DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

Notice of Funding Availability for the Department of Transportation's National Infrastructure Investments under the Consolidated and Further Continuing Appropriations Act, 2015

AGENCY: Office of the Secretary of Transportation, DOT

ACTION: Notice of Funding Availability

SUMMARY: The Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235, December 16, 2014) ("FY 2015 Appropriations Act" or the "Act") appropriated $500 million to be awarded by the Department of Transportation ("DOT" or the "Department") for National Infrastructure Investments. This appropriation is similar, but not identical, to the program funded and implemented pursuant to the American Recovery and Reinvestment Act of 2009 (the "Recovery Act") known as the Transportation Investment Generating Economic Recovery, or "TIGER Discretionary Grants," program. Because of the similarity in program structure, DOT will continue to refer to the program as "TIGER Discretionary Grants." Funds for the FY 2015 TIGER program ("TIGER FY 2015") are to be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region. The purpose of this final notice is to solicit applications for TIGER Discretionary Grants.

DATES: Pre-applications must be submitted by 11:59 PM E.D.T. on May 4, 2015. Final applications must be submitted by 11:59 PM E.D.T. on June 5, 2015.

ADDRESSES: Pre-applications must be submitted electronically through www.dot.gov/TIGER. Final applications must be submitted through Grants.gov. Only applicants who comply with all

submission requirements described in this notice and electronically submit both valid pre-applications to DOT and final applications through Grants.gov will be eligible for award.

FOR FURTHER INFORMATION CONTACT: For further information concerning this notice, please contact the TIGER Discretionary Grant program staff via e-mail at TIGERGrants@dot.gov, or call Howard Hill at 202-366-0301. A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993. In addition, DOT will regularly post answers to questions and requests for clarifications on DOT's website at www.dot.gov/TIGER

SUPPLEMENTARY INFORMATION: This notice is substantially similar to the final notice published for the TIGER Discretionary Grant program in the *Federal Register* on March 3, 2014. However, the FY 2015 Appropriations Act does not provide dedicated funding for the planning, preparation, or design of capital projects ("TIGER Planning Grants"); these activities may be eligible to the extent that they are part of an overall construction project that receives TIGER Discretionary Grant funding. Additionally, unlike the past two rounds of TIGER Discretionary Grants, a pre-application must be submitted for an application to be considered. The pre-application helps DOT allocate staff resources for the evaluation process, allows applicants to provide identifying information about their project, and assists DOT in clarifying eligibility questions before the final application is submitted. In addition to the differences above, and minor edits for clarification and those made to conform the notice to the statutory circumstances of this round of TIGER Discretionary Grant funding, this notice's format has changed to conform to Appendix I to 2 CFR Part 200. Each section of this notice contains information and instructions relevant to the application process for these TIGER Discretionary Grants, and you

should read this notice in its entirety so that you have the information you need to submit eligible and competitive applications.

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A. Program Description

Since the TIGER Discretionary Grants program was first created, $4.1 billion has been awarded for capital investments in surface transportation infrastructure over six rounds of competitive grants. The TIGER Discretionary Grant program seeks to award projects that advance DOT's long-term priorities for the nation's transportation system found in DOT's Strategic Plan for FY 2014-FY 2018 (http://www.dot.gov/sites/dot.gov/files/docs/2014-2018-strategic-plan_0.pdf). Section E, Application Review, of this notice describes the TIGER Discretionary Grant selection criteria based on these priorities. Please see DOT's website at www.dot.gov/TIGER for background on previous rounds of TIGER Discretionary Grants.

Throughout the TIGER program, TIGER Discretionary Grant awards have supported innovative projects, including multimodal and multijurisdictional projects which are difficult to fund through traditional Federal programs. Successful TIGER projects leverage resources, encourage partnership, catalyze investment and growth, fill a critical void in the transportation

system or provide a substantial benefit to the nation, region or metropolitan area in which the project is located. The FY 2015 TIGER program will continue to make transformative surface transportation investments that dramatically improve the status quo by providing significant and measurable improvements over existing conditions. Transformative improvements anchor broad and long-lasting, positive changes in economic development, safety, quality of life, environmental sustainability, or state of good repair. Because each TIGER project is unique, applicants are encouraged to present, in measurable terms, how TIGER investment will lead to transformative change(s) in their community.

The FY 2015 TIGER program will fund transformative projects of all eligible types, including projects that promote Ladders of Opportunity, to the extent permitted by law. The FY 2014 TIGER program gave consideration to projects that sought to improve access to reliable, safe, and affordable transportation for disconnected communities in urban, suburban, and rural areas. This included, but was not limited to, capital projects that better connected people to jobs, removed physical barriers to access, and strengthened communities through neighborhood redevelopment. The FY 2015 TIGER program clearly identifies this concept as Ladders of Opportunity. Ladders of Opportunity projects may increase connectivity to employment, education, services and other opportunities, support workforce development, or contribute to community revitalization, particularly for disadvantaged groups: low income groups, persons with visible and hidden disabilities, elderly individuals, and minority persons and populations.

B. Federal Award Information

The FY 2015 Appropriations Act appropriated $500 million to be awarded by DOT for the TIGER Discretionary Grants program. The FY 2015 TIGER Discretionary Grants are for capital

investments in surface transportation infrastructure and are to be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region. The Act also allows DOT to use a small portion of the $500 million for oversight and administration of grants. If this solicitation does not result in the award and obligation of all available funds, DOT may publish additional solicitations.

The FY 2015 Appropriations Act specifies that TIGER Discretionary Grants may not be less than $10 million and not greater than $200 million, except that for projects located in rural areas (as defined in Section C.3) the minimum TIGER Discretionary Grant size is $1 million.

