>Somewhat Certain/Unknown:</b> The team is moderately confident in the applicant’s capacity to deliver the project in a manner that satisfies federal requirements	<b>Uncertain:</b> The team is not confident in the applicant’s capacity to deliver this project in a manner that satisfies federal requirements
<b>Financial Completeness</b>	<b>Complete:</b> The Project’s federal and non-federal sources are fully committed—and there is demonstrated funding available to cover	<b>Partially Complete:</b> Project funding is not fully committed but appears highly likely to be secured in time to meet the project’s construction schedule	<b>Incomplete:</b> The project lacks full funding, or one or more federal or non-federal match sources are still uncertain as to whether they will be secured in time to

	contingency/cost increases.		meet the project's construction schedule
<b>Environmental Risk Assessment (Capital Construction only)</b>	<b>Low Risk:</b> The Project has completed NEPA or it is highly likely that they will be able to complete NEPA and other environmental reviews in the time necessary to meet their project schedule.	<b>Moderate Risk:</b> The project has not completed NEPA or secured necessary federal permits, and it is uncertain whether they will be able to complete NEPA or secure necessary federal permits in the time necessary to meet their project schedule.	<b>High Risk:</b> The project has not completed or begun NEPA and there are known environmental or litigation concerns associated with the project.

Based on the Second-Tier Analysis, DOT will develop an aggregate Project Readiness rating of 'Very Likely,' 'Likely,' or 'Unlikely' using the following methodology:

<b>Overall Project Readiness Rating</b>	<b>Individual Criteria Ratings for Planning (2 Factors)</b>	<b>Individual Criteria Ratings for Construction (3 Factors)</b>
<b>Very Likely:</b> Based on the information provided in the application and the proposed scope of planning activities or construction project, it is very likely the applicant can successfully complete the project.	<ul style="list-style-type: none"> <li>• Two 'High'</li> </ul>	<ul style="list-style-type: none"> <li>• All 'High'</li> <li>• Two 'High,' one 'Medium'</li> </ul>
<b>Likely:</b> Based on the information provided in the application and the proposed scope, it is probably that the applicant can successfully complete the project.	<ul style="list-style-type: none"> <li>• Combination of ratings that do not fit within the definitions of Very Likely or Unlikely</li> </ul>	<ul style="list-style-type: none"> <li>• One 'High,' two 'Medium'</li> <li>• All 'Medium'</li> <li>• One 'High,' one 'Medium,' one 'Low'</li> </ul>
<b>Unlikely:</b> Based on the information provided in the application and the proposed scope, it is uncertain whether the applicant can successfully complete the project.	<ul style="list-style-type: none"> <li>• Two 'Low'</li> </ul>	<ul style="list-style-type: none"> <li>• Two 'Medium,' one 'Low'</li> <li>• Two or more 'Low'</li> </ul>

#### v. Highly Rated Applications for Secretary's Consideration

Following completion of Second-Tier Analysis, the SRT determines which applications with Second-Tier Analysis are designated as Highly Rated. The SRT reserves the right to confer and include consultation with DOT Field Offices and inter-agency Federal Departmental partners in determining which applications with Second-Tier Analysis are designated as Highly Rated. In addition to information provided in applications and the results of the Merit Criteria reviews and Second-Tier Analysis, the SRT may consider their personal knowledge and information provided by DOT Field Offices and inter-agency Federal partners on the alignment of specific applications with the criteria described in Section E.1.

For each grant type, the SRT will present the Secretary of Transportation with a list of Highly Rated Applications for the Secretary's Consideration. The SRT may refer select Capital Construction Grant applications for consideration for Planning Grant awards where project sponsors would benefit from additional planning, feasibility, design, and engineering to improve project readiness. Capital Construction Grant applications eligible for this consideration will have a 'Highly Recommended' merit rating, a 'Likely' or 'Unlikely' project readiness rating, and will exhibit exceptional benefits for economically disadvantaged communities per Criterion #2 – Mobility and Community Connectivity and Criterion #4 – Equitable Development and Shared Prosperity.

The SRT may advise the Secretary on any application on the list of Highly Rated Applications, including options for reduced awards. The Secretary makes final selections consistent with selection criteria and statutory requirements. The Secretary's selections identify the applications that best address program criteria outlined in Section E and program goals in Section A and are most deserving of funding.

To support the program goal of more equitable investment in economically disadvantaged communities, the SRT will seek to present a list of Highly Rated Applications sufficient to award the majority of RCP Planning Grant benefits, in the form of total overall RCP Planning Grant funds, to Planning Grant applications that serve economically disadvantaged communities.

