

DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

Notice of Funding Opportunity for the Reconnecting Communities and Neighborhoods (RCN) Program

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

ACTION: Notice of Funding Opportunity (NOFO), Assistance Listing #20.940 and #20.205

SUMMARY: The purpose of this notice is to solicit applications for two programs: the Reconnecting Communities Pilot (RCP) Program and the Neighborhood Access and Equity (NAE) Program, referred to jointly as the Reconnecting Communities and Neighborhoods (RCN) Program. While applicants may choose to apply for only one grant program, this combined solicitation will allow applicants to apply for both funding opportunities by submitting one application. It also aims to better enable the Department to proactively assist project sponsors in matching projects with the most appropriate grant program(s) and facilitating individual projects in potentially receiving funding from multiple grant programs. Applicants are encouraged to submit applications that meet the statutory requirements for both programs to maximize their potential for receiving Federal support. Funds for the Fiscal Year (FY) 2023 RCN Program will be awarded on a competitive basis for projects that advance community-centered connection transportation projects, with a priority for projects that benefit disadvantaged communities, by improving access to daily needs such as jobs, education, health care, food, nature and recreation; fostering equitable development and restoration; and reconnecting communities by removing, retrofitting, or mitigating highways or other transportation facilities that create barriers to community connectivity, including to mobility, access, or economic development.

DATES: Applications must be submitted by **11:59 PM EDT on Thursday, September 28, 2023. Late applications will not be accepted.**

ADDRESSES: Applications must be submitted via Valid Eval, an online proposal submission system used by USDOT, at https://usg.valideval.com/teams/rcn_planning/signup for Community Planning Grants and Regional Partnerships Challenge Grants with planning activities, and at https://usg.valideval.com/teams/rcn_capitalconstruction/signup for Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities. Customer support for Valid Eval can be reached at support@valideval.com. Only applicants who comply with all submission requirements described in this notice and submit applications through Valid Eval on or before the application deadline will be eligible for award.

FOR FURTHER INFORMATION:

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

Email: ReconnectingCommunities@dot.gov

Contacts:

- RCN Program: Andrew Emanuele at andrew.emanuele@dot.gov and Tameka Macon-Ryan at tameka.maconryan@dot.gov

TABLE OF CONTENTS: Each section of this notice contains information and instructions relevant to the application process for the RCN Program. All prospective applicants should read this notice in its entirety to understand how to submit eligible and competitive applications.

A	PROGRAM DESCRIPTION
B	FEDERAL AWARD INFORMATION
C	ELIGIBILITY INFORMATION
D	APPLICATION AND SUBMISSION INFORMATION
E	APPLICATION REVIEW INFORMATION
F	FEDERAL AWARD ADMINISTRATION INFORMATION
G	FEDERAL AWARDED AGENCY CONTACTS
H	OTHER INFORMATION

A. Program Description

1. Overview

The purposes of the RCN Program are 1) to advance community-centered transportation connection projects, with a priority for projects that benefit disadvantaged communities (See Section H.1. Definitions), that improve access to daily needs such as jobs, education, healthcare, food, nature, and recreation, and foster equitable development and restoration, and 2) to provide technical assistance to further these goals.

The RCP Program provides technical assistance and grant funding for planning and capital construction to address infrastructure barriers, restore community connectivity, and improve people’s lives.

The NAE Program provides technical assistance and grant funding to improve walkability, safety, and affordable transportation access through context-sensitive strategies for improving community connectivity; mitigating or remediating negative impacts on the human or natural environment; and assisting economically disadvantaged or underserved communities with planning and capacity building activities.

The RCN Program welcomes applications from eligible applicants from diverse local, Tribal, and regional communities regardless of size, location, and experience administering Federal funding awards.

To help streamline the process for applicants, the Department has combined the RCP and NAE Program applications into the RCN Program. The FY 2023 RCN Program awards will be made for each grant program as appropriate and consistent with each grant program’s statutory requirements. Applicants are encouraged to submit applications that meet the statutory requirements for both programs to maximize their potential for receiving Federal support. If you submit an application that only meets statutory requirements for one program, you will only be considered for that program. As long as they meet the statutory requirements, applicants for the RCN Program will be considered across both programs unless they opt out from consideration for one of the programs.

The total amount of funding available in this NOFO for FY 2023 is \$3.353 billion.¹² If additional funds are made available prior to RCN award selections, those funds may be allocated to eligible projects. The FY 2023 funding will be implemented in alignment with the priorities in Executive Order 14052, *Implementation of the Infrastructure Investment and Jobs Act* (86 FR 64355),³ and Executive Order 14802 *Implementation of the Energy and Infrastructure Provisions of the Inflation Reduction Act (IRA) of 2022*.⁴ The Department reserves the right to expend additional NAE funds across grant types based on application volume.

2. RCN Program Grant Types and Deliverables

The RCN Program provides funding for three types of grants.: Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants. If eligible, awarded applications may receive funding from one or both funding programs, RCP and NAE.

- Community Planning Grants will award RCP and/or NAE funding for planning activities for future construction projects and allow for innovative community planning to address localized transportation challenges.
- Capital Construction Grants will award RCP and/or NAE funding to carry out a project to remove, retrofit, mitigate, or replace an existing eligible dividing transportation facility with a new facility that reconnects communities; mitigates a burdening transportation facility that is a source of air pollution, noise, stormwater, heat, or other burdens; or implements a strategy to reduce environmental harm and/or improve access through transportation improvements.
- Regional Partnerships Challenge Grants will award NAE funding to a project led by two or more eligible applicants to address a persistent regional challenge related to equitable access and mobility. Eligible activities for Regional Partnerships Challenge Grants are the same as those listed under Capital Construction and Community Planning Grants but

¹ Sections 11101(d)(3) and 11509 of Division A of the Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021, “Bipartisan Infrastructure Law,” or “BIL”) authorized a total of \$500 million of contract authority from the Highway Trust Fund to be awarded by the DOT for the FY 2022-2026 RCP Program. Title VIII, Division J appropriated an additional \$500 million from the General Fund to be awarded by the DOT for the FY 2022-2026 RCP Program. Of the total amount of the FY 2023 RCP funding available in this notice, \$98 million is authorized contract authority from the Highway Trust Fund (HTF) and \$100 million is appropriations from the General Fund (GF). Due to the imposition of the obligation limitation on the HTF, approximately \$86 million is available for award. Due to the Federal Highway Administration’s 1.5% administrative take-down from GF funds, \$98.5 million is available for award. Section 60501 of the Inflation Reduction Act (Pub. L. 117-169, August 16, 2022, “Inflation Reduction Act” or IRA) authorized a total of \$3.155 billion to be awarded by the FHWA for the FY 2023-2024 NAE Program.

² DOT reserves the right to distribute NAE funds in FY23 and FY24.

³ The priorities of Executive Order 14052, *Implementation of the Infrastructure Investments and Jobs Act* are: to invest efficiently and equitably, promote the competitiveness of the U.S. economy, improve job opportunities by focusing on high labor standards and equal employment opportunity, strengthen infrastructure resilience to hazards including climate change, and to effectively coordinate with State, local, Tribal, and territorial government partners.

⁴ The priorities of Executive Order 14802, *Implementation of the Energy and Infrastructure Provisions of the Inflation Reduction Act* are: to invest efficiently and efficiently, achieve the climate goals of the United States to reduce greenhouse gas emissions, advance environmental and climate justice, promote construction of clean energy generation, storage, and transmission, promote the competitiveness of the U.S. economy, improve job opportunities by focusing on high labor standards, reduce energy costs while increasing energy security, accelerate innovation in clean energy and climate technologies, and to effectively coordinate with State, local, Tribal, and territorial government partners, as well as private-sector stakeholders and nongovernmental organizations.

must have a regional focus, and clearly demonstrate regional coordination and leveraging of local, State, and Federal resources and policies. See Section C for further eligibility information.

3. RCN Program Grant Priorities and Policy Priorities

The RCN Program aligns with the Biden-Harris Administration policies and priorities, including the DOT Strategic Plan goals of Safety, Economic Strength, Equity, Climate and Sustainability, Transformation, and Organizational Excellence.⁵

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

Thus, the program will be implemented consistent with the policy goals highlighted in DOT Equity Action Plan⁶; Executive Order 14091, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*; Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*; Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*; *Interim Implementation Guidance for the Justice40 Initiative* (July 2021) and *Addendum* (January 2023); Executive Order 14096, *Revitalizing Our Nation's Commitment to Environmental Justice for All, the America the Beautiful initiative, the Interagency Memorandum of Understanding on Promoting Equitable Access to Nature in Nature-Deprived Communities* signed by DOT⁷; and these additional equity-related objectives:

- **Housing Supply:** DOT intends to further the goals of the White House Housing Supply Action Plan⁸ by evaluating community policies that encourage an increase in housing supply via zoning reform to reduce regional displacement pressures.
- **Rural and Tribal Communities:** Consistent with DOT's Rural Opportunities to Use Transportation for Economic Success (ROUTES) initiative, DOT seeks to award funding to rural and tribal communities that face unique challenges related to mobility and economic development, including isolation, transportation cost burden, and traffic safety.

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

⁵ <https://www.transportation.gov/mission/us-dot-strategic-plan-fy-2022-2026>

⁶ <https://www.transportation.gov/priorities/equity/actionplan>

⁷ <https://www.whitehouse.gov/ceq/news-updates/2022/09/23/fact-sheet-biden-%e2%81%a0harris-administration-advances-commitment-to-create-more-equitable-access-to-parks-and-nature-in-communities/>

⁸ <https://www.whitehouse.gov/briefing-room/statements-releases/2022/05/16/president-biden-announces-new-actions-to-ease-the-burden-of-housing-costs/>

- **Safety:** The Department is committed to advancing safe, efficient transportation, including through the RCN Program. The National Roadway Safety Strategy (NRSS), issued January 27, 2022, commits the Department to respond to the current crisis in roadway fatalities by “taking substantial, comprehensive action to significantly reduce serious and fatal injuries on the Nation’s roadways,” particularly for vulnerable road users, in pursuit of the goal of achieving zero roadway deaths through a Safe System Approach.⁹ The outcomes that are anticipated from the projects funded by the RCN Program should align with the NRSS.
- **Climate and Sustainability:** The Department seeks to fund projects under the RCN Program that reduce greenhouse gas emissions in the transportation sector, include climate-friendly forms of transportation, incorporate evidence-based climate resilience measures and features, reduce the lifecycle greenhouse gas emissions from the project materials, improve environmental conditions or at least avoid adverse environmental impacts to air or water quality, wetlands, and endangered species, and address the disproportionate negative environmental impacts of transportation on disadvantaged communities, consistent with Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (86 FR 7619).¹⁰
- **Equity and Justice40:** The Department seeks to award projects under the RCN Program that will create proportional impacts to all populations in a project area, remove transportation related disparities to all populations in a project area, and increase equitable access to project benefits, consistent with Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009). The Department also seeks to award projects that address equity and environmental justice, particularly for communities that have experienced decades of underinvestment and are most impacted by climate change, pollution, and environmental hazards, consistent with Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (86 FR 7619).¹¹
- **Workforce Development, Job Quality, and Wealth Creation:** The Department intends to use the RCN Program to support the creation of good-paying jobs with the free and fair choice to join a union and the incorporation of strong labor standards and training and placement programs, especially registered apprenticeships, in project planning stages, consistent with Executive Order 14025, *Worker Organizing and Empowerment* (86 FR 22829), and Executive Order 14052, *Implementation of the Infrastructure Investment and Jobs Act* (86 FR 64335). The Department also intends to use the RCN Program to support wealth creation, consistent with the Department’s Equity Action Plan through the inclusion of Local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned Businesses, or 8(a) firms.

⁹ <https://www.transportation.gov/NRSS>

¹⁰ See U.S. Department of Transportation Strategic Framework FY 2022–2026 (Dec. 2021) at <https://www.transportation.gov/administrations/office-policy/fy2022-2026-strategic-framework>

¹¹ Established by Executive Order 14008, the Justice40 Initiative set the goal that 40 percent of the overall benefits from certain federal investments in climate, and clean energy and other areas, flow to disadvantaged communities and improve communities’ quality of life, environment, and health. Both RCP and NAE programs advance the Justice40 Initiative.

- **Transformation:** The program will advance innovative solutions to reconnecting communities through technical assistance, applicants’ research and study of communities divided by infrastructure, and program evaluation that will assess the outcomes of the pilot.
- **Thriving Communities:** DOT will also consider whether the applicant is participating in a federal technical assistance program as part of the Thriving Communities Network, which includes DOT’s Thriving Communities Program and Regional Infrastructure Accelerator Program, the Department of Housing and Urban Development’s Thriving Communities Technical Assistance, DOE-Energy Communities, USDA’s Rural Partner Network, and the Government Service Administration’s Land Port of Entry communities.

[Federal Interagency Thriving Communities Network | US Department of Transportation](#)

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

4. Technical Assistance

DOT will provide technical assistance for grantees and potential grantees under the RCN Program, including through the forthcoming Reconnecting Communities Institute (RCI)¹² launching later in 2023.

5. Changes from the FY 2022 RCP NOFO

The RCP Program’s inaugural year occurred in FY 2022 after its creation in the Bipartisan Infrastructure Law (BIL), while NAE is a new program created by the Inflation Reduction Act (IRA). Applicants planning to reapply using materials prepared for the FY 2022 RCP Program should ensure that their FY 2023 application fully addresses the criteria and considerations described in this notice and that all relevant information is up to date.

Applications are submitted through Valid Eval instead of Grants.gov. The application structure for the key information table questions and other application submission details has been standardized through Valid Eval.

The FY 2023 RCN Program includes an updated definition of an economically disadvantaged community, with applicants encouraged to use Climate & Economic Justice Screening Tool (CEJST),¹³ a tool created by the White House Council on Environmental Quality, that helps Federal agencies identify disadvantaged communities as part of the Justice40 initiative to accomplish the goal that 40% of overall benefits from certain federal investment flow to disadvantaged communities. Applicants should use CEJST as the primary tool to identify disadvantaged communities (Justice40 communities). Applicants are strongly encouraged to use

¹² The mission of the RCI will be to serve as DOT’s center for learning to restore and reconnect communities that have been harmed, isolated, and cut off from opportunity by transportation infrastructure. Enrollment into the RCI will be open to States, local and tribal governments, metropolitan planning organizations, and nonprofit organizations. For more information about the RCI, please visit <https://www.transportation.gov/grants/reconnecting-communities/reconnecting-communities-institute-rci>

¹³ <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>

the USDOT Equitable Transportation Community (ETC) Explorer to understand how their community or project area is experiencing disadvantage related to lack of transportation investments or opportunities. Through understanding how a community or project area is experiencing transportation-related disadvantage, applicants are able to address how the benefits of a project will reverse or mitigate the burdens of disadvantage and demonstrate how the project will address challenges and accrued benefits. See Section H.1. Definitions for more information.

The FY 2023 RCN Program uses the term Community Planning Grants instead of Planning Grants, as in the FY 2022 RCP Program.