Pursuant to the FY 2015 Appropriations Act, no more than 25 percent of the funds made available for TIGER Discretionary Grants (or $125 million) may be awarded to projects in a single State. The FY 2015 Appropriations Act directs that not less than 20 percent of the funds provided for TIGER Discretionary Grants (or $100 million) shall be used for projects located in rural areas. Further, pursuant to the FY 2015 Appropriations Act, DOT must take measures to ensure an equitable geographic distribution of grant funds, an appropriate balance in addressing the needs of urban and rural areas, and investment in a variety of transportation modes.

The FY 2015 Appropriations Act requires that FY 2015 TIGER funds are only available for obligation through September 30, 2017. No FY 2015 TIGER funds may be expended after September 30, 2022. As part of the review and selection process described in Section E.2., DOT will consider whether a project is ready to proceed with an obligation of grant funds from DOT within the statutory time provided. Under the FY 2015 Appropriations Act, no waiver is possible for these deadlines.

The FY 2015 Appropriations Act allows for up to 20 percent of available funds (or $100 million) to be used by the Department to pay the subsidy and administrative costs for a project

receiving credit assistance under the Transportation Infrastructure Finance and Innovation Act of 1998 ("TIFIA") program, if it would further the purposes of the TIGER Discretionary Grant program.

Recipients of prior TIGER Discretionary Grants may apply for funding to support additional phases of a project awarded funds in earlier rounds of this program. However, to be competitive, the applicant should demonstrate the extent to which the previously funded project phase has been able to meet estimated project schedules and budget, as well as the ability to realize the benefits expected for the project.

DOT expects that each TIGER Discretionary Grant will be administered by one of the relevant modal administrations, pursuant to a grant agreement between the TIGER Discretionary Grant recipient and the relevant modal administration.

C. Eligibility Information

To be selected for a TIGER Discretionary Grant, an applicant must be an Eligible Applicant and the project must be an Eligible Project.

1. Eligible Applicants

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

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

2. Cost Sharing or Matching

TIGER Discretionary Grants may be used for up to 80 percent of the costs of a project[1]. DOT may increase the Federal share above 80 percent only for projects located in rural areas, in which case DOT may fund up to 100 percent of the costs of a project.

DOT will consider non-Federal funds, as well as funds from the Tribal Transportation Program (23 U.S.C. 202), as a local match for purposes of this program. DOT cannot consider any funds already expended (or otherwise encumbered) towards the matching requirement. Please note that matching funds provided by an applicant will not be considered as matching funds if the source of those funds is ultimately a Federal program, nor can Federal funds be used as match for other Federal funds, unless authorized in statute. Matching funds are subject to the same Federal requirements described in Section F.2. as awarded funds.

3. Other

i. **Eligible Projects** - Eligible projects for TIGER Discretionary Grants are capital projects that include, but are not limited to: (1) highway or bridge projects eligible under title 23, United States Code (including bicycle and pedestrian related projects); (2) public transportation projects eligible under chapter 53 of title 49, United States Code; (3) passenger and freight rail transportation projects; (4) port infrastructure investments (including inland port infrastructure); and (5) intermodal projects. This description of eligible projects is identical to the description of eligible projects under earlier rounds of the TIGER Discretionary Grant program.[2] Research, demonstration, or pilot projects are eligible only if

[1] To meet match requirements, the minimum total project cost for a project located in an urban area must be $12.5 million.

[2] Please note that the Department may use a TIGER Discretionary Grant to pay for the surface transportation components of a broader project that has non-surface transportation components, and applicants are encouraged to apply for TIGER Discretionary Grants to pay for the surface transportation components of these projects.

they result in long-term, permanent surface transportation infrastructure that has independent utility as defined in Section C.3.iii.

ii. **Rural/Urban Definition** – For purposes of this notice, DOT defines "rural area" as any area not in an Urbanized Area, as such term is defined by the Census Bureau,[3] and will consider a project to be in a rural area if all or the majority of a project (determined by geographic location(s) where the majority of project money is to be spent) is located in a rural area. In this notice "urban" means not rural. This definition affects three aspects of the program. First, the FY 2015 Appropriations Act directs that not less than $100 million of the funds provided for TIGER Discretionary Grants are to be used for projects in rural areas. Second, for a project in a rural area the minimum award is $1 million instead of $10 million. Third, up to 100 percent of the costs of a project in a rural area may be paid for with Federal funds.

To the extent more than a *de minimis* portion of a project is located in an Urbanized Area, applicants should identify the estimated percentage of project costs that will be spent in Urbanized Areas and the estimated percentage that will be spent in rural areas.

iii. **Project Components** – An application may describe a project that contains more than one component. DOT may award funds for a component, instead of the larger project, if that component (1) meets minimum award amounts described in

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[3] For Census 2010, the Census Bureau defined an Urbanized Area (UA) as an area that consists of densely settled territory that contains 50,000 or more people. Updated lists of UAs are available on the Census Bureau website at http://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/. Urban Clusters (UCs) are rural areas for purposes of the TIGER Discretionary Grant program. Please note that while individual jurisdictions might have a population of fewer than 50,000, if they are included as part of an UA, they will be classified as urban for purposes of the TIGER program.

Section B and all eligibility requirements described in Section C; (2) has independent utility; and (3) independently aligns well with the selection criteria specified in Section E.1 (*Selection Criteria*). Independent utility means that the component provides transportation benefits in and of itself and will be ready for intended use upon completion of the component's construction. All project components that are presented in a single application must demonstrate a strong relationship or connection between them (please see Section E.1.iii.d. for Required Approvals.)

DOT strongly encourages applicants to identify in their applications the project components that have independent utility and separately detail the costs and requested TIGER funding for those components. If the application identifies an independent project component, the application must clearly identify the benefits that the component would produce on its own, in addition to describing the benefits from the full proposal.

iv. **Limit on Number of Applications** - Each lead applicant may submit no more than three applications. Unrelated project components should not be bundled in an application for the purpose of avoiding the three applications per lead applicant limit. Please note that the three-application limit applies only to applications where the applicant is the lead applicant. There is no limit on applications for which an applicant can be listed as a partnering agency. If a lead applicantsubmits more than three applications as the lead applicant, only the first three received will be considered.