The Secretary may consider benefits to economically disadvantaged communities, urban / rural / Tribal balance, geographic, and organizational diversity when selecting RCP Program grant awards.

### **3. Additional Information**

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

## **F. Federal Award Administration Information**

### **1. Federal Award Notice**

Following the evaluation outlined in Section E, the Secretary will announce awarded projects by posting a list of selected projects at <https://www.transportation.gov/reconnecting>. The posting of the list of selected award recipients will not constitute an authorization to begin performance. Following the announcement, for each application received, DOT will provide email notification the point of contact listed in the SF-424 stating whether the application was selected for award. For selected applications, DOT will initiate negotiation of a grant agreement with that contact.

### **2. Administrative and National Policy Requirements**

#### **i. Equity and Barriers to Opportunity**

Each applicant selected for RCP Program grant funding must demonstrate effort to improve equity and reduce barriers to opportunity as described in Section A. Award recipients that have not sufficiently addressed equity and barriers to opportunity in their planning, as determined by DOT, will be required to do so before receiving funds, consistent with Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009). Capital construction grant applications that have not sufficiently considered equity, community engagement, and safeguards to retain affordability for existing residents and businesses in project corridors and surrounding communities, as determined by DOT, will be required to do so before receiving funds for construction.

#### **ii. Labor and Workforce**

Each applicant selected for RCP Program Capital Construction Grant funding must demonstrate, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of high labor standards as described in Section A.3. If applicants have not sufficiently considered job quality and labor rights in their planning, as determined by the Department of Labor, they will be required to do so before receiving funds, consistent with Executive Order 14025, *Worker Organizing and Empowerment* (86 FR 22829), and Executive Order 14052, *Implementation of the Infrastructure Investment and Jobs Act* (86 FR 64335).

Recipients of an award under this program are also required to comply fully with the Davis-Bacon Act (40 U.S.C. §§ 3141-3148), which requires all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration, or repair work on a project assisted in whole or in part by an award made available under this program be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor.

Equal employment opportunity is an important priority. DOT wants to ensure that sponsors have the support they need to meet requirements under 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 goal that women perform at least 6.9 percent of construction

project hours and people of color perform at least the construction project hours target pertinent to the project's geography.<sup>11</sup>

The U.S. Department of Labor's Office of Federal Contract Compliance Programs (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.<sup>12</sup> Under that partnership, OFCCP will ask these project sponsors to make clear to prime contractors in the pre-bid phase that project sponsor's award terms will require their participation in the Mega Construction Project Program.

### iii. Critical Infrastructure Security and Resilience

It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against both physical and cyber threats, consistent with *Presidential Policy Directive 21 - Critical Infrastructure Security and Resilience*. Each Capital Construction Grant applicant selected for Federal funding under this notice must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the project. Projects that have not appropriately considered and addressed physical and cyber security and resilience in their planning, design, and project oversight, as determined by DOT and the Department of Homeland Security, will be required to do so before receiving funds for construction, consistent with the cybersecurity performance goals for critical infrastructure and control systems directed by the National Security Presidential Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems, found at <https://www.cisa.gov/control-systems-goals-and-objectives>.

### iv. National Environmental Policy Act of 1969 (NEPA)

Funding recipients must comply with NEPA under 42 U.S.C. §§ 4321 et seq. and the Council on Environmental Quality's NEPA implementing regulations at 40 CFR §§ 1500-1508, where applicable.

### v. Other Administrative and Policy Requirements

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 CFR § 200, Subpart F, as adopted by DOT at 2 CFR § 1201. Additionally, as permitted under the requirements described above, applicable Federal laws, rules, and regulations of the relevant operating administration (e.g., the Federal Highway Administration, Federal Transit Administration, Federal Railroad

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<sup>11</sup> Visit <https://www.dol.gov/sites/dolgov/files/ofccp/ParticipationGoals.pdf> for more information.

<sup>12</sup> Additional information on how OFCCP makes their selections for participation in the Mega Construction Project Program is outlined under "Scheduling" on the Department of Labor website: <https://www.dol.gov/agencies/ofccp/faqs/construction-compliance>.



Administration, etc.).<sup>13</sup> DOT anticipates grant recipients will have varying levels of experience administering Federal funding agreements and complying with Federal requirements, DOT will take a risk-based approach to RCP Program grant agreement administration to ensure compliance with all applicable laws and regulations.

