

# 2020 BUILD Applications FAQs

The following questions pertain to the FY 2020 BUILD Transportation Discretionary Grant program.

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1. [Due to COVID-19, will the application deadline be extended?](#)
2. [What is the BUILD Transportation Grant Program?](#)
3. [When is the application deadline?](#)
4. [Where do we send letters of support?](#)
5. [Where can I submit the application?](#)
6. [What if I am having technical issues with grants.gov?](#)
7. [Who can receive BUILD Transportation Grants?](#)
8. [Are Tribes eligible to apply?](#)
9. [What types of projects are eligible for BUILD Transportation Grant funding?](#)
10. [Are planning grants available for the FY2020 BUILD Transportation Discretionary Grant program?](#)
11. [Can a planning grant include right-of-way acquisition?](#)
12. [Are projects improving Federally owned facilities eligible?](#)
13. [Are facilities that receive or have received federal funding eligible?](#)
14. [What border or port security activities are eligible for a BUILD Transportation Grant?](#)
15. [Are transportation projects that are located at a port or near the border but without any security elements still eligible?](#)
16. [What types of airport projects are eligible for BUILD Grants?](#)
17. [What are the definitions for urban and rural under BUILD?](#)
18. [How do I determine if my project is urban or rural?](#)
19. [How will the Department divide funds between rural and urban projects?](#)
20. [How do I determine if my project is located in a Qualified Opportunity Zone?](#)
21. [What criteria will be used to evaluate applications for BUILD Transportation Discretionary Grants?](#)
22. [What are the minimum and maximum grant award sizes for BUILD Transportation Discretionary Grants?](#)
23. [How will the Department evaluate cost share and matching funds?](#)
24. [What is the difference between a joint applicant and a partner?](#)
25. [Can an application contain more than one project component?](#)
26. [How many applications can I submit?](#)
27. [Are Planning Grant applications required to submit a Benefit-Cost Analysis \(BCA\)?](#)
28. [If you intend to demonstrate independent utility on project components, is a BCA needed for each component or only for the entire project?](#)
29. [Is capital equipment or rolling stock eligible for BUILD Transportation funds?](#)
30. [What broadband activities are eligible for a BUILD Transportation Grant?](#)
31. [Are eligible projects allowed to apply to multiple discretionary grant programs such as the Infrastructure for Rebuilding America \(INFRA\) program or the Port Improvement Development Program \(PIDP\)?](#)

32. [How do we get feedback on previous BUILD \[or TIGER\] Transportation grant submissions to improve chances of success?](#)
33. [How does the evaluation process work?](#)
34. [When will awards be made?](#)
35. [What is the difference between the obligation and expenditure deadlines?](#)
36. [If a consulting firm is hired to help develop a BUILD Transportation grants application and that project is selected for a BUILD Transportation grants award, can that same firm be hired to perform the construction project design and engineering after award?](#)
37. [Are BUILD Transportation Grants a lump-sum cash disbursement at the time of award, or are they reimbursement grants? How do reimbursement grants work?](#)

1. Due to COVID-19, will the application deadline be extended?

The May 18<sup>th</sup>, 2020 5pm E.D.T. application deadline is set by Congress in the FY 2020 Appropriations Act. The BUILD website and the Grants.gov opportunity will be updated if there are any changes to this deadline.

Please identify any area(s) in the application narrative that may be affected by the ongoing COVID-19 situation for the Department's consideration in the project's evaluation.

2. What is the BUILD Transportation Grant Program?

The Consolidated Appropriations Act, 2020 appropriated \$1 billion, available for obligation through September 30, 2022, for National Infrastructure Investments. As with previous rounds, funds for the FY 2020 BUILD Transportation program are to be awarded on a competitive basis for projects that will have a significant local or regional impact.

Funding provided under National Infrastructure Investments have supported capital projects which repair bridges or improve infrastructure to a state of good repair; projects that implement safety improvements to reduce fatalities and serious injuries, including improving grade crossings or providing shorter or more direct access to critical health services; projects that connect communities and people to jobs, services, and education; and, projects that anchor economic revitalization and job growth in communities.

