

What has changed in the new FY 2020 INFRA competition?

The FY 2020 INFRA competition advances the same themes of supporting economic vitality, leveraging federal funding, innovation, and performance and accountability that were pioneered in the first INFRA competition. The Department has added, as a factor in the economic vitality evaluation, whether the project primarily serves freight and goods movement, and consistent with the ROUTES Initiative, will consider how projects address challenges in rural areas. We encourage applicants to review the information in the Notice of Funding Opportunity for a detailed description of how each criterion will be evaluated.

What stayed the same from previous INFRA competition?

The eligible costs, project types, cost share, project sizes and other requirements defined by the statute have not changed. The program still focuses on projects that generate national or regional economic, mobility, and safety benefits.

Will the Department provide feedback or debriefs on previous applications?

INFRA grant team members are available to provide feedback on previous INFRA applications until the application deadline of February 25, 2020. The Department anticipates providing debriefs on unsuccessful INFRA 2020 applications following the completion of the INFRA 2020 competition. If you are interested in a debrief, please contact INFRAgrants@dot.gov.

Will the INFRA program make freight projects a priority?

The Department anticipates that in addition to meeting statutory requirements, the INFRA program's focus on economic vitality, leverage (including private sector participation), innovation, and performance, means that freight projects will be competitive.

How will INFRA Grants address the needs of rural areas?

Rural transportation networks play a vital role in supporting our national economic vitality. Addressing the deteriorating conditions and elevated fatality rates on our rural transportation infrastructure is of critical interest to the Department, as rural transportation networks face unique challenges in safety, infrastructure condition, and passenger and freight usage. Consistent with the Rural Opportunities to Use Transportation for Economic Success (ROUTES) Initiative, the Department will consider how the project will address the challenges faced by rural areas.

In addition, while the INFRA program emphasizes the leveraging of non-federal and private sector funding as a selection criteria, the Department understands that rural areas may not have access to the same resources as those available to wealthier, more populous areas. The Department intends to consider constraints on an applicant's

ability to generate, attract, or otherwise draw on non-federal or private sector funding when evaluating projects for selection.

The Department also recognizes that it can better balance the needs of rural and urban communities if it does not take a binary view of urban and rural, and accordingly the Department will consider the actual population of the community that each project serves, in addition to whether it meets the urban or rural definition described in the law. This means rural areas with a population of 10,000 people will not necessarily be viewed the same as rural areas with 190,000 people.

What does the Department mean by the term “leverage”?

The term leverage, as used in the INFRA NOFO, refers to the degree to which a project uses non-federal sources of funding to pay for construction. This can include State, local, and private sector funding, projects that raise revenue directly, projects that benefit from local self-help, and projects that pair INFRA grants with broader-scale innovative financing.

How does the INFRA Grant program focus on safety?

Safety is the top priority of the Department, and this program supports our continued commitment to safety.

The Department seeks applications that are likely to yield safety benefits. Projects with significant safety benefits will be competitive under the Economic Vitality criterion.

How does the evaluation process work?

First, technical evaluation teams made up of Departmental staff will determine whether projects satisfy statutory requirements and rate how well they address the selection criteria outlined in the NOFO. The Senior Review Team, comprised of Departmental leadership, will then consider the applications and the technical evaluations to determine which projects to advance to the Secretary for consideration. The Secretary will ultimately make the final selection for awards, consistent with the statutory requirements for INFRA Grants and the selection criteria in the NOFO.

How do I submit an application?

Applications must be submitted through Grants.gov. Please visit [/policy-initiatives/buildamerica/how-apply](https://www.grants.gov/policy-initiatives/buildamerica/how-apply) for detailed instructions on how to apply.

What is the application deadline?

Applications are due by 11:59 pm EST on February 25, 2020. The Grants.gov “Apply” function will be open by January 15, 2020.

What if I am having technical issues with grants.gov?

Please refer to the following links for technical issues with grants.gov:

[Grants.gov Applicant User Guide](#)

[Grants.gov Organization Registration User Guide](#)

You can also contact Grants.gov Customer Support Hotline at 1-800-518-4726, Monday-Friday from 7:00 a.m. to 9:00 p.m. EST.