D. Application and Submission Information

1. Address:

Pre-application instructions and information will be available at www.dot.gov/TIGER, and will include details for submitting the pre-application electronically to DOT. Final applications must be submitted to Grants.gov. Instructions for submitting pre-applications and final applications through Grants.gov can be found at www.dot.gov/TIGER.

2. Content and Form of Application Submission

i. **Pre-Application:** The pre-application requires applicants to submit identifying information about their project and qualifies applicants to submit a final application. If an applicant does not submit a pre-application, the final application will not be considered. Pre-applications will not be reviewed until after the pre-application deadline.

Applicants must complete the pre-application form and send it to DOT electronically on or prior to the pre-application deadline, in accordance with the instructions specified at www.dot.gov/TIGER.

ii. **Final Application:** Final applications will not be considered unless a pre-application is submitted by the applicant. Any changes from the pre-application should be clearly identified in the final application. DOT may ask any applicant to supplement data in its application, but expects applications to be complete upon submission. To the extent practicable, applicants should provide data and evidence of project merits in a form that is verifiable or publicly available. The final application must include the Standard Form 424 (Application for Federal Assistance) and the Project Narrative. Additional clarifying guidance and FAQs to assist applicants in completing the SF-424 will be available at

www.dot.gov/TIGER by May 5, 2015, when the "Apply" function within Grants.gov opens to accept applications under this notice.

The Project Narrative (attachment to SF-424) must respond to the application requirements outlined below. The application must include information required for DOT to assess each of the criteria specified in Section E.1 (Selection Criteria). Applicants must demonstrate the responsiveness of a project to any pertinent selection criteria with the most relevant information that you can provide, regardless of whether such information has been specifically requested, or identified, in this notice. An application should provide evidence of the feasibility of achieving project milestones, and of financial capacity and commitment in order to support project readiness.

An application should also include a description of how the project addresses the needs of the area, creates economic opportunity, and sparks community revitalization, particularly for disadvantaged groups.

DOT recommends that the project narrative adhere to the following basic outline and, in addition to a detailed statement of work, detailed project schedule, and detailed project budget, should include a table of contents, maps, and graphics as appropriate that make the information easier to review:

a. Project Description (including a description of what TIGER funds will support, information on the expected users of the project, a description of the transportation challenges that the project aims to address, how the project will address these challenges, and if, and how, the project promotes Ladders of Opportunity. The description should include relevant

data, such as passenger or freight volumes, congestion levels, infrastructure condition, and safety experience.);

b. Project Location (a detailed description of the proposed project and geospatial data for the project, including a map of the project's location and its connections to existing transportation infrastructure, as well as a description of the national, regional, or metropolitan area in which the project is located, including economic information such as population size, median income for transportation facility users, or major industries affected, and project map);

c. Project Parties (information about the grant recipient and other project parties);

d. Grant Funds and Sources/Uses of Project Funds (information about the amount of grant funding requested, availability/commitment of fund sources and uses of all project funds, total project costs, percentage of project costs that would be paid with TIGER Discretionary Grant funds, and the identity of all parties providing funds for the project and their percentage shares.) Include any other pending or past Federal funding requests for the project as well as Federal funds already provided under other programs and the size, nature/source of the required match for those funds, to clarify that these are not the same funds counted under the matching requirement for this grant request;

e. Selection Criteria (information about how the project aligns with each of the primary and secondary selection criteria):

i) Primary Selection Criteria

a) State of Good Repair

b) Economic Competitiveness

c) Quality of Life

d) Environmental Sustainability

e) Safety

ii) Secondary Selection Criteria

a) Innovation

b) Partnership

f. Results of Benefit-Cost Analysis;

g. Project Readiness, including planning approvals, NEPA and other environmental reviews/approvals, (including information about permitting, legislative approvals, State and local planning, and project partnership and implementation agreements); and

h. Federal Wage Rate Certification (an application must include a certification, signed by the applicant(s), stating that it will comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code [Federal wage rate requirements], as required by the FY 2015 Appropriations Act).

The purpose of this recommended format is to ensure that applications clearly address the program requirements and make critical information readily apparent.

DOT recommends that the project narrative be prepared with standard formatting preferences (i.e., a single-spaced document, using a standard 12-point font, such as Times

New Roman, with 1-inch margins). The project narrative may not exceed 30 pages in length. Documentation supporting the assertions made in the narrative portion may also be provided, but should be limited to relevant information. Cover pages, tables of contents, and the federal wage rate certification do not count towards the 30-page limit for the narrative portion of the application. Otherwise, the only substantive portions of the application that may exceed the 30-page limit are any supporting documents (including a more detailed discussion of the benefit-cost analysis) provided to support assertions or conclusions made in the 30-page narrative section. If possible, website links to supporting documentation (including a more detailed discussion of the benefit-cost analysis) should be provided rather than copies of these materials. Otherwise, supporting documents should be included as appendices to the application. It is helpful if applicants' references to supporting documentation clearly identify the relevant portion of that document. At the applicant's discretion, relevant materials provided previously to a relevant modal administration in support of a different DOT discretionary financial assistance program (for example, New Starts or TIFIA) may be referenced and described as unchanged. This information need not be resubmitted for the TIGER Discretionary Grant application but may be referenced as described above; website links to the materials are highly recommended. DOT recommends using appropriately descriptive file names (e.g., "Project Narrative," "Maps," "Memoranda of Understanding and Letters of Support," etc.) for all attachments.

