



**U.S. Department  
of Transportation**

Pipeline and Hazardous  
Materials Safety  
Administration  
(PHMSA)

## **Notice of Funding Opportunity**

# **Hazardous Materials Emergency Preparedness Grants – (HMEP) States & Territories**

**Fiscal Year (FY) 2019**

NOFO Posted Date: March 27, 2019  
Application Due Date: May 24, 2019  
Questions Due Date: May 23, 2019

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

Furthermore, applicants must register with FedConnect at <https://www.fedconnect.net> for an account before submitting an application. Your organization's Marketing Partner ID number (MPIN), which can be retrieved from SAM, is required to create an account. For instructions on how to register in FedConnect and how to use the portal, view the *[FedConnect: Ready, Set, Go! Tutorial](#)* under the *Need Help?* section on the FedConnect home page.

### **Assistance Listing (CFDA)**

20.703 "Hazardous Materials Emergency Preparedness Grants"

### **PHMSA Notice of Funding Opportunity Number**

693JK319NF0006

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**Program Summary**

Federal Agency Name: U.S. Department of Transportation (DOT)  
Pipeline and Hazardous Materials Safety Administration  
(PHMSA)

Funding Opportunity Title: “Hazardous Materials Emergency Preparedness Grants – FY  
2019”

Announcement Type: Initial Announcement

Funding Opportunity Number: HM-HMP-19-001

Assistance Listing Program Number: 20.703

NOFO Posted Date: March 27, 2019

Application Due Date: May 24, 2019

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## **MISSION**

The mission of the U.S. Department of Transportation (DOT) is to ensure our nation has the safest, most efficient and modern transportation system in the world. DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA) protects people and the environment by advancing the safe transportation of energy and other hazardous materials that are essential to our daily lives. To do this, the agency establishes national policy, sets and enforces standards, educates, and conducts research to prevent incidents. Additionally, PHMSA prepares the public and first responders to reduce consequences if an incident occurs. To accomplish this, PHMSA awards grants to states, tribes, territories, and nonprofit organizations that assist in our mission to ensure pipelines operate safely and shipments arrive without incident.

## **SECTION A - PROGRAM DESCRIPTION**

### **A.1 Purpose**

The Pipeline and Hazardous Materials Safety Administration (PHMSA), through the U.S. Department of Transportation (DOT), requests applications from States and Territories to provide assistance to public sector employees for training and planning for emergency response in transportation. The purpose of the Hazardous Materials Emergency Preparedness (HMEP) grant program is to increase State, Territorial, Tribal, and local effectiveness in safely and efficiently handling hazardous materials incidents, enhance implementation of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), and encourage a comprehensive approach to emergency training and planning by incorporating the unique challenges of responses to transportation situations.

### **A.2 Program Authority**

The HMEP program is authorized under 49 U.S.C. § 5116 and is governed by program regulations in 49 Code of Federal Regulations (CFR) part 110 and Federal grants administration regulations at 2 CFR part 200. On December 4, 2015, the Fixing America's Surface Transportation (FAST) Act was signed into law (Public Law No: 114-94). The FAST Act reauthorized the HMEP Grant Program through Fiscal Year (FY) 2020. Title VII § 7203 of the FAST Act amended 49 U.S.C. §5116 to combine planning and training grants into §5116(a). Therefore, HMEP applicants are no longer required to separately account for planning and training funds.

### **A.3 Background**

Congress authorized the HMEP grant program in 1990 under the Hazardous Materials Transportation Act (P.L. 101-615); codified at 49 U.S.C. § 5101 et. seq. Since its inception, the HMEP has been fully funded by registration fees collected from hazardous materials (hazmat) shippers and carriers who offer for transportation or transport certain hazmat in intrastate, interstate, or foreign commerce. Pursuant to 49 U.S.C. § 5128(b), the HMEP is authorized appropriations in the amount of

\$21,988,000; however, accounting for the sequester rate of 6.2%, the amount available to award has been reduced to \$20,624,744 for FY 2019.

