



MARCH 25, 2024 - 7:00 PM

**AGENDA
MULTI-SERVICES COMMITTEE
PURSUANT TO RESOLUTION NO. 08-100, RULES I, II, AND III**

I. COMMUNICATIONS

1. Communication from the Planning Department on 2023 County Planning Board activities

II. RESOLUTIONS, MOTIONS, AND NOTICES

1. Resolution authorizing application for and acceptance of United States Department of Transportation Raise grant on behalf of the Chemung County Planning Department (Wayfinding)
2. Resolution authorizing application for and acceptance of United States Department of Transportation RAISE grant on behalf of the Chemung County Planning Department (Improving Pedestrian Corridors)
3. Resolution authorizing agreement with Verizon Connect on behalf of the Chemung County Sewer Districts (Vehicle Tracking Subscription)
4. Resolution extending agreement with USALCO, LLC on behalf of the Chemung County Sewer Districts
5. Resolution authorizing agreement with Larson Design Group on behalf of the Chemung County Sewer Districts (General Services Agreement)
6. Resolution renewing agreement with ClearGov Inc. on behalf of the Chemung County Department of Information Technology
7. Resolution authorizing agreement with Southern Tier Network on behalf of the Chemung County Department of Information Technology
8. Resolution authorizing Purchase Agreement with MA Polce Consulting, Inc. on behalf of the Chemung County Department of Information Technology
9. Resolution authorizing Purchase Agreement with SHI, Inc. on behalf of the Chemung County Department of Information Technology

III. OLD BUSINESS

IV. NEW BUSINESS

1. Presentation - Michelle Podolec, Executive Director, Cornell Cooperative Extension of Chemung County - Agriculture and Natural Resource Programs

V. ADJOURNMENT



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Communication from the Planning Department on 2023 County Planning Board activities

Resolution #:

Slip Type: OTHER

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

This summary of the County Planning Board activities in 2023 fulfills the General Municipal (GMU) CHAPTER 24, ARTICLE 12-B, Section 239-C requirement for the County Planning Board to submit an annual report to the County legislative body on its activities for the prior year.


CREATION:

Date/Time:	Department:
1/29/2024 10:44:40 AM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
2/20/2024 12:47 PM	Approved	County Executive	
3/19/2024 10:19 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
 2023 County Planning Board GMU 239-c Summary .pdf	2023 County Planning Board GMU	Cover Memo

STAMP_ITEMNUMB



THE PLANNING DEPARTMENT

The Planning Department is responsible for guiding growth and development within the County. The Planning Department leads strategic planning and technical research for the County and has a mission to support local communities, strengthen the economic vitality of the County, protect natural resources, and enhance the quality of life for all.

The Planning Department provides a wide range of services including land use planning, transportation and infrastructure planning, economic development, community outreach and engagement, resilience and sustainability planning, grant funding support, emergency management planning, intergovernmental coordination, as well as oversight and management of the public transit system, CTRAN.

A summary of major Planning Department accomplishments in 2023 is provided below:

SERVICE AREA	2023 ACCOMPLISHMENTS
Land Use Planning	<ul style="list-style-type: none">▪ Reviewed 62 land use referrals from local municipalities▪ Began work on an Agriculture & Farmland Protection Plan
Transportation & Infrastructure Planning	<ul style="list-style-type: none">▪ Began work on a Long-Range Transportation Plan (LRTP)▪ Completed a Feasibility Study to connect the Lackawanna Rail Trail to the Catherine Valley Trail▪ Completed a City of Elmira sidewalk inventory▪ Completed a cost-benefit analysis for the Northern Arterial extension of Clemens Center Pkwy
Economic Development	<ul style="list-style-type: none">▪ Awarded \$300k CDBG microenterprise funding to provide grants to small businesses in Chemung County▪ Hosted a Disadvantaged Business Enterprise (DBE) workshop with TransDev to encourage and promote local business participation in government transportation contracts▪ Completed a Housing Market Study to support developers in understanding market conditions and anticipated absorption rates▪ Assisted the Nursing Facility to apply for and be awarded a \$1.9M workforce development grant▪ Began work on a Local Waterfront Revitalization Plan (LWRP) for the City of Elmira to stimulate economic activity in Downtown Elmira



Community Outreach & Engagement	<ul style="list-style-type: none"> Conducted several outreach events including regular tabling at Wisner Market and other community events Conducted a Community Listening Session for Clemens Center Pkwy Conducted a Connector Trail Public Engagement Meeting and Community Visioning Walk Created or enhanced the departments social media presence (Facebook, LinkedIn, Instagram) Hosted training for planning laws and concepts including the referral process, affordable housing, and zoning amendments
Resilience & Sustainability Planning	<ul style="list-style-type: none"> Completed a Transit Sustainability Report Completed a Chemung County Natural Resources Inventory Awarded a \$148,000 NY Department of State grant to prepare a County Resilience Plan Continued participation in the NYS Climate Smart Communities and NYSEDA Clean Energy Communities programs
Grant Funding Support	<ul style="list-style-type: none"> Successfully applied for and received 18 grant awards totaling over \$6M, including a \$1.7M grant award for DPW compost facility equipment and site improvements (100% federal, no local share) and \$1.9M award for Nursing Facility to address staff shortages (100% state, no local share)
Emergency Management Planning	<ul style="list-style-type: none"> Began work on the Hazard Mitigation Plan update Completed 8 Game of Logging training classes with 78 total participants including staff from 6 local municipalities and 3 County Departments
Intergovernmental Coordination	<ul style="list-style-type: none"> Continued to liaise and provide staff support to several boards and committees, including the County Planning Board, Transit Board, Riders Advisory Council, Southern Tier Central (STC), Ag and Farm Board, Coordinated Committee, Environmental Management Council, Land Bank, Bicycle and Pedestrian Advisory Council (BACPAC), Traffic Safety Board, Elmira Chemung Transportation Council, GIS Consortium, and Water Quality Committee
Public Transit System Management & Oversight	<ul style="list-style-type: none"> Purchased 5 new cutaway buses Completed downtown Transportation Center Rehabilitation project (HVAC and ADA accessibility improvements) Purchased new bus lifts for the bus garage Increased ridership by over 21% from 316,314 in 2022 to an estimated 383,212 in 2023



THE COUNTY PLANNING BOARD

The Planning Department provides staff support to the County Planning Advisory Board ('County Planning Board'). This summary of the County Planning Board activities in 2023 fulfills the General Municipal (GMU) CHAPTER 24, ARTICLE 12-B, Section 239-C requirement for the County Planning Board to submit an annual report to the County legislative body on its activities for the prior year.

The 239m referrals seen in Chemung County this year are a reason for optimism if seen as a metric of development. The County has experienced a significant uptick in complete referrals in 2023 compared to 2022 from 46 to 62, suggesting that more sites are seeing construction, more parcels are being shifted to suit owner preferences, and more zoning changes are being adopted to account for land use changes locally. A total of 66 actions were referred, but 4 were withdrawn for Chemung County Planning Board review.

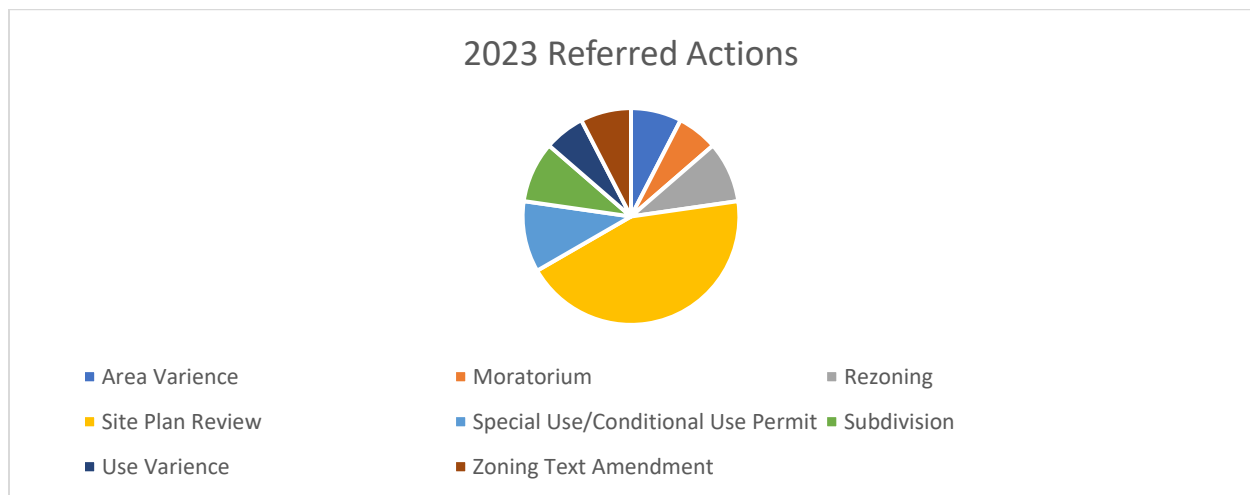


Figure 1: County Planning Board Referrals by Type

Of the 66 referrals received in 2023, the majority were site plan reviews. Use permits, subdivisions, and rezoning actions were the following three most common actions, and when taken together still accounted for fewer total referrals than site plans alone. 6 solar power related referrals and 5 cannabis related referrals indicate that Chemung is following statewide trends in emerging sectors; cannabis related referrals were predominantly zoning updates or moratoriums, while solar power related referrals were largely site plan reviews. This may indicate that more support is needed locally to adapt to the changing cannabis market relative to the more established solar power market.



As is typically the case, most Chemung County Planning Board referrals were given a “Local Determination/No County Wide Impact” recommendation in 53 out of the total 62. “Approvals” were given in 7 instances, and “Disapprovals” in 2. The Board has most frequently approved actions with good economic development potential or productive reuse of an existing building, and disapproved actions that were insufficiently documented. Especially controversial local issues, such as a site plan review and rezoning of a proposed multifamily building near Millers Pond in the City of Elmira or the 3 Sisters Solar farm in the Town of Chemung, saw a noted increase in meeting attendance by the public.

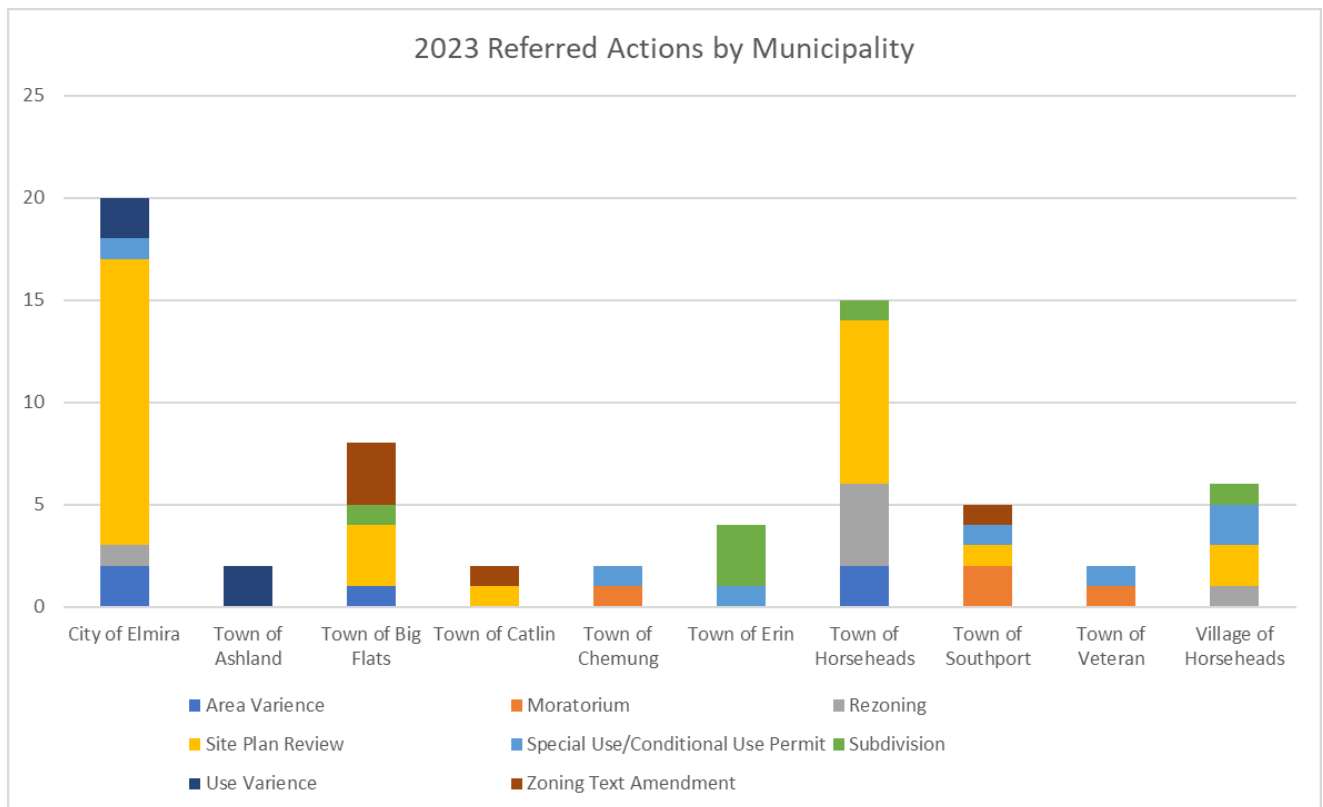


Figure 2: County Planning Board Referrals by Type and Municipality

Unsurprisingly, the City of Elmira referred the most actions to the County in 2023 with the Town of Horseheads referring the second most, site plans being the majority in both cases. Largely rural municipalities referred fewer actions is reflective of sparser development. Notably, the Town of Baldwin, the Town of Catlin, the Town of Elmira, the Town of Van Etten, and the Town of Elmira Heights had not submitted any referrals in 2023. This could be attributed to a lack of development in more rural regions, fewer geographic boundaries requiring referrals, or an education gap on the 239m process.

The Chemung County Planning Department is actively involved in broadening training and educational opportunities for those involved in the referral process, as well as in strengthening the Chemung County



Planning Board's recommendation process and the documentation thereof. In 2023 these initiatives included an updated referral form, a County specific 239m referral guidance document, and increased communication with municipal staff about what the referral process requires to be legally sound. A training led by the New York State Department of State was coordinated by Planning Department staff in November and training topics included the 239-m County Referral process, Affordable Housing, and Amending Zoning. The County has more work to do on this front, as evidenced by the relatively low submission rate of Notices of Final Action (NOFA) following CCPB recommendation – of the 58 recommendations, only 20 NOFAs were delivered in accordance with the 239m process. That statistic in itself is also a positive one, as no NOFAs had been submitted at all in 2022. Technical assistance, training and communication from the County will continue to bring local municipalities into legal compliance.

In 2024, the County Planning Board looks to secure referral agreements with municipalities to streamline and expedite the review process and encourage development. In addition, the County Planning Board will be advising on a County Comprehensive Planning effort.



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution authorizing application for and acceptance of United States Department of Transportation
Raise grant on behalf of the Chemung County Planning Department (Wayfinding)

Resolution #:

Slip Type: GRANT

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Chemung County applied for this grant in 2023, and although denied, was encouraged to reapply with minor modifications. The modifications will be made, and the County will be applying for funding to create a plan around improving Wayfinding.