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

DOT may not make a TIGER Discretionary Grant award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant

has not fully complied with the requirements by the submission deadline, the application will not be considered. To submit an application through Grants.gov, applicants must:

i. Obtain a Data Universal Numbering System (DUNS) number;

ii. Register with the System for Award Management (SAM) at www.SAM.gov;

iii. Create a Grants.gov username and password; and

iv. The E-Business Point of Contact (POC) at your organization must respond to the registration email from Grants.gov and login at Grants.gov to authorize you as an Authorized Organization Representative (AOR). Please note that there can be more than one AOR for an organization.

For information and instructions on each of these processes, please see instructions at http://www.grants.gov/web/grants/applicants/applicant-faqs.html.

If an applicant is selected for an award, the applicant will be required to maintain an active SAM registration with current information throughout the period of the award.

4. Submission Dates and Times

i. **Deadline:** Pre-applications must be submitted by 11:59 PM E.D.T. on May 4, 2015. Final applications must be submitted by 11:59 PM E.D.T. on June 5, 2015. The Grants.gov "Apply" function will open on May 5, 2015.

The Department has determined that a pre-application deadline fewer than 60 days after this notice is appropriate because (1) this notice is substantially similar to notices used for previous rounds of TIGER Discretionary Grants, (2) minimal work is required to submit the pre-

application, and (3) the accelerated timeframe helps the Department ensure that it can timely obligate the available funds.

ii. Only applicants who comply with all submission deadlines described in this notice and electronically submit valid pre-applications to DOT and final applications through Grants.gov will be eligible for award.

Applicants are strongly encouraged to make submissions in advance of the deadline. Please be aware that you must complete the Grants.gov registration process before submitting the final application, and that this process usually takes 2-4 weeks to complete. If interested parties experience difficulties at any point during the registration or application process, please call the Grants.gov Customer Support Hotline at 1-800-518-4726, Monday-Friday from 7:00 a.m. to 9:00 p.m. EDT.

iii. **Late Applications:** Applications received after the deadline will not be considered except in the case of unforeseen technical difficulties outlined in Section 4.iv. Late applications that are the result of failure to register or comply with Grants.gov applicant requirements in a timely manner will not be considered.

iv. **a. Pre-Application**

Applicants experiencing technical issues due to the pre-application submission site that are beyond the applicant's control must contact TIGERGrants@dot.gov or Howard Hill at 202-366-0301 prior to the pre-application deadline with the user name of the registrant and details of the technical issue experienced.

DOT will consider late pre-applications on a case-by-case basis. DOT encourages applicants to submit additional information documenting the reason for the late submissions.

b. Final Application

Applicants experiencing technical issues with Grants.gov that are beyond the applicant's control must contact TIGERGrants@dot.gov or Howard Hill at 202-366-0301 prior to the corresponding deadline with the user name of the registrant and details of the technical issue experienced. The applicant must provide:

i) Details of the technical issue experienced.

ii) Screen capture(s) of the technical issue experienced along corresponding "Grant tracking number" (Grants.Gov).

iii) The "Legal Business Name" for the applicant that was provided in the SF-424 or pre-application

iv) The AOR name submitted in the SF-424 (Grants.gov)

v) The DUNS number associated with the pre-application/application

vi) The Grants.gov or Pre-Application Help Desk Tracking Number

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to complete the registration process before the deadline date; (2) failure to follow Grants.gov instructions on how to register and apply as posted on

its website; (3) failure to follow all of the instructions in this notice of funding availability; and (4) technical issues experienced with the applicant's computer or information technology (IT) environment. After DOT staff review all of the information submitted and contacted the Grants.gov Help Desk to validate the technical issues you reported, DOT staff will contact you to either approve or deny your request to submit a late application through Grants.gov. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

5. Funding Restrictions

6. There is no specific set aside funding solely for pre-construction activities[4] in the FY 2015 TIGER Discretionary Grant program. However, these activities may be eligible to the extent that they are part of an overall construction project that receives TIGER Discretionary Grant funding. For TIGER funds to be considered for pre-construction activities, the applicant must clearly state, in the application, the pre-construction activity and amount of TIGER funds that will be expended on the activity.

E. Application Review

1. Selection Criteria

This section specifies the criteria that DOT will use to evaluate and award applications for TIGER Discretionary Grants. The criteria incorporate the statutory eligibility requirements for this program, which are specified in this notice as relevant. There are two categories of selection criterion, "Primary Selection Criteria" and "Secondary Selection Criteria." Within each relevant selection criteria, applicants are encouraged to present in measurable terms how TIGER

[4] Pre-Construction activities are activities related to the planning, preparation, or design of surface transportation projects. These activities include but are not limited to environmental analysis, feasibility studies, design, and engineering of surface transportation projects as describe in Section C.3.

investment will lead to transformative change(s) in their community. Projects will also be evaluated for demonstrated project readiness, benefits and costs, and cost share.

i. **Primary Selection Criteria:** Applications that do not demonstrate a likelihood of significant long-term benefits based on these criteria will not proceed in the evaluation process. DOT does not consider any primary selection criterion more important than the others. The primary selection criteria, which will receive equal consideration, are:

   a. Safety. Improving the safety of U.S. transportation facilities and systems for all modes of transportation and users. DOT will assess the project's ability to reduce the number, rate, and consequences of surface transportation-related accidents, serious injuries, and fatalities among transportation users, the project's contribution to the elimination of highway/rail grade crossings, and the project's contribution to preventing unintended releases of hazardous materials. DOT will consider the project's ability to foster a safe, connected, accessible transportation system for the multimodal movement of goods and people.