Who can apply for a INFRA grant?

Eligible applicants for INFRA grants are

- a State or group of States;
- a metropolitan planning organization that serves an urbanized area (as defined by the Bureau of the Census) with a population of more than 200,000 individuals;
- a unit of local government or group of local governments;
- a political subdivision of a State or local government;
- a special purpose district or public authority with a transportation function, including a port authority;
- a Federal land management agency that applies jointly with a State or group of States;
- a tribal government or a consortium of tribal governments; or
- a multi-State or multijurisdictional group of public entities.

Can multiple States or jurisdictions apply together?

Yes. However, multiple States or jurisdictions that submit a joint application should identify a lead applicant as the primary point of contact. Each applicant in a joint application must be an eligible applicant. Joint applications should include a description of the roles and responsibilities of each applicant and should be signed by each applicant.

What types of projects are eligible to receive a INFRA grant?

To be eligible for an INFRA grant, a project must be:

- a highway freight project carried out on the [National Highway Freight Network](#) (23 U.S.C. 167)
- a highway or bridge project carried out on the [National Highway System](#) (NHS) including projects that add capacity on the Interstate System to improve mobility or projects in a national scenic area
- a railway-highway grade crossing or grade separation project; or
- a freight project that is:

1. an intermodal or rail project, or
2. within the boundaries of a public or private freight rail, water (including ports), or intermodal facility, is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility, and will significantly improve freight movement on the National Highway Freight Network. For these projects Federal funds can only support project elements that provide public benefits.

When is the latest eligible obligation date and how will the Department assess whether a project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project?

Per statute, at the very latest INFRA grant FY 2020 funds must be obligated by September 30, 2023 and construction must begin by March 30, 2025. However, a project schedule that shows obligations and construction close to those deadlines will have more risk in meeting the statutory requirements. In other words, the Department will evaluate the readiness of projects, and a large project with obligation and construction schedules before the deadlines presents less risk. Applications should provide a sufficient amount of detail in the project schedule to allow the Department to make this risk assessment. Such detail should include dates for major project development milestones, completion of preliminary engineering, final design, approval of the plans, specifications, and estimate, and start of construction for the project.

What is a rural INFRA project?

For the purposes of the INFRA grants, Urbanized Areas with populations fewer than 200,000 and all areas outside Urbanized Areas are considered rural. Please visit [/buildamerica/INFRAgrants/urbanized-area](https://buildamerica/INFRAgrants/urbanized-area) for a list of Urbanized Areas that are considered urban for the purposes of the FY 2018 INFRA grant program. INFRA grants use the Bureau of the Census designations of Urbanized Areas and populations from the 2010 Census. For more information on Urbanized Areas, visit the Census Bureau website at <https://www.census.gov/geo/reference/ua/urban-rural-2010.html>.

Additionally, the Department recognizes that it can better balance the needs of rural and urban communities if it does not take a binary view of urban and rural. In addition to considering whether a project is “rural” as defined by the INFRA statute and described above, when balancing the needs of rural and urban communities, the Department will consider the actual population of the community that each project serves.

What’s the difference between a small and large project?

The minimum project size for large projects is the lesser of:

- \$100 million;
- 30 percent of a State’s FY 2016 Federal-aid apportionment if the project is located in one State; or

- 50 percent of the larger participating State's FY 2016 apportionment for projects located in more than one State.

A small project is a project that does not meet the minimum project size requirements for a large project.

The following chart identifies the minimum total project cost for large projects for FY 2017 and estimates for FY 2018 for both single and multi-State projects.

