



- **Session is recorded**
- **Chat is available for questions**
- **We will hold all questions until after the presentations**



**Administrator Mark Buzby**



**Deputy Administrator Richard Balzano**

**Mission:** To foster and promote the U.S. Merchant Marine and the American maritime industry to strengthen the maritime transportation system — including landside infrastructure, the shipbuilding and repair industry, and labor — to meet the economic and national security needs of our Nation.

- 1. Purpose of this presentation (Bruce)**
- 2. MARAD Program Elements (Holly)**
- 3. Grants Overview Process (Holly)**
- 4. Regional Perspective (Lisa)**
- 5. Resources (Holly)**
- 6. Q&A (Bruce)**

## Presenters:

### **Bruce Lambert**

Gateway Director, Pacific  
Northwest/Alaska  
MARAD

### **Holly Blake**

Management and Program  
Analyst  
MARAD

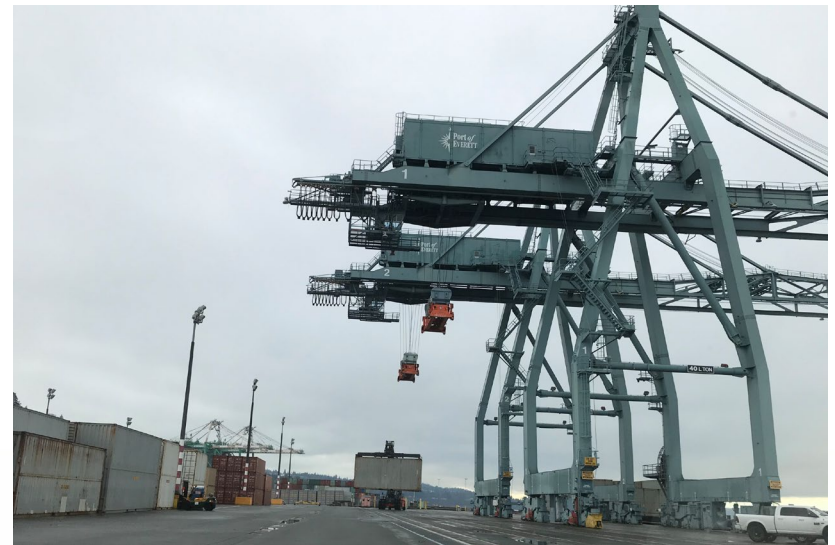
### **Lisa Lefebber**

CEO/Executive Director  
Port of Everett

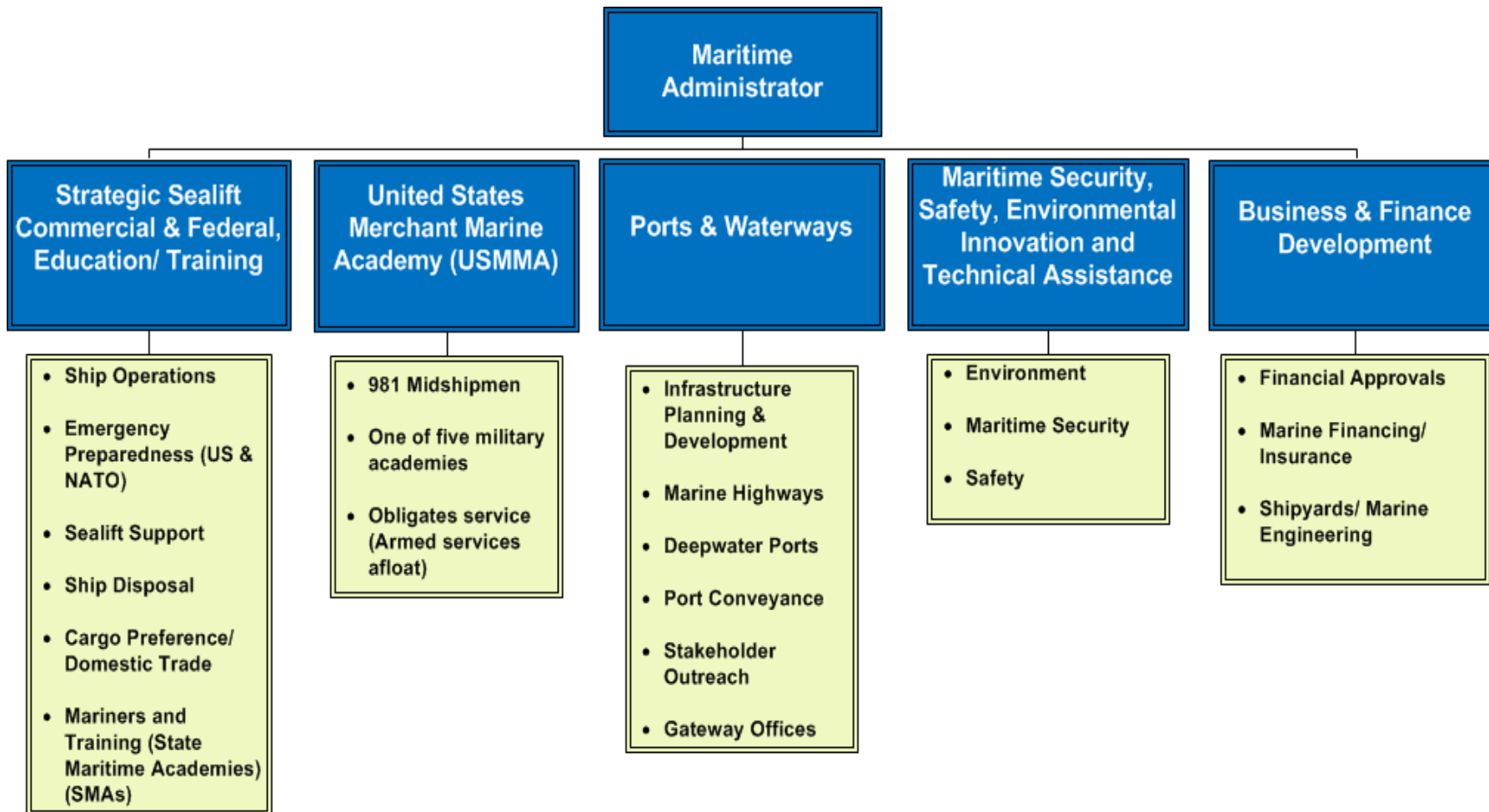
- **Purpose of this Call**
  - Regional training sessions
- **MARAD Engagement programs**
  - Webinars
  - Roundtables
  - Meetings



# MARAD Program Elements



# MARAD Program Elements



- **Better Utilizing Investments to Leverage Development (BUILD)** – provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to achieve national objectives. Previously known as Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grants.