   b. State of Good Repair. Improving the condition and resilience of existing transportation facilities and systems. DOT will assess whether and to what extent: (1) the project is consistent with relevant plans to maintain transportation facilities or systems in a state of good repair and address current and projected vulnerabilities; (2) if left unimproved, the poor condition of the asset will threaten future transportation network efficiency, mobility of goods or accessibility and mobility of people, or economic growth; (3) the project is appropriately capitalized up front and uses asset management approaches that optimize its long-term cost structure; (4) a sustainable source of revenue is available for operations and maintenance of the project; and (5)

the project improves the transportation asset's ability to withstand probable occurrence or recurrence of an emergency or major disaster or other impacts of climate change. Additional consideration will be given to a project's contribution to improve the overall reliability of a multimodal transportation system that serves all users, and to projects that offer significant transformational improvements to the condition of existing transportation systems and facilities.

c. Economic Competitiveness. Contributing to the economic competitiveness of the United States over the medium- to long-term, revitalizing communities, and creating and preserving jobs. DOT will assess whether the project will (1) decrease transportation costs and improve access for Americans with transportation disadvantages through reliable and timely access to employment centers, education and training opportunities, and other basic needs of workers; (2) improve long-term efficiency, reliability or costs in the movement of workers or goods; (3) increase the economic productivity of land, capital, or labor at specific locations, and through community revitalization efforts; (4) result in long-term job creation and other economic opportunities; or (5) help the United States compete in a global economy by facilitating efficient and reliable freight movement, including border infrastructure and projects that have a significant effect on reducing the costs of transporting export cargoes. DOT will prioritize projects that exhibit strong leadership and vision, and are part of a larger strategy to significantly revitalize communities and increase economic opportunities.

d. Quality of Life. Increasing transportation choices and access to essential services for people in communities across the United States, particularly for disadvantaged

groups. DOT will assess whether the project furthers the six "Livability Principles" developed by DOT with the Department of Housing and Urban Development (HUD) and the Environmental Protection Agency (EPA) as part of the Partnership for Sustainable Communities.[5] DOT will focus on the first principle, the creation of affordable and convenient transportation choices.[6] Further, DOT will prioritize projects developed in coordination with land-use planning and economic development decisions, including through programs like TIGER Planning Grants, the Department of Housing and Urban Development's Regional Planning Grants, the Environmental Protection Agency's Brownfield Area-Wide Planning Pilot Program, and technical assistance programs focused on quality of life or economic development planning. DOT will assess the extent to which the project will anchor transformative, positive and long-lasting quality of life changes at the national, regional or metropolitan level.

e. Environmental Sustainability. Improving energy efficiency, reducing dependence on oil, reducing greenhouse gas emissions, improving water quality, avoiding and mitigating environmental impacts and otherwise benefitting the environment. DOT will assess the project's ability to: (i) reduce energy use and air or water pollution; (ii) avoid adverse environmental impacts to air or water quality, wetlands, and endangered species; or (iii) provide environmental benefits, such as brownfield redevelopment, ground water recharge in areas of water scarcity, wetlands creation or improved habitat connectivity, and stormwater mitigation, including green

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[5] http://www.sustainablecommunities.gov/index.html

[6] In full, this principle reads: "**Provide more transportation choices.** Develop safe, reliable and economical transportation choices to decrease household transportation costs, reduce our nations' dependence on foreign oil, improve air quality, reduce greenhouse gas emissions and promote public health."

infrastructure. Applicants are encouraged to provide quantitative information, including baseline information that demonstrates how the project will reduce energy consumption, stormwater runoff, or achieve other benefits for the environment.

ii. Secondary Selection Criteria

a. Innovation. Use of innovative strategies to pursue the long-term outcomes outlined above. DOT will also assess the extent to which the project uses innovative technology to pursue one or more of the long-term outcomes outlined above or to significantly enhance the operational performance of the transportation system. DOT will also assess the extent to which the project incorporates innovations in transportation funding and finance and leverages both existing and new sources of funding through both traditional and innovative means. Further, DOT will consider the extent to which the project utilizes innovative practices in contracting, congestion management, safety management, asset management, or long-term operations and maintenance. DOT is interested in projects that apply innovative strategies to improve the efficiency of project development or to improve project delivery.

b. Partnership. Demonstrating strong collaboration among a broad range of stakeholders, and the product of a robust, inclusive planning process.

i) Jurisdictional and Stakeholder Collaboration. DOT will consider the extent to which projects involve multiple partners in project development and funding, such as State and local governments, other public entities, and/or private or nonprofit entities. DOT will also assess the extent to which the project application demonstrates collaboration among neighboring or regional jurisdictions to achieve national, regional, or metropolitan benefits. In the context of public-private

partnerships, DOT will assess the extent to which partners are encouraged to ensure long-term asset performance, such as through pay-for-success approaches.

ii) Disciplinary Integration. DOT will consider the extent to which projects include partnerships that bring together diverse transportation agencies and/or are supported, financially or otherwise, by non-transportation public agencies that are pursuing similar objectives. For example, DOT will give priority to transportation projects that are coordinated with economic development, housing, water infrastructure, and land use plans and policies or other public service efforts. Similarly, DOT will give priority to transportation projects that are coordinated with housing, social services, or education agencies. Projects that grow out of a robust planning process—such as those conducted with DOT's various planning programs and initiatives, the Department of Housing and Urban Development's Regional Planning Grants and Choice Neighborhood Planning Grants, or the Environmental Protection Agency's Brownfield Area-Wide Planning Pilot Program, as well as technical assistance programs focused on livability or economic development planning—will also be given priority.

