U.S. DEPARTMENT OF TRANSPORTATION

GRANT AGREEMENT UNDER THE
FISCAL YEAR 2025 BUILD PROGRAM

This agreement is between the United States Department of Transportation (the “**USDOT**”) and the [insert full name of recipient] (the “**Recipient**”).

This agreement reflects the selection of the Recipient to receive a BUILD Grant for the [insert project name from USDOT award letter].

If schedule A to this agreement identifies a Designated Subrecipient, that Designated Subrecipient is also a party to this agreement, and the parties want the Designated Subrecipient to carry out the project with the Recipient’s assistance and oversight.

The parties therefore agree to the following:

1. General Terms and Conditions.

General Terms and Conditions.

(a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2025 BUILD Program: FHWA Projects,” dated April 23, 2025, which is available at <https://www.transportation.gov/BUILDgrants/grant-agreements>. The General Terms and Conditions reference the information contained in the schedules to this agreement. The General Terms and Conditions are part of this agreement.

(b) The Recipient states that it has knowledge of the General Terms and Conditions.

(c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, terminating of the BUILD Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the USDOT the BUILD Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

1. Special Terms and Conditions.

[Choose the appropriate one of these two alternatives.]

[**Alternative #1:** If there are no special terms and conditions, then use the following:]

There are no special terms for this award.

[**Alternative #2:** If there are special terms and conditions, repeat and modify the following as needed:]

[Special Term Title].

[special term text]

1. Schedule A
Administrative Information
	1. Application.

Application Title: [insert full descriptive title from box 15 of the SF-424]

Application Date: [insert the date in box 3 of the SF-424]

* 1. Recipient’s Unique Entity Identifier.

See section 28.3 of the General Terms and Conditions.

* 1. Recipient Contact(s).

Name

Title

Agency

Mailing Address

Phone Number

Email Address

* 1. Recipient Key Personnel.

None.

* 1. USDOT Project Contact(s).

Name

Title

Agency

Mailing Address

Phone Number

Email Address

* 1. Payment System.

USDOT Payment System: FMIS

* 1. Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Division

* 1. Federal Award Identification Number.

See section 28.2 of the General Terms and Conditions.

* 1. Designated Subrecipient.

Designated Subrecipient: [None] [insert full name of applicant]

Designated Subrecipient Point of Contact:

Name

Title

Agency

Mailing Address

Phone Number

Email Address

1. Schedule B
Project Activities
	1. General Project Description.

[Insert text from the USDOT award letter.]

* 1. Statement of Work.

[Insert statement of work.]

1. Schedule C
Award Dates and Project Schedule
	1. Award Dates.

Budget Period End Date:[Choose the appropriate one of these two alternatives.]

[**Alternative #1:** If all funds are being obligated at once:]

Budget Period End Date: MM/DD/YYYY

[**Alternative #2**: If funds are to be obligated in multiple project phases:]

Base Phase Budget Period End Date: MM/DD/YYYY

Option Phase 1 Budget Period End Date: MM/DD/YYYY

Option Phase 2 Budget Period End Date: MM/DD/YYYY

Period of Performance End Date: See section 28.5 of the General Terms and Conditions

* 1. Estimated Project Schedule.

[Choose the appropriate oneof these two alternatives.]

[**Alternative #1:** if this designated a Capital project at section 2 of schedule F:]

| Milestone | Schedule Date |
| --- | --- |
| Planned Construction Start Date: | [insert date] |
| Planned Construction Substantial Completion and Open to Traffic Date: | [insert date] |

[**Alternative #2:** if this designated a Planning project at section 2 of schedule F:]

| Milestone | Schedule Date |
| --- | --- |
| Planned Project Completion Date: | [insert date] |

* 1. Special Milestone Deadlines.

[Choose the appropriate one of these two alternatives.]

[**Alternative #1:** If the only critical dates are completion dates, then use the following:]

None.

[**Alternative #2:** If there are additional critical dates, use this table and insert a row for each date. The milestone must be described in enough detail that there is no ambiguity about when it is met. Each of these milestones is intended to establish a clear trigger for USDOT to terminate the award or amend the terms of this agreement.