Vendor/Provider US Department of
Transportation

Term 3 Years Total Amount 226,875 Prior Amount
from award

Local Share 45,375 State Share Federal Share 181,500

Project Yes Funds are in
Budgeted? Account #

CREATION:

Date/Time:	Department:
1/29/2024 10:35:51 AM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
2/20/2024 1:20 PM	Approved	County Executive	
3/19/2024 10:24 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
RAISE_2024_NOFO_11.30.23_0.pdf	Raise 2024 NOFO	Cover Memo

STAMP_ITEMNUMB

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Funding Opportunity for Fiscal Year (FY) 2024

Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program

AGENCY: Office of the Secretary (OST), US Department of Transportation (DOT)

ACTION: Notice of Funding Opportunity (NOFO)

SUMMARY OVERVIEW OF KEY INFORMATION: RAISE Grant Opportunity	
Issuing Agency	Office of the Secretary, US Department of Transportation
Program Overview	RAISE grants will be awarded on a competitive basis, per statute, for planning or constructing surface transportation infrastructure projects that will improve safety; environmental sustainability; quality of life; mobility and community connectivity; economic competitiveness and opportunity including tourism; state of good repair; partnership and collaboration; and innovation.
Objective	<ul style="list-style-type: none">• Invest in surface transportation that will have a significant local or regional impact; and• Support projects that are consistent with the Department's strategic goals: improve safety, economic strength and global competitiveness, equity, and climate and sustainability.
Eligible Applicants	<ul style="list-style-type: none">• States• District of Columbia• any territory or possession of the United States• a unit of local government• a public agency or publicly chartered authority established by one or more States• a special purpose district or public authority with a transportation function, including a port authority• a Federally recognized Indian Tribe or a consortium of such Indian Tribes• a transit agency• a multi-State or multijurisdictional group of entities that are separately eligible
Eligible Project Types	<ul style="list-style-type: none">• highway or bridge projects eligible under title 23, United States Code• public transportation projects eligible under chapter 53 of title 49, United States Code

	<ul style="list-style-type: none"> • passenger and freight rail transportation projects eligible under title 49 • port infrastructure investments (including inland port infrastructure and land ports of entry) • the surface transportation components of an airport project eligible for assistance under part B of subtitle VII of title 49, United States Code • intermodal projects whose components are otherwise an eligible project type • projects to replace or rehabilitate a culvert or prevent stormwater runoff for the purpose of improving habitat for aquatic species while advancing the goals of the RAISE program • projects investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government • any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goals of the program
Funding	Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021, “Bipartisan Infrastructure Law,” or “BIL”) provides \$1.5 billion annually for FY 2022 – 2026
Deadline	<ul style="list-style-type: none"> • FY 2024 Deadline: February 28, 2024 at 11:59 pm Eastern • FY 2025 Deadline: January 13, 2025 at 11:59 pm Eastern • FY 2026 Deadline: January 13, 2026 at 11:59 pm Eastern

This notice describes the application requirements, selection and evaluation criteria, and applicable program and Federal requirements.

ASSISTANCE LISTING NUMBER: 20.933 National Infrastructure Investments

DATES: Applications must be submitted by 11:59 PM Eastern on **February 28, 2024**

WEBINAR: OST plans to conduct outreach regarding the FY 2024 RAISE NOFO in the form of webinars. The webinar schedule will be posted when available on the [RAISE outreach webpage](#).¹

ADDRESSES: Applications must be submitted through [Grants.gov](#)

FOR FURTHER INFORMATION CONTACT: DOT will not review applications in advance of their submission but RAISE program staff are available for questions. For further information concerning this notice, please contact the RAISE grant program staff via e-mail at RAISEgrants@dot.gov or call Andrea Jacobson at 202-366-9603. A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993. In addition, DOT will regularly

¹ <https://www.transportation.gov/RAISEgrants/outreach>

post answers to questions and requests for clarifications on the [FAQ website](#)² as well as information about webinars for further guidance on the [RAISE program website](#).³

SUPPLEMENTARY INFORMATION: The organization of this notice is based on an outline set forth in Appendix I to Title 2 of the Code of Federal Regulations (CFR), Part 200, to ensure consistency across Federal financial assistance programs. Each section of this notice contains information and instructions relevant to the application process for these RAISE grants, and all applicants should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications.

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² <https://www.transportation.gov/RAISEgrants/raise-application-faqs>

³ <https://www.transportation.gov/RAISEgrants/outreach>.

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Section A - Program Description

1. Overview

The Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021, “Bipartisan Infrastructure Law,” or “BIL”) authorized and appropriated \$1.5 billion annually to be awarded by the Department of Transportation (“DOT”) 2022 – FY 2026 for Local and Regional Project Assistance Program Grants under National Infrastructure Investments. The program is codified at 49 U.S.C. 6702.

The BIL requires the DOT to publish a Notice of Funding Opportunity (NOFO) no later than 60 days after funds are made available for the program, which for FY 2024 is November 30, 2023. In order to comply with this requirement, this NOFO solicits applications for projects to be funded under the Local and Regional Project Assistance Program, known as the RAISE Grants program.

If the FY 2024 Appropriations Act, or other subsequent Acts, provide additional funding or significantly alter requirements for the RAISE Grant program, the Department will amend this Notice with guidance on additional requirements.

The FY 2024 – 2026 rounds of RAISE will be implemented, as appropriate and consistent with law, in alignment with the priorities in Executive Order 14052, *Implementation of the*

Infrastructure Investments and Jobs Act (86 FR 64355), which are to invest efficiently and equitably, promote the competitiveness of the U.S. economy, improve job opportunities by focusing on high labor standards, strengthen infrastructure resilience to all hazards including climate change, and to effectively coordinate with State, local, Tribal, and territorial government partners.

2. Program Goals and Objectives

The goal of the RAISE program is to fund eligible surface transportation projects that will have a significant local or regional impact that advance the Departmental priorities of safety, equity, climate and sustainability, and workforce development, job quality, and wealth creation, consistent with law, and as described in the Department's [Strategic Plan](#)⁴ and in executive orders.

The Department seeks to fund projects under the RAISE program that reduce greenhouse gas emissions in the transportation sector; incorporate evidence-based climate resilience measures and features; 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).

In addition, the Department seeks to award projects under the RAISE program that proactively evaluate whether a project will create proportional impacts 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 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). The RAISE program advances President Biden's [Justice40 Initiative](#) which set the goal that 40 percent of the overall benefits of certain climate, clean energy, and other covered Federal investments flow to disadvantaged communities.

In addition, the Department intends to use the RAISE 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 RAISE 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 or 8(a) firms.

⁴ See U.S. Department of Transportation Strategic Plan FY 2022–2026 at <https://www.transportation.gov/dot-strategic-plan>.

The BIL included provisions for Metropolitan Planning Organizations to consider integrating transportation planning, housing, employment opportunities, and economic development strategies.⁵ The Department strongly encourages applicants to utilize these new planning coordination opportunities in their proposed projects and describe them in their applications.

Note, the RAISE program can only fund the surface transportation infrastructure elements of a project that may also include housing, employment opportunities, and economic development strategies.

Section E of this NOFO, which outlines FY 2024 RAISE Grant merit criteria, describes the process for selecting projects that further these goals. Section F.3 describes progress and performance reporting requirements for selected projects, including the relationship between that reporting and the program’s selection criteria.

The FY 2024 RAISE NOFO includes a Reconnecting Communities and Neighborhoods (RCN) Program Extra element. Applications for the FY 2024 RAISE grant program that have identical project scope to applications that were submitted and evaluated under the FY 2023 Reconnecting Communities Neighborhoods Program competition and received the designation of “RCN Program Extra,” will automatically advance for second-tier analysis if they receive an overall merit rating of “Recommended” and have at least one “High” rating in a priority criterion. See Section E.2. The Department expects projects that rated well under the FY 2023 RCN Program criteria will do well under the FY 2024 RAISE program criteria. Applicants should note in the FY 2024 RAISE Project Information Form whether their FY 2024 RAISE application was also submitted under the FY 2023 RCN competition and received a RCN Program Extra designation.

3. Changes from the FY 2023 NOFO

This FY 2024 RAISE NOFO makes changes from the FY 2023 RAISE NOFO to:

- Simplify the NOFO with the use of plain language and tables to organize information.
- Refine the merit criteria rating rubric. For example, this NOFO provides more examples of project elements that align with a “High” rating under Safety, Environmental Sustainability, and Innovation. Please see the merit criteria rating rubric in Section E for more details.
- Clarify what applicants should provide in the Project Budget document for the Financial Completeness Review.
- Update data used to determine Urban, Rural, and Areas of Persistent Poverty designations, and uses the Climate & Economic Justice Screening Tool (CEJST), created by the White House Council on Environmental Quality (CEQ), to identify Historically Disadvantaged Communities.

In addition to providing the application, obligation, and expenditure deadlines for FY 2024 funding, the Department outlines the application, obligation, and expenditure deadlines for FY

⁵See BIL div. A § 11201., *Transportation Planning*, which amends 23 U.S.C. 134.

2025 and 2026 funding for awareness. The Department intends to publish subsequent NOFOs for FY 2025 and 2026, which may incorporate additional changes as necessary and appropriate.

Additionally, FY 2024 Projects of Merit, which are Highly Rated applications not selected for award, will automatically be carried forward for consideration under FY 2025 RAISE funding. However, if there are any changes to the FY 2024 project being considered in the FY 2025 round, including but not limited to scope, schedule, and budget, an applicant must submit an amendment to the application by the FY 2025 application deadline in order to be considered. Applicants are encouraged to submit a summary of all changes with the updated application. The applicant is also responsible for updating an application should the FY 2025 RAISE NOFO include program or policy changes from this FY 2024 NOFO.

Applicants who are planning to re-apply for the RAISE program using materials prepared for prior competitions should ensure that their prior application fully addresses the criteria and considerations described in this Notice and that all relevant information is up to date and submitted in the proper format outlined in Section D.

Section B - Federal Award Information

1. Amount Available

The BIL authorized and appropriated \$1.5 billion to be awarded by the Secretary for RAISE grants under the Local and Regional Project Assistance Program for FY 2024.

2. Award Size

For capital grants, the minimum RAISE grant award is \$5 million in urban areas and \$1 million in rural areas. There is no minimum award amount for planning grants. The maximum grant award for capital and planning grants is \$25 million.

If selected for award, the Department may decrease the RAISE funding request amount if some elements of the project are ineligible or to comply with statutory set asides such as awarding funding evenly between projects located in rural and urban areas.

3. Restrictions on Funding

No more than 15 percent (or \$225 million) made available for RAISE grants may be awarded to projects in a single State. DOT must award at least 5 percent (or \$75 million) to planning projects and at least 11 percent (or \$15 million) to projects located in historically disadvantaged communities or areas of persistent poverty. Not more than 50 percent of the funds provided for RAISE grants (or \$750 million) shall be awarded to rural projects (as defined in section C.4) and not more than 50 percent of the funds provided for RAISE grants (or \$750 million) shall be awarded to urban projects (as defined in section C.4). The Department may retain up to \$30 million for oversight and administration of grants.

The Department may use up to 20 percent of available funds (or \$300 million) to pay the subsidy and administrative costs of a project receiving credit assistance under the Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA) or Railroad Rehabilitation and Improvement Financing (RRIF) programs, particularly transit and transit-oriented development

(TOD) projects. Note, applicants must apply to both the RAISE program and TIFIA or RRIF loan to be eligible for the Department to pay for subsidy and administrative costs associated with credit assistance. In October 2022, the Secretary approved the “TIFIA 49 Initiative,” which authorizes transit and transit-oriented development (TOD) projects to borrow up to 49 percent of eligible project costs for projects that meet eligibility requirements. TIFIA loans have historically been capped at 33 percent of eligible project costs.

4. Availability of Funds

FY 2024 RAISE grant funds are available for obligation through September 30, 2028. Obligation occurs when a selected applicant and the Department enter into a written grant agreement after the applicant has satisfied applicable administrative requirements, such as transportation planning and environmental review requirements for capital construction projects. Note, some grant recipients enter into phased obligations with the Department. Unless authorized by the Department in writing after announcement of FY 2024 RAISE awards, any costs incurred prior to the Department’s obligation of funds for a project (“pre-award costs”) are ineligible for reimbursement.⁶ FY 2024 RAISE funds must be expended (the grant obligation must be liquidated or paid out to the grant recipient) by September 30, 2033. After this date, unexpended funds are no longer available to the project.

In the table below, the Department outlines the different application deadlines as well as the obligation and expenditure deadlines for each year of funding.

BIL Fiscal Year Funding	BIL Funding Obligation Deadline	BIL Funding Expenditure Deadline
FY 2024	September 30, 2028	September 30, 2033
FY 2025	September 30, 2029	September 30, 2034
FY 2026	September 30, 2030	September 30, 2035

5. Previous RAISE/BUILD/TIGER

Recipients of RAISE (formerly named Better Utilizing Investments to Leverage Development (BUILD) and Transportation Investment Generating Economic Recovery (TIGER)) grants may apply for funding to support additional phases of a project previously awarded funds in the RAISE/BUILD/TIGER program. However, to be competitive, the applicant should demonstrate the extent to which the previously funded project phase has met estimated project schedules and budget, as well as the ability to realize the benefits expected for the project. A previous RAISE/BUILD/TIGER award, or application, does not affect competitiveness under the FY 2024 RAISE competition.

⁶ Pre-award costs are costs incurred after award announcement, but directly pursuant to the negotiation of a grant agreement 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 2024 RAISE award cannot be charged to FY 2024 RAISE 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 2024 RAISE award, cannot be charged to FY 2024 RAISE funds.

C. Eligibility Information

1. Eligible Applicants

Eligible applicants for RAISE grants are: States and the District of Columbia; any territory or possession of the United States; a unit of local government; a public agency or publicly chartered authority established by one or more States; a special purpose district or public authority with a transportation function, including a port authority; a Federally recognized Indian Tribe or a consortium of such Indian Tribes; a transit agency; and a multi-State or multijurisdictional group of entities that are separately eligible. Federal agencies are not eligible applicants for the FY 2024 RAISE program.

Multiple States or jurisdictions may submit a joint application and should identify a lead applicant as the primary point of contact and also identify the primary recipient of the award. Joint applications should include a description of the roles and responsibilities of each applicant.

DOT expects that the eligible applicant submitting the application will administer and deliver the project. If the applicant seeks a transfer of the award to another agency, 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.

2. Federal Cost Share

The Federal share of the costs of an eligible project carried out using a grant provided under the RAISE grant program shall not exceed 80 percent unless the project is located in a rural area, a historically disadvantaged community (HDC), or an area of persistent poverty (APP). Urban area and rural area are defined in Section C.4 of this notice. HDCs and APPs are defined in Section C.5.

Applicants should use the following equation when determining the cost share for their project:

$$\frac{(\textit{RAISE Grant Request} + \textit{Other Federal Funds})}{\textit{Total Project Cost}} = \textit{Federal Cost Share}$$

Federal cost share may not exceed 80 percent for urban projects that are not located in an APP or HDC.

For the RAISE Program, Total Project Cost means the sum of future eligible Federal and Non-Federal costs that have not yet been incurred. Total Project Cost cannot include any previously incurred costs.

The Department does not use an applicant's cost share when evaluating applications on merit. The Department considers an applicant's cost share during the evaluation and selection process only to confirm eligibility for urban projects that are not located in an APP or HDC.

Non-Federal sources include State funds originating from programs funded by State revenue, local funds originating from State or local revenue-funded programs, or private funds. The BIL also allows for the following Federal funds to be considered “non-Federal” for the purpose of the RAISE program: (A) tribal transportation program funds under section 202 of title 23; (B) Federal lands transportation program funds under section 203 of title 23; (C) TIFIA program funds (as defined in section 601(a) of title 23); and (D) Railroad Rehabilitation and Improvement Financing Program under chapter 224. Toll credits under 23 U.S.C. 120(i) are considered a Federal source under the RAISE program and, therefore, cannot be used to satisfy the statutory cost sharing requirement of a RAISE award. Unless otherwise authorized by statute, funds used to satisfy the non-Federal cost-share requirements of a different Federal program may not be counted as the non-Federal cost-share for both the RAISE grant and another Federal grant program. DOT will not consider previously incurred costs or previously expended or encumbered funds towards the non-Federal cost-share requirement for any project. Non-Federal cost-share funds are subject to the same Federal requirements described in Section F.2. as awarded funds. If repaid from non-Federal sources, Federal credit assistance is considered non-Federal share.