The FY 2023 RCN Program will be evaluated under common project outcome criteria (formally labeled in FY 2022 as “merit criteria”) that apply to both the RCP Program and NAE Program within the RCN Program, as described in Section E. The common project outcome criteria retain similar concepts from the FY 2022 RCP merit criteria but are separated into more specific criteria and include additional considerations from the NAE Program. See Section E for more information.

6. Additional Information

This common application process will result in grants being awarded under two funding programs. The RCP Program is authorized at Section 11509 of the BIL. The NAE Program is authorized at 23 U.S.C. § 177. They are described respectively in the Federal Assistance Listings under the Assistance Listings #20.940, Reconnecting Communities Pilot (RCP) Discretionary Grant Program, and #20.205, Highway Planning and Construction.

The Department is committed to holistically considering project funding decisions among the various discretionary grant programs in BIL and IRA. The Department also recognizes that applicants may seek funding from multiple discretionary grant programs and opportunities. An applicant may seek the same award amounts from multiple Department discretionary opportunities or a combination of funding from multiple Department opportunities. The applicant should identify and describe any other Department programs and opportunities they intend to apply for (or utilize if the Federal funding is already available to the applicant) and what award amounts they will be seeking in the appropriate sections.

B. Federal Award Information

1. Total Funding Available

In FY 2023, BIL allocates up to \$198 million for the RCP Program. It allocates \$50 million for Community Planning Grants, including funding for technical assistance, and \$148 million for Capital Construction Grants. The IRA allocates \$3.155 billion for the NAE Program, of which the Department expects to award up to \$135 million to Community Planning Grants, up to \$2.57 billion to Capital Construction Grants, and up to \$450 million to Regional Partnerships Challenge Grants, but the final allocation will depend upon applications received. Of the NAE Program funds, at least 40%, or up to \$1.262 billion, will be distributed to economically disadvantaged communities (See Section H.1. Definitions). DOT reserves the right to award NAE funding in future fiscal years.

In total, for the RCN Program, the Department expects to award up to \$188 million to Community Planning Grants, \$2.718 billion to Capital Construction Grants, and \$450 million to Regional Partnerships Challenge Grants. RCP and NAE each have their own specific funding restrictions, including award size, matching requirements, and types of projects. See Section C – Eligibility Information. If additional funds are made available prior to RCN award selections, those funds may be allocated to eligible projects.

DOT understands that the amount allocated for Capital Construction Grants in FY 2023 may not cover the recipient’s full request. If a Capital Construction Grant recipient does not receive the full funds requested, the funded project will receive a ‘RCN Program Extra’ designation. If a project designated ‘RCN Program Extra’ applies for funding under the FY 2024 – FY 2026 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) or Multimodal Projects Discretionary Grant (MPDG) programs and is determined eligible, DOT will deem the RCN Program project application ‘Highly Recommended’ subject to evaluation with the relevant program’s merit criteria. The Department will still consider the project’s alignment with the relevant program’s requirements and any project risks before making any award to that project. Projects with this designation that apply for DOT financing programs, such as the Transportation Infrastructure Finance and Innovation Act (TIFIA) program and Railroad Rehabilitation and Improvement Financing (RRIF) program, will be considered for assistance to the extent permissible under law.

2. Availability of Funds

RCP Program grant funds are available until expended. NAE funds are available to be obligated until September 30, 2026. However, to ensure that projects are started and completed efficiently, DOT encourages all projects awarded with FY 2023 RCN Program funds to be obligated by the same date of September 30, 2026. DOT retains the right to prioritize projects for selection that are most likely to achieve this timeline and choose from which source to award funds to recipients, as applicable.

Obligation occurs when a selected applicant and DOT enter into a written grant agreement after the applicant has satisfied applicable administrative requirements. Unless authorized by DOT in writing after DOT’s announcement of the FY 2023 RCN Program, any costs incurred prior to DOT’s obligation of funds for a project (“pre-award costs”) are ineligible for reimbursement per 23 CFR 1.9.¹⁴ In order to meet this timeline, DOT will prioritize project readiness and the likelihood that obligation can occur by this deadline when making project selections.

In general, RCN Program funds are administered on a reimbursement basis. Grant recipients will generally be required to pay project costs upfront using their own funds, and then request reimbursement for those costs through billings. If a recipient cannot complete a project on a

¹⁴ Pre-award costs are only costs incurred directly pursuant to the negotiation and anticipation of the RCP Program and/or NAE award where such costs are necessary for efficient and timely performance of the scope of work, as determined by DOT. Costs incurred under an advance construction (23 U.S.C. 115) authorization before the DOT announces that a project is selected for a FY 2023 RCP Program and/or NAE Program award cannot be charged to FY 2023 RCP and/or NAE funds. Likewise, costs incurred under an FTA Letter of No Prejudice under Chapter 53 of title 49 U.S.C. before the DOT announces that a project is selected for a FY 2023 RCP Program and/or NAE Program award, cannot be charged to FY 2023 RCP Program and/or NAE Program funds.

reimbursement basis, DOT will—on a case-by-case basis—consider recipient requests to use alternate payment methods as described in 2 CFR 200.305(b), including advance payments and working capital advances.

DOT will pay for or count toward mandatory cost sharing only costs incurred after a grant agreement has been executed. At its sole discretion and in limited circumstances, DOT may establish “pre-award” authority for recipients. If approved by DOT, pre-award authority permits DOT, after a grant agreement is executed, to pay for or count toward mandatory cost sharing specific, identified costs that were incurred before that grant agreement was executed.

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

3. Award Size

i. Community Planning Grants

In FY 2023, DOT may award up to \$50 million of RCP funds and \$135 million of NAE funds for eligible public engagement, feasibility studies, and other planning activities described in Section C. Eligibility Information. BIL specifies that the maximum Community Planning Grant award funded with RCP funds is \$2 million. There is no maximum award amount for a Community Planning Grant award funded with NAE funds.

ii. Capital Construction Grants

In FY 2023, DOT may award up to \$148 million of RCP funds and \$2.57 billion of NAE funds for eligible construction activities described in Section C. Eligibility Information. BIL specifies that the minimum Capital Construction Grant award funded with RCP funds is \$5 million. There is no minimum award amount for a Capital Construction Grant award funded with NAE funds. If a project is partially funded, project components executed through the RCN Program must demonstrate independent utility.

iii. NAE Regional Partnerships Challenge Grants

In FY 2023, DOT may award up to \$450 million of NAE funds to support regional collaboration and innovation on the eligible activities under Community Planning or Capital Construction Grants. DOT anticipates awarding three to five Regional Partnerships Challenge Grants.

4. Type of Award

State DOT Applicant

If the successful applicant is a State Department of Transportation (State DOT), RCN funds will be awarded upon the execution of a project agreement which is a type of grant agreement for administration of funds to a State DOT in Fiscal Management System (FMIS).

Non-State DOT Applicant

If the successful applicant is a non-State DOT, RCN funds may be awarded under one of two options:

(1) RCN funds will be awarded upon the execution of a grant agreement with the FHWA. The non-State DOT is the recipient of the grant funds and will be responsible for ensuring the project is delivered in accordance with all applicable Federal requirements and terms and conditions of the grant award. Under this option, the non-State DOT recipient may enter into a contractual agreement with a State DOT for assistance with project activities (such as drafting solicitations for consultant services, drafting request for proposals for physical construction, construction management) that comply with the applicable procurement standards (see 2 CFR 200.318 through 200.327). In this relationship, the non-State DOT recipient would reimburse the State DOT for eligible project activities as outlined in their contractual agreement. The Federal agency has no direct relationship with a contractor under a federal award. Management of contracts is the responsibility of the recipient.

(2) At the request of the applicant selected to receive a RCN grant, and with the concurrence of the applicable State DOT, a determination may be made that the State DOT may be designated as the recipient of the grant funds.¹⁵ The designation will be made at the time of the grant award and funds will be obligated to the project upon the execution of a project agreement in FMIS. The State DOT would be reimbursed through FMIS for any direct costs as well as any indirect costs if the State has an FHWA approved indirect cost rate.

C. Eligibility Information

1. Eligible Applicants

RCP and NAE have different statutory rules for determining applicant eligibility. Applicants should review this section to determine their grant type eligibility.

Eligible Applicants		
RCP – Community Planning Grants	RCP – Capital Construction Grants	NAE – Community Planning, Capital Construction, and Regional Partnerships Challenge Grants¹⁶
<ol style="list-style-type: none"> 1. a State; 2. a unit of local government; 3. a Tribal government; 	<ol style="list-style-type: none"> 1. owner(s) of the eligible facility proposed in the project for which adequate planning 	<ol style="list-style-type: none"> 1. a State or territory of the United States; 2. a unit of local government;

¹⁵ The non-State DOT recipient and the State DOT designated subrecipient may enter into a separate agreement, to which the FHWA is not a party, assigning responsibilities, administrative and oversight responsibilities, and to satisfy the requirements under 2 CFR 200.332.

¹⁶ NAE Regional Partnerships Challenge Grants must be a partnership between two or more of the eligible applicants listed in this column.

<p>4. a Metropolitan Planning Organization; or 5. a non-profit organization.</p>	<p>activities such as public involvement, user data evaluation, and conceptual design have been completed; or 2. a partnership between a facility owner (#1 above) and any eligible RCP Community Planning Grant applicant.</p>	<p>3. a political subdivision of a State; 4. a Tribal government; 5. a special purpose district or public authority with a transportation function; 6. a Metropolitan Planning Organization; or 7. a nonprofit organization or institution of higher education that has entered into a partnership with an eligible entity (#1-6 above) and is applying for a grant for planning and capacity building activities in disadvantaged or underserved communities.¹⁷</p> <p>For NAE, all eligible applicants are listed above in #1-7; however, DOT encourages for Community Planning Grants and Regional Partnerships Challenge Grants with planning activities, and requires for Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities, that all lead applicants be the owner of the facility proposed in the project or, if the lead applicant is another eligible entity, to demonstrate a partnership with the Facility Owner.</p>
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¹⁷ Regional councils and councils of governments that are organized as non-profit organizations, units of local government, or metropolitan planning organizations, are eligible applicants. DOT encourages regional council or council of government applicants to include in their application documentation showing how they are established under relevant State law.

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

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

2. Cost Sharing and Matching

i. Match Requirements

Matching funds may include non-Federal sources such as:

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

Grant recipients may also use in-kind contributions toward local match requirements so long as those contributions meet the federal legal requirements. In-kind contributions may include compensation for community members’ time, materials, pro bono work provided to the project by third parties, and donations from private sponsors.¹⁸

ii. Federal Share

Eligible Applicants		
RCP – Community Planning Grants	RCP –Capital Construction Grants	NAE – Community Planning, Capital Construction, and Regional Partnerships Challenge Grants
80% RCP funds 20% local match	50% RCP funds 50% local match	80% NAE funds 20% local match

¹⁸ Any in-kind contributions used to fulfill the cost-share requirement for Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants must: be in accordance the cost principles in 2 CFR Part 200, Subpart E; including 2 CFR § 200.306(b) Cost Sharing or Matching; include documented evidence of completion within the period of performance; and support the execution of the eligible activities in Section C.3. See 23 CFR § 710.505 for requirements related to the donation of real property.

	Other Federal funds may be used to bring the total Federal share up to a maximum of 80% of the total cost of the project	Projects in a disadvantaged or underserved community do not require a local match (see Section H.1. Definitions)
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a) RCP – Community Planning Grants Federal Share

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

b) RCP – Capital Construction Grants Federal Share

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

c) NAE Community Planning, Capital Construction, and Regional Partnerships Challenge Grants Federal Share

NAE grants under the three grant types may not exceed 80 percent of the total cost of the project for which the grant is awarded, except in a disadvantaged or underserved community as noted below. All other recipients are required to contribute a local matching share of no less than 20 percent of eligible activity costs. As noted above, the local matching share may consist partially or entirely of in-kind contributions as well as contributions from the private sector and/or philanthropic organizations.

NAE projects in a disadvantaged or underserved community do not require a non-Federal cost share. See Section H.1. Definitions for “economically disadvantaged community.”

3. Eligible Facilities, Activities, and Costs¹⁹

Each of the funding opportunities has slightly different statutory rules for eligible facilities and different eligible activities and costs. Applicants should review this section to determine which of the two programs they may be eligible for.

¹⁹ Eligible activity costs must comply with the cost principles set forth in with 2 CFR Subpart E (i.e., 2 CFR § 200.403 and § 200.405). DOT reserves the right to make cost eligibility determinations on a case-by-case basis.

i. Eligible Facilities

a) RCP Eligible Facilities – Community Planning and Capital Construction Grants

The proposed project must address an “eligible facility,” which is defined as a highway or other transportation facility that creates a barrier to community connectivity, including barriers to mobility, access, or economic development, due to high speeds, grade separations, or other design factors. Eligible facilities may include limited access highways, viaducts, any other principal arterial facilities, and other facilities such as transit lines, rail lines, gas pipelines, and airports. See Section H.1. Definitions for “highway” and Section D.2.ii. Key Information Questions for a suggested list of other facilities.

b) NAE Eligible Facilities – Community Planning, Capital Construction, and Regional Partnerships Challenge Grants

The proposed project may address one of two “eligible facilities”:

(1) A dividing facility: a surface transportation facility that creates an obstacle to community connectivity by high speeds, grade separation, or other design factors;

(2) A burdening facility: a surface transportation facility that is a source of air pollution, noise, stormwater, heat, or other burden to a disadvantaged or underserved community.

*** **Please note:** NAE activities are not limited to addressing the facilities listed under Section 3.i.(b). See below for additional information about NAE eligible activities.***

ii. Eligible Activities and Costs

Community Planning Grants	
Both RCP and NAE	NAE Only
Public engagement activities, including community visioning or other place-based strategies for public input into project plans.	Planning and capacity building activities in disadvantaged or underserved communities to: <ul style="list-style-type: none"> Identify, monitor, or assess local and ambient air quality, emissions of transportation greenhouse gases, hot spot areas of extreme heat or elevated air pollution, gaps in tree canopy coverage, or flood prone transportation infrastructure
Planning studies to assess the feasibility of removing, retrofitting, or mitigating an existing eligible dividing facility to reconnect communities, including assessments of: <ul style="list-style-type: none"> Current traffic patterns on the facility and the surrounding street network. Capacity of existing transportation networks to maintain mobility needs. 	Planning studies to assess the feasibility of removing, retrofitting, or mitigating an existing eligible burdening or dividing facility, and predevelopment activities for eligible NAE Capital Construction projects.