If railroad coordination agreements need to be executed, add a milestone for each, prefixed with “Railroad Coordination Agreement: ” See section 27.5 of the General Terms and Conditions.]

| Milestone | Deadline Date |
| --- | --- |
| [Insert milestone] | [insert date] |

1. Schedule D
Award and Project Financial Information
	1. Award Amount.

BUILD Grant Amount: [$XXX]

* 1. Federal Obligation Information.

[Choose the appropriate oneof these two alternatives.]

[**Alternative #1:** If all funds are being obligated at once:]

Federal Obligation Type: Single

[**Alternative #2:** If funds are to be obligated in project phases or by component:]

Federal Obligation Type: Multiple

| Obligation Condition Table |
| --- |
| Portion of the Project | Portion of the BUILD Grant | Obligation Condition |
| [insert name of first phase (*e.g*., “Base phase”) or component (*e.g.,* “Component 1”)] | [$XXX] |  |
| [insert name of second phase (*e.g*., “Option phase 1”) or component (*e.g.,* “Component 2”)] | [$XXX] | [USDOT will describe the conditions] |

* 1. Approved Project Budget.

Eligible Project Costs

|  | [Component 1] | [Component 2] | Total |
| --- | --- | --- | --- |
| BUILD Funds: | [$XXX] | [$XXX] | [$XXX] |
| Other Federal Funds: | [$XXX] | [$XXX] | [$XXX] |
| Non-Federal Funds: | [$XXX] | [$XXX] | [$XXX] |
| Total: | [$XXX] | [$XXX] | [$XXX] |

* 1. Cost Classification Table

Reserved.

* 1. Approved Pre-award Costs

[Choose the appropriate oneof these two alternatives.]

[If FHWA did not approve A/C:]

**None.** The USDOT has not approved under this award any costs incurred under an advanced construction authorization (23 U.S.C. 115), any costs incurred prior to authorization (23 CFR 1.9(b)), or any pre-award costs under 2 CFR 200.458.

[If FHWA approved A/C:]

On [insert date], [Recipient] sent a written request to the FHWA [State] Division for advance construction (23 U.S.C. 115) authorization to [insert activity]. [Recipient] requested advance construction for $XXX in BUILD Grant funds. The Division authorized advance construction on [insert date].

Activities under that authorization are approved pre-award costs under 2 CFR 200.458.

1. Schedule E
Changes from Application

**Scope**:

[ If the activities described in schedule B materially differ from the scope presented in the application, describe the changes here and explain the need for those changes. If there are no changes, state that there are no changes. ]

**Schedule**:

[ If any dates listed in sections 2–3 of schedule C differ from the estimated schedule presented in the application by more than six months, describe the changes here and provide an explanation of the cause of those changes. If there are no changes, state that there are no changes and remove the milestone table below. ]

The table below compares the Project milestone dates.

[Choose the appropriate oneof these two alternatives.]

[**Alternative #1:** if this designated a Capital project at section 2 of schedule F:]

|  |  |  |
| --- | --- | --- |
| Milestone | Application | Schedule C  |
| Planned Construction Start Date: | [insert date] | [insert date] |
| Planned Construction Substantial Completion and Open to Traffic Date: | [insert date] | [insert date] |

[**Alternative #2:** if this designated a Planning project at section 2 of schedule F:]

|  |  |  |
| --- | --- | --- |
| Milestone | Application | Schedule C  |
| Planned Project Completion Date: | [insert date] | [insert date] |

**Budget**:

[ If any amounts listed in sections 3–4 of schedule D differ from the budget presented in the application, describe the changes here and provide an explanation of the cause of those changes. If there are no changes, state that there are no changes and remove the budget table below. This section should also identify Department approved budget changes that occurred after application submittal and prior to award announcement. ]

The table below provides a summary comparison of the Project budget.

| **Fund Source** | 1. **Application**
 | **Schedule D** |
| --- | --- | --- |
| $ | % | $ | % |
| **Previously Incurred Costs** |  |  |  |  |
| Federal Funds |  |  |  |  |
| Non-Federal Funds |  |  |  |  |
| Total Previously Incurred Costs |  |  |  |  |
| **Future Eligible Project Costs** |  |  |  |  |
| BUILD Funds |  |  |  |  |
| Other Federal Funds |  |  |  |  |
| Non-Federal Funds |  |  |  |  |
| Total Future Eligible Project Costs |  |  |  |  |
| Total Project Costs |  |  |  |  |

**Other:**

[ If there are notable changes in aspects of the Project other than scope, schedule, and budget (*e.g.,* recipient changes), then describe those changes here. If there are not, then state that there are no other notable changes from the application. ]

1. Schedule F
BUILD Program Designations
	1. Urban or Rural Designation.

Urban-Rural Designation: [Urban] [Rural]

* 1. Capital or Planning Designation.