- **Infrastructure For Rebuilding America (INFRA)** - advances a grant program established in the FAST Act of 2015 to help rebuild America's aging infrastructure. INFRA utilizes selection criteria that promote projects with national and regional economic vitality goals while leveraging non-federal funding to increase the total investment by state, local, and private partners.
- **Port Infrastructure Development Program (PIDP)** - was authorized by the National Defense Authorization Act for Fiscal Year 2020 (NDAA) (Pub. L. No. 116-92, December 20, 2019) and the Further Consolidated Appropriations Act 2020. PIDP was developed to improve facilities within, connecting to, out of, or around coastal seaports, inland river ports and Great Lakes ports.



- **Marine Highway Program** - expands the use of America's navigable waters by working closely with public and private organizations to:
  - (1) develop and expand marine highway service options and facilitate their further integration into the current U.S. surface transportation system, especially where water-based transport is the most efficient, effective and sustainable option.
  - (2) highlight the benefits, increase public awareness and promote waterways as a viable (in some cases a superior) alternative to "landside" shipping and transportation options.
- **Railroad Rehabilitation & Improvement Financing (RRIF)** - Under the RRIF program, funds can be made available for the development or improvement of railroad infrastructure. The Federal Railroad Administration can provide direct loans or loan guarantees to state or local governments, railroads, government sponsored companies, or railroad joint ventures.