<ul style="list-style-type: none"> • Alternative roadway designs or other uses for the right-of-way including green infrastructure or other nature-based solutions. • The project’s anticipated impact on mobility of freight and people. • The project’s anticipated impact on safety. • The estimated cost to restore community connectivity and to convert the facility to a different design or use, compared to any expected maintenance or reconstruction costs. • The project’s anticipated economic impact and development opportunities. • The project’s anticipated environmental, public health, and community impacts. 	
<p>Other planning activities in advance of the project, such as:</p> <ul style="list-style-type: none"> • Conceptual and preliminary engineering, or design and planning studies that support the environmental review for a construction project. • Developing local anti-displacement policies and community benefit agreements. • Associated needs such as locally-driven land use and zoning reform, transit-oriented development, housing supply, in particular location-efficient affordable housing, managing gentrification and neighborhood change, proposed project impact mitigation, green and open space, local history and culture, access and mobility barriers, jobs and workforce, or other necessary planning activities as put forth by the applicant that do not result in construction. 	<p>Assess transportation equity or pollution impacts.</p>
	<p>Administer or obtain technical assistance related to other eligible planning activities listed above.</p>

Capital Construction Grants	
Both RCP and NAE	NAE
<p>Preliminary and detailed design activities and associated environmental studies; predevelopment / preconstruction; construction; permitting activities including the completion of the National Environmental Policy Act (NEPA) process for:</p> <ul style="list-style-type: none"> • The removal, retrofit, or mitigation of an eligible dividing facility; • The replacement of an eligible dividing facility with a new facility that restores community connectivity; or • Delivering community benefits and environmental improvements or mitigation of impacts identified through the NEPA process or other planning and project development for the construction project. 	<p>Preliminary and detailed design activities and associated environmental studies; predevelopment / preconstruction; construction; permitting activities including the completion of the NEPA process for:</p> <ul style="list-style-type: none"> • The reuse of a burdening or dividing facility to improve walkability, safety, and affordable transportation access through projects that are context sensitive. • Projects to mitigate or remediate negative impacts on the human or natural environment resulting from a burdening or dividing facility through: <ul style="list-style-type: none"> ○ Noise barriers ○ Technologies, infrastructure, and activities to reduce surface transportation-related greenhouse gas emissions and other air pollution ○ Natural infrastructure, pervious, permeable, or porous pavement, or protective features to reduce or manage stormwater run-off resulting from a burdening facility described in subsection; ○ Infrastructure and natural features to reduce or mitigate urban heat island hot spots in the transportation right-of-way or on surface transportation facilities; or ○ Safety improvements for vulnerable road users • Building or improving complete streets, multiuse trails, regional greenways, or active transportation networks and spines. • Providing affordable access to essential destinations, such as through transit, to public spaces, or transportation links and hubs.

Eligible projects for RCP Capital Construction Grants include those for which adequate planning activities such as public involvement, user data evaluation, and conceptual design have been completed. Projects must be consistent with the Long-Range Statewide Transportation Plan, included in the Metropolitan Long-Range Plan (if applicable), and in the Metropolitan Transportation Improvement Program (TIP) and/or Statewide Transportation Improvement Program (STIP), Tribal Transportation Improvement Program (TTIP) or equivalent, as applicable, prior to the obligation of the award. Transit projects must be included in the investment prioritization of the relevant Transit Asset Management (TAM) Plan by the time of the obligation of the award. For NAE Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities, DOT encourages satisfying the requirements described in this paragraph to ensure that projects can be completed efficiently and by the obligation deadline.

Regional Partnerships Challenge Grant – NAE Only
<p>Eligible activities may include those listed under Community Planning and Capital Construction Grants through partnerships of at least two entities from local governments/tribal governments, Metropolitan Planning Organizations, State DOTs, and non-profit, private, and community partners to tackle persistent, regional equitable access and mobility challenges. Projects must address a regional challenge, such as (provided for example, not an exhaustive list) land use, zoning, and transportation challenges (such as jobs, housing, and transit access), extension of a transit line, traffic signal coordination, multi-jurisdictional trail construction, ADA compliance across a regional transit network, fare free bus pilot on a bus line spanning multiple cities, addressing transit deserts, data collection and sharing, study and/or elimination of transit deserts, transit-oriented development, Rural Main Street Revitalization, etc.</p>

NAE funding shall not be used for a project for additional through travel lanes for single-occupant passenger vehicles.²⁰

iii. Prohibited Use

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

4. Data Collection Requirements

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

DOT will work with grant recipients to determine the most appropriate indicators and metrics to assess project benefits before the grant agreement is established. Areas of measurement will relate to 1) mobility, 2) access, 3) safety, 4) human and environmental impacts, 5) congestion, 6) economic development, 7) quality of life, and 8) community engagement. Indicators may

²⁰ 23 USC 177(h)(2)

document changes from an established baseline such as: new or improved physical pathways and crossings; new transportation options and services; population changes in the project area; employment opportunities for residents; partnerships formed; reduction of fatalities and serious injuries in the project area; location-efficient affordable housing units preserved and created; changes in land value, land use, and/or zoning; benefits from environmental improvements (e.g. health effects, recreation opportunities, biodiversity benefits); and monetary commitments for reinvestment in the project area.

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

5. Application Limit

DOT encourages joint applications from place-based partnerships headed by a lead applicant. A lead applicant may submit no more than three applications for Community Planning Grants, two applications for Capital Construction Grants, and one application for NAE Regional Partnerships Challenge Grants. Unrelated project components should not be bundled in a single application for the purpose of adhering to the limit. If a lead applicant submits more applications, only the last received, up to the respective limit for each grant type, will be reviewed.

D. Application and Submission Information

1. Address to Request Application Package

Applicants must submit their applications via Valid Eval at https://usg.valideval.com/teams/rcn_planning/signup for Community Planning Grants and Regional Partnerships Challenge Grants with planning activities, and at https://usg.valideval.com/teams/rcn_captialconstruction/signup for Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities.

2. Content and Form of Application Submission

Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants have distinct application submission and supporting document requirements. DOT strongly recommends use of the template provided below. All applicants must submit the following: Standard Forms, Key Information Questions, Narrative, and Budget. This information must be submitted via Valid Eval at https://usg.valideval.com/teams/rcn_planning/signup for Community Planning Grants and Regional Partnerships Challenge Grants with planning activities, and at https://usg.valideval.com/teams/rcn_captialconstruction/signup for Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities. More detailed information about each application material is provided below. The necessary file formats for each application component will be displayed on the Valid Eval intake site.

Sharing of Application Information – The Department may share application information within the Department or with other Federal agencies if the Department determines that sharing is relevant to the respective program’s objectives.

For more information on the application submission, including FAQs and a tool to check eligibility, please visit <https://www.transportation.gov/grants/rcnprogram>.

i. Standard Forms

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

- All applicants must submit the Application for Federal Assistance (SF-424)
- **For Community Planning Grants and Regional Partnerships Challenge Grants with planning activities:**
 - Budget Information for Non-Construction Programs (SF-424A)
 - Assurances for Non-Construction Programs (SF-424B)
- **For Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities:**
 - Budget Information for Construction Programs (SF-424C)
 - Assurances for Construction Programs (SF-424D)

ii. Key Information Questions

Below is a preview of the questions asked on DOT’s automated proposal website, Valid Eval, at https://usg.valideval.com/teams/rcn_planning/signup for Community Planning Grants and Regional Partnerships Challenge Grants with planning activities and at https://usg.valideval.com/teams/rcn_capitalconstruction/signup for Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities. After registering in the system, the applicant will be prompted to answer these questions on the website.

Key Information Table – All Grant Types

Title	Instructions
Lead Applicant Name	This should be consistent with Q. 8.a. of the SF-424.
Organization Type	Select from State or U.S. territory, Unit of local government, Political Subdivision of a State, Tribal government, Metropolitan Planning Organization, Special purpose district or public authority, Nonprofit organization, or Higher education institution.
Lead Applicant State	Select from Tribe, listed states, D.C., Puerto Rico, American Samoa, Guam, Northern Mariana Islands, and Virgin Islands.
Lead Applicant Unique Entity Identifier (UEI)	See Section D.3. below for more information about obtaining a UEI from SAM.gov.
Points of Contact	Provide information for primary and, if possible, secondary points of contact.
Program Question	Select Reconnecting Communities Pilot Program, Neighborhood Access and Equity Program, or both. <i>Note: A project will be evaluated for eligibility for both programs unless the applicant wishes to opt out of being evaluated for RCP or NAE, indicated by not selecting the respective program box.</i>
Grant Type	Select Community Planning Grant, Regional Partnerships Challenge Grant with planning activities, Capital Construction

	Grant, or Regional Partnerships Challenge Grant with construction activities.
Project Title	Enter a concise, descriptive title for the project. This should be the same title used in the SF-424 form and the application narrative. The title should be less than 15 words.
Project Description	Describe the project in 2-3 sentences.
Match Question	Select whether you are seeking a 50-50, 80-20, or 100% match. See Section C.2. for Cost Sharing and Matching information.
Is the lead applicant the Facility Owner?	Select Yes or No. <i>Note: For RCP Capital Construction Grants, although other Planning grant-eligible entities may serve as the lead applicant, the Facility Owner is the only eligible direct recipient and may ultimately choose to administer the award through a sub-recipient. For NAE funding, DOT encourages, for Community Planning Grants and Regional Partnerships Challenge Grants with planning activities, and requires, for Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities, that all lead applicants be the owner of the facility proposed in the project or, if the lead applicant is another eligible entity, to demonstrate a partnership with the Facility Owner. See FAQs for more information.</i>
Name of the Facility Owner(s) of the eligible facility creating the barrier or the burden, if not the Lead Applicant	See Section C.3.i. for Eligible Facilities information.
If the lead applicant is not the Facility Owner, does the application include a Facility Owner endorsement?	Select Yes or No. <i>Note: In its endorsement, for Capital Construction Grants or Regional Partnerships Challenge Grants with construction activities, the Facility Owner should explicitly acknowledge an understanding of the proposed project and the intent to carry out a construction action on the facility that it owns. For RCP grants, the Facility Owner should also acknowledge an understanding that if DOT makes the award, the Facility Owner agrees to act as the recipient and administer the award. The Facility Owner may ultimately choose to administer the award through a sub-recipient. See FAQs for more information.</i>
If a joint application, please provide organizational names of sub-recipients that will receive funds and other key partners	If necessary, provide organizational names of sub-recipients and key partners.
What is/are the Eligible Facility Type(s) that create(s) a barrier or a burden, that your	Select all that apply from Interstate highway, State highway, Arterial roadway, Other street or road, Bridge or viaduct, Transit, Rail, Airport, Port, Gas pipeline, or Other eligible

application intends to address?	transportation facility. See Section C.3.i. for Eligible Facilities information.
Is the project located in an economically disadvantaged community?	Select Yes or No. See Section H. for definition of economically disadvantaged community, and FAQs for more information.
Is the project located in a rural area?	Select Yes or No. See Section H. for definition of rural, and FAQs for more information.
Is the facility aged and likely to need replacement or significant reconstruction within 20 years?	Select Yes or No. See FAQs for more information.
What type of transportation facility is the focus of the proposed solution?	Select all that apply from Pedestrian – Bicycle, Complete Streets; Transit; Road; Eligible Facility Removal; Bridge or Tunnel; Cap, Deck, or Lid; Rail; or Other infrastructure.
Is the project included in a Climate Action Plan?	Select Yes or No.
Total RCN Program grant request amount	<i>Note: For Community Planning Grants, the maximum RCP grant award is \$2 million. For Capital Construction Grants, the minimum RCP grant award is \$5 million. There are no amount restrictions for NAE grant awards, including Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants.</i>
Total Project Cost	See Section C.2. for Cost Sharing and Matching information.

Key Information Table – Additional Question for Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities

Title	Instructions
Is the proposed project already included in the STIP, TIP, or equivalent? For transit projects, is the project in the Transit Asset Management Plan?	Select Yes or No. If yes, please provide a link or include it as a supplemental document. If no, please provide additional details in the Project Readiness portion of the application describing how the project will be in such plan/program by the time of obligation of the award. <i>Note: For RCP, Capital Construction Grant projects must be included in the STIP, TIP, or equivalent or, for transit projects, in the TAM Plan by the time of the obligation of the award. For NAE Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities, DOT encourages the same.</i>

iii. Narrative

The primary purpose of the Narrative is for the applicant to state their case for meeting the merit criteria laid out in Section E. For Community Planning Grants, the narrative should not exceed 10 pages; for Capital Construction Grants, the narrative should not exceed 20 pages; for Regional Partnerships Challenge Grants, the narrative should not exceed 20 pages. The Narrative

should be in PDF format, with font size of no less than 12-point Times New Roman, single-spaced, minimum 1-inch margins on all sides, and page numbers. Supplemental Project Readiness and Benefit-Cost Analysis information will not count against this page limit.

Suggested Narrative Structure:

Community Planning, Capital Construction, & Regional Partnerships Challenge Grants	Overview	D.2.iii.a
Community Planning, Capital Construction, & Regional Partnerships Challenge Grants	Location & Map	D.2.iii.b
Community Planning, Capital Construction, & Regional Partnerships Challenge Grants	Response to Merit Criteria	D.2.iii.c
Capital Construction and Regional Partnerships Challenge Grants (if construction activities)	Project Readiness: Environmental Risk	D.2.iii.d
Capital Construction (if submitting, required only for RCP)	Benefit-Cost Analysis	D.2.iii.e

a) Overview

This section should provide an introduction to the scope of the project, describe the barrier(s), harms, or burdens posed by the eligible facility(ies) or transportation infrastructure, facilities, describe the history and character of the community most impacted by the facility(ies) or transportation infrastructure, describe how the proposed project will address any burdens/harm consistent with the characteristics of the community, and any other high-level background information that would be useful to understand the rest of the application.

b) Location & Map

This section should describe the location of the eligible facility or project, as well as include a description of the surrounding community impacted by the facility or project. This section should include a detailed geographic description and map of the facility/project location and identify elements of the existing transportation network.

c) Response to Merit Criteria

This section should describe how the project addresses each of the merit criteria: Equity and Environmental Justice; Access; Facility Suitability; Community Engagement, and Community-based Stewardship, Management, and Partnerships; Equitable Development; Climate and Environment; and Workforce Development and Economic Opportunity. See Section E.1.i for detailed criteria descriptions.

The narrative should justify how the following priorities are addressed by the project, as reflected in the merit criteria.

- **Climate Change and Sustainability:** Applicants must address how the project will consider climate change and environmental justice in the planning stage and in project delivery. In particular, applicants must address how the project reduces greenhouse gas emissions in the transportation sector, incorporates evidence-based climate resilience measures and features, and reduces the lifecycle greenhouse gas emissions from the project materials. Applicants also must address the extent to which the project avoids adverse environmental impacts to air or water quality, wetlands, and endangered species, as well as address disproportionate negative impacts of climate change and pollution on disadvantaged communities, including natural disasters, with a focus on prevention, response, and recovery.
- **Equity and Justice⁴⁰:** Applicants must address how their project will include an equity assessment which evaluates whether a project will create proportional impacts and remove transportation related disparities to all populations in a project area. Applicants should demonstrate how meaningful public engagement will occur throughout a project's life cycle. Applicants should address how project benefits will increase affordable transportation options, improve safety, connect Americans to good-paying jobs, fight climate change, and/or improve access to resources and quality of life. Projects should demonstrate, to the extent possible, that outcomes should target at least 40 percent of benefits towards disadvantaged communities, including low-income communities, communities underserved by affordable transportation, or overburdened communities. Applicants should refer to Section H.1. Definitions for more information on disadvantaged communities.

d) Project Readiness

There is no narrative requirement for Project Readiness for Community Planning Grants or Regional Partnerships Challenge Grants with planning activities. See Section E.1.ii for details on how applications for Community Planning Grant and Regional Partnerships Challenge Grants with planning activities are reviewed for Project Readiness.