3. When is the application deadline?

The deadline for all application materials is **May 18 at 5:00 pm EDT**.

4. Where do we send letters of support?

Letters of support may be submitted electronically to [BUILDgrants@dot.gov](mailto:BUILDgrants@dot.gov), or mail a hard copy to Secretary Elaine Chao at the US Department of Transportation, 1200 New Jersey Avenue SE, Washington DC, 20590.

5. Where can I submit the application?

Final applications must be submitted through Grants.gov. Access to the "Apply" function will be made available in Grants.gov by May 18, 2020.

6. 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 Training](#)

[Grants.gov Online 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. E.D.T.

## **7. Who can receive BUILD Transportation Grants?**

Eligible Applicants for BUILD Transportation grants are State, local and tribal governments, including U.S. territories, transit agencies, port authorities, metropolitan planning organizations (MPOs), and other political subdivisions of State or local governments.

Multiple States or jurisdictions may submit a joint application and must identify a lead applicant as the primary point of contact, and identify the primary recipient of the award. Each applicant in a joint application must be an Eligible Applicant. Joint applications must include a description of the roles and responsibilities of each applicant and must be signed by each applicant.

## **8. Are Tribes eligible to apply?**

Yes, Tribal Governments are eligible applicants. Please review the FAQ on Federally Owned Facilities for more information on eligible projects as it relates to Tribes.

## **9. What types of projects are eligible for BUILD Transportation Grant funding?**

Eligible projects for BUILD Transportation Grants are:

Capital projects that include, but are not limited to:

- i. road or bridge projects eligible under title 23, United States Code;
- ii. public transportation projects eligible under chapter 53 of title 49, United States Code;
- iii. passenger and freight rail transportation projects;
- iv. port infrastructure investments (including inland port infrastructure and land ports of entry);
- v. intermodal projects
- vi. projects investing in surface transportation facilities that are located on tribal land and for which title or maintenance responsibility is vested in the Federal Government

Planning projects which includes planning, preparation, or design (including environmental analysis, feasibility studies, and other pre-construction activities) of eligible surface transportation capital projects.

## **10. Are planning grants available for the FY2020 BUILD Transportation Discretionary Grant program?**

Per the FY 2020 Consolidated Appropriations Act, the Department will award at least \$15 million for eligible planning and preconstruction activities that do not result in the construction of a capital project.

## **11. Can a planning grant include right-of-way acquisition?**

Projects that involve pre-construction activities AND right-of-way acquisition but no other construction components are considered capital projects under the BUILD 2020 program. As a condition of award, the Department will likely require projects that involve right-of-way acquisition to commit to completing the anticipated improvements on that right-of-way within an agreed upon period. Projects that involve pre-construction activities without right-of-way acquisition will be considered planning grants.

## **12. Are projects improving Federally owned facilities eligible?**

No, improvements to Federally owned facilities are not eligible for BUILD funds. Examples of Federally owned facilities include infrastructure owned by the National Park Service, Bureau of Indian Affairs, or

General Services Administration. However, facilities that are owned by an eligible applicant, but located on Federally owned land for which the title or maintenance responsibility is vested in the Federal Government, those projects are eligible.

**13. Are facilities that receive or have received federal funding eligible?**

Yes, BUILD projects that use other sources of Federal funding, or have in the past, are eligible so long as the facility is owned and operated by a non-Federal, eligible recipient. For projects designated as urban, total Federal funding cannot exceed 80 percent of total future eligible project costs. For any project with other Federal funds, the applicant must independently satisfy matching requirements for those Federal funds.

**14. What border or port security activities are eligible for a BUILD Transportation Grant?**

If the construction of the transportation project will contribute to a state of good repair of transportation infrastructure that supports border or port security the applicant should describe how. The Department will consider that information when evaluating the project's alignment with the state of good repair selection criterion. Unless border security activities support surface transportation and are otherwise eligible under BUILD, they will not be eligible for reimbursement. Improvements to Federally owned facilities are ineligible under the FY 2020 BUILD program.