See Section D.2 for information about documenting cost sharing in the application.

For each project that receives a RAISE grant award, **the terms of the award will require the recipient to complete the project using at least the level of non-Federal funding that was specified in the application. If the actual costs of the project are greater than the costs estimated in the application, the recipient will be responsible for addressing the funding shortfall and maintaining the level of non-Federal funding stated in the application.** If the actual costs of the project are less than the costs estimated in the application, the Department will generally reduce the Federal contribution to ensure federal cost share requirements are met.

3. Eligible Projects

Capital Projects

Eligible projects for RAISE grants are surface transportation capital projects within the United States⁷ or any territory or possession of the United States that are: (1) highway or bridge projects eligible under title 23, United States Code; (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 land ports of entry); (5) the surface transportation components of an airport project eligible for assistance under part B of subtitle VII of title 49, United States Code;⁸ (6) intermodal projects whose component parts are otherwise an eligible project type; (7) projects to replace or rehabilitate a culvert or prevent

⁷ In addition to projects located in the United States, eligible projects for RAISE grants include projects that are necessary for reconstruction of the Alaska Highway from the Alaskan border at Beaver Creek, Yukon Territory, to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to Haines, Alaska, as provided in 23 U.S.C. 218.

⁸ Eligible surface transportation components of eligible airport projects are those projects listed in “Appendix P: Road and Surface Transportation Projects” of the Airport Improvement Program (AIP) handbook, available at https://www.faa.gov/airports/aip/aip_handbook/?Chapter=Appendix#PP00. For more details on airport project eligibility, please see the Frequently Asked Questions at <https://www.transportation.gov/RAISEgrants/raise-application-faqs>.

stormwater runoff for the purpose of improving habitat for aquatic species while advancing the goals of the RAISE program; (8) projects investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government; and (9) any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goals of the program.⁹

The Secretary considers the following projects necessary to advance the goals of the program, and therefore eligible: public road and non-motorized projects that are not otherwise eligible under title 23, United States Code; surface transportation components of transit-oriented development projects; and surface transportation components of mobility on-demand projects that expand access and reduce transportation cost burden.

If an application includes right-of-way acquisition, the project will be considered a capital project. Projects that include right-of-way acquisition should include a timeline for construction.

The following projects are not considered necessary to advance the goals of the program, and, therefore, they are ineligible: school bus electrification and broadband deployment as a standalone project. Furthermore, improvements to Federally owned facilities are ineligible under the FY 2024 RAISE program, unless they are projects investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government. If a project type is not described as explicitly eligible or ineligible above, then applicants should explain in their application why the project is necessary to advance the goals of the program, and the Department will determine eligibility on a case-by-case basis.

Research, demonstration, or pilot projects are eligible only if they will result in long-term, permanent surface transportation infrastructure that has independent utility as defined in Section C.6.

Planning Projects

Activities eligible for funding under RAISE planning grants are related to the planning, preparation, or design—for example environmental analysis, equity analysis, community engagement, feasibility studies, benefit-cost analysis, and other pre-construction activities—of eligible surface transportation capital projects described in Section C.3 that will not result in construction with RAISE FY 2024 funding.

In addition, activities eligible for RAISE planning grants include those related to multidisciplinary projects or regional planning, such as: (1) development of master plans, comprehensive plans, transportation corridor plans, and integrated economic development, land use, housing, and transportation plans; (2) zero emissions plan for transit fleet; (3) planning activities related to the development of a multimodal freight corridor, including those that seek to reduce conflicts with residential areas and with passenger and non-motorized traffic; (4) planning

⁹DOT may award a RAISE 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 RAISE grants to pay for the surface transportation components of these projects. However, costs for non-surface transportation components are not eligible to count as matching funds for the RAISE grant.

activities related to zero emissions goods movement; (5) development of port and regional port planning, including State-wide or multi-port planning within a single jurisdiction or region; and (6) risk assessments and planning to identify vulnerabilities and address the transportation system's ability to withstand probable occurrence or recurrence of an emergency or major disaster.

As stated above, projects that include right-of-way acquisition are capital projects and, therefore, not eligible for RAISE planning grants.

4. Definition of Rural and Urban Areas

Rural and urban definitions are different in other DOT programs. For the RAISE program:

Urban - A project is designated as urban if it is located within (or on the boundary of) a Census-designated urban area¹⁰ that had a population greater than 200,000 in the 2020 Census.¹¹

Rural - A project is designated as rural if it is located outside a Census-designated urban area that had a population greater than 200,000 in the 2020 Census.

The Department will have an interactive map on the [RAISE website](#) to show Census-designated urban areas with populations greater than 200,000 in the 2020 Census.

A project located in both an urban and a rural area will be designated as urban if the majority of the project's costs will be spent in urban areas. Conversely, a project located in both an urban area and a rural area will be designated as rural if the majority of the project's costs will be spent in rural areas. For RAISE planning grants, the location of the project being planned, prepared, or designed will be used for the urban or rural designation.

This definition affects four aspects of the program: (1) not more than 50 percent (or \$750 million) of the funds provided for RAISE grants are to be used for projects in rural areas; (2) not more than 50 percent (or \$750 million) of the funds provided for RAISE grants are to be used for projects in urban areas; (3) for a capital project in a rural area, the minimum award is \$1 million, while the minimum capital award for urban areas is \$5 million; and (4) the Secretary may increase the Federal share above 80 percent to pay for the eligible costs of a project in a rural area.

5. Areas of Persistent Poverty and Historically Disadvantaged Communities

The definition for Areas of Persistent Poverty is found in the RAISE statute:

Areas of Persistent Poverty (APP) – (1) any county that has consistently had greater than or equal to 20 percent of the population living in poverty during the 30-year period

¹⁰ Lists of 2020 UAs as defined by the Census Bureau are available on the Census Bureau website at <https://www.census.gov/geographies/reference-maps/2020/geo/2020-census-urban-areas.html>.

¹¹ For the purpose of this NOFO, the definition of urban and rural is based on the 2020 Census-designated urbanized areas. The Department is required by the BIL to use the most recent decennial census information. See <https://www.transportation.gov/RAISEgrants/urbanized-areas> for a list of 2020 Census-designated UAs.

preceding November 15, 2021, as measured by the 1990 and 2000¹² decennial census and the most recent annual Small Area Income Poverty Estimates as estimated by the Bureau of the census; (2) any census tract with a poverty rate of at least 20 percent as measured by the 2014-2018 5-year data series available from the American Community Survey of the Bureau of the Census;¹³ or (3) any territory or possession of the United States. A county satisfies this definition only if 20 percent of its population was living in poverty in all three of the listed datasets: (a) the 1990 decennial census; (b) the 2000 decennial census; and (c) the 2021 Small Area Income Poverty Estimates.¹⁴ DOT will list all counties and census tracts that meet this definition for Areas of Persistent Poverty [RAISE website](#) as well as provide an interactive map on the [RAISE website](#).¹⁵

The definition of historically disadvantaged communities follows the Justice40 Interim Guidance Addendum, issued by the White House Office of Management and Budget (OMB), White House Council on Environmental Quality (CEQ), and Climate Policy Office (CPO):¹⁶

Historically Disadvantaged Communities (HDC) – (1) any census tract or tracts identified as disadvantaged in the [Climate & Economic Justice Screening Tool \(geoplatform.gov\)](#) (CEJST),¹⁷ created by CEQ, which identifies such communities that have been marginalized by underinvestment and overburdened by pollution.; (2) any Federally Recognized Tribe or Tribal entity, whether or not they have land. DOT will list all census tracts that meet this definition for Historically Disadvantaged Communities as well as provide an interactive map on the [RAISE website](#).

6. Project Components

An application may describe a project that contains more than one component and may describe components that may be carried out by parties other than the applicant. The Department expects, and will impose requirements on recipients to ensure, that all components included in an application will be delivered as part of the RAISE project, regardless of whether a component includes Federal funding.

The status of each component should be clearly described (for example, in the project schedule). The Department may award funds for a component, instead of the larger project, if that component: (1) independently meets minimum award amounts described in [Section B](#) and all eligibility requirements described in [Section C](#); (2) independently aligns well with the selection criteria specified in Section E.1; and (3) meets National Environmental Policy Act (NEPA) requirements with respect to independent utility. Independent utility means that the component

¹² See <https://www.census.gov/data/tables/time-series/dec/census-poverty.html> for county dataset.

¹³ See <https://data.census.gov/cedsci/table?q=ACSST1Y2018.S1701&tid=ACSST5Y2018.S1701&hidePreview=false> for 2014-2018 five year data series from the American Community Survey

¹⁴ On December 15, 2022, the 2021 Small Area Income Poverty Estimates (SAIPE) Dataset was published at <https://www.census.gov/data/datasets/2021/demo/saipe/2021-state-and-county.html>.

¹⁵ www.transportation.gov/RAISEgrants/raise-app-hdc

¹⁶ M-23-09 (Jan. 2023), https://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09_Signed_CEQ_CPO.pdf.

¹⁷ <https://screeningtool.geoplatform.gov/en/>

will represent a transportation improvement that is usable and represents a reasonable expenditure of DOT funds even if no other improvements are made in the area and will be ready for intended use upon completion of that component's construction. All project components that are presented together in a single application must demonstrate a relationship or connection between them. See Section D.2 for Required Approvals.

Applicants should be aware that, depending upon the relationship between project components and applicable Federal law, DOT funding of only some project components may make other project components subject to Federal requirements as described in Section F.2.

DOT strongly encourages applicants to identify in their applications the project components that have independent utility and separately detail costs and requested RAISE grant funding for those components. If the application identifies one or more independent project components, the application should clearly identify how each independent component addresses selection criteria and produces benefits on its own, in addition to describing how the full proposal, of which the independent component is a part, addresses selection criteria.

7. Application Limit

Each lead applicant may submit no more than three applications. 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 than three applications as the lead applicant, only the first three received will be considered.

D. Application and Submission Information

1. Address to Request Application Package

All application materials may be found on Grants.gov at www.grants.gov. Instructions for submitting applications can be found on the [RAISE program website](#)¹⁸ along with forms and attachments required for submission.

2. Content and Form of Application Submission

All applications must be submitted electronically through Grants.gov at www.grants.gov. The Department expects the application to include these files in the following order, using the following file names:

Information	File Name	NOFO Section	Page Limit
SF-424	SF-424	D.2	N/A
Project Information Form (Excel file)	FY 2024 RAISE Project Information Form	D.2	N/A
Project Description	Project Description	D.2	5 pages
Project Location File	Project Location File	D.2	N/A
Project Budget	Project Budget	D.2	5 pages

¹⁸ <https://www.transportation.gov/RAISEgrants/apply>

Funding Commitment Documentation	Funding Commitments	D.2	N/A
Merit Criteria	Merit Criteria Narrative	D.2 and E.1	15 pages
Project Readiness	Project Readiness	D.2 and E.1	5 pages
Benefit-Cost Analysis Narrative (capital projects only)	BCA Narrative	D.2 and E.1	N/A
Benefit-Cost Analysis Calculations (capital projects only, unlocked Excel file)	BCA Calculations	D.2 and E.1	N/A
Letters of Support (Optional)	Letters Of Support	D2 and E.1	N/A

The Department expects the application files be prepared with standard formatting preferences (a single-spaced document, using a standard 12-point font such as Times New Roman, with 1-inch margins), and documents should be submitted in PDF, unless otherwise specified (i.e., project information form should be in Excel, project location map files can be Shapefiles, GeoJSON, KML or KMZ, and the BCA calculations should be submitted in Excel).

The application files should collectively include all information necessary for the Department to determine that the project satisfies project requirements described in Sections B and C and to assess the selection criteria specified in Section E.1. The Department expects applications to be complete upon submission.

The Department may ask any applicant to supplement data in its application, but an applicant is not required to do so. Unsupported claims related to the selection criteria (merits, project readiness, economic benefits, etc.) will negatively affect competitiveness of the application, as described throughout Section E.2.

Supporting documents may be attached in addition to the listed files, but merit criteria evaluators are not required to review supporting documents attached to the application or provided on websites as part of the merit criteria review described in Section E.

The Department expects application files to include the following detailed information:

Standard Form 424

The SF-424 Application for Federal Assistance must be completed. Applicants may leave the following fields on the form blank: 3, 4, 5a, 5b, 6, 7, 11, 13, and 14. A number of separate files must be attached in Item 15 to provide required project information that is not included in the body of the SF-424.

FY 2024 RAISE Project Information Form

The project information form can be downloaded from Grants.gov or from the RAISE program website at <https://www.transportation.gov/RAISEgrants/apply>. The FY 2024 RAISE Project Information Form on will be used to determine applicant and project eligibility for the program as described in part C of this notice.

Information such as applicant name, RAISE amount requested, other Federal funding, non-Federal funding, etc. may be requested in varying degrees of detail on both the SF-424 and the FY 2024 RAISE Project Information Form. Applicants must fill in all fields unless stated otherwise on the forms.

a. Project Description

This file must provide a description of the project that is to be planned or constructed and should include a detailed statement of work that focuses on the technical and engineering aspects of the project, the current design status of the project, the transportation challenges that the project is intended to address, and how the project is expected address those challenges. This file may also discuss the project's history, including a description of any previously completed components. The applicant may use this file to place the project into a broader context of other transportation infrastructure investments being pursued by the applicant.

This file should also describe the project location in a narrative fashion, including a detailed geographic description of the proposed project and map(s) of the project's location, to supplement the geographic project map provided in the project location file. The project location description should narratively identify:

- **Area of Persistent Poverty** - Indicate whether the project is located in an Area of Persistent Poverty, including the relevant County and/or census tract(s);
- **Historically Disadvantaged Community** – Indicate whether the project is located in a Historically Disadvantaged Community based on the [Climate & Economic Justice Screening Tool](#) (CEJST); and
- **Urban areas** – Indicate the Census-designated urban area in which the project is located.

b. Project Location

Applicants should submit one of the following file types for project location identification. This will be used to verify the urban/rural designation and the APP/HDC designations described in the Project Description file. These location designations, together with budget information, could affect eligibility under the FY 2024 RAISE grants program, as described in NOFO Section C. Therefore, accuracy in the location file is important. Acceptable file types are: Shapefile (compressed to a .zip file containing at least the .shp, .shx, .dbf, and .prj components of the Shapefile), GeoJSON, KML, or KMZ. Applicants may use [Google Earth](#), a publicly available online mapping tool, to prepare a KML file. **These spatial files should include only the direct physical location of the project, and not a broad service area or area of impact.**

c. Project Budget

This file should describe the budget for the RAISE project using tables as well as include a narrative section. The RAISE project budget should show **future eligible project costs** and should not include any previously incurred expenses.

The RAISE project budget table should show the **total project cost** broken into different funding sources by major project activity or cost classification and present those amounts in dollars and percentages. Funding sources should be grouped into three categories: (1) RAISE funding request; (2) other Federal funds; and (3) non-Federal Funds. Identify the specific funding amount, type (grant, loan, bond, etc.), and source of all funds. If multiple non-federal and other-federal funding are being utilized, identify each specific source by name and the amount that source will contribute to the project’s budget. The RAISE project budget table should also show that the project satisfies the statutory cost share or non-federal funds matching requirements described in Section C.2 if applicable.

If needed, the Department may request additional budget information to clarify an application. The Department encourages applicants to submit the most relevant and complete information they can provide.