## **SECTION B - FEDERAL AWARD INFORMATION**

### **B.1 Funding**

This notice of funding opportunity is subject to the availability of funds. After accounting for a tribal set-aside of 3.5%, PHMSA anticipates that approximately \$19,902,878 will be available for States and Territories awards.

### **B.2 Period of Performance**

The period of performance is thirty-six (36) months from the effective date of award for each grant.

### **B.3 Type of Award**

Discretionary grant award.

### **B.4 Previous Awards**

Applicants who received a previous PHMSA HMEP grant award may apply for a FY 2019 HMEP grant.

## **SECTION C - ELIGIBILITY INFORMATION**

### **C.1 Eligible Applicants**

The FY 2019 HMEP Grant Program is open to States and Territories, defined in 49 U.S.C. § 5102 as a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, Guam, and any other territory or possession of the United States designated by the Secretary. 49 U.S.C. § 5116 describes the statutory requirements for eligibility.

### **C.2 Cost Sharing or Matching**

#### **States**

In accordance with 49 U.S.C. § 5116(d), States and the Commonwealth of Puerto Rico must contribute a minimum of 20% matching share to the total cost of the grant project. For example, if the total cost of the project is \$50,000, the State must provide at least \$10,000, and PHMSA will provide no more than \$40,000. The matching requirement must be satisfied by costs incurred by the grantee or by the value of in-kind contributions. All matching funds must meet the Federal requirements as described in 2 CFR § 200.306 Cost sharing or matching.

#### **Insular Areas**

In accordance with 48 U.S.C. § 1469a, Guam, Virgin Islands, American Samoa, the Government of Northern Mariana and the Trust Territory of the Pacific Islands are referred to as “insular areas”. Such areas are waived from cost sharing or matching requirements as authorized in 48 U.S.C. § 1469a(d) for the exception of the Commonwealth of Puerto Rico.

Funds or costs used for matching purposes under any other Federal grant or cooperative agreement may not be used for HMEP matching purposes. The 5-year averaged non-Federal aggregate amount cannot be used for matching.

## SECTION D - APPLICATION AND SUBMISSION INFORMATION

### D.1 Request an Application Package

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

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

**To begin the process, applicants must be registered with [www.Grants.gov](http://www.Grants.gov) to submit an application.** It is highly recommended that applicants begin the registration process as soon as possible to avoid delays with submission. **Failure to comply with the prescribed application requirements as described in this section will result in an application not being reviewed.**

#### Accessing Grants.gov:

For new users, go to <http://www.grants.gov/web/grants/applicants.html>, or go to the main page at <http://www.grants.gov/> and select "Register." **NOTE: New user registrations for Grants.gov can take up to two weeks to complete.** For additional questions on how to register, contact Grants.gov support by phone at (800) 518-4726 or by email at [support@grants.gov](mailto:support@grants.gov). Carla Sheppard may also be able to help answer questions on applying for Grants.gov usernames/passwords as they specifically relate to the CSG program. Please contact Carla Sheppard by phone at 202-366-2738 or by email at [Carla.Sheppard@dot.gov](mailto:Carla.Sheppard@dot.gov).

#### Accessing Fedconnect:

Applicants must register with FedConnect at <https://www.fedconnect.net> for an account before submitting an application. Your organization's Marketing Partner ID number (MPIN), which can be retrieved from SAM, is required to create an account. For instructions on how to register in FedConnect and how to use the portal, view the *FedConnect: Ready, Set, Go! Tutorial* under the *Need Help?* section on the FedConnect home page. For other technical issues or questions, either email [support@fedconnect.net](mailto:support@fedconnect.net) or call us at 1-800-899-6665. The FedConnect Support Center is staffed Monday - Friday 8 a.m. to 8 p.m., EDT, except Federal holidays.