iii. Demonstrated Project Readiness

Projects that receive funding in this round of TIGER must obligate funds by September 30, 2017, or the funding will expire. Therefore, DOT will assess every application to determine whether the project is likely to proceed to obligation by the statutory deadline (see *Additional Information on Project Readiness Guidelines* located at www.dot.gov/TIGER for further details), as evidenced by:

a. Technical Feasibility. The technical feasibility of the project should be demonstrated by engineering and design studies and activities; the development of design criteria and/or a basis of design; the basis for the cost estimate presented in the TIGER application, including the identification of contingency levels appropriate to its level of design; and any scope, schedule, and budget risk-mitigation measures. Applicants must include a detailed statement of work that focuses on the technical and engineering aspects of the project and describes in detail the project to be constructed;

b. Financial Feasibility. The viability and completeness of the project's financing package (assuming the availability of the requested TIGER Discretionary Grant funds) should be demonstrated including evidence of stable and reliable capital and (as appropriate) operating fund commitments sufficient to cover estimated costs; the availability of contingency reserves should planned capital or operating revenue sources not materialize; evidence of the financial condition of the project sponsor; and evidence of the grant recipient's ability to manage grants. The applicant must include a detailed project budget in this section of the application containing a breakdown of how the funds will be spent. That budget must estimate—both dollar amount and percentage of cost— the cost of work for each project component and provide examples. If the project will be completed in individual segments or phases, a budget for each individual segment or phase must be included. Budget spending categories must be broken down between TIGER, other Federal, and non-Federal sources[7], and identify how each funding source will share in each activity.

[7] Non-Federal sources include State funds originating from State revenue funded programs, local funds originating from State or local revenue funded programs, private funds or other funding sources of non-Federal origins.

c. Project Schedule. The applicant must include a detailed project schedule that includes all major project milestones--such as start and completion of environmental reviews and approvals; design; right of way acquisition; approval of plan, specification and estimate (PS&E); procurement; and construction-- with sufficiently detailed information to demonstrate that:

i) all necessary pre-construction activities will be complete to allow grant funds to be obligated no later than June 30, 2017, to give DOT reasonable assurance that the TIGER Discretionary Grant funds will be obligated sufficiently in advance of the September 30, 2017, statutory deadline, and that any unexpected delays will not put the funds at risk of expiring before they are obligated;

ii) the project can begin construction quickly upon receipt of a TIGER Discretionary Grant, and that the grant funds will be spent steadily and expeditiously once construction starts; and

iii) any applicant that is applying for a TIGER Discretionary Grant and does not own all of the property or right-of-way required to complete the project should provide evidence that the property and/or right-of-way acquisition can and will be completed expeditiously.

DOT may revoke any award of TIGER Discretionary Grant funds and award those funds to another project if the funds cannot be timely expended or construction does not begin in accordance with the project schedule established in the grant agreement.

d. Required Approvals

i) Environmental Permits and Reviews. An application for a TIGER Discretionary Grant must detail whether the project will significantly impact the natural, social

and/or economic environment. The application should demonstrate receipt (or reasonably anticipated receipt) of all environmental approvals and permits necessary for the project to proceed to construction on the timeline specified in the project schedule and necessary to meet the statutory obligation deadline, including satisfaction of all Federal, State and local requirements and completion of the National Environmental Policy Act ("NEPA") process. Although Section C.3.iii (Project Components) of this notice encourages applicants to identify independent project components, those components may not be separable for the NEPA process. In such cases, the NEPA review for the independent project component may have to include evaluation of all project components as connected, similar, or cumulative actions, as detailed at 40 CFR § 1508.25. The applicant should submit the information listed below with your application:

1) Information about the NEPA status of the project. If the NEPA process is completed, an applicant must indicate the date of, and provide a website link or other reference to the final Categorical Exclusion, Finding of No Significant Impact or Record of Decision. If the NEPA process is underway but not complete, the application must detail the type of NEPA review underway, where the project is in the process, and indicate the anticipated date of completion. You must provide a website link or other reference to copies of any NEPA documents prepared.
2) Information on reviews by other agencies. An application for a TIGER Discretionary Grant must indicate whether the proposed project requires

reviews or approval actions by other agencies[8], indicate the status of such actions, and provide detailed information about the status of those reviews or approvals and/or demonstrate compliance with any other applicable Federal, State, or local requirements.

3) Environmental studies or other documents—preferably through a website link—that describe in detail known project impacts, and possible mitigation for those impacts.

4) A description of discussions with the appropriate DOT modal administration field or headquarters office regarding compliance with NEPA and other applicable environmental reviews and approvals.

ii) Legislative Approvals. The applicant should demonstrate receipt of state and local approvals on which the project depends. Additional support from relevant State and local officials is not required; however, an applicant should demonstrate that the project is broadly supported.

iii) State and Local Planning. The planning requirements of the modal administration administering the TIGER project will apply.[9] You should demonstrate that a

[8] Projects that may impact protected resources such as wetlands, species habitat, cultural or historic resources require review and approval by Federal and State agencies with jurisdiction over those resources. Examples of these reviews and approvals can be found at www.dot.gov/TIGER.

[9] All projects requiring an action by the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA) in accordance with 23 CFR Part 450, must be in the metropolitan transportation plan, transportation improvement program (TIP) and statewide transportation improvement program (STIP). Further, in air quality non-attainment and maintenance areas, all regionally significant projects, regardless of the funding source, must be included in the conforming metropolitan transportation plan and TIP. To the extent a project is required to be on a metropolitan transportation plan, TIP, and/or STIP, it will not receive a TIGER Discretionary Grant until it is included in such plans. Projects not currently included in these plans can be amended by the State and metropolitan planning organization (MPO). Projects that are not required to be in long range transportation plans, STIPs, and TIPs will not need to be included in such plans in order to receive a TIGER Discretionary Grant. Port, freight and passenger rail projects are not required to be on the State Rail Plans called for in the Passenger Rail Investment and Improvement Act of 2008. This is consistent with the exemption for high-speed and intercity passenger rail projects under the Recovery Act. However, applicants seeking funding for freight and passenger rail projects are encouraged to demonstrate that they have done sufficient planning to ensure that projects fit into a

project that is required to be included in the relevant State, metropolitan, and local planning documents has been or will be included. If the project is not included in the relevant planning documents at the time the application is submitted, you should submit a certification from the appropriate planning agency that actions are underway to include the project in the relevant planning document. Because projects have different schedules, the construction start date for each TIGER Discretionary Grant will be specified in the project-specific grant agreements signed by relevant modal administration and the grant recipients and will be based on critical path items identified by applicants in response to items (i)(1) through (4) above.