As expressed in Executive Order 14005, *Ensuring the Future Is Made in All of America by All of America's Workers* (86 FR 7475), it is the policy of the executive branch to maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Infrastructure projects are subject to the Build America, Buy America Act (Pub. L. No 117-58, div. G §§ 70901–70927) and applicable DOT Buy America requirements. DOT expects all recipients to be able to complete their projects without needing a waiver of those requirements. However, to obtain a waiver, a recipient must demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their project. Except as authorized under waivers issued by DOT, those statutes generally require the steel, iron, manufactured products, and construction materials used in a project to be produced in the United States. For additional information on DOT's Buy America requirements, see <https://www.transportation.gov/office-policy/transportation-policy/made-in-america>.

RCP Program applications 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, and accompanying regulations. This should include a current Title VI plan, completed Community Participation Plan, or timeline for completion as referenced in Section E, and the establishment of an ADA Transition Plan. Additionally, DOT encourages RCP Program award recipients to adhere to the proposed Public Rights-of-Way Accessibility Guidelines and utilize universal design principles.<sup>14</sup> 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.

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, non-discrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of the Department of Transportation; 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 DOT determines that a recipient has failed to comply with applicable Federal requirements, DOT may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

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<sup>13</sup> Please visit <https://www.transportation.gov/policy-initiatives/raise/grant-agreements> for the General Terms and Conditions for RAISE FY 2021 awards. The Reconnecting Communities FY 2022 Terms and Conditions will be similar to the RAISE FY 2021 Terms and Conditions and will include relevant updates consistent with this notice.

<sup>14</sup> <https://www.access-board.gov/prowag/>

### **3. Reporting**

#### **i. Progress Reporting on Grant Activities**

Progress reporting addresses both project administration and overall project benefits. It should include measurable goals or targets that DOT will use internally to determine whether the project meets program goals, and grant funds achieve the intended long-term outcomes of the RCP Program. Section C - Data Collection Requirements.

During the project's period of performance, recipients must submit regular Performance Progress Reports (SF-PPR) and Federal Financial Reports (SF-425) to monitor project administration and ensure accountability and financial transparency in the RCP Program.

RCP Program recipients must also submit annual reports that address both project administration and the overall benefits delivered to the project area that were articulated in the applicants' grant proposal and agreed upon with DOT in the grant agreement prior to the obligation of the award. Five years after the project is complete, Capital Construction Grant recipients should submit a report fully documenting outcomes achieved in association with the RCP Program project.

#### **ii. Post Award Reporting Requirements / Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of a selected applicant's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the applicant during that period of time must maintain the currency of information reported in SAM that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Pub. L. No.110-417, as amended (41 U.S.C. § 2313). As required by section 3010 of Pub. L. No. 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. Additionally, if applicable funding recipients must be in compliance with the audit requirements in 2 CFR § 200, Subpart F.

#### **iii. Program Evaluation**

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

Recipients and sub-recipients are also encouraged to consider and incorporate program evaluation activities, which necessarily includes data collection, from the outset of their program design and to meaningfully document and measure the effectiveness of their projects and strategies. 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 sub-recipients 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” (codified at 5 U.S.C. § 311). For grant recipients, evaluation expenses are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such expenses may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation (2 CFR §200).

**G. Federal Awarding Agency Contacts**

For further information concerning this notice please contact the Reconnecting Communities grant program staff via e-mail at [ReconnectingCommunities@dot.gov](mailto:ReconnectingCommunities@dot.gov), or call Faith Hall at 202-366-9055. A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993. In addition, DOT will post answers to questions and requests for clarifications on DOT’s website at <https://www.transportation.gov/reconnecting>. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact DOT directly, rather than through intermediaries or third parties, with questions. DOT staff may also conduct briefings on the RCP Program grant selection and award process upon request.

**H. Other Information**

**1. Definitions**

Term	Definition
Community Advisory Board	For the purposes of this NOFO, a Community Advisory Board shall facilitate community engagement with respect to the project and track progress with respect to commitments of the grant recipient to inclusive employment, contracting, and economic development. A Community Advisory Board shall be composed of representatives of the community, owners of businesses that serve the community, labor organizations that represent workers that serve the community, and State and local government.
Displacement	In accordance with the Uniform Relocation Act, DOT defines a displaced person as any [eligible] person who moves from the real property or moves his or her personal property from the real property ... as a direct result of written notice of intent to acquire, or the acquisition, rehabilitation, or demolition of real property in whole or in part for a Federally-funded project. See full definition in 49 CFR 24.2(a)(9).