# MARAD Total Grant Investments

| <b>TIGER/BUILD:</b>       |                             |                           |                            |   |
|---------------------------|-----------------------------|---------------------------|----------------------------|---|
| <b><u>Round/Year:</u></b> | <b><u>DATE AWARDED:</u></b> | <b><u>ALL AWARDS:</u></b> | <b><u>PORT AWARDS:</u></b> | <b><u>TOTAL PORT AWARDS (Per Millions):</u></b> |
| I. 2009 (ARRA)            | Feb 17, 2010                | 51                        | 7                          | \$128,940,000                                   |
| II. 2010 (TIGER)          | Oct 20, 2010                | 74*                       | 6                          | \$87,340,000                                    |
| III. 2011 (TIGER)         | Dec 15, 2011                | 46                        | 4                          | \$67,607,000                                    |
| IV. 2012 (TIGER)          | June 22, 2012               | 47                        | 7                          | \$68,125,000                                    |
| V. 2013 (TIGER)           | Sept 5, 2013                | 52                        | 8                          | \$63,001,000                                    |
| VI. 2014 (TIGER)          | Sept 12, 2014               | 72**                      | 7                          | \$74,240,000                                    |
| VII. 2015 (TIGER)         | Oct 29, 2015                | 39                        | 4                          | \$34,300,000                                    |
| VIII. 2016 (TIGER)        | July 29, 2016               | 40                        | 5                          | \$54,482,000                                    |
| IX. 2017 (TIGER)          | Mar 9, 2018                 | 41                        | 3                          | \$45,700,000                                    |
| X. 2018 (BUILD)           | Dec 11, 2018                | 92                        | 14                         | \$232,608,000                                   |
| XI. 2019 (BUILD)          | Nov 12, 2019                | 55                        | 7                          | \$128,550,000                                   |
| <b><u>Totals:</u></b>     |                             | <b>609</b>                | <b>65</b>                  | <b>\$984.893 Million</b>                        |

# MARAD Total Grant Investments (Cont.)

## FASTLANE/INFRA:

| <u>AWARDS:</u>   | <u>FISCAL YEAR:</u> | <u>AWARDS ANNOUNCED:</u> | <u>AWARDS MADE:</u> | <u>PORT AWARDS:</u> | <u>PORT FUNDING (Millions):</u> |
|------------------|---------------------|--------------------------|---------------------|---------------------|---------------------------------|
| 2016-FASTLANE    | FY2016              | Sept 7, 2016             | 18                  | 5                   | \$115,391,763                   |
| 2017-FASTLANE II | FY2017              | Aug 8, 2017              | 10                  | 2                   | \$14,850,000                    |
| 2018-INFRA       | FY2018              | Jun 8, 2018              | 26                  | 2                   | \$32,500,000                    |
| 2019             | FY2019              | Sept 2019                | 20                  | 2                   | \$17,060,000                    |
| 2020             | FY2020              | TBD                      |                     |                     |                                 |
| <b>Total:</b>    |                     |                          | <b>74</b>           | <b>11</b>           | <b>\$179,801,763</b>            |

## PORT INFRASTRUCTURE DEVELOPMENT PROGRAM:

| <u>FISCAL YEAR:</u> | <u>AWARDS ANNOUNCED:</u> | <u>AWARDS MADE:</u> | <u>PORT AWARDS:</u> | <u>PORT FUNDING (Millions):</u> |
|---------------------|--------------------------|---------------------|---------------------|---------------------------------|
| FY 2019             | February 14, 2020        | 15                  | 15                  | \$287,000,000                   |
| <b>Total:</b>       |                          | <b>15</b>           | <b>15</b>           | <b>\$287,000,000</b>            |