Minimum Total Project Cost for Large Projects FY 2020		
State	<u>FY19 NSFHP</u> (30% of FY19 apportionment) One-State Minimum (millions)	<u>FY19 NSFHP</u> (50 % of FY19 app Multi-State Minimum (millions)
Alabama	\$100	\$100
Alaska	\$100	\$100
Arizona	\$100	\$100
Arkansas	\$100	\$100
California	\$100	\$100
Colorado	\$100	\$100
Connecticut	\$100	\$100
Delaware	\$54	\$91
Dist. of Col.	\$51	\$86
Florida	\$100	\$100
Georgia	\$100	\$100
Hawaii	\$54	\$91
Idaho	\$92	\$100
Illinois	\$100	\$100

Indiana	\$100	\$100
Iowa	\$100	\$100
Kansas	\$100	\$100
Kentucky	\$100	\$100
Louisiana	\$100	\$100
Maine	\$59	\$99
Maryland	\$100	\$100
Massachusetts	\$100	\$100
Michigan	\$100	\$100
Minnesota	\$100	\$100
Mississippi	\$100	\$100
Missouri	\$100	\$100
Montana	\$100	\$100
Nebraska	\$93	\$100
Nevada	\$100	\$100
New Hampshire	\$53	\$89
New Jersey	\$100	\$100
New Mexico	\$100	\$100
New York	\$100	\$100
North Carolina	\$100	\$100
North Dakota	\$80	\$100
Ohio	\$100	\$100
Oklahoma	\$100	\$100
Oregon	\$100	\$100

Pennsylvania	\$100	\$100
Rhode Island	\$70	\$100
South Carolina	\$100	\$100
South Dakota	\$91	\$100
Tennessee	\$100	\$100
Texas	\$100	\$100
Utah	\$100	\$100
Vermont	\$65	\$100
Virginia	\$100	\$100
Washington	\$100	\$100
West Virginia	\$100	\$100
Wisconsin	\$100	\$100
Wyoming	\$83	\$100
Wyoming	\$100	\$100

**For multi-State projects, the minimum project size is largest of the multi-State minimums from the participating States.*

What's the minimum grant amount?

The minimum award for a large project is \$25 million. The minimum award for a small project is \$5 million.

What counts toward \$500M aggregate cap for port, rail, and intermodal projects?

Under the FAST Act, not more than \$500 million in aggregate of the \$4.5 billion authorized for INFRA grants over fiscal years 2016 to 2020 may be used for grants to freight rail, water (including ports), or other freight intermodal projects that make significant improvements to freight movement on the National Highway Freight Network. After accounting for FY 2016 and FY 2017 Small Project proposed FASTLANE awards, approximately \$158 million within this constraint remains available. Only the non-highway portion(s) of multimodal projects count toward the \$500 million cap. Within the non-highway portions of projects that count toward the \$500 million maximum, the

Federal share may fund only elements of the project that provide public benefit. Applicants are encouraged to identify components in their application that would count toward the \$500 million cap.

Do rail-rail grade separation projects count toward the \$500 million aggregate cap for port, rail, and intermodal projects?

Under statute, railway-highway grade crossing or grade separation projects are eligible projects for INFRA grants and are excluded from the \$500 million cap for port, rail, and intermodal projects 23 USC 117(d)(2)(B). Grade separation projects under 23 USC 117(d)(2)(B) includes rail-rail grade separation projects.

Is a network of projects eligible for an INFRA grant?

Yes. A network of projects is one INFRA award that consists of multiple projects addressing the same transportation problem. Network projects envisioned could include, but are not limited to, projects that combine improvements along a corridor such as a number of improved or eliminated grade crossings.

Are only State Departments of Transportation eligible for INFRA grants?

No. INFRA grants may be provided to an eligible applicant. See [Question](#) for a list of eligible applicants.

Can a private railroad receive INFRA funds?

A private railroad is not eligible to receive an INFRA grant directly. However, if an INFRA grant recipient has independent legal authority to contract with or award funds to a railroad, then that railroad could receive funds as a contractor or a subrecipient. (See 2 CFR 200.300 for differentiating contractors and subrecipients.) Whether a project is carried out by the direct recipient, a subrecipient, or a contractor, the direct recipient remains responsible for ensuring all Federal requirements are satisfied. (2 CFR 200.330-200.334 provide information on subrecipient monitoring and management).

Can previously incurred expenses count toward meeting the minimum project size requirement for INFRA Grants for large projects?