### D.2 Content and Form of Application

Applications should be well written and free of mathematical errors in the line-item budget and budget narrative. Program narratives should have the sections clearly identified and follow the structure requested in this notice of funding opportunity.

Applications for FY 2019 Hazardous Materials Emergency Preparedness grant funding should be submitted in electronic format in grants.gov according to the following outline. There are two overall sections: (1) standard forms that the applicant will upload and complete from grants.gov under the FY 2019 Hazardous Materials Emergency Preparedness grant funding opportunity; and (2) attachments the applicant will need to create and upload.

### 1. Standard Forms

The following forms are found in grants.gov under the FY 2019 HMEP Grant Funding Opportunity and must be completed by the applicant.

- SF-424 – Application for Federal Assistance
- SF-424A – Budget Information
- ED-80-0013 – Certifications Regarding Lobbying; Debarment, Suspension, Drug-Free Workplace etc.
- Standard Title VI/Non-Discrimination Assurances – Civil Rights Assurances

The SF-424 application period of performance should be for 09/30/2019 – 09/30/2021. List Year-1 funds in Section 18.

The SF-424A budget should include Year 1 funds only. Enter the Federal, match and total amounts in Section A in the respective columns. Planning and Training should be combined on the SF-424A, do not use separate columns. Section B should reflect Federal funds only!

### 2. Applicant Attachments to be submitted

These forms must be created by the applicant and uploaded to grants.gov under the FY 2019 Hazardous Materials Emergency Preparedness Grant Funding Opportunity. Guidance for submitting the project narrative and budget narrative is listed in the following section.

- HMEP Grant Application Form
  - a) Project Narrative attachment
  - b) Budget Narrative attachment
- Indirect cost agreement (if applicable)
- Additional optional attachments (if applicable)

The application forms and templates are available on Grants.gov in the ‘Related Documents’ tab with detailed instructions on the application process.

### 3. Project Narrative

The following Project Narrative sections are required. To facilitate the application review and award process, submit the sections in order of their appearance as stated below. Applicants should clearly identify the sections in the project narrative section of the application. **(Note: Item one should be provided as an attachment)**

1. **Cover Letter** from the governor designating the entity to receive Federal funds if the designated entity has changed.
2. **Contact Information.** In Part A of the HMEP grant form identify the designated project director, including the name, position, address, email address, and telephone number of the

individual(s) who will be responsible for coordinating the funded activities. Additionally, identify authorized individuals who will accept the award grant document, as well as individuals responsible for the submission of required federal financial reports.

3. **Organization Information and Capacity.** Briefly provide information about your organization in section three of Part A of the application form. This should include: (1) your organization's mission; (2) a brief overview of the structure of your organization, programs, leadership, and special expertise; and (3) your organization's experience and capacity to manage Federal grant programs – with emphasis on experience managing Federal grants related to train-the-trainer and direct training for employees involved in the transportation of hazardous materials.
4. **Transportation Fees** – In Part B of application form, identify whether the states or territories assess and collect fees on the transportation of hazardous materials and what percentage of the fees collected is used solely to carry out purposes related to the transportation of hazardous materials.
5. **Planning and Training Needs Assessment** – In Part C of the application form, describe the current capacity and any areas of deficiency as it concerns preparedness for the transportation of hazardous materials. This may include: (1) A discussion of whether the applicant has identified a need to assess transportation flow patterns of hazardous materials within the states and territories. (2) Providing the number of hazmat preparedness plans that need updating. (3) Describing the location and need for exercises to be conducted that involve preparation for response to incidents involved in the transportation of hazardous materials. (4) Providing the number of responders needing training and the number of persons currently trained in the different disciplines of response functions (e.g., number of firefighters, Emergency Medical Technicians (EMTs), Emergency Medical Services (EMSs) that need training)
6. **Goals and Objectives** – In section three of Part C of the application form, list the program goals and objectives for the HMEP grant funds. In addition, applications should include long-term program objectives.