**AMERICAN MARINE HIGHWAY (AMH) PROGRAM:**

| <b><u>ROUND:</u></b> | <b><u>DATE AWARDED:</u></b> | <b><u>TOTAL AWARDS:</u></b> | <b><u>AMOUNT AWARDED<br/>(Millions):</u></b> |
|----------------------|-----------------------------|-----------------------------|--|
| I (2010)             | August 11, 2010             | 3                           | \$6,200,000                                  |
| II (2016)            | October 27, 2016            | 6                           | \$4,850,000                                  |
| III (2017)           | August 8, 2018              | 6                           | \$4,872,000                                  |
| IV (2018)            | April 23, 2019              | 3                           | \$6,790,000                                  |
| V (2019)             | January 6, 2020             | 9                           | \$7,503,000                                  |
| <b><u>Total:</u></b> |                             | <b>27</b>                   | <b>\$30,215,000</b>                          |



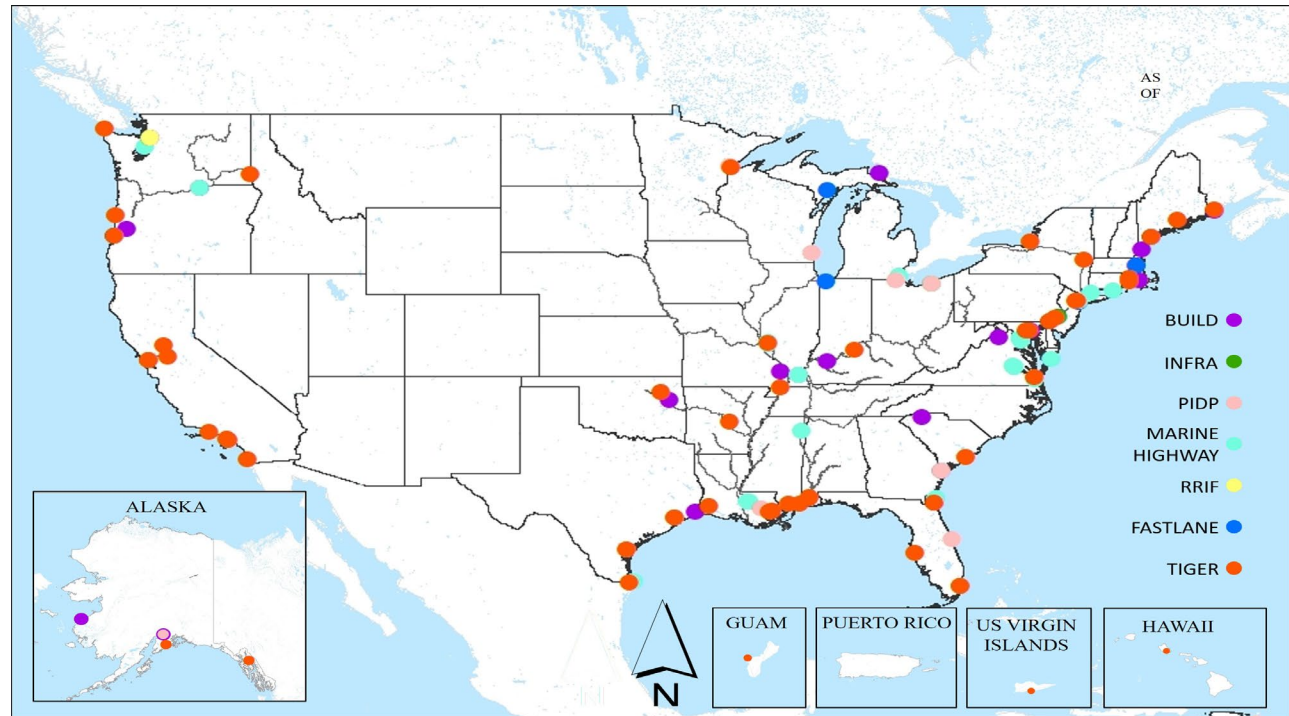
● TIGER/BUILD

● FASTLANE/INFRA

● PIDP

● MARINE HIGHWAY

● RRIF



MARAD



- A **grant** is utilized when substantial involvement \*\* is not expected between the executive agency and the recipient when carrying out the activity contemplated in the agreement.
- A **cooperative agreement** is utilized when the awarding agency anticipates more substantial involvement in carrying out the activity contemplated by the Federal award.