If the project contains **components**,¹⁹ the budget should separate the costs of each project component.

Table 1:

	[Component 1]	[Component 2]	Total Funding
Funding Source	Funding Amount	Funding Amount	
RAISE Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Other Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Non-Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Total Project Cost:	[\$XXX]	[\$XXX]	[\$XXX]

If there is only a single component, remove “Component 2” column. If there are more than 2 components, add columns.

Applicants should complete and include the following tables in their project budget file. The Department will use these tables to determine where the majority of project costs occur for the purposes of making APP, HDC, and Urban designations. The total project cost listed in Tables 2a, 2b, and 2c should match the total project cost listed on the SF 424 and the FY 2024 RAISE Project Information Form. Applicants should refer to the [Grant Project Location Verification](#) mapping tool to identify census tracts and urban designations.

Table 2a:

Note: Please refer to the *Census Tracts (2020 Census)* layer in the [Grant Project Location Verification](#) mapping tool to identify 2020 Census tracts.

¹⁹ “Project components” means separate projects activities are scheduled to be completed at the same time.

2020 Census Tract(s)	Project Costs per Census Tract
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
	Total Project Cost: \$

Add more rows for additional census tracts, if needed.

Table 2b:

Note: Please refer to the *Disadvantaged Census Tracts from CEJST (2010 Census)* layer in the [Grant Project Location Verification](#) mapping tool to identify 2010 Census tracts.

2010 Census Tract(s)	Project Costs per Census Tract
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
	Total Project Cost: \$

Add more rows for additional census tracts, if needed.

Table 2c:

Note: Please refer to the *Census Designated Urban areas with Population of More than 200,000 (2020 Census)* layer in the [Grant Project Location Verification](#) mapping tool to identify urban areas.

Urban/Rural	Project Costs
Urban (2020 Census-designated urban area with a population greater than 200,000)	\$
Rural (Located outside of a 2020 Census-designated urban area with a population greater than 200,000)	\$
	Total Project Cost: \$

The project budget narrative should include:

- **Sources, Uses, and Availability** – Provide complete information on how all capital or planning project funds may be used, their availability, and documented funding commitments. For example, if a 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 source of funds is available for expenditure only during a fixed period, the application should describe that restriction. Examples of documentation include, but are not limited to, a letter signed by a governing official or chief financial officer confirming the amount and source of funding, a page or pages from the STIP or TIP (please do not include a link to the entire STIP/TIP), a signed city ordinance, or a county administrator committing previously approved general obligation bonds.
- **Contingency Amount** – Indicate the specific contingency amount included in the budget to demonstrate there is sufficient funding to cover unanticipated cost increases and describe a plan to address potential cost overruns. Planning projects are not required to include a contingency amount but must describe a plan to address potential cost overruns.
- **Level of Design** – Indicate the degree of design completion (e.g., no design, 30, 60, 90 percent design) for which the cost was estimated in the case of a capital project;
- **Cost Estimates** – Indicate how, when, and by whom project costs were estimated. Cost estimates should be no older than a year from February 28, 2024. If older, please apply an inflation factor.
- **Cost Share or Non-Federal Funding Match** – Explain how the project budget satisfies the statutory cost share or non-federal funds matching requirements shown in the project budget table, if applicable.

The budget should clearly identify any expenses expected to be incurred between time of award and obligation because these expenses are not eligible for reimbursement, as described in Section B.4. Similarly, non-Federal funds incurred prior to obligation are not eligible to count as matching funds nor eligible to count towards meeting the level of non-Federal that is being committed in the application, as described in Section C.2. Unless authorized by the Department in writing after the Secretary’s announcement of FY 2024 RAISE awards, any costs that a recipient incurs before DOT executes a grant agreement for that recipient’s project are ineligible for reimbursement and are ineligible match for cost share requirements.

d. Merit Criteria

The merit criteria narrative file should demonstrate how the project aligns with each of the 8 statutory merit criteria described in Section E of this notice. The narrative should explain how and why the proposed transportation infrastructure project will address the surface transportation problem and achieve benefits under each criterion. To do this, applicants should:

- organize merit criteria in the order in which they are described in the Section E of the NOFO;
- address each criterion separately;
- identify the elements of the proposed project that align with items listed under each criterion under the merit rating rubric; and
- support estimated benefit claims with data, details, and/or qualitative descriptions

Applicants are encouraged to use the Department's [Equitable Transportation Community \(ETC\) Explorer \(arcgis.com\)](#) as a resource to describe how their project area is experiencing transportation related disadvantage as it relates to safety, affordable transportation options, pollution, access to good-paying jobs, climate change, and/or improving quality of life.

Insufficient information to assess any criterion will negatively impact the project rating. Applicants should note that merit reviewers will focus on this file and will not be required to reference links or the other files in the application package; therefore, **all relevant information to demonstrate alignment with the merit criteria, as described in Section E, should be included in this file.**

Guidance describing how the Department will evaluate projects against the Selection Criteria listed in Section E of this notice. Applicants should review that section before preparing their application.

e. Project Readiness

Project readiness describes an applicant's preparedness to move a proposed project forward once it receives a RAISE grant. The Project Readiness file should include information that, when considered with the project budget information, is sufficient for the Department to evaluate whether the project is reasonably expected to begin the capital or planning project in a timely manner and meet both the obligation and expenditure deadlines. Applicants can see a Project Readiness checklist on the [DOT Navigator website](#).²⁰ The Project Readiness file should include the following sections:

Project Schedule (capital and planning projects)

The Project Readiness file should include a detailed project schedule that identifies all major project activities and milestones. For capital projects, examples of such milestones include State and local planning approvals; start and completion of NEPA and other Federal environmental reviews and approvals, including permitting, design completion, right-of-way acquisition, approval of plans, specifications, and estimates; procurement; State and local approvals; project partnership and implementation agreements including agreements with railroads; and construction start and end. For planning projects, examples of milestones may include start dates, schedule for public engagement and completion dates. The schedule should be sufficiently detailed to demonstrate that:

- all necessary activities will be complete at least six months in advance of the obligation deadline²¹ to allow sufficient time for unexpected delays and not put the

²⁰ <https://www.transportation.gov/dot-navigator>

²¹ The statutory obligation deadline is September 30, 2028. The Department assesses risk against an earlier deadline of June 30, 2028 to allow time to complete administrative processing and address challenges before the statutory deadline.

funds at risk of expiring before they are obligated;²²

- the capital project can begin construction upon obligation of grant funds and that those funds will be spent expeditiously once construction starts, with all funds expended by September 30, 2033;
- all real property and right-of-way acquisition will be completed in a timely manner in accordance with 49 CFR part 24, 23 CFR part 710, and other applicable legal requirements or a statement that no right-of-way acquisition is necessary; and
- the applicant will or has meaningfully sought community input through public involvement, particularly disadvantaged communities or other communities with environmental justice concerns that may be affected by the project where applicable.

Environmental Risk Assessment (capital projects only)

This section of the application should include sufficient information for the Department to evaluate whether the project is reasonably expected to begin construction in a timely manner consistent with all applicable local, State, and Federal requirements. To assist the Department's environmental risk review, the applicant should provide the information requested on project schedule, required approvals and permits, NEPA class of action and status, public involvement, right-of-way acquisition plans, risk and mitigation strategies.

Required Approvals

This section should provide:

- **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 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 final agency action with respect to NEPA occurred more than 3 years before the application date, the applicant should describe a proposed approach for updating this material in accordance with applicable NEPA reconsideration requirements.
- **Information on reviews, approvals, and permits by other Federal and State agencies.** An application should indicate whether the proposed project requires reviews or approval actions by other agencies,²³ indicate the status of such actions, provide detailed information about the status of those reviews or approvals and should demonstrate compliance with any other applicable Federal, State, or local

²² Obligation occurs when a selected applicant and DOT enter into a written grant agreement after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements.

²³ 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.

requirements, and when such approvals are expected. Applicants should provide a link or other reference to copies of any reviews, approvals, and permits prepared.

- **Environmental studies or other documents**, through a 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.
- If applicable, **right-of-way acquisition plans**, with detailed schedule and compensation plan.
- **A description of public engagement** about the project that has occurred, including details on the degree to which public comments and commitments have been integrated into project development and design including the consideration of ensuring proportional impacts to all populations.

State and Local Approvals

This section should provide:

- **Receipt (or the schedule for anticipated receipt) of Tribal government, State, and local approvals** on which the project depends, such as State and local environmental and planning approvals, and Statewide Transportation Improvement Program (STIP) or transportation improvement program (TIP) funding. Additional support from relevant State and local officials is not required; however, an applicant should demonstrate that the project has broad public support, including support from impacted communities.
- **Federal Transportation Requirements Affecting State and Local Planning.** The planning requirements applicable to the relevant operating administration apply to all RAISE grant projects, including projects located at airport facilities. Applicants should demonstrate that a project that is required to be included in the relevant State, metropolitan, and local planning documents has been or will be included in such documents. If the project is not included in a relevant planning document at the time the application is submitted, the applicant should submit a statement from the appropriate planning agency that actions are underway to include the project in the relevant planning document. To the extent possible, freight projects should be included in a State Freight Plan and supported by a State Freight Advisory Committee (49 U.S.C. 70201, 70202), if these exist. Applicants should provide links or other documentation supporting this consideration such as letters of support from the State DOT if the project is intended to be included in the State Freight Plan, or results from application of the [FHWA Freight Mobility Trends Tool](https://fpcb.ops.fhwa.dot.gov/mobility_trends_tool.aspx).²⁴

²⁴ https://fpcb.ops.fhwa.dot.gov/mobility_trends_tool.aspx

Assessment of Project Risks and Mitigation Strategies

Project risks, such as procurement delays, environmental uncertainties, increases in real estate acquisition costs, uncommitted local match (non-federal funding), lack of support from stakeholders or impacted communities, or lack of legislative approval, affect the likelihood of successful project start and completion. The applicant should identify all material risks and harms to the project and the strategies that the lead applicant and any project partners have undertaken or will undertake to mitigate those risks. The applicant should assess the greatest risks to the project and identify how the project parties will mitigate those risks.

Project risks can also include the unavailability of vehicles that either comply with Federal Motor Vehicle Safety Standards or are exempt from Federal Motor Vehicle Safety Standards in a manner that allows for their legal acquisition and deployment, unavailability of domestically manufactured equipment.

If an applicant anticipates pursuing a waiver for relevant domestic preference laws, the applicant should describe steps that have been or will be taken to maximize the use of domestic goods, products, and materials in constructing its project. To the extent the applicant is unfamiliar with the Federal program, the applicant should contact the appropriate DOT operating administration field or headquarters offices, as found in contact information on the RAISE program [website](#), for information on the pre-requisite steps to obligate Federal funds in order to ensure that their project schedule is reasonable and that there are no risks of delays in satisfying Federal requirements.

Technical Capacity Assessment (capital and planning projects)

All applications should include a section in the Project Readiness file that demonstrates their technical capacity to successfully deliver the project in compliance with applicable Federal requirements including, but not limited to, compliance with Title VI/Civil Rights requirements and Buy America provisions, described in Section E.1 of this NOFO. The applicant should address the following in the technical capacity section of the Project Readiness file:

- **Federal Funding** – Experience implementing federally funded transportation projects.
- **Federal Regulations** – Understanding of federal contract and procurement requirements, Buy America, Americans with Disabilities Act, Uniform Relocation Assistance and Real Property Acquisition Act, , Davis Bacon Act, etc.
- **Project Planning** – Practice incorporating projects into long-range development plans or adding projects to the TIP/STIP through the MPO planning process.
- **Project Delivery** – Examples of successfully delivered projects of similar size, scope, and complexity.

f. Benefit-Cost analysis (capital projects only)

The purpose of the Benefit-Cost Analysis (BCA) is to enable the Department to evaluate the cost-effectiveness of the proposed project by comparing its expected benefits to its expected costs relative to the current problem often referred to as the “baseline” or “no-build alternative.” The baseline defines the world without the proposed project.

Any benefits claimed for the proposed project, both quantified and unquantified, should be clearly tied to the expected outcomes of the proposed project. While benefits should be quantified wherever possible, applicants may also describe other categories of benefits in the BCA that are more difficult to quantify and/or value in economic terms.

There should be two BCA files included in the application: (1) a narrative description of the BCA; and (2) an unlocked spreadsheet revealing the underlying calculations.

- **Narrative Description of Analysis** - The BCA narrative should describe the current baseline, the sources of data used to estimate the benefits of the project, document any assumptions, and the values of key input parameters. Applicants may also provide a table similar to the one shown below summarizing the impacts of the project and how those impacts would translate into expected benefits. This is shown as an example only:

Baseline / Current Status and Problem to be Addressed	Change to Baseline / Proposed Project to Address Problem	Example Impacts
A freeway divides two neighborhoods	A new street will be constructed to connect neighborhoods on each side of the freeway	Reduced travel time for pedestrians and cyclists by X miles per day due to a more direct route, as well as reduced emissions, vehicle operating costs, and travel time for vehicle occupants by lowering VMT by Y miles per year
A roadway with a high number of pedestrian fatalities has no sidewalks or marked crosswalks	Sidewalks, high visibility crosswalks, and upgraded lighting will be added to the roadway	Reduced pedestrian fatalities and injuries by X and Y per year, respectively, as well as amenity benefits of wider sidewalks for Z daily pedestrian trips

- **Spreadsheet Revealing Underlying Calculations** - The BCA spreadsheet file should present the calculations in sufficient detail and transparency to allow the analysis to be reproduced by Department evaluators. While DOT does not have a prescribed format for the BCA spreadsheet submitted by the applicant beyond ensuring that it is unlocked, to

allow review, the Department is also developing a new BCA spreadsheet template that will be available to assist applicants in structuring their analysis.

Applicants should review the Department’s detailed guidance on how to conduct a BCA. Both the guidance document and spreadsheet template will be available on the RAISE program [website](#).²⁵

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

Each applicant must obtain a UEI and register with [SAM.gov](#). Each applicant is required to: (i) be registered in SAM before submitting an application; (ii) provide a valid unique entity identifier in the application; and (iii) continue to maintain an active SAM registration with current information at all times during which they have an active Federal award or an application or plan under consideration by a Federal awarding agency

The Department may not make a RAISE grant to an applicant until the applicant has complied with all applicable UEI and SAM requirements and, if an applicant has not fully complied with the requirements by the time DOT is ready to make a RAISE grant, DOT may determine that the applicant is not qualified to receive a RAISE grant and use that determination as a basis for making a RAISE grant to another applicant.

4. Submission Dates and Times

Applications must be submitted through [Grants.gov](#) by 11:59 PM Eastern on February 28, 2024 for FY 2024 RAISE. Grants.gov attaches a time stamp to each application at the time that submission is complete. Applications with a time stamp after the deadline will not be considered. The Department does not accept applications via mailed paper, fax machine, email, or other means. In addition to the FY 2024 NOFO dates, tentative future NOFO publication dates and application deadlines for FYs 2025 and 2026 are listed in the table below.

BIL Fiscal Year Funding	RAISE NOFO Publication Date	Application Deadline
FY 2024	November 30, 2023	February 28, 2024
FY 2025	October 15, 2024	January 13, 2025
FY 2026	October 15, 2025	January 13, 2026

To submit an application through Grants.gov, applicants must:

- Obtain a UEI number;²⁶

²⁵ www.transportation.gov/RAISEgrants/additional-guidance

²⁶ On April 4, 2022 the Federal government stopped using the Data Universal Numbering System (DUNS) number to uniquely identify entities. Entities doing business with the Federal government must use a Unique Entity Identifier (UEI) created in SAM.gov. If your entity is currently registered in SAM.gov, your UEI has already been assigned and is viewable in SAM.gov. This includes inactive registrations.