Some related costs incurred before a INFRA grant obligation may count toward meeting the minimum project size requirement for large projects, but only if those previously incurred expenses are eligible project costs for INFRA grants (see Section C.3.b. of the NOFO for eligible project costs) and were expended as part of the project for which the applicant seeks funds. Costs expended as part of another project may not be counted toward the minimum project size requirement. Although previously incurred costs may be used for satisfying the minimum project size requirement, they cannot be reimbursed with INFRA grant funds nor can they be used to meet the non-federal share requirement for an INFRA grant.

Do minimum project size requirements apply to all applicants for large projects?

Yes, minimum project size requirements are determined by the State(s) in which the project is located, even if the applicant is not a State. For example, the minimum project size requirement for a port authority seeking a INFRA grant is based on the funds apportioned to the State in which the project is located. Similarly, if the example project is located in more than one State, the cost threshold would be based on the based on the funds apportioned to the one State, among the States in which the project is located, with the largest apportionment. The FY17 apportionments for each State can be found here: <https://www.fhwa.dot.gov/legsregs/directives/notices/n4520245/>.

What are the Federal and non-Federal share requirements for INFRA grants?

INFRA grants may be used for up to 60 percent of future eligible project costs. Federal assistance other than a INFRA grant may be used to satisfy the non-Federal share of the cost of a project receiving a INFRA grant, but the total Federal assistance may not exceed 80 percent of future eligible project costs. 23 U.S.C. 117(j)(2).

For Federal Land Management Agencies (FLMAs), any Federal funds other than those made available under titles 23 or 49, U.S.C., with some exceptions, may be used to pay the non-Federal share of the cost of a project carried out under the INFRA Grant Program by an FLMA that applies jointly with a State or group of States. 23 U.S.C. 117(j)(3). The Notice of Funding Opportunity for the INFRA Grant Program includes additional information about the use of Federal funds to fulfill the non-Federal share requirements for INFRA grants.

The cost share requirements represent the statutory maximum Federal and non-Federal percentages of future eligible project costs. The cost share requirements differ from the Leveraging selection criteria, which considers the extent to which an application proposes to use non-Federal funding.

Also, since the law specifically establishes the Federal share for INFRA grants, the maximum Federal share is not subject to adjustment based on other statutory provisions. As examples, neither “sliding scale” adjustments authorized under 23 U.S.C. 120(a) and (b), nor the 100 percent Federal share for certain projects on highways and access roads on the Appalachian Development Highway System (ADHS), apply under this program. (See Question 6(a) and the FHWA FAST Act Fact Sheet on Federal Share <http://www.fhwa.dot.gov/fastact/factsheets/federalsharefs.pdf>.)

What are the requirements for large projects that receive INFRA grants?

The Department may select a large project under the INFRA Grant Program only if the Department determines that:

- the project will generate national or regional economic, mobility, or safety benefits;

- the project will be cost effective;
- the project will contribute to the accomplishment of 1 or more of the national goals described under 23 U.S.C. 150;
- the project is based on the results of preliminary engineering;
- with respect to related non-Federal financial commitments—
- 1 or more stable and dependable sources of funding and financing are available to construct, maintain, and operate the project; and
- contingency amounts are available to cover unanticipated cost increases;
- the project cannot be easily and efficiently completed without other Federal funding or financial assistance available to the project sponsor; and
- the project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project. 23 U.S.C. 117(g).

If a large project consists of multiple components or is part of a network of projects (as described in section C.3.f. and C.3.g. of the Notice of Funding Opportunity), each component should satisfy the requirements above.

See Section C in the notice of funding opportunity for additional requirements for large projects that are eligible as intermodal freight, rail, or facility projects.

A large project must be based on the results of preliminary engineering (PE) to be selected, but the statute authorizes the use of INFRA grants for development phase activities, including PE. How is this possible?

While development phase activities are eligible project costs, to be considered for selection, some environmental analysis and preliminary engineering must be undertaken before applying. The Department will evaluate the level of completion of development phase activities to assess project readiness and risk, including whether a project is reasonably expected to begin construction within 18 months of obligation of INFRA grant funds. Eligible development phase activities may only be considered for reimbursement if they occurred after the project received a INFRA grant. To be reimbursed, they must be authorized and allowable expenses before being incurred.