\*\* Substantial involvement refers to the degree to which federal employees are directly performing or implementing parts of the award program.

- **Example of a Cooperative Agreement:**

A cooperative agreement can be a highly specialized research award wherein federal staff are some of the relatively few experts in the field. In this case, the award may be defined as a “cooperative agreement” because the federal staff and non-federal award recipient will be conducting the research together in some way.

- **What is Grants.gov?**

**Grants.gov** is an E-Government initiative operating under the governance of the Office of Management and Budget. Under the President's Management Agenda, the office was chartered to deliver a system that provides a centralized location for grant seekers to find and apply for federal funding opportunities.

- **To register on Grants.gov, applicants must:**

- ✓ Obtain a Data Universal Numbering System (DUNS) number;
- ✓ Register with the System for Award Management (SAM) at [www.SAM.gov](http://www.SAM.gov);
- ✓ Create a Grants.gov username and password; and
- ✓ The E-Business Point of Contact (POC) at your organization must respond to the registration email from Grants.gov and login at Grants.gov to authorize you as an Authorized Organization Representative (AOR). Please note that there can be more than one AOR for an organization.



| Pre-Award Phase | Funding Opportunity Announcement & Application Review |
|-----------------|---|
| Award Phase     | Award Decisions and Notifications                     |
| Post-Award      | Implementation, Reporting, and Close-out              |



Grants Officer will email the final version of the Grant Agreement to the Recipient's point of contact.



The Recipient is required to return three original signature copies of the Grant Agreement to the Grants Officer.



Once received, the Grant Agreement will be placed into the MARAD concurrence process for final approval.



Once approved, the Grant Agreement is signed (executed) by the Maritime Administrator.



Lastly, the Grants Officer will issue a Notice to Proceed to officially start the project.

## Introductory Kick Off Conference Call:

Once your organization receives official notification that your grant has been selected, your assigned Grants Management Specialist will contact you to schedule an “Introductory Kick Off” Conference meeting to discuss the following next steps and terms of conditions of the award:

- Pre-award phase
- Contact information for the project
- Grant Project – Review Scope, Schedule, Budget and Timelines
- National Environmental Policy Act (NEPA) Status
- Risk Statement
- Obtaining confirmation of local match proposed/ Letter of Funds Availability
- Process to complete the Grant Agreement
- Federal rules and regulations: Buy American Act, Davis-Bacon, etc.
- Single Audit Requirements
- First port visit by the MARAD Port Infrastructure Development Project Team

## What is the NEPA?

- It is the National Environmental Policy Act (NEPA) of 1970.
- It requires that all Federal Agencies consider environmental impacts of all **actions** that they are considering or undertake.
- NEPA requires agencies to assess the environmental effects of proposed **actions PRIOR** to making a decision to move forward.



- **NEPA Three (3) Categories of Actions**

1. Categorical Exclusions (CE) - category of actions that individually or cumulatively have no significant effect on the quality of the human environment.
2. Environmental Assessments (EA)  
includes those actions for which the significance of the impacts are uncertain.
3. Environmental Impact Statement (EIS) cover those actions that have been determined to have significant environmental impact.

- **Categorical Exclusions (CE)**

- ✓ Common misconception that a CE means no NEPA analysis is required. The **majority** of MARAD projects qualify for a CE.
- ✓ A CE is one of three basic types of NEPA analysis.
- ✓ A CE is a category of **actions** that, for many reasons, an Agency has determined will not generally result in significant environmental impacts.