- Register with the SAM at www.SAM.gov;
- Create a Grants.gov username and password; and
- The E-Business Point of Contact (POC) at the applicant's organization must respond to the registration email from Grants.gov and login at Grants.gov to authorize the applicant as the Authorized Organization Representative (AOR). Please note that there can be more than one AOR for an organization.

Please note that the SAM registration process takes a **minimum of 2 weeks to complete if not longer**. Failure to register for SAM or comply with Grants.gov applicant requirements in a timely manner will not be considered for exceptions to the submission requirements and deadline. The Department is not able to assist with technical issues related to Grants.gov or SAM registration. For information and instruction on each of these processes, please see instructions at [grants.gov/applicants/applicant-faqs](http://www.grants.gov/web/grants/applicants/applicant-faqs.html)<http://www.grants.gov/web/grants/applicants/applicant-faqs.html>. If applicants experience difficulties at any point during the registration or application process, please call the Grants.gov Customer Service Support Hotline at 1-800-518-4726.

5. Funding Restrictions

Recipients of RAISE Grant awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds. Instead, RAISE funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted.

Unless authorized by the Department in writing after the Secretary's announcement of FY 2024 RAISE awards, any costs that a recipient incurs before DOT executes a grant agreement for that recipient's project are ineligible for reimbursement and are ineligible match for cost share requirements.

Federal funds awarded under this program may not be used to support or oppose union organizing, whether directly or as an offset for other funds.

6. Other Submission Requirements

a. Submission Location

Applications must be submitted to Grants.gov. The Department does not accept applications via mailed paper, fax machine, email, or other means.

b. Consideration of Applications

Only applicants who comply with all submission deadlines described in this notice and electronically submit valid, on-time applications through Grants.gov will be eligible for award.

c. Late Applications

Any applications that Grants.gov time stamps after 11:59 PM on February 28, 2024 will not be accepted. Applicants are strongly encouraged to make submissions days, if not weeks, in advance of the deadline. Applicants facing technical issues are advised to contact the Grants.gov helpdesk well in advance of the deadline.

d. Compliance with Section 508 of the Rehabilitation Act of 1973

The Department encourages applicants to submit documents that are compliant with Section 508 of the Rehabilitation Act of 1973. Section 508 guidelines are available at <https://www.access-board.gov/ict/>.

E. Application Review Information

1. Criteria

This section specifies the criteria the Department will use to evaluate applications.

TIER 1 All Eligible Applications	
Merit Criteria Review	
TIER 2 All applications rated “Highly Recommended” under the merit criteria review automatically advance for second tier analysis. The Senior Review Team (SRT) can advance applications rated “Recommended” for second tier analysis.	
Project Readiness Review	
Environmental Risk Assessment	Capital Projects
Technical Capacity Assessment	Capital and Planning Projects
Financial Completeness Assessment	Capital and Planning Projects
Benefit-Cost Analysis	Capital Projects

The Department will review merit criteria for all applications. Highly Recommended capital applications will automatically advance to receive second-tier analysis consisting of three Project Readiness reviews: (1) Environmental Risk Assessment; (2) Technical Capacity Assessment; and (3) Financial Completeness Assessment, as well as a Benefit-Cost Analysis (BCA). Highly Recommended planning applications will automatically advance to receive second-tier analysis consisting of two Project Readiness areas: (1) Technical Capacity Assessment; and Financial Completeness Review. Environmental Risk Assessment and BCA will not be reviewed for planning applications. The SRT can advance select Recommended capital and planning applications for second-tier analysis under the circumstances described in Section E.2.

The Department does not consider the amount of non-Federal contribution as a selection criterion or a competitiveness factor. However, general budget information may be evaluated as part of the financial completeness in the readiness review or under the Innovation criteria in the merit review. See Sections E.1.a and E.1.b for more details.

a. Merit Criteria

For each merit criterion, the Department will evaluate whether the application uses data-driven and evidence-based methods to demonstrate that the project will provide the anticipated benefits, which will result in a rating of “high,” “medium,” “low,” or “non-responsive” as described in the rubric below.

Individual Merit Criteria Ratings	
High	The criterion must be addressed as a primary project purpose (not an ancillary or incidental consideration, except for the Partnership and Collaboration and Innovation criteria), must include clear, direct, data-driven (capital projects only), and significant benefits, and must align with at least one of the benefits described in the high column of the merit criteria rubric.
Medium	The criterion may not be a primary project purpose, or the project benefits do not meet at least one of the requirements for a ‘high’ rating, as described in the merit criteria rubric.
Low	The application contains insufficient information to assess that criterion’s benefits.
Non-Responsive	The proposed project negatively affects the criterion, or the application does not address the criterion.

Planning grant applications will be evaluated against the same merit criteria as capital grants. Planning grant applications should include data on the problem intended to be addressed, but information does not need to be as driven by data as a capital project when estimating benefits of the implemented project since data is often an outcome of the project to be planned. The Department will consider how the plan, once implemented, will ultimately further the merit criteria.

The combination of individual criterion ratings will inform one overall Merit Rating: Highly Recommended, Recommended, Acceptable, or Unacceptable, as shown below.

Overall Merit Rating	
Highly Recommended	<ul style="list-style-type: none"> • six or more of the eight merit criteria ratings are “high” • none of the merit criteria ratings are “non-responsive”

Recommended	<ul style="list-style-type: none"> • one to five of the merit criteria ratings are “high” • no more than three of the merit criteria ratings are “low” • none are “non-responsive”
Acceptable	<ul style="list-style-type: none"> • a combination of “high,” “medium,” “low,” or “non-responsive” ratings that do not fit within the definitions of Highly Recommended, Recommended, or Unacceptable
Unacceptable	<ul style="list-style-type: none"> • three or more “non-responsive” ratings

Merit Criteria:	Non-Responsive	Low	Medium	High
Safety	<p>Application did not address the Safety criterion</p> <p>OR</p> <p>Project negatively affects safety</p>	<p>Application contains insufficient information to assess safety benefit</p>	<p>The project has one or more of the following safety benefits, but safety may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> • Protect non-motorized or motorized travelers from safety risks; or • Reduce any number of fatalities and/or serious injuries 	<p>Safety is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only), and significant benefits that targets a known, documented safety problem, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Protect non-motorized travelers from safety risks; or • Reduce fatalities and/or serious injuries in underserved communities to bring them below the state-wide average; or • Incorporate and cite specific actions and activities identified in the Department’s National Roadway Safety Strategy plan or Improving Safety for Pedestrians and Bicyclists Accessing Transit report, or FTA’s Safety Advisory 23-1: Bus-to-Person Collisions; or • Incorporate specific safety improvements that are part of a documented risk reduction mitigation strategy and that have, for example, port-wide or transit system impact.
Environmental Sustainability	<p>Application did not address the Environmental Sustainability criterion</p> <p>OR</p> <p>Project negatively affects environmental sustainability</p>	<p>Application contains insufficient information to assess environmental sustainability benefits</p>	<p>Project has one or more of the following environmental sustainability benefits, but environmental sustainability may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> • Reduce transportation-related air pollution and greenhouse gas emissions; or • Reduce vehicle miles traveled; or • Incorporate lower-carbon pavement/construction materials; or • Redevelop brownfield sites; or • Improve resilience of infrastructure to current and future weather and climate risks; or • Make basic stormwater improvements 	<p>Environmental sustainability is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only), and significant benefits that explicitly considers climate change and environmental justice, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Reduce transportation-related air pollution and greenhouse gas emissions in disadvantaged communities; or • Address the disproportionately negative environmental impacts of transportation on local communities such as by reducing exposure to elevated levels of air, water, and noise pollution; or • Align with the applicant’s State Carbon Reduction Strategy, State Electric Vehicle Infrastructure Deployment Plan, or other State, local, or tribal greenhouse gas reduction plan; or • Align with the U.S. National Blueprint for Transportation Decarbonization; or • Implement transportation-efficient land use and design, such as drawing on the features of historic towns and

Merit Criteria:	Non-Responsive	Low	Medium	High
				<p>villages that had a mix of land uses, compact and walkable development patterns, accessible green space, and neighborhood centers that make it convenient to take fewer or shorter trips; or</p> <ul style="list-style-type: none"> • Reduce vehicle miles traveled specifically through modal shift to transit, rail, or active transportation; or • Reduce emissions specifically by shifting freight to lower-carbon travel modes; or • Incorporate energy efficient investments, such as electrification or zero emission vehicle infrastructure; or • Improve the resilience of at-risk infrastructure to be resilient to extreme weather events and natural disasters caused by climate change, such as by using best-available climate data sets, information resources, and decision-support tools; or • Incorporate nature-based solutions or natural infrastructure with the use of native plants; or Incorporate nature-based solutions or natural infrastructure; or • Referenced in a Resilience Improvement Plan or similar plan; or • Remove, replace, or restore culverts for the purpose of improving habitat for aquatic species; or • Avoid adverse environmental impacts to air or water quality, wetlands, and endangered species
Quality of Life	<p>Application did not address the Quality of Life criterion</p> <p>OR</p> <p>Project negatively affects quality of life</p>	Application contains insufficient information to assess quality of life benefits	<p>Project has one or more of the following quality of life benefits but quality of life may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> • Increase affordability for travelers; or • Reduces vehicle dependence 	<p>Quality of life is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only) and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Increase affordable transportation choices by improving and expanding active transportation usage or significantly reducing vehicle dependence, particularly in underserved communities; or • Reduce transportation and housing cost burdens by integrating mixed-use development and a diversity of housing types, including by reducing barriers to such development and increasing the supply of affordable housing, with multimodal transportation infrastructure; or

Merit Criteria:	Non-Responsive	Low	Medium	High
				<ul style="list-style-type: none"> • Coordinate and integrate land use, affordable housing, and transportation planning in order to create more livable communities and expand travel choices; or • Improve access to daily destinations like jobs, healthcare, grocery stores, schools, places of worship, recreation, or parks through transit and active transportation; or • Implement transit-oriented development that benefits existing residents and businesses, low-income and disadvantaged communities, and minimizes displacement; or • Improve public health by adding new facilities that promote walking, biking, and other forms of active transportation; or • Mitigate urban heat islands to protect the health of at-risk residents, outdoor workers, and others; or • Proactively addresses equity.
Mobility and Community Connectivity	<p>Application did not address the Mobility and Community Connectivity criterion</p> <p>OR</p> <p>Project negatively affects mobility and community connectivity</p>	Application contains insufficient information to assess mobility and community connectivity benefits	<p>Project has one or more of the following mobility and community connectivity benefits, but mobility and community connectivity may not be a primary project purpose or does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Increase accessible transportation choices; or • Include ADA improvements 	<p>Mobility and community connectivity is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only) and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Improve system-wide connectivity with access to transit, micro-mobility, and mobility on-demand; or • Implement plans, based on community participation and data, that addresses gaps identified in the existing network; or • Remove physical barriers for individuals by reconnecting communities to direct, affordable transportation options; or • Include transportation features that increase the accessibility for non-motorized travelers in underserved communities; or • Incorporate Universal Design including details of how the improvements go beyond ADA requirements by designing environments to be usable by all people, to the greatest extent possible, without the need for adaption or specialized design such as a Complete Streets approach; or

Merit Criteria:	Non-Responsive	Low	Medium	High
				<ul style="list-style-type: none"> • Directly increasing intermodal and multimodal freight movement; or • Consider last-mile freight plans in a Complete Streets and multimodal approach
Economic Competitiveness and Opportunity	<p>Application did not address the Economic Competitiveness and Opportunity criterion</p> <p>OR</p> <p>Project negatively affects economic competitiveness and opportunity</p>	Application contains insufficient information to assess economic competitiveness and opportunity benefits	<p>Project has one or more of the following economic competitiveness and opportunity benefits, but economic competitiveness and opportunity may not be a primary project purpose or does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Improve travel time reliability; or • Improve movement of goods; or • Create jobs related to the project's delivery and on-going operations 	<p>Economic competitiveness is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only), and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Improve intermodal and/or multimodal freight mobility, especially for supply chain bottlenecks; or • Facilitate tourism opportunities; or • Promote local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises or 8(a) firms; or • Promote wealth building; or • Promote long-term economic growth and other broader economic and fiscal benefits; or • Create good-paying jobs with free and fair choice to join a union including through the use of a project labor agreement; or • Adopt local and economic hiring preferences for the project workforce or include other changes to hiring policies and workplace cultures to promote the entry and retention of underrepresented populations; or • Promote greater public and private investments in land-use productivity, including rural main street revitalization or locally driven density decisions that support equitable commercial and mixed-income residential development

Merit Criteria:	Non-Responsive	Low	Medium	High
State of Good Repair	<p>Application did not address the State of Good Repair criterion</p> <p>OR</p> <p>Project negatively affects state of good repair</p>	<p>Application contains insufficient information to assess state of good repair benefits</p>	<p>Project has one or more of the following state of good repair benefits but state of good repair may not be a primary project purpose or does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Routine or deferred maintenance; or • Create new infrastructure (not in a remote community) that will be maintained in a state of good repair; or • Identify the party responsible for maintenance and describe how the new or improved asset(s) will be maintained in a state of good repair; or • Resolve the current or projected transportation system vulnerabilities 	<p>State of good repair is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only) and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Restore and modernize (such as through road diets and complete streets approaches) the existing core infrastructure assets that have met their useful life; or • Reduce construction and maintenance burdens through efficient and well-integrated design; or • Create new infrastructure in remote communities that will be maintained in a state of good repair; or • Address current or projected transportation system vulnerabilities for underserved communities; or • Prioritize improvement of the condition and safety of existing transportation infrastructure within the <u>existing</u> footprint
Partnership and Collaboration	<p>Application did not address the Partnership and Collaboration criterion</p> <p>OR</p> <p>Project negatively affects partners or community members (e.g. negative impacts from ROW acquisition, lack of support for the project, etc.)</p>	<p>Application contains insufficient information to assess the partnership and collaboration benefits</p>	<p>Project has one or more of the following partnership and collaboration benefits but partnership and collaboration may not be a primary project purpose or does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Collaborate with public and/or private entities; or • Document support from local, regional, or national levels 	<p>Project has, or demonstrates plans to, support and engage diverse people and communities by doing one or more of the following:</p> <ul style="list-style-type: none"> • Engage residents and community-based organizations to ensure equity considerations for underserved communities are meaningfully integrated throughout the lifecycle of the project, for example, by citing and describing how the project aligns with the Department's Promising Practices for Meaningful Public Involvement in Transportation Decision-Making Guide; or • Coordinate with other types of projects such as economic development, commercial or residential development near public transportation, power/electric infrastructure projects, or broadband deployment; or • Partner with Disadvantaged Business Enterprises or 8(a) firms; or • Partner with high-quality workforce development programs with supportive services to help train, place, and retain people in good-paying jobs or registered apprenticeships. These programs should have a focus on expanding access for women, people of color, and others