There are narrative requirements for the Environmental Risk element of Project Readiness for Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities. This section should include sufficient information for DOT to assess the project's likelihood of being included in the STIP or equivalent by the time of award obligation, and in the TAM Plan for transit projects, and can be reasonably expected to begin construction in a timely manner. As DOT will perform an Environmental Risk review, the applicant should provide a project schedule and address required approvals and permits, NEPA class of action and status, public involvement, right-of-way acquisition plans, risks, and risk mitigation strategies. See Section E.1.ii for full details on how Capital Construction Grant applications and Regional Partnerships Challenge Grants with construction activities are reviewed for Project Readiness. For additional guidance and resources, visit <https://www.transportation.gov/grants/rcnprogram>.

e) Benefit-Cost Analysis for RCP Capital Construction Grants

Community Planning Grant applicants and NAE Program applicants do not need to submit the results of a BCA, although NAE Program applicants may choose to submit a BCA.

To be eligible for RCP funds, applicants must submit the results of a BCA for Capital Construction Grants. The BCA should be briefly summarized in the Project Narrative. Applicants should provide the technical basis of the BCA sufficient to allow DOT to reproduce the analysis. Supplemental materials do not count against the overall application length. Many benefits of RCN Program projects may be difficult to quantify or less frequently quantified (e.g., ecosystem services, quality of life) but should be analyzed and explained as well as possible, whether such benefits are quantified or unquantified. Any claimed benefits should be clearly tied to the expected outcomes of the project and address benefits for users of the facility as well as benefits to the surrounding communities. For additional guidance and resources, visit <https://www.transportation.gov/grants/rcnprogram>.

iv. Budget

In addition to the SF-424, applicants should describe the budget for the RCN Program project.

Grant Funds, Sources and Uses of Project Funds – Project budgets should show how different funding sources will share in each activity and present those data in dollars and percentages. The budget should identify other Federal funds the applicant is applying for or has been awarded, if any, that the applicant intends to use. Funding sources should be grouped into three categories: non-Federal, RCN Program funds, and other Federal, with specific amounts from each funding source.

At a minimum, the project budget should include:

- Costs for the FY 2023 RCN Program project. If the project contains distinct components or phases, the costs of each project component or phase should be separated and described. For a Capital Construction Grant and Regional Partnerships Challenge Grant with construction activities, include information about the degree of design completion on which the cost estimates are based.
- The source, amount, and usage for all funds for eligible project costs. Funding sources should be listed in one of three categories: RCN Program, other Federal funds (which together with the RCN Program funds cannot exceed 80 percent of total costs), and the 20 percent non-Federal match such as local, State, Tribal, territorial, philanthropic, private, and/or “in-kind” funds, unless the project is located in a disadvantaged or underserved community and is applying only for NAE funds, in which case no local match is required.
- For Federal funds to be used for eligible project costs, the amount, nature, and source of any required non-Federal match for those funds. If applicable, the budget should identify Federal funds that a Federal agency has previously authorized.
- For non-Federal funds to be used for eligible project costs, documentation of funding commitments.
- If the applicant is not a State DOT and contributions from a State DOT are included either as Federal funds or as non-Federal match, a formally signed supporting letter from the State DOT should be provided that indicates the amount and source of the funds.

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

For each source of funds, the budget should discuss any restrictions on timing or use. For example, if a particular source of funds is available only after a condition is satisfied, the application should identify that condition and describe the applicant's control over whether it is satisfied. Similarly, if a particular source of funds is available for expenditure only during a fixed time period, the application should describe that restriction.

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

v. Project Location File

Applicants should submit one of the following file types with project location identification. This will be used to verify the disadvantaged community status, as well as urban/rural designation. The location designations could affect eligibility under the RCN Program. Therefore, accuracy is important. Acceptable file types are Shapefile, GEOJSON, KL/KMZ or CSV. If an applicant needs to prepare one of these files, these are suggested instructions:

1. Open a publicly available online mapping tool such as Google Earth or GEOJSON.
2. Identify your project location. Use the tools to draw a line or make a point to represent the project area. The project area should only include the direct physical location of the infrastructure project; it should NOT include a broad service area or area of project impact.
3. Export, save, and attach to your application one of the acceptable formats (Shapefile, GEOJSON, KML/KMZ, CSV)

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

Each applicant is required to:

- (i) Register in SAM.gov before submitting an application;
- (ii) Provide a valid unique entity identifier in its application; and
- (iii) Maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal agency.

DOT may not make a Federal award to an applicant until the applicant has complied with all unique entity identifier and SAM requirements. If an applicant has not fully complied with the requirements by the time DOT is ready to make an award, DOT may determine that the applicant is not qualified to receive an award.

4. Submission Dates and Times

Applications must be submitted by 11:59 PM EDT on Thursday, September 28, 2023.

5. Funding Restrictions

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

6. Other Submission Requirements

The complete application must be submitted via Valid Eval at https://usg.valideval.com/teams/rcn_planning/signup for Community Planning Grants and Regional Partnerships Challenge Grants with planning activities, and at https://usg.valideval.com/teams/rcn_capitalconstruction/signup for Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities. Customer support for Valid Eval can be reached at support@valideval.com.

E. Application Review Information

1. Criteria

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

i. Merit Criteria

The Department is neither weighting these criteria nor requiring a project to score highly in each criterion, but project sponsors are encouraged to propose projects that score highly in as many areas as possible.

#1: Equity and Environmental Justice

DOT will rate proposals on how they address one or more of the following:

- Analysis of harmful historic or current policies (e.g., displacement, segregation, exclusionary zoning²¹), existing socioeconomic disparities, environmental disparities (e.g. burdens and risks, lack of access to greenspace), the needs of the surrounding community—including special consideration for those most affected by the eligible facility—and how proposed solutions equitably distribute benefits and mitigate impacts supported by geospatial tools like [EPA's EJSCREEN](#), [the DOT's Equitable Transportation Community Explorer](#), [the Climate and Economic Justice Screening Tool](#), and [FHWA's Screening Tool for Equity Analysis of Projects](#).

²¹ See *How We Grow Economic Opportunity for All* in USDOT's Beyond Traffic report for more information, https://www.transportation.gov/sites/dot.gov/files/docs/BeyondTraffic_tagged_508_final.pdf.

In addition to the above, Capital Construction Grant applications and Regional Partnerships Challenge Grant applications with construction activities should also address mitigation plans for negative impacts of the proposed capital project by describing:

- Any construction-related displacement in the community and providing a robust mitigation plan that exceeds the basic requirements of the Uniform Relocation Act.²²
- The anticipated negative construction impacts, such as noise, air quality impacts, public transportation service disruptions, disturbances to sacred or historic sites, or flood risks, and a robust mitigation plan.

#2: Access

DOT will rate proposals on how they address one or more of the following:

- New or improved, context-sensitive, affordable transportation options to increase safe mobility and connectivity for all, including for people with disabilities, to daily destinations like affordable housing, jobs, healthcare, grocery stores, schools, places of worship, recreation, greenspaces, and parks.
- Safe accommodation for all users and seamless integration with the surrounding character, context, and land use, with consideration of public health, nature, and the economy.
- Encourage thriving communities for individuals to work, live, and play by creating transportation choices for individuals to move freely with or without a car and have meaningful access to natural areas.

In addition to the above, Capital Construction Grant applications and Regional Partnerships Challenge Grant applications with construction activities should also address how:

- Existing feasibility studies provide a basis for better access to daily destinations.

#3: Facility Suitability²³

DOT will rate proposals on how they address one or more of the following:

- Facility currently presents significant barriers to access, mobility, and economic development and is poorly suited to the community. Proposes removal of barriers, including over-reliance on automobiles, to reconnect communities for people to live, work, play, and move freely and safely.
- The eligible facility currently creates an environmental burden on the community, including issues related to air quality, emissions of transportation greenhouse gases, hot spot areas of extreme heat or elevated air pollution, gaps in tree canopy coverage, lack of greenspace, or flood prone transportation infrastructure, supported by analysis, such as through available data or geospatial tools. Proposes solutions to address these burdens and enhance facility and community resilience.

²² 23 CFR 983.7

²³ NAE activities are not limited to addressing the facilities listed under Section 3.i.(b). See Section 3.ii. for additional information about NAE eligible activities.

- The project addresses current and projected vulnerabilities that, if left unimproved, will threaten future transportation network efficiency, mobility of goods or accessibility and mobility of people, public health, or economic growth.

In addition to the above, Capital Construction Grant applications and Regional Partnerships Challenge Grant applications with construction activities should also address:

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

In addition to the above, Regional Partnerships Challenge Grant applications should also address:

- The facility's regional significance and how a regional approach is best suited to address the burdens caused by the facility(ies).

#4: Community Engagement and Community-based Stewardship, Management, and Partnerships

DOT will rate proposals on how they address one or more of the following:

- Community Participation Plan that facilitates meaningful engagement in planning, design, construction, operations, and related land use decisions. The Plan engages hard-to-access community members and those most impacted by the existing facility through culturally appropriate and innovative practices that promote trust. Consistent with [DOT Order 1000.12C](#), the Plan establishes goals and measures for effectiveness.
- Community-centered approach to envision a solution that reconnects and/or mitigates burdens to meaningfully redress inequities and benefit economically disadvantaged communities and addresses community priorities to the extent possible.
- Formal partnerships, substantiated through signed commitment letters and budget. Partners may include entities with geographic ties to communities adjacent to the facility, such as community-based organizations, anchor institutions, community development financial institutions, philanthropic and civic organizations, private sector entities, and State and local government.
- A representative community advisory group, advisory board, or other place-based management organization to oversee community-developed priorities and initiatives, including the use of a community land trust, community benefits agreement, or other community development activities to redress transportation-related disparities.

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

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

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

In addition to the above, Regional Partnerships Challenge Grant applications should also address:

- How the partnership will engage the public effectively in various, diverse communities.

#5: Equitable Development

DOT will rate proposals on how they address one or more of the following:

- Community restoration, stabilization, and anti-displacement strategies, such as value capture, assistance for renters and legacy homeowner and small businesses, preservation, rehabilitation and expansion of location-efficient affordable housing, mixed-income, mixed use development, affordable commercial spaces, and other community wealth-building activities.
- Creative place-making that celebrates local history and culture through public art, greenspace, and recreational spaces for residents and visitors or enhances the unique characteristics of the community.
- Supports a Local/Regional/State Equitable Development Plan.

In addition to the above, Capital Construction Grant applications and Regional Partnerships Challenge Grant applications with construction activities should also address:

- How the proposed project will encourage public and private investments to support greater commercial and mixed-income residential development near public transportation, along rural main streets or in walkable neighborhoods.

For Capital Construction Grant applications only, applicants, at their own option, may provide the following information about land use policies that reduce regional displacement pressures in the municipality or county where the project is located:

- Of the land that permits residential use, what percentage allows duplexes or accessory dwelling units by right?
- Of the land that permits residential use, what percentage allows triplexes by right?
- Of the land that permits residential use, what percentage allows quadraplexes by right?

#6: Climate and Environment

DOT will rate proposals on how they address one or more of the following:

- Expected reduction in transportation-related pollution such as air pollution and greenhouse gas emissions; hot spot areas of extreme heat; lack greenspace; consideration of climate resilience, stormwater, and flood risk management²⁴; neighborhood naturalness or access to greenspace; noise reduction; or the extent to which the project

²⁴ The project application demonstrates that the project will be constructed or upgraded consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law.

addresses the disproportionate negative environmental impacts of transportation on disadvantaged communities.

- Approach to providing high-quality choices for lower-carbon travel like walking, cycling, rolling, and transit that reduce greenhouse gas emissions and promote active travel.
- A Local/Regional/State Climate Action Plan that results in lower greenhouse gas emissions has been prepared and the project directly supports that Climate Action Plan.

In addition to the above, Capital Construction Grant applications and Regional Partnerships Challenge Grant applications with construction activities should also address:

- Incorporation of specific design elements or technologies that address greenhouse gas emissions and air pollution; climate change impact; include natural infrastructure elements, pervious, permeable or porous pavement, or other measures to reduce stormwater runoff; or otherwise improve the resiliency of at-risk infrastructure to withstand extreme weather events and natural hazards.
- The project improves air and water quality, wetlands, and endangered species, or at a minimum, avoids adverse impacts on them.

#7: Workforce Development and Economic Opportunity

DOT will rate proposals on how they address the following:

- Local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned Businesses, or 8(a) firms.

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

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

ii. Project Readiness

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

	Technical Assessment	Financial Completeness	Environmental Risk
Community Planning Grants and Regional Partnerships Challenge Grants with planning activities	X	X	
Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities	X	X	X

- Technical Assessment is based on information contained throughout the application and does not require an additional submission. The Technical Assessment addresses the applicant’s capacity to successfully deliver the project in compliance with Federal requirements, previous experience with DOT discretionary grant awards, and the technical experience and resources dedicated to the project.
- Financial Completeness Assessment is based on information contained throughout the application and does not require an additional submission. The Financial Completeness Assessment reviews the availability of matching funds and whether the applicant presented a complete funding package, including signed commitment letters for matching funds. For projects that receive a rating of ‘complete’ and include funding estimates that are based on early stages of design (e.g., less than 30 percent design) or outdated cost estimates, without specified contingency, evaluators may add a comment to note the potential for uncertainty in the estimated project costs.
- Environmental Risk Assessment requires additional information from the Capital Construction Grant applicant. It analyzes the project’s environmental approvals and the likelihood of outstanding, necessary approvals affecting project obligation.

iii. Benefit-Cost Analysis (BCA)

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

2. Review and Selection Process

This section addresses the methodology for evaluation, including intake, how applications will be rated according to selection criteria and considerations, and how those criteria and

considerations will be used to create the list of Highly Rated Applications for Consideration by the Secretary. The RCN Program grant review and selection process consists of: eligibility review; Merit Criteria review; Project Readiness; Benefit-Cost Analysis (reviewed if submitted but required only for RCP Capital Construction Grants); and Senior Review. The Secretary makes final project selections.

i. Application Intake

For each application, an initial review will assess whether the applicant is eligible and submitted all the information requested for a complete application. Applications that may not be eligible may be referred to an Evaluation Management Oversight Team, which will make a final eligibility determination. The applicant will be informed in writing if they are not eligible. No late materials will be accepted.

ii. Merit Criteria Ratings

Teams comprising DOT and contractor staff will review all eligible applications received by the deadline for a Merit Review and assign ratings as described in Section E.1.i. Inter-agency Federal staff may support evaluation teams by advising on the evaluation for a sub-set of merit criteria to offer subject matter expertise. For each Merit Criterion, DOT will consider whether the application narrative is responsive to the selection criterion focus areas which will result in a rating of ‘High,’ ‘Medium,’ ‘Low,’ or ‘Non-Responsive.’

To receive a “high” criterion rating, the criterion must be addressed as a primary project purpose (not an ancillary or incidental consideration), must include clear, direct, and significant benefits and substantively and comprehensively respond to one or more of the subcriterion listed in the criterion descriptions. To receive a “medium” criterion rating, the criterion may not be a primary project purpose, or the project is moderately responsive to the criterion. A “low” criterion rating means the application is minimally responsive to the criterion and makes a weak case about advancing the program goals. Projects that are counter to the criterion, the application contains insufficient information to assess that criterion’s benefits, or for which the application does not address the criterion will receive a “non-responsive” criterion rating.