**\*Note** – the outputs in Year 1 must be completely defined. You may include detailed targets for year 2 or year 3, or estimates. Projected outputs and objectives. Provide quantifiable and measurable outputs planned for the grant's period of performance. Outputs are quantitative data that describe the proposed activities. For delivery of hazmat training courses, outputs should include: (1) number and type of course(s); (2) the number of projected students trained for each course; and (3) number of contact hours for each course.

7. **Planning and Training Activities** – In section four and five of Part C in the application form, list and describe the proposed HMEP project activities to be undertaken during the period of performance. Provide the estimated cost of each activity and the projected start/end date. Each activity should correlate to goals listed.

**\*Note** – the activities in Year 1 must be completely defined. You may include detailed targets for Year 2 and Year 3, or estimates.

8. **Monitoring** – In section six of Part C of the application, provide a description of the monitoring and evaluation of the activities that will be conducted to ensure that the grant

activities are successfully carried out according the activity timeline. Include an explanation of quality control measures, including but not limited to random examinations, inspections, and audits of planning activities, to maximize the cost effectiveness and impact of the program.

9. **Statement of auditable accounting system** – In Part E of application form, certify that the person authorized to provide training agree to have an auditable accounting system.
10. **Statement of aggregate expenditures** – In Part E of application form, certify that the aggregate expenditures, for hazardous materials incident preparedness training and planning activities (exclusive of Federal funds) will not fall below the average level of its expenditures for its last five fiscal years.
11. **Statement of 75% programmatic requirement** – In Part E of application form, certify that 75% of grant funding will be used for HMEP programmatic activities and no more than 25% of Federal funding will be used for maintenance and administration costs (M&A). There is no 75% Local Emergency Planning Commission (LEPC) pass-through requirement in FY 2019.
12. **State Emergency Response Commission (SERC) review of grant application** – In Part E of the application form, certify that all members of the SERC were provided the opportunity to review the grant application.

#### 4. Budget Narrative

The budget narrative is an explanation of each budget component, which supports the costs of the proposed work. The budget narrative should focus on how each budget item is required to achieve the proposed project goals and objectives. It should also justify how budget costs were calculated. The budget narrative should be clear, specific, detailed, mathematically correct, and correspond to the SF-424A line-item categories.

Provide a budget narrative justification in Part D of the HMEP grant application form by Object Class that corresponds to the amount listed on the SF-424A and why the amount is needed to implement the project as proposed in the project narrative. The budget narrative must correspond with the costs identified in the SF-424A line item budget, and vice versa.

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

- a. **Personnel** costs are the employee salaries working directly on the grant project. Include the number, type of personnel, the percentage of time dedicated to the project, hourly wage (or salary) and total cost to the grant.
  - This category is limited to only persons employed by your organization. Those not employed by your agency shall be classified as subrecipients or contractors and should be listed under the "Contractual" or "Other" object class.
  - Only include compensation paid to employees engaged in grant activities.