**15. Are transportation projects that are located at a port or near the border but without any security elements still eligible?**

Yes, as long as they meet the eligibility requirements described in Section C of the NOFO.

**16. What types of airport projects are eligible for BUILD Grants?**

As referenced in the NOFO, intermodal projects located at airport facilities are eligible for BUILD Transportation grants. Examples of eligible projects at airports include transit connections to airports, joint use facilities on airport property that serve additional uses (such as transit connections, intermodal freight transfer facilities, and rail extensions), as well as publicly-accessible roads into, out of, and through airport properties.

Examples of *ineligible* airport projects include runways, taxiways, towers, terminals, gates, and people movers within airports.

**17. What are the definitions for urban and rural under BUILD?**

The FY 2020 BUILD Transportation Grant Program uses the same definition for urban and rural as the FY 2019 round. A project is designated as urban if it is located within or on the boundary of an Urbanized Area (UA), as designated by the U.S. Census Bureau, and that UA had a population greater than 200,000 in the 2010 Census. If a project is not designated as urban, it is designated as rural.

For example, a project located in an Urbanized Area with a population of 150,000 will be designated as rural under the FY 2020 BUILD program. In contrast, a project located in an Urbanized Area with a population of 250,000 will be designated as urban, even if the city or town in which the project is located has a population of 100,000.

For projects that include expenditures in both urban areas and rural areas, the Department will designate the project as urban or rural based on where the majority of project funds will be spent.

## 18. How do I determine if my project is urban or rural?

If a project is located within an Urbanized Area (UA) as designated by the U.S. Census, the urban or rural designation under BUILD 2020 is based on the population of that UA. If the UA had a population greater than 200,000 in the 2010 Census, the project will be designated as urban.

A project will be designated as rural if it is located:

- In an UA that had a population less than 200,000 in the 2010 Census
- In a Census designated Urban Cluster
- Outside an UA

To determine if a location is in a Census-Designated UA, please consult Census maps of Urbanized Areas:

<https://www.census.gov/geographies/reference-maps/2010/geo/2010-census-urban-areas.html>  
(detailed PDF maps for every UA)

<https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html>

<http://tigerweb.geo.census.gov/TIGERweb2010/> (click the layer for urban areas and zoom in to see)

A list of all UAs that had a population over 200,000 in the 2010 Census can be found here:

<https://www.transportation.gov/BUILDgrants/urbanized-areas>

## 19. How will the Department divide funds between rural and urban projects?

Not more than 50 percent (\$500 million) will be spent on projects located in urban and rural areas, respectively.

## 20. How do I determine if my project is located in a Qualified Opportunity Zone?

To determine if a location is in a Qualified Opportunity Zone, please consult map link below:

<https://www.transportation.gov/opportunity-zones/opportunity-zones-interactive-map>

## 21. What criteria will be used to evaluate applications for BUILD Transportation Discretionary Grants?

The BUILD Transportation Discretionary Grants Final Notice of Funding Opportunity outlines the selection criteria in detail. For more information, please view the [NOFO](#).

## 22. What are the minimum and maximum grant award sizes for BUILD Transportation Discretionary Grants?

For projects located in urban areas, the minimum award is \$5 million. Please note that the minimum total project cost for a project located in an urban area must be \$6.25 million to meet match requirements.

For projects located in rural areas, the minimum award is \$1 million.

The maximum award for all projects is \$25 million. Not more than \$100 million can be awarded to a single State.

There is no minimum award size for planning grants.

**23. How will the Department evaluate cost share and matching funds?**

The Department will not use Federal share as a selection criterion in awarding projects.

Per the Consolidated Appropriations Act, 2020, BUILD Transportation grants may be used for up to 80 percent of the costs of projects located in an urban area and up to 100 percent of the costs of a project located in a rural area. For a project located in an urban area, total Federal assistance for a project receiving a BUILD grant may not exceed 80 percent.

Non-Federal financial contributions can include State, local, and private sector funding; or other forms of cost share such right of way contributions or recycled revenue from the competitive sale or lease of publicly owned or operated assets. Unless otherwise authorized by statute, non-Federal cost-share may not be counted as the non-Federal share for both the BUILD Transportation grant and another Federal grant program.