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

The combination of individual criterion ratings will inform one overall Merit Rating: Highly Recommended, Recommended, Acceptable, or Not Recommended, as shown below.

- Highly Recommended if four or more of the seven merit criteria ratings are “high” and none of the merit criteria ratings are “non-responsive.”
- Recommended if at least two of the merit criteria ratings are “high,” no more than three of the merit criteria ratings are “low,” and no more than one is “non-responsive, and it does not fit within the definition of Highly Recommended.
- Acceptable if there is a combination of “high,” “medium,” “low,” or “non-responsive” ratings that do not fit within the definitions of Highly Recommended, Recommended, or Not Recommended.
- Not Recommended if there are three or more “non-responsive” ratings.

iii. Senior Review Team (SRT) Phase

Applications that receive an overall rating of ‘Highly Recommended’ based on the methodology above proceed to the Second-Tier Analysis. The SRT may advance ‘Recommended’ applications that exhibit exceptional benefits for economically disadvantaged communities per Criterion #2 – Access and Criterion #5 – Equitable Development.

iv. Second-Tier Analysis

Second-Tier Analysis for Planning Grant applications and Regional Partnerships Challenge Grant applications with planning activities consists of a two-part project readiness assessment for Technical Assessment and Financial Completeness. Second-Tier Analysis for Capital Construction Grant applications and Regional Partnerships Challenge Grant applications with construction activities consists of a review of the Benefit-Cost Analysis (if submitted but required only for RCP Capital Construction Projects) and a three-part readiness assessment for Technical Assessment, Financial Completeness, and Environmental Risk. Assessments will be rated as follows:

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

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

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

Rating	High	Medium	Low
Technical Assessment	Certain: The team is confident in the applicant’s capacity to deliver the project in a manner that satisfies federal requirements	Somewhat Certain/Unknown: The team is moderately confident in the applicant’s capacity to deliver the project in a manner that satisfies federal requirements	Uncertain: The team is not confident in the applicant’s capacity to deliver this project in a manner that satisfies federal requirements
Financial Completeness	Complete: The Project’s federal and non-federal sources are fully committed—and there is demonstrated funding available to cover contingency/cost increases.	Partially Complete: Project funding is not fully committed but appears highly likely to be secured in time to meet the project’s construction schedule	Incomplete: The project lacks full funding, or one or more federal or non-federal match sources are still uncertain as to whether they will be secured in time to meet the project’s construction schedule
Environmental Risk Assessment (Capital Construction only)	Low Risk: The Project has completed NEPA or it is highly likely that they will be able to complete NEPA and other environmental reviews in the time necessary to meet their project schedule.	Moderate Risk: The project has not completed NEPA or secured necessary federal permits, and it is uncertain whether they will be able to complete NEPA or secure necessary federal permits in the time necessary to meet their project schedule.	High Risk: The project has not completed or begun NEPA and there are known environmental or litigation concerns associated with the project.

v. Highly Rated Applications for Secretary’s Consideration

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

by DOT Field Offices and inter-agency Federal partners on the alignment of specific applications with the criteria described in Section E.1.

For each grant type, the SRT will present the Secretary of Transportation with a list of Highly Rated Applications for the Secretary's Consideration. The SRT may refer select Capital Construction Grant applications, and Regional Partnerships Challenge Grant applications with construction activities, for consideration for Community Planning Grant awards where project sponsors would benefit from additional planning, feasibility, design, and engineering to improve project readiness. Capital Construction Grant and Regional Partnerships Challenge Grant applications eligible for this consideration will have a 'Highly Recommended' merit rating and will exhibit exceptional benefits for economically disadvantaged communities per Criterion #2 – Access and Criterion #5 – Equitable Development.

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

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

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

3. Additional Information

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

F. Federal Award Administration Information

1. Federal Award Notice

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

selected for award. For selected applications, DOT will initiate negotiation of a grant agreement with that contact.

2. Administrative and National Policy Requirements

i. Equity and Barriers to Opportunity

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

ii. Labor and Workforce

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

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

Equal employment opportunity is an important priority. DOT wants to ensure that sponsors have the support they need to meet requirements under EO 11246, *Equal Employment Opportunity* (30 FR 12319, and as amended). All Federally assisted contractors are required to make good faith efforts to meet the goal that women perform at least 6.9 percent of construction project hours and people of color perform at least the construction project hours target pertinent to the project's geography.²⁵ Under Section 503 of the Rehabilitation Act and its implementing regulations, affirmative action obligations for certain contractors include an aspirational employment goal of 7 percent workers with disabilities.

The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) is charged with enforcing Executive Order 11246, *Section 503 of the Rehabilitation Act of 1973*, and the *Vietnam Era Veterans' Readjustment Assistance Act of 1974*. The U.S. Department of

²⁵ Visit <https://www.dol.gov/sites/dolgov/files/ofccp/ParticipationGoals.pdf> for more information.

Labor’s Office of Federal Contract Compliance Programs (OFCCP) has a Mega Construction Project Program through which it engages with project sponsors as early as the design phase to help promote compliance with non-discrimination and affirmative action obligations. OFCCP will identify projects that receive an award under this notice and are required to participate in OFCCP’s Mega Construction Project Program from a wide range of federally assisted projects over which OFCCP has jurisdiction and that have a project cost above \$35 million. DOT will require project sponsors with costs above \$35 million that receive awards under this funding opportunity to partner with OFCCP, if selected by OFCCP, as a condition of their DOT award.²⁶ Under that partnership, OFCCP will ask these project sponsors to make clear to prime contractors in the pre-bid phase that project sponsor’s award terms will require their participation in the Mega Construction Project Program.

iii. Critical Infrastructure Security, Resilience, and Cybersecurity

It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against both physical and cyber threats consistent with *Presidential Policy Directive 21 – Critical Infrastructure Security and Resilience* and the *National Security Presidential Improving Cybersecurity for Critical Infrastructure Control Systems*. Each Capital Construction Grant applicant, or Regional Partnerships Challenge Grant applicant with construction activities, selected for Federal funding under this notice must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the project. Projects that have not appropriately considered and addressed physical and cyber security and resilience in their planning, design, and project oversight, as determined by DOT and the Department of Homeland Security, will be required to do so before receiving funds.

iv. Domestic Preference Requirements

As expressed in Executive Order 14005, *Ensuring the Future Is Made in All of America by All of America’s Workers* (86 FR 7475), the executive branch should maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Funds made available under this notice are subject to the domestic preference requirements at 23 USC 313, 23 CFR 635.410, Build America, Buy America Act (Pub. Law 117-58, Title IX). The Department expects all applicants to comply with those requirements.

v. Civil Rights and Title VI

As a condition of a grant award, grant recipients should demonstrate that the recipient has a plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR § 21), the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act, all other civil rights requirements, and accompanying regulations. This should include a current Title VI plan, completed Community Participation Plan, and a plan to address any legacy infrastructure or facilities that are not compliant with ADA standards. Additionally, DOT encourages RCN Program award recipients to adhere to the proposed Public Rights-of-Way Accessibility

²⁶ Additional information on how OFCCP makes their selections for participation in the Mega Construction Project Program is outlined under “Scheduling” on the Department of Labor website: <https://www.dol.gov/agencies/ofccp/faqs/construction-compliance>.

Guidelines and utilize universal design principles.²⁷ DOT's and the applicable Operating Administrations' Offices of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

vi. National Environmental Policy Act of 1969 (NEPA)

Projects must comply with NEPA under 42 U.S.C. §§ 4321 et seq., the Council on Environmental Quality's NEPA implementing regulations at 40 CFR §§ 1500-1508, and modal NEPA procedures (e.g., 23 CFR 771) where applicable. In accordance with 23 CFR 771.109, recipients may be called upon to prepare environmental review documents or provide technical studies to assist the Federal agencies in meeting their NEPA responsibilities.

vii. Other Administrative and Policy Requirements

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 CFR § 200, Subpart F, as adopted by DOT at 2 CFR § 1201. Additionally, as permitted under the requirements described above, applicable Federal laws, rules, and regulations of the relevant operating administration (e.g., the Federal Highway Administration, Federal Transit Administration, Federal Railroad Administration, etc.).²⁸ DOT anticipates grant recipients will have varying levels of experience administering Federal funding agreements and complying with Federal requirements, DOT will take a risk-based approach to RCN Program grant agreement administration to ensure compliance with all applicable laws and regulations.

In connection with any program or activity conducted with or benefiting from funds awarded under this notice, recipients of funds must comply with all applicable requirements of Federal law, including, without limitation, the Constitution of the United States; the conditions of performance, non-discrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of the Department of Transportation; and applicable Federal financial assistance and contracting principles promulgated by the Office of Management and Budget. In complying with these requirements, recipients, in particular, must ensure that no concession agreements are denied, or other contracting decisions, made on the basis of speech or other activities protected by the First Amendment. If DOT determines that a recipient has failed to comply with applicable Federal requirements, DOT may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

All projects funded with RCP funding, and all projects funded with NAE funding and administered by or through a State Department of Transportation, shall be expended in compliance with the U.S. Department of Transportation's Disadvantaged Business Enterprise Program.²⁹

²⁷ <https://www.access-board.gov/prowag/>

²⁸ Please visit <https://www.transportation.gov/grants/reconnecting-communities/rcp-general-terms-and-conditions-april-26-2023> for the General Terms and Conditions for RCP Program FY 2022 awards. The RCN Program FY 2023 Terms and Conditions will be similar to the RCP Program FY 2022 Terms and Conditions and will include relevant updates consistent with this notice.

²⁹ 23 USC 177(e)(2)

NAE funding shall not be used for a project for additional through travel lanes for single-occupant passenger vehicles.³⁰

3. Reporting

i. Progress Reporting on Grant Activities

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

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

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

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

If the total value of a selected applicant's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the applicant during that period of time must maintain the currency of information reported in SAM that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Pub. L. No.110-417, as amended (41 U.S.C. § 2313). As required by section 3010 of Pub. L. No. 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available. Additionally, if applicable funding recipients must be in compliance with the audit requirements in 2 CFR § 200, Subpart F.

iii. Program Evaluation

As a condition of grant award, RCN Program grant recipients may be required to participate in an evaluation undertaken by DOT, or another agency or partner. The evaluation may take different forms such as an implementation assessment across grant recipients, an impact and/or outcomes analysis of all or selected sites within or across grant recipients, or a benefit/cost analysis or assessment of return on investment. DOT may require applicants to collect data

³⁰ 23 USC 177(h)(2)

elements to aid the evaluation. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor; (2) provide access to program records, and any other relevant documents to calculate costs and benefits; (3) facilitates access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor or DOT staff.

Recipients and sub-recipients are also encouraged to consider and incorporate program evaluation activities, which necessarily includes data collection, from the outset of their program design and to meaningfully document and measure the effectiveness of their projects and strategies. Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115–435 (2019) urges Federal awarding agencies and Federal assistance recipients and sub-recipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency” (codified at 5 U.S.C. § 311). For grant recipients, evaluation expenses are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such expenses may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation (2 CFR §200).

G. Federal Awarding Agency Contacts

For further information concerning this notice please contact the RCN Program grant program staff via e-mail at ReconnectingCommunities@dot.gov email Andrew Emanuele at andrew.emanuele@dot.gov and Tameka Macon-Ryan at tameka.maconryan@dot.gov. In addition, DOT will post answers to questions and requests for clarifications on DOT’s website at <https://www.transportation.gov/grants/rcnprogram>. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact DOT directly, rather than through intermediaries or third parties, with questions. DOT staff may also conduct briefings on the RCN Program grant selection and award process upon request.

H. Other Information

1. Definitions

Term	Definition
Active Transportation Network Spine	The term “active transportation network” means facilities built for active transportation, including sidewalks, bikeways, and pedestrian and bicycle trails, that connect between destinations within a community or metropolitan region.
Community Advisory Board	For the purposes of this NOFO, a Community Advisory Board shall facilitate community engagement with respect to the project, including regarding community sentiment and buy-in, and track progress with respect to commitments of the grant recipient to inclusive employment, contracting, and economic development. A Community Advisory Board shall be composed of representatives of the community, community-serving non-profits, owners of businesses that serve the community, labor

	organizations that represent workers that serve the community, and State and local government.
Context-Sensitive	Context Sensitivity is a collaborative, interdisciplinary approach that involves all stakeholders to provide a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility.
Displacement	In accordance with the Uniform Relocation Act, DOT defines a displaced person as any [eligible] person who moves from the real property or moves his or her personal property from the real property ... as a direct result of written notice of intent to acquire, or the acquisition, rehabilitation, or demolition of real property in whole or in part for a Federally-funded project. See full definition in 49 CFR 24.2(a)(9).
Economically Disadvantaged Community	<p>The NAE Statute defines economically disadvantaged communities³¹ as a community that:</p> <ul style="list-style-type: none"> (A) is economically disadvantaged, underserved, or located in an area of persistent poverty; (B) has entered or will enter into a community benefits agreement with representatives of the community; (C) has an anti-displacement policy, a community land trust, or a community advisory board in effect; or (D) has demonstrated a plan for employing local residents in the area impacted by the activity or project proposed under this section. <p>For the purposes of this NOFO, applicants should use the Climate and Economic Justice Screening Tool (CEJST) to identify geographically defined disadvantaged or underserved communities. To identify communities that are “located in an area of persistent poverty” or one of the other potential community types listed above, or to further assess burdens or assess and demonstrate benefits of a project, applicants may use the CEJST and/or one or more of the following tools:</p> <ol style="list-style-type: none"> 1. EPA Environmental Justice Screening and Mapping tool (EJSCREEN) – socio-economic indicator for low income, block groups in the 80th percentile or above, compared to the State. 2. Areas of Persistent Poverty table for the County or Census tract level. 3. Census tract identified in the USDOT Equitable Transportation Community (ETC) Explorer 4. FHWA HEP GIS <p>A project located in both (1) areas that are Disadvantaged Communities and (2) areas that are not Disadvantaged Communities will be designated as Disadvantaged Communities if the majority the project’s costs will be</p>

³¹ 23 USC 177 (d)(2)