Merit Criteria:	Non-Responsive	Low	Medium	High
				<p>that are underrepresented in infrastructure jobs (people with disabilities, people with convictions, etc.); or</p> <ul style="list-style-type: none"> • Partner and engage with unions and/or worker organizations in the development of the project and the lifecycle of the project, including the maintenance or operation of the completed project; or • Partner with communities or community groups representative of historically underrepresented groups to develop workforce strategies; or • Establish formal public-private partnerships or joint ventures to expand or create new infrastructure or economic development capacity; or • Participate in the Thriving Communities Network
Innovation	<p>Application did not address the Innovation criterion.</p> <p>OR</p> <p>Includes non-innovative practices or components</p>	Application contains insufficient information to assess innovation benefits	<p>Project has one or more of the following innovation benefits but does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Deploy technologies, project delivery, or financing methods that are <u>new or innovative to the applicant or community</u> 	<p>Project has, or demonstrates plans for, one or more of the following innovative benefits.</p> <ul style="list-style-type: none"> • Innovative Technologies <ul style="list-style-type: none"> ○ Enhance the environment for electric, connected, or automated vehicles to improve the detection and mitigation of safety risks; or ○ Improve safety using Advanced Driver Assistance Systems on public transit vehicles, including functions such as precision docking; lane keeping or lane centering; or ○ Use sensors or small unmanned aerial vehicles to enhance infrastructure inspection and asset management processes; or ○ Use sensors to monitor real-time conditions of pavement quality, signage, crosswalks, transit headways, or other public infrastructure; or ○ Use low-carbon or other innovative materials; or ○ Use caps, land bridges, or underdecks; or ○ Use active grade crossing detection systems to enable responsive traffic management; or ○ Use detection systems on railroads to target and deter trespassing; or ○ Digitalize curb management to optimize use across purposes and modes, including freight, pick-up drop-off, and transit usage • Innovative Project Delivery

Merit Criteria:	Non-Responsive	Low	Medium	High
				<ul style="list-style-type: none">○ Use practices that facilitate accelerated project delivery such as single contractor design-build arrangements, Advanced Digital Construction Management, Accelerated Bridge Construction, Digital as-builts, or an up-to-date programmatic agreement between an environmental resource agency and a state DOT, or other NEPA lead agency, that establishes a streamlined process for environmental consultations and permits for commonly encountered project types.● Innovative Financing<ul style="list-style-type: none">○ Secure TIFIA, RRIF, or private activity bond financing; or○ Use congestion pricing or other demand management strategies

Safety

The Department will assess how the project targets a known safety problem and seeks to protect motorized or non-motorized travelers from safety risks on roadways, transit, rail, or ports. Applicants are highly encouraged to include data-driven information when addressing the safety criterion such as the current and projected number or rate of crashes, fatalities and/or serious injuries among transportation users and how those compare to the statewide average; details about the transportation user that will reap the safety benefits such as whether the project addresses vulnerable roadway users²⁷ or whether the project addresses inequities in crash victims. If applicable, applicants should describe how the project incorporates specific actions and activities identified in the Department's [National Roadway Safety Strategy](#),²⁸ or [Improving Safety for Pedestrians and Bicyclists Accessing Transit report](#), or [FTA's Safety Advisory 23-1: Bus-to-Person Collisions](#).

Environmental Sustainability

The Department will consider the extent to which the project incorporates considerations of climate change and environmental justice in the project planning or project delivery stage. Environmental justice means 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: (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 (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.

The Department will evaluate whether and how the project demonstrates environmental sustainability benefits. For this assessment, the Department will consider, for example, how the project will significantly reduce transportation-related pollution like air pollution and greenhouse gas emissions; aligns with the applicant's State, regional, county or city carbon-reduction plan or the [U.S. National Blueprint for Transportation Decarbonization](#); address the disproportionate negative environmental impacts of transportation such as exposure to elevated levels of air, water, and noise pollution; or implement transportation-efficient land use and design, such as drawing on the features of historic towns and villages that had a mix of land uses, compact and walkable development patterns, accessible green space, and neighborhood centers that make it convenient to take fewer or shorter trips.

The Department will assess whether and how the project is expected to reduce emissions, such as shifts to lower emissions vehicles, transit, or active transportation; shift freight to lower-carbon travel modes to reduce emissions; improve the resiliency of at-risk infrastructure²⁹ to withstand

²⁷ As defined by FHWA's Vulnerable Road User Safety Assessment Guidance, a vulnerable road user is a non-motorist and may include people walking, biking, or rolling as well as highway workers on foot in a work zone.

²⁸ www.transportation.gov/NRSS

²⁹ For the RAISE program, at-risk infrastructure is defined as infrastructure that is subject to, or faces increased long-term future risks of, a weather event, a natural disaster, or changing conditions, such as coastal flooding, coastal erosion, wave action, storm surge, or sea level rise, in order to improve transportation and public safety and to reduce costs by avoiding larger future maintenance or rebuilding costs.

extreme weather events and natural disasters caused by climate change such as by using best-available climate data sets, information resources, and decision-support tools, and incorporating [nature-based solutions](#) or [natural infrastructure](#); or incorporates lower-carbon pavement or construction materials as described in the Environmental Protection Agency’s [interim guidance on low-carbon materials](#)³⁰ or the [U.S. National Blueprint for Transportation Decarbonization](#). The Department will also consider whether and how the project will incorporate energy efficient investments such as electrification or zero emission vehicle infrastructure; redevelop brownfield sites; remove, replace or restore culverts to improve passage of aquatic species; or avoid adverse impacts to air or water quality, wetlands, and endangered species. If applicable, applicants are encouraged to make floodplain upgrades consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law, in Executive Order 14030, *Climate-Related Financial Risk* (86 FR 27967) and 13690, *Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input* (80 FR 6425.)

Quality of Life

The Department will consider whether and how the project will improve quality of life, such as by increasing affordable transportation choices and expanding active transportation usage or significantly reducing vehicle dependence; reduce transportation and housing cost burdens by integrating mixed use development and a diversity of housing types (including affordable housing) with multimodal transportation infrastructure; coordinate and integrate land use, affordable housing, and transportation planning in order to create more livable communities and expand travel choices; reduce vehicle dependence and improve access to daily destinations such as jobs, healthcare, grocery store, schools, places of worship, recreation, or parks such as by adding new facilities that promote walking, biking; implement transit-oriented development that benefits existing residents and businesses; mitigate urban heat islands to protect the health of at-risk residents, outdoor workers, and others; or proactively address racial equity.³¹

Mobility and Community Connectivity

The Department will assess whether and how the applicant will improve mobility and community connectivity. For this assessment, DOT will consider, for example, how the project will address system-wide connectivity with access to transit, micro-mobility, and mobility on-demand; implement plans, based on community participation and data, that identifies and addresses gaps in the existing network; remove physical barriers for individuals by reconnecting communities to direct, affordable transportation options; include transportation features that increase accessibility for non-motorized travelers, such as through a Complete Streets approach; incorporate Americans with Disabilities Act (ADA) or [Universal Design](#)³² improvements; directly increase intermodal and multimodal freight movement; or considers last-mile freight plans in a Complete Streets and multimodal approach.

³⁰ https://www.epa.gov/system/files/documents/2023-01/2022.12.22%20Interim%20Determination%20on%20Low%20Carbon%20Materials%20under%20IRA%2060503%20and%2060506_508.pdf

³¹ Definitions for “racial equity” and “underserved communities” are found in Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Sections 2 (a) and (b).

³² Definition for “Universal Design” found on the General Services Administration’s Section508.gov website and states, “Universal design is a concept in which products and environments are designed to be usable by all people, to the greatest extent possible, without the need for adaption or specialized design.”

Economic Competitiveness and Opportunity

The Department will assess whether and how the project will improve economic competitiveness and opportunity. For this assessment, DOT will consider, for example, how the project will improve intermodal or multimodal freight mobility, especially for supply chain bottle necks; facilitate tourism; promote local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises or 8(a) firms; wealth building; long-term economic growth and other broader economic and fiscal benefits; create good-paying jobs with free and fair choice to join a union including through the use of a project labor agreement; or adopt local and economic hiring preferences for the project workforce or include other changes to hiring policies and workplace cultures to promote the entry and retention of underrepresented populations. DOT will evaluate the extent to which the project will promote greater public and private investments in land-use productivity, including rural main street revitalization or locally driven density decisions that support equitable commercial and mixed-income residential development.

State of Good Repair

The Department will assess whether and to what extent the project improves state of good repair. For this assessment, DOT will consider, for example, how the project will mitigate current or projected system vulnerabilities; restore and modernize (such as through road diets and Complete Streets approaches) the existing core infrastructure assets that have met their useful life; reduce construction and maintenance burdens through efficient and well-integrated design; create new infrastructure *in remote communities* that will be maintained in a state of good repair; prioritize improvement of the condition and safety of existing transportation infrastructure within the existing footprint; conduct routine or deferred maintenance; create new infrastructure (*not in a remote community*) that will be maintained in a state of good repair; or identify the party responsible for maintenance and how the new or improved asset(s) will be maintained in a state of good repair.

The Department encourages applicants to improve the condition and safety of existing state and locally owned transportation infrastructure within the right-of-way before proposing projects that add new general purpose travel lanes serving single occupancy vehicles.

Partnership and Collaboration

The Department will consider the extent to which the project has or will support and engage diverse people and communities. For this assessment, DOT will consider, for example, how the project has or will collaborate with public and/or private entities; documents support from local, regional, and/or national levels; engage residents and community-based organizations to ensure equity considerations for underserved communities are meaningfully integrated throughout the project. Applicants should describe how the project incorporates specific actions and activities identified in the Department's [Promising Practices for Meaningful Public Involvement in Transportation Decision-Making Guide](https://www.transportation.gov/priorities/equity/promising-practices-meaningful-public-involvement-transportation-decision-making);³³ coordinate with other types of projects such as economic development, commercial or residential development near public transportation, power/electric infrastructure projects, or broadband deployment; partner with Disadvantaged

³³ <https://www.transportation.gov/priorities/equity/promising-practices-meaningful-public-involvement-transportation-decision-making>

Business Enterprises or 8(a) firms; partner with high-quality workforce development programs with supportive services³⁴ to help train, place, and retain underrepresented communities in good-paying jobs or registered apprenticeships including through the use of local and economic hiring preferences, linkage agreements with workforce programs that serve underrepresented groups, and proactive plans to prevent harassment; 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; or partners with communities, or community groups representative of historically underrepresented groups, to develop workforce strategies; or establish formal public-private partnerships or joint ventures to expand or create new infrastructure or economic development capacity. DOT will assess the level of detail and description provided about the partnerships listed above. Applications that provide more details and descriptions about the project partnership will be rated higher than those that do not, in alignment with the merit rating rubric.

The Department will consider whether the applicant is participating in the [Thriving Communities Network](#).³⁵ Applications that include right-of-way acquisition plans that minimally disrupts communities and maintains community cohesion will be more competitive than right-of-way acquisition plans that disrupt communities. For projects involving other Federal agencies, or requiring action from other Federal agencies, DOT will consider the level of involvement and commitment from those agencies. For example, relevant port projects should demonstrate alignment with U.S. Army Corps of Engineers investment strategies.

Innovation

The Department will assess the extent to which the applicant uses innovative: (1) technologies; (2) project delivery; or (3) financing. If this project is the first time the applicant or community will deploy specific innovations, the Department will consider them innovative, to the extent applicants provide enough detail to determine whether the innovations being deployed are new or innovative to the applicant or community regardless of whether other applicants or communities have implemented these innovations.

Innovative Technologies - The Department will consider how the project enhances the environment for connected, electric, or automated vehicles to improve the detection, mitigation, and documentation of safety risks. Examples include the use of Advanced Driver Assistance Systems on public transit vehicles and detection systems on railroads to target and deter trespassing. The Department will assess the extent to which the project uses innovative technology that significantly enhances the operational performance and maintenance of the surface transportation system including sensors to inspect infrastructure and manage assets or to monitor real-time conditions of pavement quality, signage, crosswalks, or transit headways; active grade crossing detection systems to enable responsive traffic management; or digitalized curb management to optimize use

³⁴ Supportive services are critical to help women and people facing systemic barriers to employment be able to participate and thrive in training and employment. Recommended supportive services include childcare, tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking.

³⁵ <https://www.transportation.gov/federal-interagency-thriving-communities-network>

across purposes and modes, including freight, pick-up drop-off, and transit usage. The use of low-carbon materials as well as the use of caps, land bridges, or underdecks are also considered innovative.

Please note that all innovative technology must be in compliance with 2 CFR § 200.216.³⁶ If an applicant is proposing to deploy autonomous vehicles or other innovative motor vehicle technology, the Department will consider whether and how the applicant demonstrates that all vehicles will comply with applicable safety requirements, including those administered by the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Safety Administration (FMCSA). Specifically, the Department will consider whether the vehicles acquired for the proposed project will comply with applicable Federal Motor Vehicle Safety Standards (FMVSS) and Federal Motor Carrier Safety Regulations (FMCSR). If the vehicles may not comply, the Department will consider applications that do one of the following more competitive than applications that do not: either (1) show that the vehicles and their proposed operations are within the scope of an exemption or waiver that has already been granted by NHTSA, FMCSA, or both agencies or (2) directly address whether the project will require exemptions or waivers from the FMVSS, FMCSR, or any other regulation and, if the project will require exemptions or waivers, present a plan for obtaining them.

Innovative Project Delivery - The Department will consider the extent to which the project utilizes innovative practices in contracting (such as public-private partnerships and single contractor design-build arrangements), single contractor design-build arrangements, project bundling, [Advanced Digital Construction Management](#), [Accelerated Bridge Construction](#), [Digital as-builts](#), or an up-to-date programmatic agreement between an environmental resource agency and a state DOT, or other NEPA lead agency, establishing a streamlined process for environmental consultations and permits for commonly encountered project types .Digital as-builts.

Innovative Financing - The Department will assess the extent to which the project incorporates innovations in transportation funding and finance, for example through private sector funding or financing, using congestion pricing or other demand management strategies to address congestion, securing a TIFIA or RRIF loan, or receiving an allocation for private activity bonds through DOT's Build America Bureau.

b. Project Readiness

Capital project applications that receive second-tier analysis³⁷ will be reviewed for Project Readiness and assigned three evaluation ratings: Environmental Risk Assessment, Technical Capacity Assessment, and Financial Completeness Assessment.

Planning project applications that receive second-tier analysis will be reviewed for Project Readiness and assigned two evaluation ratings: Technical Capacity Assessment and Financial

³⁶ <https://ecfr.federalregister.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-C/section-200.216>

³⁷ The process for determining which applications receive second-tier analysis is described in Section E.2 of this notice.

Completeness Assessment. (Environmental Risk Assessment will not be performed for planning applications).

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

Environmental Risk

The Environmental Risk Assessment analyzes the project's environmental approvals and likelihood of the necessary approval affecting project obligation funds will be spent expeditiously once construction starts as described in Section D of the NOFO, and results in a rating of "high risk," "moderate risk," or "low risk."

Technical Capacity

The Technical Capacity Assessment will assess the applicant's capacity to successfully deliver the project in compliance with applicable Federal requirements as well as the recipient's experience working with Federal funds, civil rights compliance, and previous experience delivering infrastructure projects. This review is partially based on information submitted with the application and partially based on DOT Operating Administration knowledge of the applicant's performance. Technical Capacity ratings will be one of the following: "certain," "somewhat certain," or "uncertain."

DOT will assign the highest rating of "certain," if the application demonstrates that: the applicant has extensive experience with Federal funds; the applicant has extensive experience completing projects with similar scope; the applicant has the resources to deliver the project; and the project will comply with all applicable Federal requirements including, but not limited to, Buy America provisions, ADA regulations, Civil Rights requirements, Federal Motor Vehicle Safety Standards, and/or the Federal Motor Carrier Safety Regulations.

If an applicant is proposing to adopt innovative technology or other innovative practices, DOT will assess whether the applicant's capacity to implement those innovations, the applicant's understanding of applicable Federal requirements and whether the innovations may require extraordinary permitting, approvals, exemptions, waivers, or other procedural actions, and the effects of those innovations on the project delivery timeline.

Financial Completeness

The Financial Completeness Assessment reviews the project budget to confirm the availability of funding for the project and whether the applicant presented a complete funding package based on reasonable cost estimates. Financial Completeness ratings are: "complete," "partially complete," or "incomplete."