e. Assessment of Project Risks and Mitigation Strategies. The applicant should identify the material risks to the project and the strategies that the lead applicant and any project partners have undertaken or will undertake in order to mitigate those risks. In past rounds of TIGER Discretionary Grants, certain projects have been affected by procurement delays, environmental uncertainties, and increases in real estate acquisition costs. The applicant must assess the greatest risks to the projects and identify how the project parties will mitigate those risks. DOT will consider projects that contain risks so long as the applicant clearly and directly describe achievable mitigation strategies.

The applicant, to the extent they are unfamiliar with the Federal program, should contact DOT modal field or headquarters offices for information on what steps are pre-requisite to the

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prioritized list of capital needs and are consistent with long-range goals. To the extent possible, freight projects should be included in a state freight plan and supported by a state freight advisory committee (see MAP-21 §§ 1117–1118). Further information and guidance information on transportation planning and is available from the following FHWA and FTA sites respectively - http://www.fhwa.dot.gov/planning and http://www.fta.dot.gov/about/12347.html. Port planning guidelines are available at StrongPorts.gov.

obligation of Federal funds in order to ensure that their project schedule is reasonable and that there are no risks of delays in satisfying federal requirements.

Contacts for the Federal Highway Administration Division offices—which are located in all 50 States, Washington, DC, and Puerto Rico—can be found at http://www.fhwa.dot.gov/about/field.cfm. Contacts for the ten Federal Transit Administration regional offices can be found at http://www.fta.dot.gov/12926.html. Contacts for the nine Maritime Administration Gateway Offices can be found at http://www.marad.dot.gov/about_us_landing_page/gateway_offices/Gateway_Presence.htm. For Federal Railroad Administration Contacts, please contact TIGER program staff via e-mail at TIGERGrants@dot.gov, or call Howard Hill at 202-366-0301.

iv. Project Costs and Benefits

An applicant for TIGER Discretionary Grants is generally required to identify, quantify, and compare expected benefits and costs, subject to the following qualifications:[10]

An applicant should prepare and submit an analysis of benefits and costs; however, DOT understands that the appropriate level of detail of analysis (for items such as surveys, travel demand forecasts, market forecasts, and statistical analyses) is less for smaller projects than for larger projects. The level of sophistication of the benefit-cost analysis (BCA) should be reasonably related to the size of the overall project and the amount of grant funds requested in the application. Any subjective estimates of benefits and costs should be quantified, and the applicant should provide appropriate evidence to lend credence to their subjective estimates. Estimates of benefits should be presented in

[10] DOT has a responsibility under Executive Order 12893, Principles for Federal Infrastructure Investments, 59 FR 4233, to base infrastructure investments on systematic analysis of expected benefits and costs, including both quantitative and qualitative measures.

monetary terms whenever possible; if a monetary estimate is not possible, then at least one non-monetary quantitative estimate (in physical, non-monetary terms, such as crash rates, ridership estimates, emissions levels, or energy efficiency improvements) should be provided.

Based on feedback over previous rounds of TIGER, DOT recognizes that the benefit-cost analysis can be particularly burdensome on Tribal governments. Therefore, the Department is providing additional flexibility to Tribal governments for the purposes of this notice. At their discretion, Tribal applicants may elect to provide raw data to support the need for a project (such as crash rates, ridership estimates, and the number of people who will benefit from the project), without additional analysis. This data will then be used to allow DOT economists to make the best estimates they can develop (given the data provided) of benefits and costs. Examples of BCAs by successful Tribal applicants are also available online at http://www.dot.gov/policy-initiatives/tiger/tribal-tiger-bca-examples.

The lack of a useful analysis of expected project benefits and costs may be the basis for not selecting a project for award of a TIGER Discretionary Grant. If it is clear to DOT that the total benefits of a project are not reasonably likely to justify the project's costs, DOT will not award a TIGER Discretionary Grant to the project.

Detailed guidance for the preparation of benefit-cost analyses is provided in the *2015 Benefit-Cost Analyses Guidance for TIGER Grant Applicants* and in the *BCA Resource Guide* (available at www.dot.gov/TIGER). A recording of the *Benefit-Cost Analysis Practitioner's Workshop (2010)* and two BCA-related webinars are also available for

viewing at www.dot.gov/TIGER, along with examples of benefit-cost analyses that have been submitted in previous rounds of TIGER.

Spreadsheets supporting the benefit-cost analysis should be original Excel spreadsheets, not PDFs of those spreadsheets. Benefits should be presented, whenever possible, in a tabular form showing benefits and costs in each year for the useful life of the project. The application should include projections for both the build and no-build scenarios for the project for each year between the completion of the project and a point in time at least 20 years beyond the project's completion date or the lifespan of the project, whichever is closer to the present. Benefits and costs should both be discounted to the year 2015, and calculations should be presented for discounted values of both the stream of benefits and the stream of costs. If the project has multiple components, each of which has independent utility, the benefits and costs of each component should be estimated and presented separately. The results of the benefit-cost analysis should be summarized in the Project Narrative section of the application itself, but the details should be presented in an attachment to the application if the full analysis cannot be included within the page limit for the project narrative.

v. Cost Share

The FY 2015 Appropriations Act directs DOT to prioritize projects that require a contribution of Federal funds to complete an overall financing package, and all projects can increase their competitiveness for purposes of the TIGER program by demonstrating significant non-Federal financial contributions. The applicant should clearly demonstrate the extent to which the project cannot be readily and efficiently completed without a TIGER Discretionary Grant, and the extent to which other sources of funds, including

Federal, State, or local funding, may or may not be readily available for the project. DOT recognizes that applicants have varying abilities and resources to contribute non-Federal contributions, especially those communities that are not routinely receiving and matching Federal funds. DOT recognizes certain communities with fewer financial resources may struggle to provide cost-share that exceeds the minimum requirements and will, therefore, consider an applicant's broader fiscal constraints when evaluating non-Federal contributions. In the first six rounds, on average, projects attracted more than 3.5 matching dollars for every TIGER grant dollar.