Economically Disadvantaged Community	<p>For the purposes of the RCP NOFO, applicants may demonstrate the “economic disadvantage” of the project area according to ONE of the following tools:</p> <ol style="list-style-type: none"> <li>1) EPA Environmental Justice Screening and Mapping tool (<a href="#">EJSCREEN</a>), Socio-economic indicator for low income, block groups in the 80<sup>th</sup> percentile or above, compared to the State.</li> <li>2) <a href="#">Areas of Persistent Poverty table</a> for the County or Census tract level.</li> <li>3) DOT’s mapping tool for Historically Disadvantaged Communities, See Transportation Disadvantaged Census Tracts in <a href="#">ArcGIS Dashboards</a>.</li> <li>4) Other Federally designated community development zones (for example: Opportunity Zones, Empowerment Zones, Promise Zones, or Choice Neighborhoods).</li> </ol>
Eligible Facility	A highway or other transportation facility that creates a barrier to community connectivity, including barriers to mobility, access, or economic development, due to high speeds, grade separations, or other design factors.
Environmental Justice	Environmental justice, as defined by the U.S. Environmental Protection Agency, is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. See <a href="https://www.epa.gov/environmentaljustice">https://www.epa.gov/environmentaljustice</a>
Equitable Development	Equitable development is a development approach for meeting the needs of all communities, including underserved communities through policies and programs that reduce disparities while fostering livable places that are healthy and vibrant for all.
Equity	The consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as persons of color; religious minorities; LGBTQI+ persons; persons with disabilities; rural residents; and people living in poverty.
Gentrification	As defined by the U.S. Environmental Protection Agency, gentrification commonly refers to the process of neighborhood change that occurs as places of lower real estate value are transformed into places of higher real estate value. In recent

	<p>years, gentrification has become an increasingly common occurrence because of the growing popularity of urban centers and existing communities. Gentrification is a nuanced process whose outcomes may be viewed as: positive based on improvements to physical and economic infrastructure; negative when cultural assets and cherished institutions are compromised; or both positive and negative when important services (retail, housing, transportation, and the like) are provided, but are unaffordable by long-standing residents.</p>
Highway	<p>The term “highway” includes a road, street, and parkway and is inclusive of its associated right-of-way. A highway may incorporate a bridge, railroad-highway crossing, tunnel, drainage structures, including public roads on dams, signs, guardrails, and other protective structures; and a portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State transportation department. See 23 USC 101(a)(11).</p>
Proposed Public Rights-of-Way Accessibility Guideline (PROWAG)	<p>PROWAG means the Public Right-of-Way Accessibility Guideline as published by the United States Access Board. These guidelines cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking and other components of public rights-of-way. <a href="https://www.access-board.gov/prowag/">https://www.access-board.gov/prowag/</a></p>
Rural	<p>For the purposes of this NOFO, rural jurisdictions are those outside of Urbanized Areas with populations below 50,000. See U.S. Census Bureau resources on <a href="#">Rural America</a> and <a href="#">Maps of Urbanized Areas</a>. A list of <a href="#">Urban Areas for the 2010 Census is available in the Federal Register</a>.</p>
Underserved Communities	<p>Refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of “equity.”</p>
Unit of Local Government	<p>The term “unit of local government” means any city, county, township, town, borough, parish, village, or non-general purpose local governments. For the purposes of this NOFO, a public transportation authority that is also a unit of local government would be eligible to apply.</p>
Universal Design	<p>Universal Design is the design and composition of an environment so that it can be accessed, understood and used to</p>

	the greatest extent possible by all people regardless of their age, size, ability or disability. By considering the diverse needs and abilities of all throughout the design process, universal design creates products, services and environments that meet peoples' needs.
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**2. Publication and Use of Application Information**

After the selection process and announcement of awards, DOT intends to publish a list of all applications received along with the names of the applicant organizations and funding amounts requested. DOT may make application narratives publicly available or share application information within DOT or with other Federal agencies, if DOT determines that sharing is relevant to the respective program’s objectives. The Department may use information contained in applications to inform wider research on past harms.

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

**3. DOT Feedback on Applications**

DOT will not review applications in advance, but DOT staff are available for technical questions and assistance. DOT strives to provide as much information as possible to assist applicants with the application process. Unsuccessful applicants may request a debriefing up to 90 days after the selected funding recipients are publicly announced. Program staff will address questions to [reconnectingcommunities@dot.gov](mailto:reconnectingcommunities@dot.gov) throughout the application period.

**4. Rural Applicants**

User-friendly information and resources regarding DOT’s discretionary grant programs relevant to rural applicants can be found on the Rural Opportunities to Use Transportation for Economic Success (ROUTES) website at [www.transportation.gov/rural](http://www.transportation.gov/rural).