Does the environmental review process for compliance with the National Environmental Policy Act (NEPA) need to be completed prior to a grant award?

No. The application should provide a schedule that clearly demonstrates the timeframe for completion of environmental review activities that need to be completed before the start of construction for the project and any risks for meeting the projected timeframe. The Department will not authorize or obligate INFRA funds for construction, final design, or right-of-way acquisition until NEPA is complete. Incomplete environmental review may affect the Department's evaluation of whether the project is reasonably expected to begin construction within 18 months of obligation of grant funds.

How will the Department assess whether the project has one or more stable and dependable sources of funding, that financing is available to construct, maintain, and operate the project, and whether contingency amounts are available to cover unanticipated cost increases?

To enable the Department to assess non-Federal financial commitment, the following are examples of information applicants could include:

- Each proposed non-Federal source of capital and operating financing that is stable, reliable, and available within the proposed project timetable;
- Existing financial commitments and a project plan that provides for the availability of contingency amounts;
- The degree to which financing sources are dedicated to the purposes proposed;
- Any debt obligation that exists or is proposed by the recipient for the proposed project; and
- The extent to which the project has a non-Federal financial commitment that exceeds the required non-Federal share of the cost of the project; or
- Demonstration that the proposed project emerges from fiscally constrained metropolitan and statewide planning processes, consistent with 23 CFR Part 450.

How is a water port facility defined for INFRA grants?

A water facility can include one where freight is transshipped between water and surface modes, even if not formally categorized as a port. A Public Port is a functional entity of a State or Local Government with facilities used to move or transfer goods or people between either two or more land modes of transportation or land and water modes of transportation. Water ports can be located along coasts, inland rivers or the Great Lakes. Project eligibility is limited to landside components of the facilities, and with the exception of highway, bridge, railway-highway grade crossings, and grade separations within the facility's boundaries, is subject to restrictions provided in 23 USC 117(d)(2) that require that: (1) the project must make significant improvements to freight movements on the National Highway Freight Network and (2) only the components of the project that generate public benefits are eligible for Federal funding.

What is the readiness requirement for small projects?

The statutory requirement that a project be reasonably expected to reach construction within 18 months of obligation applies only to Large Projects.

Can INFRA grants be used for highways and bridges that are not on the National Highway System or National Highway Freight Network?

INFRA grants are limited to highways and bridges on the National Highway Freight Network (NHFN) or the National Highway System (NHS). If an applicant's request for funding is contingent upon an addition to the NHS or NHFN, the applicant should include information sufficient to demonstrate that the highway or bridge will be added to the respective network before obligation of funds. In addition, the applicant must show, among other things, that the project meets program requirements including that large projects are based on the results of preliminary engineering and that the project is reasonably expected to begin construction within 18 months of obligation.

The FAST-Act-defined NHFN includes critical rural freight corridors (CRFCs) and critical urban freight corridors (CUFCs) (23 U.S.C. 167(c)). If an applicant's request for funding is contingent on a new highway being designated as a CRFC or CUFC, the application should include information sufficient to demonstrate that the State and/or Metropolitan Planning Organization will make such designation before obligation of a INFRA grant, that the planned public road or facility is critical to the future efficient movement of goods, and that the CRFC or CUFC meets the criteria described in 23 U.S.C. 167(e) (for CRFCs) or 23 U.S.C. 167(f) (for CUFCs).

Can toll credits be used to meet the non-Federal share requirement for INFRA grants?

A State may use toll credits toward the non-Federal share requirement for INFRA grant funds. States should refer to 23 U.S.C. 120(i) for detailed information on the terms governing the use of toll credits.

Do railway-highway grade crossing or grade separation projects have to be on the National Highway Freight Network or National Highway System to be considered eligible projects?

No. While grade crossing or grade separation projects do not have to be on the National Highway Freight Network or National Highway System, the projects must meet other program requirements.