Capital-Planning Designation: [Capital] [Planning]

* 1. Historically Disadvantaged Community/Area of Persistent Poverty Designation.

HDC/APP Designation: [Yes] [No]

* 1. Funding Act.

Funding Act: [IIJA]

* 1. Security Risk Designation.

Security Risk Designation: [Low] [Elevated]

1. Schedule G
BUILD Performance Measurement Information

[Choose the appropriate oneof these two alternatives.]

[Alternative #1, if this designated a Capital project at section 2 of schedule F:]

**Study Area:** [Insert description of area to be studied]

**Baseline Measurement Date:** [insert date]

**Baseline Report Date:** [insert date]

Table 1: Performance Measure Table

| Performance Measure | Unit Reported |
| --- | --- |
| [Insert the selected **Performance Measure**] | [Insert the **Unit Reported** associated with the selected performance measure] |
| [Insert the selected **Performance Measure**] | [Insert the **Unit Reported** associated with the selected performance measure] |

[Alternative #2, if this designated a Planning project at section 2 of schedule F:]

**Reserved.**

1. Schedule H
Labor and Work
	1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table are accurate:

|  |  |
| --- | --- |
|  | The Recipient or a project partner promotes robust job creation by supporting good-paying jobs directly related to the project with free and fair choice to join a union. *(Describe robust job creation and identify the good-paying jobs in the supporting narrative below.)* |
|  | The Recipient or a project partner will invest in high-quality workforce training programs such as registered apprenticeship programs to recruit, train, and retain skilled workers, and implement policies such as targeted hiring preferences. *(Describe the training programs in the supporting narrative below.)* |
|  | The Recipient or a project partner will partner with high-quality workforce development programs with supportive services to help train, place, and retain workers in good-paying jobs or registered apprenticeships including through the use of local and economic hiring preferences, linkage agreements with workforce programs, and proactive plans to prevent harassment. *(Describe the supportive services provided to trainees and employees, preferences, and policies in the supporting narrative below.)* |
|  | The Recipient or a project partner will partner and engage with local unions or other worker-based organizations in the development and lifecycle of the project, including through evidence of project labor agreements and/or community benefit agreements. *(Describe the partnership or engagement with unions and/or other worker-based organizations and agreements in the supporting narrative below.)* |
|  | The Recipient or a project partner will partner with communities or community groups to develop workforce strategies. *(Describe the partnership and workforce strategies in the supporting narrative below.)* |
|  | The Recipient or a project partner has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. *(Describe those actions in the supporting narrative below.)* |
|  | The Recipient or a project partner has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the Project, will take relevant actions described in schedule B. *(Identify the relevant actions from schedule B in the supporting narrative below.)*   |
|  | The Recipient or a project partner has not taken actions related to the Project to improve good-paying jobs and strong labor standards and will not take those actions under this award. |

* 1. Supporting Narrative.

[ Insert supporting text, as described in the table above. ]

Recipient Signature Page

The Recipient, intending to be legally bound, is signing this agreement on the date stated opposite that party’s signature.

|  |  |
| --- | --- |
|  | [insert full name of Recipient’s organization] |
| Date | By: | Signature of Recipient’s Authorized Representative[insert name]Name[insert title]Title |

Designated Subrecipient Signature Page

The Designated Subrecipient, intending to be legally bound, is signing this agreement on the date stated opposite that party’s signature.

|  |  |
| --- | --- |
|  | [insert full name of Recipient’s organization] |
| Date | By: | Signature of Designated Subrecipient’s Authorized Representative[insert name]Name[insert title]Title |

USDOT Signature Page

The USDOT, intending to be legally bound, is signing this agreement on the date stated opposite that party’s signature.

|  |  |
| --- | --- |
|  | UNITED STATES DEPARTMENT OF TRANSPORTATION |
| Date | By: | Signature of USDOT’s Authorized Representative[insert name]NameFHWA [insert state] Division AdministratorTitle |