- Costs should be consistent with that paid for similar types of work within the organization.
- b. **Fringe Benefit** costs are the allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe costs are benefits paid to employees, including the cost of employer's share of FICA, health insurance, workers' compensation, and vacation. Include how the fringe benefit amount is calculated (i.e., actual fringe benefits estimate, approved rate, etc. Include a description of specific benefits charged to a project and the benefit percentage. Additional considerations:
- The personnel/salaries should have corresponding fringe; and vice-versa. PHMSA cannot pay fringe benefits for a position that is not listed in the Personnel section.
  - Explain what is included in the benefit package and at what percentage.
  - Fringe benefits are only for the percentage of time devoted to the grant project.
  - The applicant must not combine the fringe benefit costs with direct salaries and wages in the personnel category.
- c. **Travel:** Travel costs are those costs requested for field work or for travel to professional meetings associated with grant activities. Provide the purpose, method of travel, number of persons traveling, number of days, and estimated cost for each trip. If details of each trip are not known at the time of application submission, provide the basis for determining the amount requested.
- d. **Equipment:** Equipment costs includes those items which are tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, unless the applicant has a clear and consistent written policy that determines a different threshold. Include a description, quantity and unit price for all equipment.
- Purchases of less than \$5,000 should be listed under "Supplies" or "Other."
  - Each item of equipment must be identified with the corresponding cost. General-purpose equipment must be justified as to how it will be used on the project.
  - Analyze the cost benefits of purchasing versus leasing equipment, particularly high-cost items and those subject to rapid technical advances. List rented or leased equipment costs in the "Contractual" or "Other" category, depending upon the procurement method.
- e. **Supplies** are tangible personal property other than equipment. Include the types of property in general terms. It is not necessary to document office supplies in detail (for example: reams of paper, boxes of paperclips, etc.). However, applicants should include a quantity and unit cost for larger cost supply items such as computers and printers.
- f. **Contractual** costs are those services carried out by an individual or organization, other than the applicant, in the form of a procurement relationship. There are two ways to capture costs in this category: subgrants and contracts.

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

For all contractual line-item costs, include rationale for the costs; include the specific contract goods and/or services provided; and the related expenses for those goods and services. Simply entering the statement “contractual services” will not be considered sufficient.

- g. **Other** costs that do not fit any of the aforementioned categories, such as rent for buildings used to conduct project activities, utilities, leased equipment, employee training tuition, etc. “Other” direct costs must be itemized.
- h. **Indirect Costs (must include IDC agreement or statement claiming de minimis rate):** Indirect costs are allowable. Indirect costs are incurred for common or joint objectives that benefit more than one project. The applicant must include a current and fully executed agreement in the application if claiming indirect costs. The rate must be applied to the appropriate base in the approved agreement. If the rate will not be approved by the application due date, attach the letter of renewal or letter of request that you sent to your cognizant agency to your application. A non-profit entity that has never received a negotiated indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. Applicants intending to charge the de minimis rate must include a statement verifying that the organization has never received a negotiated indirect cost rate and that the organization has elected to charge the de minimis rate.
- i. **Match:** The total matching requirement should be listed in Section A and Section C of the SF-424A line item budget. Please only include the Federal-share of costs in Section B of the SF-424A. The budget narrative is where the matching requirements should be captured. Within the applicable object class category in the budget narrative, (Personnel, Supplies, etc.), detail the matching requirements.

### **D.3 Dun and Bradstreet Universal Numbering System (DUNS) Number and System for Award Management (SAM)**

Each applicant is required to: (i) Be registered in SAM (SAM.gov) before submitting its application; (ii) provide a valid DUNS number in its application; and (iii) continue to maintain an active SAM registration and DUNS with current information always during which it has an active Federal award or an application under consideration.

PHMSA may not make an award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the PHMSA is ready to make an award, PHMSA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant.

**NOTE: PHMSA recommends that Applicants review the SAM database to ensure that their DUNS number is updated and “active.” Link: <https://www.sam.gov/portal/public/SAM/>**

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

Completed applications must be received electronically by 5:00 pm Eastern Time on May 24, 2019. If an applicant has technical difficulties submitting the Application through Grants.gov, please contact: the Grants Program Office, Phone: (202) 366-1109 or Email: HMEP.grants@dot.gov. Late application submissions will only be considered under extenuating circumstances, such as natural disasters.

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

The following costs are not eligible for reimbursement under the FY 2019 Hazardous Materials Emergency Preparedness Grant Program:

- Personnel costs such as overtime, backfill, stipends, and fees for the state and local personnel receiving training.
- Entertainment, alcohol, or morale costs.
- Any costs disallowed or stated as ineligible in 2 CFR part 200.
- Excessive costs for general office supplies, equipment, computer software, printing and copying.
- Expenses not related to the transportation of hazardous materials.
- Expenses claimed and or reimbursed by another program.
- Expenses counted as match funds toward another Federal program.
- Expenses that supplant existing operational funds/programs.