## **Buy America Requirements** – (49 C.F.R. 661.5) states:

- (a) Except as provided in §661.7 and §661.11 of this part, no funds may be obligated by the Federal Transit Administration and Federal Highway Administration for a grantee project unless all iron, steel, and manufactured products used in the project are produced in the United States.
- (b) All steel and iron manufacturing processes must take place in the United States, except metallurgical processes involving refinement of steel additives.
- (c) The steel and iron requirements apply to all construction materials made primarily of steel or iron and used in infrastructure projects such as transit or maintenance facilities, rail lines, and bridges. These items include, but are not limited to, structural steel or iron, steel or iron beams and columns, running rail and contact rail. These requirements do not apply to steel or iron used as components or subcomponents of other manufactured products or rolling stock, or to bimetallic power rail incorporating steel or iron components.

- **The Buy American Act** requires the government to purchase products “manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States.” 41 U.S.C. § 8302(a)(1).
- **The Buy American Act** requires Federal agencies and non-Federal awarded entities to procure domestic materials and products.
- **Two conditions must be present for the Buy American Act to apply:**
  - (1) The procurement must be intended for public use within the United States; and
  - (2) The items to be procured or the materials from which they are manufactured must be present in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality. The provisions of the act may be waived if the head of the procuring agency determines the act to be inconsistent with the public interest or the cost of acquiring the domestic product is unreasonable.
- “[I]t is the policy of the executive branch to maximize, consistent with law, the use of goods, products, and materials produced in the United States...through the terms and conditions of Federal financial assistance awards.” This policy was issued as **Executive Order 13858** of January 31, 2019, Strengthening Buy-American Preferences for Infrastructure Projects.

## Buy America:

The Buy America Act, is exclusive only to grants issued by the Federal Transit Administration and Federal Highway Administration.

The Buy America Act requirements apply to iron and steel products and their coatings that are purchased for the federal-aid highway construction program (highways, bridges, transit systems and terminals). Under Buy America, federal-aid funds may not be obligated for a project unless iron and steel products used in such projects are manufactured in the United States.

**Vs.**

## Buy American:

The Buy American Act may be applied to all direct U.S. federal procurement.

## What is the Davis-Bacon Act?

**The Davis–Bacon Act** of 1931 is a United States federal law that establishes the requirement for paying the local prevailing wages on public works projects for all laborers and mechanics on Federally assisted construction contracts. It applies to "contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works."



- **Grant Modification Requests** – A revision to the grant budget and scope of work in the project is considered an amendment to the award and may require prior approval from MARAD. Grantees are required to report and discuss any budgetary or programmatic changes with their the assigned MARAD Grants Management Specialist and Program Specialist prior to modifying any changes to the grant scope of work or budget.
- **Quarterly Progress Reports** - This report is required to track and inform all parties regarding the status of the Grant's **Scope, Schedule, and Budget** during the life of the project. The report gathers Engineering and Financial data to provide current information about the project implementation, progress, changes and potential issues.
- **Quarterly Performance Measure Reports** - Quarterly Performance Measures will be identified and entered into the Grant Agreement. After Substantial Completion of the construction, Quarterly Performance Measures report are due. Reports to be sent for 12 consecutive quarters. This report provides an ex-post examination of project effectiveness.

- **Federal Financial Report (FFR) SF-425** – The Federal Financial Report is a cumulative report of all financial transactions during a reporting period. It is required by the Office of Management and Budget (OMB). MARAD grantees are required to submit this report on a quarterly basis.
- **Request for Advance or Reimbursement (SF-270)** - The submission of this form along with all supporting documentation is a requirement for all reimbursement requests. Only the submission of reimbursement requests are accepted. MARAD does not accept requests for Advance payments.
- **Single Audit Requirements** - Grant recipients that expend \$750,000 or more in federal awards in a fiscal year must have single audits conducted in accordance with Uniform Guidance set forth in 2 CFR 200 Subpart F, previously known as the A-133 Single Audit.

- **Monitoring Reviews (Desk and On-Site Reviews)** - In accordance to OMB Uniform Administrative 2 CFR § 200.328, the Federal awarding agency may make site visits as warranted by program needs.
- **Closeout** - The closeout step is when the grant process ends. According to the OMB Uniform Grants Guidance §200.343, (a) The non-Federal entity must submit, no later than 90 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award.