	<p>spent in the areas that qualify as Disadvantaged Communities. For RCN Community Planning grants and Regional Partnerships Challenge grants with planning activities, the location being planned, prepared, or designed will be used for the Disadvantaged Community designation. Projects that fall on the border of a Disadvantaged and Non-Disadvantaged Community will be considered Disadvantaged Communities.</p>
Eligible Facility	<p>RCP Eligible Facility: A highway or other transportation facility that creates a barrier to community connectivity, including barriers to mobility, access, or economic development, due to high speeds, grade separations, or other design factors.</p> <p>NAE Eligible Facilities:</p> <p>1) A dividing facility: a surface transportation facility that creates an obstacle to community connectivity by high speeds, grade separation, or other design factors;</p> <p>(2) A burdening facility: a surface transportation facility that is a source of air pollution, noise, stormwater, or other burden to a disadvantaged or underserved community.</p> <p>Note: Not all NAE eligible activities must address one of these facilities.</p>
Environmental Justice	<p>Environmental justice, as defined by EO 14096, is the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other Federal activities that affect human health and the environment so that people:</p> <p>(i) are fully protected from disproportionate and adverse human health and environmental effects (including risks) and hazards, including those related to climate change, the cumulative impacts of environmental and other burdens, and the legacy of racism or other structural or systemic barriers; and</p> <p>(ii) have equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices.</p>
Equitable Development	<p>Equitable development is a development approach for meeting the needs of all communities, including underserved communities through policies and programs that reduce disparities while fostering livable places that are healthy and vibrant for all.</p>
Equity	<p>The consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as persons of</p>

	color; religious minorities; LGBTQI+ persons; persons with disabilities; rural residents; and people living in poverty.
Gentrification	As defined by the U.S. Environmental Protection Agency, gentrification commonly refers to the process of neighborhood change that occurs as places of lower real estate value are transformed into places of higher real estate value. In recent years, gentrification has become an increasingly common occurrence because of the growing popularity of urban centers and existing communities. Gentrification is a nuanced process whose outcomes may be viewed as: positive based on improvements to physical and economic infrastructure; negative when cultural assets and cherished institutions are compromised; or both positive and negative when important services (retail, housing, transportation, greenspace, and the like) are provided, but are unaffordable by long-standing residents.
Highway	The term “highway” includes a road, street, and parkway and is inclusive of its associated right-of-way. A highway may incorporate a bridge, railroad-highway crossing, tunnel, drainage structures, including public roads on dams, signs, guardrails, and other protective structures; and a portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State transportation department. See 23 USC 101(a)(11).
Proposed Public Rights-of-Way Accessibility Guideline (PROWAG)	PROWAG means the Public Right-of-Way Accessibility Guideline as proposed by the United States Access Board. These proposed guidelines address pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.
Rural	For the purposes of this NOFO, rural jurisdictions are those outside of Urbanized Areas with populations below 50,000. See U.S. Census Bureau resources on Rural America and Maps of Urbanized Areas . A list of Urban Areas for the 2010 Census is available in the Federal Register . The U.S. Department of Agriculture’s Economic Research Service also provides data for rural analysis .
Underserved Communities	Refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of “equity.”
Unit of Local Government	The term “unit of local government” means any city, county, township, town, borough, parish, village, or non-general purpose local governments. For the purposes of this NOFO, a public transportation authority that is also a unit of local government would be eligible to apply.

Universal Design	Universal Design is the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability. By considering the diverse needs and abilities of all throughout the design process, universal design creates products, services and environments that meet peoples' needs.
Urban Heat Island	As defined by the National Integrated Heat Health Information System , the term “urban heat island” refers to the fact that cities tend to get much warmer than their surrounding rural landscapes, particularly during the summer. This temperature difference occurs when cities’ unshaded roads and buildings gain heat during the day and radiate that heat into the surrounding air. As a result, highly developed urban areas can experience mid-afternoon temperatures that are 15°F to 20°F warmer than surrounding, vegetated areas.

2. Publication and Use of Application Information

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

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

3. DOT Feedback on Applications

DOT will not review applications in advance, but DOT staff are available for technical questions and assistance. DOT will provide technical assistance for grantees and potential grantees under the RCN Program through the forthcoming Reconnecting Communities Institute launching later in 2023. DOT strives to provide as much information as possible to assist applicants with the application process. Unsuccessful applicants may request a debriefing up to 90 days after the selected funding recipients are publicly announced. Program staff will address questions to ReconnectingCommunities@dot.gov throughout the application period.

4. Rural Applicants

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

Appendix: Fiscal Year 2023 Reconnecting Communities and Neighborhoods (RCN) Program Guidelines for Evaluation of Applications

Introduction/Background

Sections 11101(d)(3) and 11509 of Division A of the Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021, “Bipartisan Infrastructure Law,” or “BIL”) authorized a total of \$500 million of contract authority from the Highway Trust Fund to be awarded by the DOT for the FY 2022-2026 Reconnecting Communities Pilot (RCP) Program. Title VIII, Division J appropriated an additional \$500 million from the General Fund to be awarded by the DOT for the FY 2022-2026 RCP Program. Of the total amount of the FY 2023 RCP funding available in this notice, \$98 million is authorized contract authority from the Highway Trust Fund (HTF) and \$100 million is appropriations from the General Fund (GF). Due to the imposition of the obligation limitation on the HTF, approximately \$86 million of the HTF amounts is available for award. Due to the Federal Highway Administration’s 1.5% administrative take-down from GF funds, \$98.5 million is available for award. Section 60501 of the Inflation Reduction Act (Pub. L. 117-169, August 16, 2022, “Inflation Reduction Act” or IRA) appropriated a total of \$3.155 billion to be awarded by the FHWA for the FY 2023-2024 Neighborhood Access and Equity (NAE) Program.

The purpose of the RCN Program is to advance community-centered connection projects, with a priority for disadvantaged communities, that improve access to daily needs such as jobs, education, healthcare, food, and recreation; foster equitable development and restoration; and reconnect communities by removing, retrofitting, or mitigating highways or other transportation facilities that create barriers to community connectivity, including to mobility, access, or economic development, or cause environmental burdens.

To be selected for an FY 2023 Award, applicants must supply sufficient information to address the selection criteria and project requirements outlined in the NOFO. **Applications must be submitted by 11:59 PM EDT on Thursday, September 28, 2023.** Late applications will not be accepted.

The Office of the Assistant Secretary for Transportation Policy (OST-P) and the Federal Highway Administration (FHWA) will organize the evaluation and selection process with the assistance of the Office of the General Counsel (OGC) and other applicable Operating Administrations (OAs). This document provides information and guidance for the evaluation teams, including the roles and responsibilities of each team, the overall evaluation process, and details of each review phase. Consistent with BIL div. A Sec. 11509 and IRA Sec. 60501, this document supplements the NOFO and should be used, reviewed, and understood by all team members prior to their participation in the evaluation process. These guidelines use terminology as defined in the NOFO.

Review Process Overview

The RCN Program provides technical assistance and funding for three types of grants: Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants. While some parts of the review process are identical for each type of grant, there are differences, which will be further described in the following sections.

The Department will review all applications received before the submission deadline. Late applications will not be considered. The RCN Program grant review and selection process consists of intake, merit analysis, first senior review of ‘Recommended’ projects, second-tier analysis for qualifying applications, second senior review, and selection and award. The Secretary makes the final selections.

Phase	Activities
Intake Phase	<ul style="list-style-type: none"> • Initial Eligibility Review • Sorting and Application Assignment
Merit Analysis Phase	<ul style="list-style-type: none"> • Merit Criteria Ratings • ‘Highly Recommended’ projects proceed to Second-Tier Analysis
Senior Review Phase (I)	<ul style="list-style-type: none"> • Advance ‘Recommended’ applications that provide exceptional benefit to economically disadvantaged communities to Second-Tier Analysis
Second-Tier Analysis	<ul style="list-style-type: none"> • Project Readiness for all grant application types • Benefit-Cost Analysis (reviewed if submitted but required only for RCP Capital Construction Grants)
Senior Review Phase (II)	<ul style="list-style-type: none"> • Assemble list of ‘Highly Rated’ Applications for the Secretary's Consideration
Selection and Award Phase	<ul style="list-style-type: none"> • Secretary selects projects • Finalization of proposed award amounts • Announcement of awards

All information will be included and documented in an online, web-based evaluation tool for the internal use of evaluation teams. The evaluation tool will include the specific fields that evaluators will be expected to complete that capture the data fields outlined below.

Participant Agreements

All individuals who participate in the application review process, including evaluators, SRT members, and support staff who view applications, will enter written agreements committing to comply with conflict-of-interest laws, not to disclose non-public information, and not to use non-public information for private gain. OST-P collects and maintains executed agreements. OGC will be available to advise participants who have questions about complying with these requirements. See Appendix I for the *Guidance and Certification on Conflicts of Interest and Nonpublic Information*.

Teams

The **Evaluation Management and Oversight Team (EMOT)**, which is comprised of OST-Policy, FHWA, and OST OGC staff will organize and support the process through all phases.

Evaluation Teams comprised of staff from OST-P, FHWA, FTA, FRA, and contracted support staff, as appropriate, will conduct merit criteria evaluation review actions and ratings assignments for Community Planning Grant, Capital Construction Grant, and Regional Partnerships Challenge Grant applications. **Inter-agency Federal staff will support evaluation teams by advising on the evaluation for a sub-set of merit criteria. These inter-agency advisors will offer subject matter expertise related to topics such as equitable development strategies.**

A **Quality Control Team**, comprised of OST, FHWA, and contracted support staff, as appropriate, will ensure the ratings are consistent internally and with the evaluation guidelines by reviewing evaluations conducted by different groups of reviewers. If the Quality Control Team finds inconsistencies, they will ask the responsible Team Lead to review and revise as appropriate. The Quality Control Team will document that they have completed their quality control review prior to the application being presented as part of the Senior Review Phase. The Quality Control Team's review will include all evaluations during the evaluation phase.

A **Technical Capacity Assessment Team**, managed by the EMOT and in coordination with OA field office staff, will conduct the assessment per the template in Appendix III of this document.

A **Financial Completeness Assessment Team**, managed by the EMOT and in coordination with the Build America Bureau, will conduct the assessment per the template in Appendix III of this document.

The **Economic Analysis Team**, led by a senior departmental economist and comprising economic experts from OST and the OAs, along with contracted support, will evaluate the BCAs submitted by applicants. See the template in Appendix III of this document.

An **Environmental Risk Review Team**, comprised of OST-P and OA staff, will evaluate the pre-requisite of project inclusion in the S/TIP or equivalent and TAM Plan for transit, the status of the project's environmental approvals and readiness to proceed if selected, as well as potential project risks and mitigation strategies all relating to the proposed project schedule. Multiple OAs may be assigned as deemed necessary (e.g., for a project with both port and rail components). See the template in Appendix III of this document.

The **Senior Review Team** consists of senior departmental officials who have been requested to serve by the Secretary, and at a minimum includes leadership from OST-Policy, FHWA, FRA, and FTA.

Intake Review Phase

The first phase of the evaluation process is the **Intake Review Phase**. The Intake Review Phase is different for Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants. During this phase, the EMOT, with support from OST-P, FHWA,

FTA, FRA, and contracted support staff, will perform the activities below. All completeness and eligibility determinations will be documented.

- **Sort Applications:** The Team will sort applications into groupings for assignment to evaluators, separating Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants. The Team will also note the State(s) in which the applicant is located and modal type of the Eligible Facility. Applications from Federally recognized Tribal governments are to be counted as “Tribe” instead of a State location.
- **Application Completeness Determinations:** For each application, an initial review will assess whether the applicant submitted all the information requested for an application.
 - For Community Planning Grants and Regional Partnerships Challenge Grants with planning activities, this includes Standards Forms (SF) SF-424, SF-424A, SF-424B, and the intake information, Narrative, and Budget.
 - For Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities, this includes Standard Forms SF-424, SF-424C, SF-424D, and the intake information, Narrative, and Budget.
 - This step will affirm whether information is present, not the accuracy or quality of the submission. Applicants who are determined to be ineligible will be notified in writing, and all determinations will be documented.
- **Affirm Applicant Eligibility and Project Eligibility:**
 - **For RCP Community Planning Grants,** eligible applicants are:
 - A State; a unit of local government; a Federally recognized Tribal government; a metropolitan planning organization (MPO); a Nonprofit organization; or a transit district, authority, or public benefit corporation may be eligible as a unit of local government if it was created under local law, including transit authorities operated by units of local government.
 - **For RCP Capital Construction Grants,** eligible applicants are:
 - The Facility Owner or a partnership between the Facility Owner and any eligible RCP Community Planning Grant applicant, where the Facility Owner serves as the lead applicant.
 - **For NAE Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants,** eligible applicants are:
 - A State; a unit of local government; a political subdivision of a State; a Federally recognized Tribal government; a territory of the United States; a special purpose district or public authority with a transportation function; a Metropolitan Planning Organization; or a nonprofit organization or institution of higher education that has entered into a partnership with an eligible entity (#1-7 above) and is applying for planning and capacity building activities in disadvantaged or underserved communities.

Merit Criteria Rating Phase

Evaluation Teams will assess all applications against the merit criteria per the guidelines included in the NOFO. The guidelines will ensure that each application is evaluated consistently,

and the evaluation is sufficiently documented. The Quality Control Team will ensure internal consistency and consistency with the evaluation guidelines. While there are some differences between the merit criteria for the Community Planning Grants, Capital Construction Grants and Regional Partnerships Challenge Grants, the ratings process for the merit phase are the same. The process and ratings are described below. All determinations will be documented for future reference and accountability purposes.

All eligible applications for Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants received by the deadline will be reviewed by Evaluation Teams. Each Team has one Team Lead. The Team Lead will be responsible for ensuring that each application is evaluated consistently and per the guidelines. The Team Lead will ultimately determine the application rating in consultation with the other Team member and with input from the inter-agency advisor(s), and their reviews. The Team Lead will be solely responsible for determining and justifying the evaluation.

The Team will enter their ratings and reviews into the evaluation tool. Instructions for completing the ratings and justification fields are included in the Appendix of these guidelines.

- **Review Merit Criteria:** The Team will assess and provide ratings for each of these criteria based on the considerations described in the NOFO: #1 Equity and Environmental Justice; #2 Access; #3 Facility Suitability; #4 Community Engagement, and Community-based Stewardship, Management, and Partnerships; # 5 Equitable Development; #6 Climate and Environment; and #7 Workforce Development and Economic Opportunity. Each merit criterion will be rated ‘High,’ ‘Medium,’ ‘Low,’ or ‘Non-Responsive.’ Based on the criteria ratings, an overall application merit rating of ‘Highly Recommended,’ ‘Recommended,’ ‘Acceptable,’ or ‘Not Recommended’ will be assigned. The rubric is provided in Appendix II.

Once every application has been assigned an overall merit rating, all Highly Recommended grant applications will proceed to the Second-Tier Analysis. Recommended grant applications may advance at the discretion of the Senior Review Team, as described in the next section.

Senior Review Team (SRT) Phase

Applications that receive an overall rating of ‘Highly Recommended’ based on the methodology above proceed to the Second-Tier Analysis. The SRT may advance to Second-Tier Analysis only ‘Recommended’ applications that exhibit exceptional benefits for economically disadvantaged communities per Criterion #2 – Access and Criterion #5 – Equitable Development, as determined by the SRT.

Second-Tier Analysis

Second-Tier Analysis for Community Planning Grant applications and Regional Partnerships Challenge Grant applications with planning activities consists of a two-part project readiness assessment for Technical Assessment and Financial Completeness. Second-Tier Analysis for Capital Construction Grant applications and Regional Partnerships Challenge Grant applications with construction activities consists of a review of the Benefit-Cost Analysis (if submitted) and a

three-part readiness assessment for Technical Assessment, Financial Completeness, and Environmental Risk. The process and criteria for each are described below.