**24. What is the difference between a joint applicant and a partner?**

A joint applicant refers to one or more Eligible Applicants, as described in the NOFO, who submit a single application. Multiple States or jurisdictions may submit a joint application and must identify a lead applicant as the primary point of contact. Joint applications must include a description of the roles and responsibilities of each applicant and must be signed by each applicant. Only an eligible entity may receive and administer BUILD funds upon award, and lead applicants who wish to administer their grants through eligible co-applicants (such as State DOTs) should create those relationships (such as through MOUs) to the extent possible prior to award.

A project partner refers to one or more stakeholders or collaborators that support the project. Project support can include, but is not limited to, help with public engagement or outreach, monetary contributions, planning, or public alignment with project priorities. A project partner need not be an Eligible Applicant.

**25. Can an application contain more than one project component?**

Yes, if the components demonstrate a strong relationship or connection between them. DOT strongly encourages each applicant to identify in their application the project components that have independent utility, independently align with the selection criteria, and meet NEPA requirements; and DOT encourages each applicant to separately detail the costs and requested BUILD funding for those components, as well as the overall BUILD funding request.

**26. How many applications can I submit?**

Applicants may submit a total of three (3) project applications (planning and/or capital) for BUILD Transportation grants. The Department will only review the three most recent submittals prior to the application deadline.

**27. Are Planning Grant applications required to submit a Benefit-Cost Analysis (BCA)?**

Planning grants will receive the same Merit Criteria Evaluation, but will not receive an Economic Analysis or Environmental Risk assessment, therefore they do not need to submit a BCA.

**28. If you intend to demonstrate independent utility on project components, is a BCA needed for each component or only for the entire project?**

While USDOT allows for packages of projects to be included in a single grant application, each component of such package with independent utility should be evaluated separately, with its own BCA. The costs and benefits of each individual component may also be aggregated to provide a summary estimate of net benefits for the entire package. Where projects within a package may be expected to also have collective benefits that are larger than the sum of the benefits of the individual project components, applicants should clearly explain why this would be the case and provide any supporting analyses to that effect. DOT recognizes the technical challenges in preparing a BCA and encourages applicants to do their best in demonstrating the anticipated benefits and estimated costs of the entire project as well as appropriate components.

**29. Is capital equipment or rolling stock eligible for BUILD Transportation funds?**

Yes, equipment is eligible, but Federal requirements apply to the use of any grant funding. Please see section F.2. of the BUILD Transportation NOFO for information on Federal requirements. However, BUILD Transportation grant projects involving vehicle acquisition must involve only vehicles that comply with applicable Federal Motor Vehicle Safety Standards (FMVSS) and Federal Motor Carrier Safety Regulations (FMCSR), or vehicles that are exempt from Federal Motor Vehicle Safety Standards or Federal Motor Carrier Safety Regulations in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

**30. What broadband activities are eligible for a BUILD Transportation Grant?**

If construction of the transportation project will allow concurrent installation of fiber or other broadband deployment as an essential service, the applicant should describe those activities and how they support quality of life. The Department will consider that information when evaluating the project's alignment with the quality of life merit criterion. Unless the concurrent activities support transportation, they will not be eligible for reimbursement.

**31. Are eligible projects allowed to apply to multiple discretionary grant programs such as the Infrastructure for Rebuilding America (INFRA) program or the Port Improvement Development Program (PIDP)?**

Projects that meet the minimum eligibility requirements for the programs may submit applications to multiple programs, but must submit separate applications that independently address how the project satisfies applicable selection criteria for the relevant grant program. If a project is submitted to multiple programs, and that scope of work is the same for each application, the Department may conduct a **single** Benefit Cost Analysis for that project, as stated in the BUILD NOFO.

**32. How do we get feedback on previous BUILD [or TIGER] Transportation grant submissions to improve chances of success?**

The Department strives to provide as much information as possible to assist applicants with the application process. The Department will not review applications in advance, but Department staff are available for technical questions and assistance. BUILD program staff will address questions to [BUILDgrants@dot.gov](mailto:BUILDgrants@dot.gov) throughout the application period.