DOT will assign the highest rating of "complete," if the application identifies all funding sources for the project budget, documents all funding is available and committed to the project, includes contingency amount in the project budget and describes a plan to address potential cost overruns, and cost estimates are no more than a year old or include an inflation factor. Planning grants are

not required to include a contingency amount but must discuss a plan to address potential cost overruns.

Projects with funding estimates that are based on early stages of design (e.g., less than 30 percent design) or outdated cost estimates without specified budget contingencies will receive a lower rating. All applicants, including those requesting 100 percent grant funding, should describe a plan to address potential cost overruns.

c. Cost Benefit Analysis

For capital projects that receive second-tier analysis, the Department will consider the costs and benefits of projects seeking RAISE grant funding in determining whether a project is cost effective. To the extent possible, the Department will rely on quantitative, evidenced-based and data-supported analysis to assess how well a project addresses this criterion, including an assessment of the project's estimated benefit-cost ratio (BCR) based on the applicant-supplied BCA described in Section D.2.f.

To evaluate the costs and benefits of a proposed project, the Department will assign the project as either negative net benefits (costs exceed benefits) or positive net benefits (benefits exceed costs.) Projects with negative net benefit ratings will not be selected for an award, unless the project receives a "Highly Recommended" rating and demonstrates exceptional benefits for underserved or disadvantaged communities, as identified by the Senior Review Team.³⁸

2. Review and Selection Process

This section explicitly addresses the BIL requirement to describe the methodology for evaluation in the NOFO. The RAISE grant program review and selection process consists of Merit Criteria Review; Project Readiness Review (consisting of Technical Capacity Assessment, Environmental Risk Assessment, and Financial Completeness Assessment); Benefit-Cost Analysis; and Senior Review. The Secretary makes final project selections.

Teams comprising Department and contractor staff review all eligible applications received by the deadline for a Merit Review and assign ratings as described in Section E. Using the Merit Review rubric described in section E, the combination of eight merit criteria ratings will result in one overall Merit Rating: Highly Recommended, Recommended, Acceptable, or Unacceptable.

"Highly Recommended" projects automatically advance for second-tier analysis.

The Senior Review Team (SRT) reviews all "Recommended" projects to determine if the benefits of a particular criterion are so significant that the project merits advancing for second-tier analysis. The SRT can advance a "Recommended" project only if:

³⁸ The Senior Review Team, and its role in the application evaluation and selection process, is described in section E.2 of this notice.

1. the project received a “high” in one or more of the priority criteria of safety, environmental sustainability, mobility and community connectivity, or quality of life, and the benefits in that criterion are exceptional; or
2. if the SRT provides additional information to demonstrate that a criterion has benefits that are aligned with a “high” rating for one or more of the priority merit criteria listed above (whether or not the Merit Review Team assigned a “high” rating) and the benefits in that criterion would be exceptional.

Senior Operating Administration staff and OST staff may make recommendations to the SRT for which projects should advance based on exceptional benefits of a particular priority criterion.

“Recommended” projects designated a “RCN Program Extra” project under the FY 2023 Reconnecting Communities and Neighborhoods (RCN) Program competition that receive at least one “High” in a priority criterion during the FY 2024 RAISE application evaluation process will automatically advance for second-tier analysis.

Second-tier analysis consists of:

- **Capital Projects** - Cost-Benefit Analysis and Project Readiness: (1) Environmental Risk Assessment; (2) Financial Completeness Assessment; and (3) Technical Capacity Assessment.
- **Planning Projects** – Project Readiness: (1) Financial Completeness Assessment; and (2) Technical Capacity Assessment.

Following completion of second-tier analysis, the SRT determines which projects are designated as Highly Rated.

Using the discretionary authority provided in statute, the Secretary selects projects from the Highly Rated List for award, consistent with the selection criteria and statutory requirements for geographic and modal diversity. The Secretary may, depending on the pool of qualified applications, seek to award at least one project per state or territory.

Projects for which an FY 2024 RAISE application is advanced by the Senior Review Team to the Highly Rated List, but that are not awarded, are automatically designated as “Projects of Merit.” Projects with this designation will be carried over into FY 2025 RAISE and considered by the SRT for advancement to the Highly Rated List, along with other FY 2025 applications eligible for advancement to the Highly Rated List.

The BIL mandates that RAISE grant award selections be announced by June 27, 2024.

Consistent with past practice and statute, the Department offers debriefs to applicants not selected for award to receive information about the RAISE project’s evaluation. Due to overwhelming demand, the Department is unable to provide a RAISE award to every competitive project that applies.

3. Additional Information

Prior to award, each selected applicant will be subject to a risk assessment as required by 2 CFR § 200.206. The Department 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 on the [RAISE program website](#).³⁹ Recipients will be notified by email. Notice of selection is not authorization to begin performance or to incur costs for the proposed project. Following that announcement, the RAISE program Office and relevant operating administration will contact the point of contact listed in the SF-424 to initiate negotiation of the grant agreement for authorization.

Recipients of RAISE Grant awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds. Instead, RAISE funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted.

Unless authorized by the Department in writing after the Secretary's announcement of FY 2024 RAISE awards, any costs that a recipient incurs before DOT executes a grant agreement for that recipient's project are ineligible for reimbursement and are ineligible match for cost share requirements.

2. Administrative and National Policy Requirements

a. Administrative Requirements

Please visit the [RAISE program website](#)⁴⁰ for the General Terms and Conditions for FY 2023 RAISE awards. The FY 2024 RAISE Terms and Conditions will be similar to the FY 2023 RAISE Terms and Conditions, but it will include relevant updates consistent with this notice.

³⁹ www.transportation.gov/RAISEgrants

⁴⁰ <https://www.transportation.gov/policy-initiatives/raise/raise-grant-agreements>

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 part 1201. Federal wage rate requirements included in subchapter IV of chapter 31 of title 40, U.S.C., apply to all projects receiving funds under this program, and apply to all parts of the project, whether funded with RAISE Grant funds, other Federal funds, or non-Federal funds.

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.

Additionally, applicable Federal laws, rules and regulations of the relevant operating administration administering the project will apply to the projects that receive RAISE 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 that are eligible under RAISE but are not eligible under DOT's other programs or projects that are eligible under multiple DOT programs, the RAISE program will determine the appropriate requirements to ensure the project is delivered consistent with program and Department goals. In particular, Executive Order 14005 directs the Executive Branch Departments and agencies to maximize the use of goods, products, and materials produced in, and services offered in, the United States through the terms and conditions of Federal financial assistance awards. If selected for an award, grant recipients must be prepared to demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their project. RAISE grant projects involving vehicle acquisition must involve only vehicles that comply with applicable Federal Motor Vehicle Safety Standards and Federal Motor Carriers Safety Regulations, or vehicles that are exempt from Federal Motor Vehicle Safety Standards or Federal Motor Carrier Safety Regulations in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

For projects administered by FHWA, applicable Federal laws, rules, and regulations set forth in Title 23 U.S.C. and Title 23 C.F.R generally apply, including the 23 U.S.C. 129 restrictions on the use of toll revenues, and Section 4(f) preservation of parklands and historic properties requirements under 23 U.S.C. 138. For an illustrative list of the other applicable laws, rules, regulations, executive orders, policies, guidelines, and requirements as they relate to a RAISE grant project administered by the FHWA, please see the [RAISE program website](https://www.transportation.gov/grants/raise/raise-fy2023-fhwa-exhibits-june-23-2023).⁴¹

⁴¹ <https://www.transportation.gov/grants/raise/raise-fy2023-fhwa-exhibits-june-23-2023>

For RAISE 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 RAISE grant funds, some requirements of chapter 53 of title 49 U.S.C. and chapter VI of title 49 CFR apply.

For projects administered by the Federal Railroad Administration, FRA requirements described in 49 U.S.C. Subtitle V, Part C apply.

b. Program Requirements

Climate Change and Environmental Justice Impact Consideration

Each applicant selected for RAISE grant funding must demonstrate effort to consider climate change and environmental justice impacts as described in Section E, consistent with Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (86 FR 7619). In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities in Section E.1.

Land Use and Housing Affordability Impact Consideration

Each applicant selected for RAISE grant funding must demonstrate effort to consider housing affordability impacts of the grant, and particularly how local land use and zoning practices already allow for, or have been modified to, ensure adequate affordable housing supply proximate to the transit investment. Applicants will be required to memorialize commitments they have made in their applications in one or more of the activities in Section E.1.

Racial Equity and Barriers to Opportunity

Each applicant selected for RAISE grant funding must demonstrate effort to improve racial equity and reduce barriers to opportunity as described in Section E, consistent with Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009). In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities listed in Section E.1.

Labor and Workforce

Each applicant selected for RAISE grant funding 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 strong labor standards as described in Section E, 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). In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities listed in Section E.1.

Critical Infrastructure Security, Cybersecurity, and Resilience

It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against all hazards, including both physical and cyber threats, consistent with Presidential Policy Directive 21 - Critical Infrastructure Security and Resilience and the National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems. Each applicant 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 the Department of Homeland Security, will be required to do so before receiving funds.

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 domestic preference requirements based on the Operating Administration that administers the project, including 23 U.S.C. 313 (FHWA projects); 49 U.S.C. 5323(j) (FTA projects); 49 U.S.C. 22905(a) (FRA projects); and section 70914(a) of the Build America, Buy America Act (all projects). The Department expects all applicants to comply without needing a project-specific waiver for domestic preference requirements.

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. DOT's and the applicable Operating Administrations' Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

Federal Contract Compliance

As a condition of grant award all Federally assisted contractors are required to make good faith efforts to meet the goals of EO 11246, Equal Employment Opportunity (30 FR 12319, and as amended). 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. 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.

Project Signage and Public Acknowledgements

Recipients are encouraged for construction and non-construction projects to post project signage and to include public acknowledgments in published and other collateral materials (e.g., press releases, marketing materials, website, etc.) satisfactory in form and substance to DOT, that identifies the nature of the project and indicates that "the project is funded by the Bipartisan Infrastructure Law". In addition, recipients employing project signage are required to use the official Investing in America emblem in accordance with the Official [Investing in America Emblem Style Guide](#). Costs associated with signage and public acknowledgments must be reasonable and limited. Signs or public acknowledgments should not be produced, displayed, or published if doing so results in unreasonable cost, expense, or recipient burden. The Recipient is encouraged to use recycled or recovered materials when procuring signs.

3. Reporting

a. Progress Reporting on Grant Activities

Each applicant selected for RAISE grant funding must submit quarterly progress reports and Federal Financial Reports (SF-425) to monitor project progress and ensure accountability and financial transparency in the RAISE grant program.

b. Performance Reporting

Each applicant selected for RAISE grant funding must collect and report to the DOT information on the project's performance based on performance indicators DOT identifies related to program goals (e.g., travel time savings, greenhouse gas emissions, passenger counts, level of service, etc.) and other information as requested by DOT. Performance indicators 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 RAISE Grant Program. To the extent possible, performance indicators used in the reporting should align with the measures included in the application and should relate to at least one of the selection criteria defined in Section E.1. Performance reporting continues for several years after project construction is completed, and DOT does not provide RAISE grant funding specifically for performance reporting. RAISE grant performance measures are posted on the [RAISE website](#).⁴²

c. Program Evaluation

As a condition of grant award, RAISE grant recipients may be required to participate in an evaluation undertaken by DOT, or another agency or partner. The evaluation may take different

⁴² <https://www.transportation.gov/grants/raise/raise-performance-measures-update-2023>

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. The Department may require applicants to collect data 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) in the case of an impact analysis, facilitate the 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 incorporate program evaluation including associated data collection activities from the outset of their program design and implementation 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 subrecipients 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). Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

d. 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 to the SAM that is made available in 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 Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 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.

G. Federal Awarding Agency Contacts

For further information concerning this notice please contact the RAISE grant program staff via e-mail at RAISEgrants@dot.gov, or call Andrea Jacobson at 202-366-9603. 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 the RAISE website at www.transportation.gov/RAISEgrants. 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 RAISE grant 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 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 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 CFR § 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.

2. Publication and Sharing of Application Information

Following the completion of the selection process and announcement of awards, the Department intends to publish a list of all applications received along with the names of the applicant organizations and funding amounts requested. Except for the information properly marked as described in Section H.1, The Department may make application narratives publicly available or 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.



Pete Buttigieg

Issued in Washington D.C. on November 30, 2023



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution authorizing application for and acceptance of United States Department of Transportation RAISE grant on behalf of the Chemung County Planning Department (Improving Pedestrian Corridors)

Resolution #:

Slip Type: GRANT

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

The RAISE grants will be awarded on a competitive basis, per statute, for planning or constructing surface transportation infrastructure projects that will improve safety; environmental sustainability; quality of life; mobility and community connectivity; economic competitiveness and opportunity including tourism; state of good repair; partnership and collaboration; and innovation.

Chemung County applied for this grant in 2023, and although denied, was categorized as a “Project of Merit” and encouraged to reapply with minor modifications. The modifications will be made, and the County will be applying for funding to create a plan around improvements to Pedestrian Corridors (including sidewalks) with a City Mobility Improvement Plan.

Vendor/Provider	US Department of Transportation				
Term	3 years from date of award	Total Amount	325,000	Prior Amount	
Local Share	32,500 (in kind)	State Share	0	Federal Share	292,500
Project Budgeted?	Yes	Funds are in Account #			

CREATION:

Date/Time:	Department:
1/29/2024 10:37:53 AM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	

STAMP_ITEMNUMB

2/20/2024 1:21 PM	Approved	County Executive	
3/19/2024 10:24 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
 RAISE_2024_NOFO_11.30.23_0.pdf	Raise 2024 NOFO	Cover Memo

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Funding Opportunity for Fiscal Year (FY) 2024

Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program

AGENCY: Office of the Secretary (OST), US Department of Transportation (DOT)

ACTION: Notice of Funding Opportunity (NOFO)

SUMMARY OVERVIEW OF KEY INFORMATION: RAISE Grant Opportunity	
Issuing Agency	Office of the Secretary, US Department of Transportation
Program Overview	RAISE grants will be awarded on a competitive basis, per statute, for planning or constructing surface transportation infrastructure projects that will improve safety; environmental sustainability; quality of life; mobility and community connectivity; economic competitiveness and opportunity including tourism; state of good repair; partnership and collaboration; and innovation.
Objective	<ul style="list-style-type: none">• Invest in surface transportation that will have a significant local or regional impact; and• Support projects that are consistent with the Department's strategic goals: improve safety, economic strength and global competitiveness, equity, and climate and sustainability.
Eligible Applicants	<ul style="list-style-type: none">• States• District of Columbia• any territory or possession of the United States• a unit of local government• a public agency or publicly chartered authority established by one or more States• a special purpose district or public authority with a transportation function, including a port authority• a Federally recognized Indian Tribe or a consortium of such Indian Tribes• a transit agency• a multi-State or multijurisdictional group of entities that are separately eligible
Eligible Project Types	<ul style="list-style-type: none">• highway or bridge projects eligible under title 23, United States Code• public transportation projects eligible under chapter 53 of title 49, United States Code

	<ul style="list-style-type: none"> • passenger and freight rail transportation projects eligible under title 49 • port infrastructure investments (including inland port infrastructure and land ports of entry) • the surface transportation components of an airport project eligible for assistance under part B of subtitle VII of title 49, United States Code • intermodal projects whose components are otherwise an eligible project type • projects to replace or rehabilitate a culvert or prevent stormwater runoff for the purpose of improving habitat for aquatic species while advancing the goals of the RAISE program • projects investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government • any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goals of the program
Funding	Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021, “Bipartisan Infrastructure Law,” or “BIL”) provides \$1.5 billion annually for FY 2022 – 2026
Deadline	<ul style="list-style-type: none"> • FY 2024 Deadline: February 28, 2024 at 11:59 pm Eastern • FY 2025 Deadline: January 13, 2025 at 11:59 pm Eastern • FY 2026 Deadline: January 13, 2026 at 11:59 pm Eastern

This notice describes the application requirements, selection and evaluation criteria, and applicable program and Federal requirements.