## **SECTION E - APPLICATION REVIEW INFORMATION**

### **E.1 Evaluation Criteria**

PHMSA will use the following evaluation criteria to determine how the application meets the requirements of the HMEP grant program:

## 1. Program Assurances

- a. If the designated agency has changed, does the applicant provide a letter from the Governor designating the entity to receive Federal funds?
- b. Does the applicant provide an explanation of whether fees are assessed/collected for the transportation of hazardous materials, and if so, are the fees used only to carry out a purpose related to transporting hazardous material?
- c. Does the applicant provide a statement certifying that the person authorized to provide training agree to have an auditable accounting system?
- d. Does the applicant provide a statement certifying that 75% of grant funding will be used for HMEP programmatic activities and no more than 25% of Federal funding will be used for maintenance and administration costs (M&A)?
- e. Does the applicant provide a statement indicating that the State Emergency Response Commission (SERC) were provided the opportunity to review the grant application?

## 2. Programmatic Evaluation

- a. Does the application contain a planning and training needs assessment that identifies the current capacity and any areas of deficiency as it concerns preparedness for the transportation of hazardous materials?
- b. Does the application list the program goals and objectives for the grant funds?
- c. Does the application contain planning and training activities that align with the HMEP grant program guidelines?
- d. Do the activities listed appear to be allowable, allocable, necessary and reasonable?
- e. Does the application adequately describe the proposed activities?
- f. Does the application provide cost and a reasonable timeline of proposed grant activities?
- g. Does application provide a description of the monitoring and evaluation of the proposed activities?

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

PHMSA will conduct an initial administrative review of each application to determine if it is complete and meets the eligibility requirements per Section C (Eligibility Information) and responsibility requirements. The evaluation panel will consist of grants management specialists, program staff, subject matter experts and non-career staff. The panel will review and evaluate eligible applications and provide recommendations for award.

Based on how well the applications address the evaluation questions identified in section E.1 above, PHMSA's Administrator will then consider how well the application address the following key Departmental objectives:

1. Supporting economic vitality at the national and regional level;
2. Utilizing alternative funding sources and innovative financing models to attract non-Federal sources of infrastructure investment;
3. Accounting for the life-cycle costs of the project to promote the state of good repair;
4. Using innovative approaches to improve safety and expedite project delivery; and
5. Holding grant recipients accountable for their performance achieving specific, measurable outcomes identified by grant applicants.
6. Projects located in or that support transportation service in a qualified opportunity zone designated pursuant to 26 USC 1400Z-1.

Final award decisions will be made by the Secretary of Transportation.

<b>Rating Guideline</b>
<b>Exceptional</b> - The application demonstrates that the NOFO requirements are very well understood and the approach will likely result in a very high-quality performance. The application clearly addresses and exceeds requirements with no weaknesses. The application contains outstanding features that meet or exceed on multiple dimensions the expectations of the Government. The application scope aligns very well with the DOT objectives and priorities. The risk of poor performance is very low.
<b>Acceptable</b> - The application demonstrates that the NOFO requirements are understood and the approach will likely result in satisfactory performance. The application addresses and meets requirements with some minor but correctable weaknesses. The application demonstrates requisite experience, qualifications, and performance capabilities. The application scope aligns with the DOT objectives and priorities. The risk of poor performance is low.
<b>Marginal</b> - The application demonstrates that the NOFO requirements are mostly understood and the approach will likely result in satisfactory performance for part of the request. The applicant addresses some of the requirements with some correctable weaknesses. The applicant demonstrates some experience, qualifications, and/or performance capabilities. The application scope marginally aligns with the DOT objectives and priorities. The risk of poor performance is moderate.
<b>Unacceptable</b> - The application does not meet the NOFO requirements. The application fails to address many requirements. The applicant may be ineligible to apply for the grant. The application could not satisfy critical requirements without a major revision and/or a rewrite of the application or a major redirection effort. The application scope does not align with the DOT objectives and priorities. The risk of poor performance is high.