Second-Tier Analysis – Community Planning Grants and Regional Partnerships Challenge Grants with planning activities

Teams will conduct a second-tier analysis consisting of project readiness demonstration through Technical Assessment and Financial Completeness. The Technical Assessment and Financial Completeness Assessment are based on information contained throughout the application and do not require any additional submissions.

- **Technical Assessment** will assess the applicant’s capacity to successfully deliver the project in compliance with applicable Federal requirements based on factors including the recipient’s experience working with Federal agencies, civil rights compliance, previous experience with DOT discretionary grant awards and the technical experience and resources dedicated to the project. Ratings will be one of the following: ‘Certain,’ ‘Somewhat Certain,’ ‘Uncertain,’ or ‘Unknown.’ Lack of previous project delivery according to Federal requirements is not sufficient justification for a rating of ‘Uncertain,’ but may result in a rating of ‘Unknown.’
- **Financial Completeness Assessment** reviews the budget information and assesses the extent to which expenses are necessary and reasonable to perform the activities required to execute the Community Planning Grant or Regional Partnerships Challenge Grant based on 2 CFR § 200.404. It also considers availability of matching funds and whether the applicant presented a well-documented budget with any necessary supporting materials to substantiate matching funds. This assessment will result in a rating of ‘Complete,’ ‘Partially Complete,’ or ‘Incomplete.’

Second-Tier Analysis – Capital Construction Grants and Regional Partnerships Challenge Grants with construction activities

Teams will conduct a second-tier analysis consisting of project readiness demonstration through Technical Assessment, Financial Completeness, and Environmental Risk. RCP Capital Construction grant applications are also evaluated on the results of a BCA. The Technical Assessment and Financial Completeness Assessment are based on information contained throughout the application and do not require an additional submission. The application should include additional information that explicitly addresses Environmental Risk. Supplemental documentation supporting Environmental Risk and the BCA do not count against overall length.

- **Technical Assessment** will assess the applicant’s capacity to successfully deliver the project in compliance with applicable Federal requirements based on factors including the recipient’s experience working with Federal agencies, civil rights compliance, previous experience with DOT discretionary grant awards and the technical experience and resources dedicated to the project. Ratings will be one of the following: ‘Certain,’ ‘Somewhat Certain,’ ‘Uncertain,’ or ‘Unknown.’ Lack of previous project delivery according to Federal requirements is not sufficient justification for a rating of ‘Uncertain,’ but may result in a rating of ‘Unknown.’
- The **Financial Completeness Assessment** reviews the budget information and assesses the extent to which expenses are necessary and reasonable to perform the activities required to

execute the Capital Construction Grant or Regional Partnerships Challenge Grant based on 2 CFR § 200.404. It considers availability of matching funds and whether the applicant presented a well-documented budget any necessary supporting materials to substantiate matching funds. The assessment will result in a rating of ‘Complete,’ ‘Partially Complete,’ or ‘Incomplete.’ For projects that receive a rating of ‘complete’ and include funding estimates that are based on early stages of design (e.g., less than 30 percent design) or outdated cost estimates, without specified contingency, evaluators may add a comment to note the potential for uncertainty in the estimated project costs. All applicants should describe a plan to address potential cost overruns.

- **Environmental Risk Assessment** analyzes the project’s environmental approvals and likelihood of the necessary approval affecting project obligation, and results in a rating of ‘High Risk,’ ‘Moderate Risk,’ or ‘Low Risk.’

Pre-requisite: RCP applicants must demonstrate inclusion in the Statewide Transportation Improvement or equivalent planning document or the TAM Plan for transit projects or include a narrative explanation of how this will be achieved prior to the obligation of an award.

The application should address project schedule, required approvals for construction, and project risks and mitigation strategies, for example:

- The applicant should demonstrate receipt of State and local approvals on which the project depends.
- A project schedule identifying NEPA timeline as well as applicable permits, right-of-way acquisition plans, if applicable, and detailed mitigation plan.
- Information about the NEPA status of the project. If the NEPA process is complete, an applicant should indicate the date of completion, and provide a website link or other reference to the final Categorical Exclusion, Finding of No Significant Impact, Record of Decision, and any other NEPA documents prepared. If the NEPA process is underway, but not complete, the application should identify the Lead Agency for the NEPA review, detail the type of NEPA review underway, where the project is in the process, and indicate the anticipated date of completion of all milestones and of the final NEPA determination. If the last agency action with respect to NEPA documents occurred more than three years before the application date, the applicant should describe why the project has been delayed and include a proposed approach for verifying and, if necessary, updating this material in accordance with applicable NEPA requirements.
- Information on reviews, approvals, and permits by other agencies. An application should indicate whether the proposed project requires reviews or approval actions by other agencies, indicate the status of such actions, and provide detailed information about the status of those reviews or approvals and should demonstrate compliance with any other applicable Federal, State or local requirements, and when such approvals are expected. Applicants should provide a website link or other reference to copies of any reviews, approvals, and permits prepared.

- Environmental studies or other documents, preferably through a website link, that describe in detail known project impacts, and possible mitigation for those impacts.
- A description of discussions with the appropriate DOT operating administration field or headquarters office regarding the project's compliance with NEPA and other applicable Federal environmental reviews and approvals.
- A description of public engagement about the project that has occurred, proactively inclusive of historically disadvantaged communities and communities likely to be affected by the project, including details on compliance with environmental justice requirements, access for persons with limited English proficiency and the degree to which public comments and commitments have been integrated into project development and design.
- **Benefit-Cost Analysis** for applications will be reviewed and assigned a rating of 'Positive' benefits exceed costs, 'Negative' costs exceed benefits, or 'Uncertain' if there is not enough information available to make a determination.
 - The purpose of the BCA is to enable DOT to evaluate the project's cost-effectiveness by comparing its expected benefits to its expected costs.
 - Applicants should provide all relevant files used for their BCA, including spreadsheets and technical memos describing the analysis so there is sufficient detail and transparency to allow DOT to reproduce the analysis.
 - The BCA should carefully document assumptions and methodology including a description of the baseline, the sources of data used to estimate project outcomes, and the values of key input parameters. The analysis should provide present value estimates of a project's benefits and costs relative to a no-build baseline. To calculate present values, applicants should apply a real discount rate of 7 percent per year to the project's streams of benefits and costs, which should be stated in constant-dollar terms. The costs and benefits that are compared in the BCA must cover the same project scope.

Senior Review Team Phase II

Following completion of second-tier analysis, the SRT determines which applications with second-tier analysis are designated as 'Highly Rated' based on the criteria described in the NOFO. The SRT makes a list of highly rated Applications for Consideration available to the Secretary. The Secretary selects projects.

In Senior Review Team Phase II, the SRT will:

- **Reassign Grant Application Type:** The SRT may recommend the reassignment of a highly-rated Capital Construction Grant application, or a highly-rated Regional Partnerships Challenge Grant with construction activities, for a Community Planning Grant award where DOT recommends project sponsors engage in additional planning, feasibility, design, and engineering to improve project readiness. Capital Construction Grant applications and Regional Partnerships Challenge Grant applications with construction activities are eligible for this consideration only if they have a 'Highly Recommended' merit rating, a 'Likely' or 'Unlikely' project readiness rating, and exhibit exceptional benefits for economically

disadvantaged communities per Criterion #2 – Access and Criterion #5 – Equitable Development, as determined by the SRT.

- **Confirm Eligibility for RCP Capital Construction Grants:** Following the completion of Second-Tier Analysis, the SRT will confirm with DOT Field Offices the following:
 - **Ownership of Facility:** An eligible applicant for RCP Capital Construction Grants must have ownership over an eligible facility.
- **Finalize the List of Highly Rated Applications for Consideration:** The SRT shall convert the list of Community Planning, Capital Construction, and Regional Partnerships Challenge Grants with the proposed thresholds into a list of Highly Rated Applications for Consideration. The SRT finalizes the list of Applications for the Secretary’s Consideration. The Secretary selects projects from this list.
 - To support the program goal of more equitable investment in economically disadvantaged communities, the SRT will seek to present a list of Highly Rated Applications sufficient to award of the majority of Community Planning Grant benefits, in the form of total overall Community Planning Grant funds, to Community Planning Grant applications that serve economically disadvantaged communities.

Secretary Selection Phase

For each grant type, the SRT will present Highly Rated Applications for Consideration to the Secretary, either collectively or through a representative. The Secretary shall receive the Highly Rated Applications from the SRT. The SRT may advise the Secretary on any application on the list, including options to reassign an application type or for reduced awards. The Secretary makes final selections based on the description below.

Grant Selection for Community Planning, Capital Construction, and Regional Partnerships Challenge Grants

The Secretary will make selections based on the list of Highly Rated Applications for Consideration. The Secretary will select Community Planning, Capital Construction, and Regional Partnerships Challenge Grant applications from the list. The Secretary may consider benefits to economically disadvantaged communities, urban / rural / Tribal balance, geographic, and organizational diversity when making selections. The Secretary’s selections identify the applications that best address program requirements and are most deserving of funding.

Roles and Responsibilities

S3 and FHWA General Functions

The Office of the Under Secretary of Transportation for Policy (S3) and FHWA provide staff to the EMOT and are responsible for managing and coordinating the entire application review process. The management and coordination of the review process includes structuring and documenting SRT meetings, coordinating meetings between the Secretary and the Senior Review Team, issuing evaluation guidelines, managing the electronic evaluation system, and drafting the required Congressional notification.

S3 and FHWA coordinate the documentation for key program decisions. Key decisions include decisions to: 1) change the scope of a project under consideration; 2) communicate with an applicant for additional information; 3) advance an application to Second-Tier Analysis; 4) determine an application is Highly Rated; 5) award less than an amount requested; and 6) recommend the reassignment of a Capital Construction Grant application for a Community Planning Grant award, and 7) not select a Highly Rated project. The selection of applications to receive an award will also be documented.

Key decisions also include all decisions resulting in the disposition of an application, including:

- A final determination that an applicant or project is ineligible for funding;
- The basis upon which an application is not added to the list of Highly Rated Applications for Consideration;
- The basis upon which an application is added to the list of Highly Rated Applications for Consideration;
- The basis upon which a Capital Construction Grant application is referred for a Community Planning Grant award; and,
- The basis upon which each application on the list of Highly Rated Applications for Consideration is or is not selected for an award.

Office of the General Counsel

The Office of the General Counsel (OGC) provides legal advice to all teams and participants involved in the evaluation process at all phases in the evaluation process. OGC supports the EMOT team by reviewing documentation of the evaluation process that the EMOT provides for legal sufficiency review.

Appendix I: Conflicts of Interest Letter

GUIDANCE AND CERTIFICATION ON CONFLICTS OF INTEREST AND NONPUBLIC INFORMATION

For Participants in the Evaluation and Selection Process for the Reconnecting Communities and Neighborhoods (RCN) Program Notice of Funding Opportunity (NOFO)

Conflicts of Interest

Because individual participants in the evaluation and selection process are most familiar with their own situations, it is their responsibility to:

- 1) Ensure that they have completed an annual financial disclosure report (OGE Form 278e or OGE Form 450) if requested by their operating administration;
- 2) If they identify any potential conflict of interest, whether real or apparent, that may affect an evaluation, immediately disclose that potential conflict to an Office of the General Counsel (OGC) attorney (Michael Smith or another OGC ethics attorney) and, if the participant is a technical evaluator, their team lead; and
- 3) Certify below that they will not participate, and have not participated, in the review of any application where their participation constitutes a real or apparent conflict of interest.

There are several potential sources of conflicts of interest: outside employment, spousal employment, financial benefit, personal relationships, professional relationships, and other interests. If applicable, any one of these bases may disqualify an employee from participating in the review of an application. A conflict of interest may be real or apparent, personal or financial. Below are examples of conflicts in each of these categories, but these examples are not exhaustive.

Personal Conflicts of Interest arise, e.g., when an evaluator, close relative, spouse, or business associate of an evaluator has:

- an interest in a grant application that is likely to bias his or her evaluation of it.
- involvement as a staff member, consultant, or advisor on any application.
- a close personal or familial relationship with the author or staff on any application.
- a professional or financial relationship within the past year with the author or staff on any application.
- been an employee within the past year of the organization, department, or government submitting the application.
- been seeking employment, is interviewing with, or has an open employment offer from the applicant or another party interested in the application.
- had a recent collaborative relationship with the author or staff of any application.
- within the past year, received a gift from the author or staff of an organization submitting an application.

Financial Conflicts of Interest arise, e.g., when an evaluator, close relative, spouse, or business associate of an evaluator has:

- received or could receive a direct financial benefit deriving from a grant application.
- a financial interest in the applicant entity. This includes income or ownership from stocks, bonds, or other financial holdings, and outside employment or board of director positions.
- any other interest in the application or proposal that is likely to bias the evaluator's evaluation of that application or proposal.
- any other interest in an application or proposal that is known to the evaluator and would cause a reasonable person to question the evaluator's impartiality if the evaluator were to participate in the review.

Please remember that in the performance of your duties, you must act impartially and not give preferential treatment to any organization or individual. If you participate in matters in which you have a financial interest, or for which financial interests are imputed to you, then you may violate criminal law.

Nonpublic Information

Grant applications may contain information that has not been made available to the general public. Likewise, the Department's analyses of applications, including technical evaluations, evaluation meeting materials, senior officials' internal comments on pending applications, and selection decisions, are nonpublic information. As a participant in the evaluation and selection process, you may create, observe, or gain access to that nonpublic information and other nonpublic evaluation process information. You are not authorized to disseminate that information. You are prohibited from using that information for private gain. These prohibitions include information that may eventually be disclosed to the public in response to a Freedom of Information Act (FOIA) request and information that may be disclosed by senior officials or public affairs officials. Until information is actually disseminated to the general public by authorized officials, it is nonpublic information. Dissemination of nonpublic information or use of nonpublic information for private gain may violate 5 CFR 2635.703 and other Government Ethics regulations and may result in disciplinary action.

CERTIFICATION

I have reviewed the above information regarding conflicts of interest, and in the course of my participation in the RCN Program evaluation and selection process, if I discover either a real or apparent personal or financial conflict of interest related to any application, I will immediately disclose such conflict to an OGC attorney to the RCN Program and appropriate supervisors of my role in the process, and I will cease to review any application or evaluation material for which I have disclosed such a conflict until further notice from my team lead.

I will not disclose nonpublic information that I create or obtain through my participation in the RCN Program evaluation and selection process. I will not use for private gain any nonpublic information that I create or obtain through my participation in the RCN Program evaluation and selection process. If information has not been disseminated to the general public, or if I am uncertain whether information has been disseminated to the general public, then I will treat that information as nonpublic, will not disseminate that information, and will not use that information for private gain.³²

NAME: _____

SIGNATURE: _____

DATE: _____

³² These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.’

Appendix II: Grant Scoring Methodology

This appendix provides the evaluation rubrics that evaluation teams will use to assess the Community Planning Grants, Capital Construction Grants, and Regional Partnerships Challenge Grants.