2. Review and Selection Process

DOT reviews all eligible applications received before the deadline. The TIGER review and selection process consists of three phases: Technical Review, Tier 2 Analysis consisting of project readiness and economic analysis, and Senior Review.

In the Technical Evaluation phase, teams comprising staff from the Office of the Secretary (OST) and modal administrations review all eligible applications and rate projects as Highly Recommended, Recommended, Acceptable, or Not Recommended based on how well the projects align with the selection criteria.

Tier 2 Analysis consists of (1) an Economic Analysis and (2) a Project Readiness Analysis. The Economic Analysis Team, comprising OST and modal administration economic staff, assess whether total benefits of the proposed projects are likely to outweigh costs. The Project Readiness Team, comprising Office of the Secretary Office of Policy (OST-P) and modal administration staff, evaluates the proposed project's technical and financial feasibility, potential risks and mitigation strategies, and project schedule, including the status of environmental approvals and readiness to proceed.

In the third review phase, the Senior Review Team, which includes senior leadership from OST and the modal administrations, consider all projects that were rated Acceptable, Recommended, or Highly Recommended and determine which projects to advance to the Secretary as Highly Rated. The Secretary selects from the Highly Rated projects for final award.

F. Federal Award Administration

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 www.dot.gov/TIGER. Following the announcement, the relevant modal administration will contact the point of contact listed in the SF 424 to initiate negotiation of the grant agreement.

2. Administrative and National Policy Requirements

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 C.F.R part 200, as adopted by DOT at 2 C.F.R pt. 1201. Additionally, applicable Federal laws, rules and regulations of the relevant modal administration administering the project will apply to the projects that receive TIGER Discretionary Grant awards, including planning requirements, Service Outcome Agreements, Stakeholder Agreements, Buy America compliance, and other requirements under DOT's other highway, transit, rail, and port grant programs.

For projects administered by the Federal Highway Administration (FHWA), applicable Federal laws, rules, and regulations set forth in Title 23 U.S.C. and Title 23 C.F.R apply. For an illustrative list of the applicable laws, rules, regulations, executive orders, polices, guidelines, and requirements as they relate to a TIGER project

administered by the FHWA, please see [http://www.ops.fhwa.dot.gov/freight/infrastructure/tiger/fy2014_gr_exhbt_c/index.htm]. For TIGER projects administered by the Federal Transit Administration and partially funded with Federal transit assistance, all relevant requirements under chapter 53 of title 49 U.S.C. apply. For transit projects funded exclusively with TIGER discretionary funds, some requirements of chapter 53 of title 49 U.S.C. and chapter VI of title 49 C.F.R. apply. For projects administered by the Federal Railroad Administration, FRA requirements described in 49 U.S.C. Subtitle V, Part C apply.

Federal wage rate requirements included in subchapter IV of chapter 31 of title 40, United States Code, apply to all projects receiving funds under this program, and apply to all parts of the project, whether funded with TIGER Discretionary Grant funds, other Federal funds, or non-Federal funds.

3. **Reporting**

   i. **Performance Reporting** - Each applicant selected for TIGER Discretionary Grant funding must collect information and report on the project's performance with respect to the relevant long-term outcomes that are expected to be achieved through construction of the project. Performance indicators will not include formal goals or targets, but will include baseline measures as well as post-project outcomes for an agreed-upon timeline, and will be used to evaluate and compare projects and monitor the results that grant funds achieve to ensure that grant funds achieve the intended long-term outcomes of the TIGER Discretionary Grant program.

ii. **Progress Reporting** –Each applicant selected for TIGER Discretionary Grant funding must submit quarterly progress reports and Federal Financial Report (SF-425) on the financial condition of the project and the project's progress, as well as an Annual Budget Review and Program Plan to monitor the use of Federal funds and ensure accountability and financial transparency in the TIGER program.

G. Federal Awarding Agency Contacts

For further information concerning this notice please contact the TIGER Discretionary Grant program staff via e-mail at TIGERGrants@dot.gov, or call Howard Hill at 202-366-0301. A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993. In addition, DOT will post answers to questions and requests for clarifications on DOT's website at www.dot.gov/TIGER. 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 TIGER Discretionary Grants selection and award process upon request.

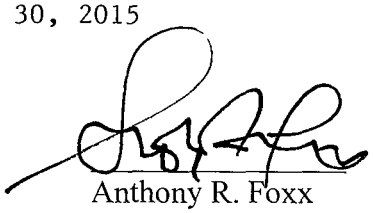
H. Other information

1. Protection of Confidential Business Information

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 application includes information you consider to be a trade secret or confidential commercial or financial information, the applicant should do the following: (1) note on the front cover that the submission "Contains Confidential Business Information (CBI)"; (2) mark each affected page "CBI"; and (3) highlight or otherwise denote the CBI portions. DOT protects such information from disclosure to the extent allowed under applicable law. In the event DOT receives a Freedom of Information Act (FOIA) request

for the information, DOT will follow the procedures described in its FOIA regulations at 49 CFR § 7.17. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA.

Issued On: March 30, 2015



Anthony R. Foxx
Secretary