# USDOT Grants/Loans

## Best Practices & Lessons Learned

- ***Be Ready!*** Design and permits should be underway before you apply, and ensure your contracts are federally-compliant
- ***Quality Benefit Cost Analysis*** – Make sure you have a defensible and measurable BCA
- ***Brand Your Project*** – USDOT sees hundreds of applications, make sure yours stands out
- ***Scope/Scalability*** – Design your project in a way that flexible to meet the changes in your project – don't include elements that you can't control the timeline
- ***Community Support*** – Put the time in to get a large and diverse mix of support for your project
- ***Deliver for DOT*** – make sure you have a plan in place to execute the project on the timeline set forth in the application
- ***Communication*** – Meet with DOT in advance of an application; if unsuccessful, ask for a debrief



# USDOT Grants/Loans

## Best Practices & Lessons Learned, cont.

- ***Pay attention to detail***– review the NOFO in detail, make sure you address requirements, follow format and PROOFREAD!
- ***Grant Agreement*** – takes 6-8 months to negotiate a grant agreement; longer if environmental review is complex or not started
- ***Establish a Team***– Adhering to the various grant requirements is complex; establish a cross-functional team to keep the project and requirements on track
- ***NEPA***– If you have your SEPA complete it makes your NEPA review go quicker; MARAD is the only entity that can accept another federal agency's NEPA
- ***RRIF/DOT Loans***– Not attractive to public agencies as currently structured; if apply get NEPA done quick and update credit rating
- ***Never Give Up!***







**Uniform Guidance (2 CFR 200):**

<https://www.ecfr.gov/cgi-bin/text-id?SID=aede55eb5a80b6d121f05576cd7b5d1c&mc=true&node=pt2.1.200&rgn=div5>

**Grants.Gov:**

<https://www.grants.gov/>

**Federal Audit Clearinghouse:**

<https://harvester.census.gov/facweb/default.aspx/>

**Single Audit Regulations: 2 CFR 200 Subpart F- (Section 500)**

<https://www.ecfr.gov/cgi-bin/text-id?SID=33ff13e6b4c5617e02738da1254f730d&mc=true&node=sp2.1.200.f&rgn=div6>

**Buy America Act:**

<https://www.govinfo.gov/app/details/CFR-2007-title49-vol7/CFR-2007-title49-vol7-sec661-5>

**Buy American Act:**

[https://uscode.house.gov/view.xhtml?req=\(title:41%20section:8302%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:41%20section:8302%20edition:prelim))

**National Environmental Policy Act:**

<https://www.epa.gov/laws-regulations/summary-national-environmental-policy-act>

**Davis-Bacon Act:**

<https://www.dol.gov/agencies/whd/government-contracts/construction>

## MARAD

- Federal Grant Reporting Requirements

<https://www.maritime.dot.gov/grants/federal-grant-assistance/federal-grant-assistance>

- America's Marine Highway Program

<https://www.maritime.dot.gov/grants/marine-highways/marine-highway>

- Small Shipyard Grants

<https://www.maritime.dot.gov/grants-finances/small-shipyard-grants>

- Federal Ship Financing Program (Title XI)

<https://www.maritime.dot.gov/grants/title-xi/federal-ship-financing-program-title-xi>

- Construction Reserve Fund

<https://www.maritime.dot.gov/grants/construction-reserve-fund>

- Capital Construction Fund

<https://www.maritime.dot.gov/grants/capital-construction-fund>

- Port Infrastructure Development Grants

<https://www.maritime.dot.gov/PIDPgrants>

# MARAD Contact Information



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**July 28 10 AM Pacific Time**

**Kirk Claussen : Build America Bureau, TIFIA, RRIF Programs**

**August 8 10 AM Pacific Time**

**Robert Hyman and Wade Morefield: 1) ROUTES Program and 2)  
Port Planning & Investment Toolkit**



# Questions?