Merit Criteria Ratings

For the merit criteria #1 Equity and Environmental Justice; #2 Access; #3 Facility Suitability; #4 Community Engagement, and Community-based Stewardship, Management, and Partnerships; #5 Equitable Development; #6 Climate and Environment; and #7 Workforce Development and Economic Opportunity, the Team will consider whether the application narrative is responsive to the selection criterion focus areas, and will advance program goals, which will result in a rating of ‘High,’ ‘Medium,’ ‘Low,’ or ‘Non-Responsive.’

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

The ratings on the individual merit criteria translate to the following overall application rating for merit criteria:

Overall Merit Rating	Individual Criteria Ratings
Highly Recommended	<ul style="list-style-type: none"> At least four ‘High’ ratings, Zero ‘Non-Responsive’ ratings
Recommended	<ul style="list-style-type: none"> At least two ‘High’ ratings, No more than three ‘Low ratings,’ No more than one ‘Non-Responsive’ rating, and Does not meet the criteria for a Highly Recommended Rating

Acceptable	<ul style="list-style-type: none"> Combination of ratings that do not fit within the definitions of Highly Recommended, Recommended, or Not Recommended
Not Recommended	<ul style="list-style-type: none"> Three or more ‘Non-Responsive’ ratings

Second-Tier Analysis: Project Readiness Criteria Ratings

The Team will consider whether the application addresses the project readiness criteria, which will result in an aggregate rating of ‘High,’ ‘Medium,’ or ‘Low,’ using in the table below. Please note, each project readiness criteria has its own rating and aggregate to ‘High,’ ‘Medium,’ or ‘Low.’

Rating	High	Medium	Low
Technical Assessment	Certain: The team is confident in the applicant’s capacity to deliver the project in a manner that satisfies federal requirements	Somewhat Certain/Unknown: The team is moderately confident in the applicant’s capacity to deliver the project in a manner that satisfies federal requirements	Uncertain: The team is not confident in the applicant’s capacity to deliver this project in a manner that satisfies federal requirements
Financial Completeness	Complete: The Project’s federal and non-federal sources are fully committed—and there is demonstrated funding available to cover contingency/cost increases.	Partially Complete: Project funding is not fully committed but appears highly likely to be secured in time to meet the project’s construction schedule	Incomplete: The project lacks full funding, or one or more federal or non-federal match sources are still uncertain as to whether they will be secured in time to meet the project’s construction schedule
Environmental Risk Assessment (Capital Construction only)	Low Risk: The Project has completed NEPA or it is highly likely that they will be able to complete NEPA and other environmental reviews in the time	Moderate Risk: The project has not completed NEPA or secured necessary federal permits, and it is uncertain whether they will be able to complete NEPA or secure	High Risk: The project has not completed or begun NEPA and there are known environmental or litigation concerns

	necessary to meet their project schedule.	necessary federal permits in the time necessary to meet their project schedule.	associated with the project.
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Appendix III: Templates

Technical Assessment Template

Experienced Applicant	
<i>Does the applicant have experience delivering Federally funded transportation projects?</i>	<input type="checkbox"/> Experience (Comment Required) <input type="checkbox"/> Limited Experience (Comment Required) <input type="checkbox"/> No Experience (Comment as needed)
<i>Did the applicant previously receive a DOT Discretionary Grant award?</i>	<input type="checkbox"/> Yes (Comment Required) <input type="checkbox"/> No
<i>Does the applicant have the technical experience and resources to deliver the project?</i>	<input type="checkbox"/> Experience (Comment Required) <input type="checkbox"/> Limited Experience (Comment Required) <input type="checkbox"/> No Experience (Comment as needed)
<i>Has the applicant completed projects with similar scope in the past?</i>	<input type="checkbox"/> Yes (Comment Required) <input type="checkbox"/> No (Comment Required) <input type="checkbox"/> Do not know (Comment as needed)
<i>Is the applicant likely to be able to deliver the project based on current capacity?</i>	<input type="checkbox"/> Yes (Comment Required) <input type="checkbox"/> No (Comment Required) <input type="checkbox"/> Do not know (Comment as needed)
<i>Is it likely that the applicant will request a recipient change upon award to facilitate implementation (for example, to the State DOT)? Is this plan reasonable and clear in the application? Does the application confirm that the intended recipient agreed to implement the project?</i>	<input type="checkbox"/> Yes (Comment Required) <input type="checkbox"/> No (Comment Required) <input type="checkbox"/> Do not know (Comment as needed)
Federal Requirements	
<i>Are there any unidentified risks to implementing the project? Has the applicant initiated procurement in a manner that may be inconsistent with Federal requirements?</i>	<input type="checkbox"/> Yes (Comment Required) <input type="checkbox"/> No (Comment as needed) <input type="checkbox"/> Do not Know (Comment as needed)
<i>Does the applicant have experience or a plan to comply with Title VI/Civil Rights requirements, to ensure that no person is excluded from participation, denied benefits, or otherwise subjected to discrimination under any program or activity, on the basis of race, color, national origin (including limited English proficiency), sex, age, or disability.</i>	<input type="checkbox"/> Yes (Comment Required) <input type="checkbox"/> No (Comment as needed) <input type="checkbox"/> Do not Know (Comment as needed)
<i>Does the applicant have experience or a plan to comply with design and service standards under the Americans with Disabilities Act and Department of Justice and DOT implementing regulations (49 CFR Parts 27, 37, 38, and 39).</i>	<input type="checkbox"/> Yes (Comment Required) <input type="checkbox"/> No (Comment as needed) <input type="checkbox"/> Do not Know (Comment as needed)

<p><i>Is the project likely to require a Buy America waiver or request an exception to the Buy American Act?</i></p>	<input type="checkbox"/> Yes (Comment Required) <input type="checkbox"/> No (Comment as Necessary) <input type="checkbox"/> Do not Know (Comment as Necessary)
<p><i>Does the project include right-of-way acquisition? If known, will right-of-way acquisition require relocation of either residential or commercial properties?</i></p>	<input type="checkbox"/> Yes (Comment Required) <input type="checkbox"/> No (Comment as Necessary) <input type="checkbox"/> Do not Know (Comment as Necessary)
<p>Technical Assessment</p>	
<p><i>Assign a Technical Assessment Rating from the choices below:</i></p> <p><i>-Certain- The team is confident in the applicant's capacity to deliver this project in a manner that satisfies Federal requirements.</i></p> <p><i>-Somewhat Uncertain- The team is moderately confident in the applicant's capacity to deliver this project in a manner that satisfies Federal requirements.</i></p> <p><i>-Uncertain- The team is minimally confident or not in the applicant's capacity to deliver this project in a manner that satisfies Federal requirements.</i></p> <p><i>-Unknown- the team cannot assess the applicant's capacity to deliver the project.</i></p>	<input type="checkbox"/> Certain <input type="checkbox"/> Somewhat Certain <input type="checkbox"/> Uncertain <input type="checkbox"/> Unknown
<p><i>Under what other USDOT funding programs would this project be eligible to receiving funding?</i></p>	

Financial Completeness Assessment Template

<p>FINANCIAL COMPLETENESS</p> <p><i>What are the non-Federal sources funding or financing identified by the applicant's budget? What is the proportion or amount? Is there risk associated with the project's financial plan? Is the cost estimate reasonable? Note the level of design, (e.g., 30%).</i></p> <p><i>Is there a plan to address potential cost overruns?</i></p> <p><i>Are letters included? Is support referenced in the application?</i></p>	
<p>FINANCIAL COMPLETENESS RISK ANALYSIS</p>	<p><input type="checkbox"/> Complete –The funding arrangements for the project appear certain. It is highly likely that the project's funding arrangements will not prevent obligation within the statutory timeframe.</p> <p><input type="checkbox"/> Partially Complete – Project funding appears uncertain, and due to funding, it is unclear if the project will be able to meet the deadline for obligation.</p> <p><input type="checkbox"/> Incomplete – The project lacks complete funding commitments and does not present a plan for obtaining funds necessary to meet the obligation deadline. Due to funding, there are serious concerns about the ability of the project to meet statutory deadlines.</p>
<p>Rating Summary:</p> <p><i>Please summarize the results of your review: Is the project funding Complete, Partially Complete, or Incomplete?</i></p>	

Environmental Risk Assessment Template

<p>Project Name and State</p>	
<p>Proposal/Purpose of the project:</p>	
<p>Inclusion in STIP/Transit Asset Management Plan:</p> <p><i>RCP Capital Construction Grant applications are subject to the pre-requisite that “adequate planning activities such as public involvement, user data evaluation, and conceptual design have been completed.”</i></p> <p><i>Projects must be listed in the Statewide Transportation Improvement Program (STIP) or equivalent. Transit projects are required to be in the transit asset management plans.</i></p> <p><i>Does the applicant provide verification of inclusion or sufficient narrative to indicate this would be achieved prior to the obligation of an award?</i></p>	
<p>Constructability:</p> <p><i>Is the project being completed in phases which are independent of one another? Are there environmental and permitting risks associated with the project’s constructability?</i></p>	
<p>Proposed Project Schedule:</p> <p><i>Are the allocated timeframes reasonable? Can they obligate on time? Do they include all necessary permits and/or authorizations; i.e., NEPA or ROW in the schedule? Are they missing a major milestone? Does the schedule account for completing NEPA?</i></p>	
<p>NEPA Status:</p> <p><i>What is the expected NEPA class of Action? Does the applicant provide a link to NEPA documentation? Is NEPA compliance complete?</i></p>	
<p>Support for the project:</p> <p><i>Are letters included from entities whose financial or legal support is necessary to implement the project? Is support referenced in the application?</i></p> <p><i>Has the applicant conducted meaningful public engagement with populations likely to be impacted by the project? If so, describe the engagement and whether/how the applicant considered it. This may include a plan to ensure that the engagement was fully accessible for persons with disabilities and persons with limited English proficiency and no person is excluded from participation, denied benefits, or otherwise subjected to discrimination under any program or activity, on the basis of race, color, national origin</i></p>	

<p><i>(including limited English proficiency), sex, age, or disability, as required by Title VI / Civil Rights Authorities.</i></p>	
<p>Risk and Mitigations:</p> <p><i>What do they identify as risks to permitting and timely obligation? What do you (as reviewer) identify? Did they identify mitigation for the risks?</i></p> <p><i>Are there any contentious issues or threats of litigation?</i></p> <p><i>Does the applicant have experience working with federal agencies to complete environmental reviews?</i></p>	
<p>Risk Assessment:</p>	
<p>Rating Summary:</p> <p><i>Please summarize the results of your review: Is the project Low, Moderate, or High Risk. Does the Department of have a reasonable assurance that the project is likely to meet the obligation and construction dates?</i></p>	
<p>Rating:</p>	<p><input type="checkbox"/> High Risk (Based on the available information, there is a high likelihood that the project <u>will not</u> be able to reach obligation within the statutory timeframe.)</p> <p><input type="checkbox"/> Moderate Risk (Based on the available information, there is some possibility that the project <u>will not</u> be able to reach obligation within the statutory timeframe.)</p> <p><input type="checkbox"/> Low Risk (Based on the available information, it is highly likely that the project will be able to reach obligation within the statutory timeframe.)</p>
	<p><input type="checkbox"/> NEPA Complete</p> <p><input type="checkbox"/> CE Expected</p> <p><input type="checkbox"/> EA/FONSI Expected</p> <p><input type="checkbox"/> EIS Expected</p> <p><input type="checkbox"/> Re-Evaluation</p>

Benefit-Cost Analysis Review Template

<p>Project Name and State</p>	
<p>Project Description</p> <p><i>Please provide a brief description of the key elements of the RCN Program project, including the scope of the project and its total estimated cost. If the RCN Program project is part of a larger project, please also note those additional elements that are not covered by the RCN Program funding request.</i></p>	
<p>Applicant’s BCA Results</p> <p><i>Please summarize the results of the project’s benefit-cost analysis as presented in the application, including the specific categories of benefits and costs claimed for the project and their estimated values, the time horizon used in the analysis covers, and whether benefits and costs are reported for separate elements of the project.</i></p>	
<p>Transparency of the Analysis</p> <p><i>Please evaluate the documentation provided in the benefit-cost analysis in terms of its clarity and reproducibility. Does the application describe the analysis (including specific procedures for estimating benefits and costs) in sufficient detail, and identify its data sources and methods sufficiently clearly, to enable the reviewer to verify or reproduce its results?</i></p>	
<p>Key Assumptions</p> <p><i>Please address the reasonableness of key assumptions used in the applicant’s benefit-cost analysis, including the following:</i></p> <ul style="list-style-type: none"> • <i>How valid and credible is the baseline (or “no-build” case) used in the analysis?</i> • <i>Are the underlying forecasts of facility usage based on credible analysis and assumptions?</i> • <i>Do the claimed impacts of the project (such as changes in expected usage, effects on travel speeds or shipment times and delay, changes in vehicle or facility operating costs, improvements in safety outcomes, etc.) seem plausible, and are they aligned with specific features or impacts of the project?</i> • <i>Are the values of key parameters used in the analysis reasonable, noting any major departures from the recommended unit values found in USDOT’s BCA Guidance?</i> 	
<p>Technical Discussion</p> <p><i>Please provide a technical discussion of the benefits and costs included in the applicant’s analysis, addressing such issues as:</i></p> <ul style="list-style-type: none"> • <i>The use of incorrect methodologies for estimating benefits, such as double-counting, representing transfers</i> 	

<p><i>as benefits, improper accounting of mode shift impacts, or other technical errors</i></p> <ul style="list-style-type: none"> • <i>Errors in discounting, inflation adjustments, interpolation between base and forecast years, or other computations</i> • <i>The use of unreasonable time horizons</i> • <i>Mismatches between the scope of the estimated benefits and costs</i> <p><i>Omitted or understated costs or cost components</i></p>	
<p>Unquantified Benefits</p> <p><i>Please describe any qualitative benefits claimed to result from the project in the applicant's benefit-cost analysis, as well as any potentially quantifiable benefits associated with the project that were not included in the analysis. (i.e., travel time reliability or benefits to the existing human and natural environments such as increased connectivity, improved public health, storm water runoff mitigation, and noise reduction.)</i></p>	
<p>Outside Sources</p> <p><i>Please describe any outside sources used to better understand the project and to confirm, correct, or complete missing information in the project application that would be helpful for the BCA review.</i></p>	
<p>Adjustments to Applicant's BCA Results</p> <p><i>Please describe any recommended adjustments to the estimated benefits and costs presented in the applicant's BCA, based on corrections for any technical errors, applying alternative assumptions, or the consideration of unquantified benefits.</i></p>	
<p>Other Comments (Optional)</p> <p><i>Please provide information on any additional noteworthy impacts or issues related to the project, including:</i></p> <ul style="list-style-type: none"> • <i>Distributional effects, such as the demographic profile of expected users or benefits that might narrowly accrue to private parties</i> • <i>Economic development impacts that might result from improved access and connectivity, such as new or expanded employment opportunities for workers in the region</i> • <i>Any additional comments on issues not covered above</i> 	
<p>Rating Summary</p> <p><i>Please summarize the results of your review.</i></p>	

Benefit-Cost Rating	<input type="checkbox"/> Negative (Costs Exceed Benefits) <input type="checkbox"/> Positive (Benefits Exceed Costs) <input type="checkbox"/> Uncertain (there is not enough information available to make a determination)
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