The Department offers unsuccessful applicants the opportunity to hold a debrief and receive feedback on their BUILD 2019 application. The Department will only conduct debriefs with the project sponsor



present. To schedule such a debrief, please fill out this request form <https://www.surveymonkey.com/r/7FW9L3Z>.

Please note that the Department receives hundreds of debrief requests and will work to schedule all debriefs in a timely manner. Due to the volume of requests, the Department may not be able to respond immediately to your debrief request.

### **33. How does the evaluation process work?**

The Operating Administrations will review the technical capacity for all eligible applications concurrent with the Merit Criteria Evaluation.

Merit Criteria Evaluation Teams review all eligible applications and provide one of the following overall ratings for each project: Highly Recommended, Recommended, Acceptable, or Unacceptable. These ratings are based on the project's alignment with the merit criteria, the project's local or regional impact, and the content and credibility of information in the application.

If the Merit Criteria Evaluation Team rates a project as Highly Recommended, that project receives (1) an Economic Analysis (2) Environmental Risk assessment; and (3) Financial Capacity Assessment. The Economic Analysis assesses the proposed project's estimated benefit-cost ratio and net quantifiable benefits. The Environmental Risk assessment analyzes the project's environmental approvals and likelihood of the necessary approval affecting project obligation. The Financial Capacity assessment reviews the availability of matching funds. The results of the Technical Capacity, Environmental Risk, and Financial Capacity reviews will be presented to the Senior Review Team as three separate ratings under the heading of Project Readiness.

A Senior Review Team, comprising Departmental leadership, considers the analysis 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 BUILD Transportation Grants and the selection criteria in the NOFO. Planning grants will receive the same Merit Criteria Evaluations, but will not receive an Economic Analysis or Environmental Risk assessment.

### **34. When will awards be made?**

Under the FY 2020 Appropriations Act, the Department must make awards by September 15, 2020. The Department will post awards to the BUILD Grants website ([www.transportation.gov/BUILDgrants](http://www.transportation.gov/BUILDgrants)). Grantees will not be notified via email, and should visit the BUILD Grants website for award information.

### **35. What is the difference between the obligation and expenditure deadlines?**

The obligation deadline, September 30, 2022, is the date by which a BUILD Transportation award recipient must have a signed and executed grant agreement in place with the DOT. The execution of the grant agreement obligates BUILD Transportation funding for the awarded project. The expenditure deadline of September 30, 2027, is the date by which all BUILD Transportation funding must be expended.

- 36. If a consulting firm is hired to help develop a BUILD Transportation grants application and that project is selected for a BUILD Transportation grants award, can that same firm be hired to perform the construction project design and engineering after award?**

Under 2 CFR 200.317 and 1201.317, if the recipient of the BUILD Transportation grant is a state, then the recipient must follow the same policies and procedures it uses for procurements from its non-Federal funds, and the answer to this question is dependent on those policies and procedures.

If the recipient is not a state, the answer is yes, the same firm may be hired if necessary competition requirements are satisfied. Per CFR 200.319(a), all procurement transactions must be conducted in a manner that provides full and open competition, eliminates unfair competitive advantage, and ensures objective contractor performance. Project sponsors must avoid creating situations that would unfairly favor the firm that helped develop the BUILD application or preclude other firms from competing. Additionally, the contractor that the project sponsor hires to draft its solicitation for proposals for the construction project design and engineering work must be excluded from competing for that procurement.

For the purpose of BUILD Transportation grants, “state” means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any state agency or instrumentality excluding local governments.

- 37. Are BUILD Transportation Grants a lump-sum cash disbursement at the time of award, or are they reimbursement grants? How do reimbursement grants work?**

BUILD Transportation Grants are reimbursement grants. The recipient of a grant will not receive a lump-sum cash disbursement at the time of award announcement or obligation of funds. Instead, the recipient must pay project costs as they are incurred and submit to DOT requests for reimbursement. This means that the recipient must have access to sufficient non-BUILD funding sources to manage cash flow associated with the project.