### **E.3 FAPIIS Review**

Prior to making an award, PHMSA is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see 41 U.S.C. 2313). An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. PHMSA will consider any comments by the applicant in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.205.

### **E.4 Anticipated Announcement and Federal Award Dates**

Applicants chosen for funding will receive electronic notification of the Federal Award. Upon notification, the applicant's authorized official must sign and return the award within the timeframe prescribed by PHMSA. PHMSA plans to make awards in September 2019, with a proposed period of performance start date of September 30, 2019.

## **SECTION F - FEDERAL AWARD ADMINISTRATION INFORMATION**

### **F.1 Federal Award Notices**

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

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

- 1) The legal name and address of recipient;
- 2) Title of project;
- 3) Name(s) of key personnel chosen to direct and control approved activities;
- 4) Federal Award Identification Number (FAIN) assigned by PHMSA;
- 5) Period of Performance, specifying the duration PHMSA intends to support the project;
- 6) Total amount PHMSA approved for the project;
- 7) Legal authority(ies) under which the award is issued;
- 8) Catalog of Federal Domestic Assistance (CFDA) number;
- 9) Applicable award terms and conditions;
- 10) Approved budget plan for categorizing allocable project funds to accomplish the stated purpose of the award; and
- 11) Other information or provisions deemed necessary by PHMSA.

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

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

- 1) The authorizing language of 49 U.S.C. § 5116.
- 2) 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- 3) The Recipient must comply with 49 CFR part 20, "New Restrictions on Lobbying." 49 CFR part 20 is incorporated by reference in this award and is available at [www.gpoaccess.gov/ecfr/](http://www.gpoaccess.gov/ecfr/) by clicking on Title 49 CFR part 20.

- 4) The Recipient must comply with Title VI of the Civil Right Act of 1964, which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.
- 5) The Recipient must comply with 49 CFR part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964.” 49 CFR part 21 is incorporated by reference into this award. 49 CFR and is available at: [www.gpoaccess.gov/ecfr/](http://www.gpoaccess.gov/ecfr/) by clicking on Title 49 CFR part 21.
- 6) The Recipient must comply with 49 CFR part 32, “Government wide Requirements for Drug-Free Workplace (Financial Assistance),” which implements the requirements of Public Law 100-690, Title Subtitle D, “Drug-Free Workplace Act of 1988.” 49 CFR part 32 is incorporated by reference in this award and is available at: [www.gpoaccess.gov/ecfr/](http://www.gpoaccess.gov/ecfr/) by clicking on Title 49 CFR part 32.

### **F.3 Reporting**

Bi-Annual Report(s) - Each grant recipient is required to submit a bi-annual (twice-yearly) Federal financial report (SF-425) and a bi-annual performance report. The reports must follow the instructions outlined in the terms and conditions of the grant award. Bi-annual Federal financial and progress reports are to be submitted as directed by the terms and conditions of the grant award.

Final Report(s) – Each recipient is required to submit a final Federal financial report (SF-425) and final performance report. Final reports are to be submitted no later than 90 days after the project period end date. Final Reports must follow the instructions outlined in the terms and conditions of the grant award.

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

## **SECTION G - FEDERAL AWARDING AGENCY CONTACTS**

### **Primary Point of Contact:**

Stephen Jones, Agreement Specialist  
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### **Secondary Point of Contact:**

Warren Osterberg, Agreement Officer  
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NOTE: All questions related to the content of this funding opportunity MUST be submitted via the Message Center in FedConnect. Please do not send questions via e-mail.

Only for technical issues or questions related to FedConnect, please email [support@fedconnect.net](mailto:support@fedconnect.net) or call 1-800-899-6665.