ASSISTANCE LISTING NUMBER: 20.933 National Infrastructure Investments

DATES: Applications must be submitted by 11:59 PM Eastern on **February 28, 2024**

WEBINAR: OST plans to conduct outreach regarding the FY 2024 RAISE NOFO in the form of webinars. The webinar schedule will be posted when available on the [RAISE outreach webpage](#).¹

ADDRESSES: Applications must be submitted through [Grants.gov](#)

FOR FURTHER INFORMATION CONTACT: DOT will not review applications in advance of their submission but RAISE program staff are available for questions. For further information concerning this notice, please contact the RAISE grant program staff via e-mail at RAISEgrants@dot.gov or call Andrea Jacobson at 202-366-9603. A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993. In addition, DOT will regularly

¹ <https://www.transportation.gov/RAISEgrants/outreach>

post answers to questions and requests for clarifications on the [FAQ website](#)² as well as information about webinars for further guidance on the [RAISE program website](#).³

SUPPLEMENTARY INFORMATION: The organization of this notice is based on an outline set forth in Appendix I to Title 2 of the Code of Federal Regulations (CFR), Part 200, to ensure consistency across Federal financial assistance programs. Each section of this notice contains information and instructions relevant to the application process for these RAISE grants, and all applicants should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications.

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² <https://www.transportation.gov/RAISEgrants/raise-application-faqs>

³ <https://www.transportation.gov/RAISEgrants/outreach>.

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Section A - Program Description

1. Overview

The Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021, “Bipartisan Infrastructure Law,” or “BIL”) authorized and appropriated \$1.5 billion annually to be awarded by the Department of Transportation (“DOT”) 2022 – FY 2026 for Local and Regional Project Assistance Program Grants under National Infrastructure Investments. The program is codified at 49 U.S.C. 6702.

The BIL requires the DOT to publish a Notice of Funding Opportunity (NOFO) no later than 60 days after funds are made available for the program, which for FY 2024 is November 30, 2023. In order to comply with this requirement, this NOFO solicits applications for projects to be funded under the Local and Regional Project Assistance Program, known as the RAISE Grants program.

If the FY 2024 Appropriations Act, or other subsequent Acts, provide additional funding or significantly alter requirements for the RAISE Grant program, the Department will amend this Notice with guidance on additional requirements.

The FY 2024 – 2026 rounds of RAISE will be implemented, as appropriate and consistent with law, in alignment with the priorities in Executive Order 14052, *Implementation of the*

Infrastructure Investments and Jobs Act (86 FR 64355), which are to invest efficiently and equitably, promote the competitiveness of the U.S. economy, improve job opportunities by focusing on high labor standards, strengthen infrastructure resilience to all hazards including climate change, and to effectively coordinate with State, local, Tribal, and territorial government partners.

2. Program Goals and Objectives

The goal of the RAISE program is to fund eligible surface transportation projects that will have a significant local or regional impact that advance the Departmental priorities of safety, equity, climate and sustainability, and workforce development, job quality, and wealth creation, consistent with law, and as described in the Department's [Strategic Plan](#)⁴ and in executive orders.

The Department seeks to fund projects under the RAISE program that reduce greenhouse gas emissions in the transportation sector; incorporate evidence-based climate resilience measures and features; 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).

In addition, the Department seeks to award projects under the RAISE program that proactively evaluate whether a project will create proportional impacts 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 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). The RAISE program advances President Biden's [Justice40 Initiative](#) which set the goal that 40 percent of the overall benefits of certain climate, clean energy, and other covered Federal investments flow to disadvantaged communities.

In addition, the Department intends to use the RAISE 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 RAISE 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 or 8(a) firms.

⁴ See U.S. Department of Transportation Strategic Plan FY 2022–2026 at <https://www.transportation.gov/dot-strategic-plan>.

The BIL included provisions for Metropolitan Planning Organizations to consider integrating transportation planning, housing, employment opportunities, and economic development strategies.⁵ The Department strongly encourages applicants to utilize these new planning coordination opportunities in their proposed projects and describe them in their applications.

Note, the RAISE program can only fund the surface transportation infrastructure elements of a project that may also include housing, employment opportunities, and economic development strategies.

Section E of this NOFO, which outlines FY 2024 RAISE Grant merit criteria, describes the process for selecting projects that further these goals. Section F.3 describes progress and performance reporting requirements for selected projects, including the relationship between that reporting and the program’s selection criteria.

The FY 2024 RAISE NOFO includes a Reconnecting Communities and Neighborhoods (RCN) Program Extra element. Applications for the FY 2024 RAISE grant program that have identical project scope to applications that were submitted and evaluated under the FY 2023 Reconnecting Communities Neighborhoods Program competition and received the designation of “RCN Program Extra,” will automatically advance for second-tier analysis if they receive an overall merit rating of “Recommended” and have at least one “High” rating in a priority criterion. See Section E.2. The Department expects projects that rated well under the FY 2023 RCN Program criteria will do well under the FY 2024 RAISE program criteria. Applicants should note in the FY 2024 RAISE Project Information Form whether their FY 2024 RAISE application was also submitted under the FY 2023 RCN competition and received a RCN Program Extra designation.

3. Changes from the FY 2023 NOFO

This FY 2024 RAISE NOFO makes changes from the FY 2023 RAISE NOFO to:

- Simplify the NOFO with the use of plain language and tables to organize information.
- Refine the merit criteria rating rubric. For example, this NOFO provides more examples of project elements that align with a “High” rating under Safety, Environmental Sustainability, and Innovation. Please see the merit criteria rating rubric in Section E for more details.
- Clarify what applicants should provide in the Project Budget document for the Financial Completeness Review.
- Update data used to determine Urban, Rural, and Areas of Persistent Poverty designations, and uses the Climate & Economic Justice Screening Tool (CEJST), created by the White House Council on Environmental Quality (CEQ), to identify Historically Disadvantaged Communities.

In addition to providing the application, obligation, and expenditure deadlines for FY 2024 funding, the Department outlines the application, obligation, and expenditure deadlines for FY

⁵See BIL div. A § 11201., *Transportation Planning*, which amends 23 U.S.C. 134.

2025 and 2026 funding for awareness. The Department intends to publish subsequent NOFOs for FY 2025 and 2026, which may incorporate additional changes as necessary and appropriate.

Additionally, FY 2024 Projects of Merit, which are Highly Rated applications not selected for award, will automatically be carried forward for consideration under FY 2025 RAISE funding. However, if there are any changes to the FY 2024 project being considered in the FY 2025 round, including but not limited to scope, schedule, and budget, an applicant must submit an amendment to the application by the FY 2025 application deadline in order to be considered. Applicants are encouraged to submit a summary of all changes with the updated application. The applicant is also responsible for updating an application should the FY 2025 RAISE NOFO include program or policy changes from this FY 2024 NOFO.

Applicants who are planning to re-apply for the RAISE program using materials prepared for prior competitions should ensure that their prior application fully addresses the criteria and considerations described in this Notice and that all relevant information is up to date and submitted in the proper format outlined in Section D.

Section B - Federal Award Information

1. Amount Available

The BIL authorized and appropriated \$1.5 billion to be awarded by the Secretary for RAISE grants under the Local and Regional Project Assistance Program for FY 2024.

2. Award Size

For capital grants, the minimum RAISE grant award is \$5 million in urban areas and \$1 million in rural areas. There is no minimum award amount for planning grants. The maximum grant award for capital and planning grants is \$25 million.

If selected for award, the Department may decrease the RAISE funding request amount if some elements of the project are ineligible or to comply with statutory set asides such as awarding funding evenly between projects located in rural and urban areas.

3. Restrictions on Funding

No more than 15 percent (or \$225 million) made available for RAISE grants may be awarded to projects in a single State. DOT must award at least 5 percent (or \$75 million) to planning projects and at least 11 percent (or \$15 million) to projects located in historically disadvantaged communities or areas of persistent poverty. Not more than 50 percent of the funds provided for RAISE grants (or \$750 million) shall be awarded to rural projects (as defined in section C.4) and not more than 50 percent of the funds provided for RAISE grants (or \$750 million) shall be awarded to urban projects (as defined in section C.4). The Department may retain up to \$30 million for oversight and administration of grants.

The Department may use up to 20 percent of available funds (or \$300 million) to pay the subsidy and administrative costs of a project receiving credit assistance under the Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA) or Railroad Rehabilitation and Improvement Financing (RRIF) programs, particularly transit and transit-oriented development

(TOD) projects. Note, applicants must apply to both the RAISE program and TIFIA or RRIF loan to be eligible for the Department to pay for subsidy and administrative costs associated with credit assistance. In October 2022, the Secretary approved the “TIFIA 49 Initiative,” which authorizes transit and transit-oriented development (TOD) projects to borrow up to 49 percent of eligible project costs for projects that meet eligibility requirements. TIFIA loans have historically been capped at 33 percent of eligible project costs.

4. Availability of Funds

FY 2024 RAISE grant funds are available for obligation through September 30, 2028. Obligation occurs when a selected applicant and the Department enter into a written grant agreement after the applicant has satisfied applicable administrative requirements, such as transportation planning and environmental review requirements for capital construction projects. Note, some grant recipients enter into phased obligations with the Department. Unless authorized by the Department in writing after announcement of FY 2024 RAISE awards, any costs incurred prior to the Department’s obligation of funds for a project (“pre-award costs”) are ineligible for reimbursement.⁶ FY 2024 RAISE funds must be expended (the grant obligation must be liquidated or paid out to the grant recipient) by September 30, 2033. After this date, unexpended funds are no longer available to the project.

In the table below, the Department outlines the different application deadlines as well as the obligation and expenditure deadlines for each year of funding.

BIL Fiscal Year Funding	BIL Funding Obligation Deadline	BIL Funding Expenditure Deadline
FY 2024	September 30, 2028	September 30, 2033
FY 2025	September 30, 2029	September 30, 2034
FY 2026	September 30, 2030	September 30, 2035

5. Previous RAISE/BUILD/TIGER

Recipients of RAISE (formerly named Better Utilizing Investments to Leverage Development (BUILD) and Transportation Investment Generating Economic Recovery (TIGER)) grants may apply for funding to support additional phases of a project previously awarded funds in the RAISE/BUILD/TIGER program. However, to be competitive, the applicant should demonstrate the extent to which the previously funded project phase has met estimated project schedules and budget, as well as the ability to realize the benefits expected for the project. A previous RAISE/BUILD/TIGER award, or application, does not affect competitiveness under the FY 2024 RAISE competition.

⁶ Pre-award costs are costs incurred after award announcement, but directly pursuant to the negotiation of a grant agreement 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 2024 RAISE award cannot be charged to FY 2024 RAISE 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 2024 RAISE award, cannot be charged to FY 2024 RAISE funds.

C. Eligibility Information

1. Eligible Applicants

Eligible applicants for RAISE grants are: States and the District of Columbia; any territory or possession of the United States; a unit of local government; a public agency or publicly chartered authority established by one or more States; a special purpose district or public authority with a transportation function, including a port authority; a Federally recognized Indian Tribe or a consortium of such Indian Tribes; a transit agency; and a multi-State or multijurisdictional group of entities that are separately eligible. Federal agencies are not eligible applicants for the FY 2024 RAISE program.

Multiple States or jurisdictions may submit a joint application and should identify a lead applicant as the primary point of contact and also identify the primary recipient of the award. Joint applications should include a description of the roles and responsibilities of each applicant.

DOT expects that the eligible applicant submitting the application will administer and deliver the project. If the applicant seeks a transfer of the award to another agency, 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.

2. Federal Cost Share

The Federal share of the costs of an eligible project carried out using a grant provided under the RAISE grant program shall not exceed 80 percent unless the project is located in a rural area, a historically disadvantaged community (HDC), or an area of persistent poverty (APP). Urban area and rural area are defined in Section C.4 of this notice. HDCs and APPs are defined in Section C.5.

Applicants should use the following equation when determining the cost share for their project:

$$\frac{(\textit{RAISE Grant Request} + \textit{Other Federal Funds})}{\textit{Total Project Cost}} = \textit{Federal Cost Share}$$

Federal cost share may not exceed 80 percent for urban projects that are not located in an APP or HDC.

For the RAISE Program, Total Project Cost means the sum of future eligible Federal and Non-Federal costs that have not yet been incurred. Total Project Cost cannot include any previously incurred costs.

The Department does not use an applicant's cost share when evaluating applications on merit. The Department considers an applicant's cost share during the evaluation and selection process only to confirm eligibility for urban projects that are not located in an APP or HDC.

Non-Federal sources include State funds originating from programs funded by State revenue, local funds originating from State or local revenue-funded programs, or private funds. The BIL also allows for the following Federal funds to be considered “non-Federal” for the purpose of the RAISE program: (A) tribal transportation program funds under section 202 of title 23; (B) Federal lands transportation program funds under section 203 of title 23; (C) TIFIA program funds (as defined in section 601(a) of title 23); and (D) Railroad Rehabilitation and Improvement Financing Program under chapter 224. Toll credits under 23 U.S.C. 120(i) are considered a Federal source under the RAISE program and, therefore, cannot be used to satisfy the statutory cost sharing requirement of a RAISE award. Unless otherwise authorized by statute, funds used to satisfy the non-Federal cost-share requirements of a different Federal program may not be counted as the non-Federal cost-share for both the RAISE grant and another Federal grant program. DOT will not consider previously incurred costs or previously expended or encumbered funds towards the non-Federal cost-share requirement for any project. Non-Federal cost-share funds are subject to the same Federal requirements described in Section F.2. as awarded funds. If repaid from non-Federal sources, Federal credit assistance is considered non-Federal share.

See Section D.2 for information about documenting cost sharing in the application.

For each project that receives a RAISE grant award, **the terms of the award will require the recipient to complete the project using at least the level of non-Federal funding that was specified in the application. If the actual costs of the project are greater than the costs estimated in the application, the recipient will be responsible for addressing the funding shortfall and maintaining the level of non-Federal funding stated in the application.** If the actual costs of the project are less than the costs estimated in the application, the Department will generally reduce the Federal contribution to ensure federal cost share requirements are met.

3. Eligible Projects

Capital Projects

Eligible projects for RAISE grants are surface transportation capital projects within the United States⁷ or any territory or possession of the United States that are: (1) highway or bridge projects eligible under title 23, United States Code; (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 land ports of entry); (5) the surface transportation components of an airport project eligible for assistance under part B of subtitle VII of title 49, United States Code;⁸ (6) intermodal projects whose component parts are otherwise an eligible project type; (7) projects to replace or rehabilitate a culvert or prevent

⁷ In addition to projects located in the United States, eligible projects for RAISE grants include projects that are necessary for reconstruction of the Alaska Highway from the Alaskan border at Beaver Creek, Yukon Territory, to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to Haines, Alaska, as provided in 23 U.S.C. 218.

⁸ Eligible surface transportation components of eligible airport projects are those projects listed in “Appendix P: Road and Surface Transportation Projects” of the Airport Improvement Program (AIP) handbook, available at https://www.faa.gov/airports/aip/aip_handbook/?Chapter=Appendix#PP00. For more details on airport project eligibility, please see the Frequently Asked Questions at <https://www.transportation.gov/RAISEgrants/raise-application-faqs>.

stormwater runoff for the purpose of improving habitat for aquatic species while advancing the goals of the RAISE program; (8) projects investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government; and (9) any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goals of the program.⁹

The Secretary considers the following projects necessary to advance the goals of the program, and therefore eligible: public road and non-motorized projects that are not otherwise eligible under title 23, United States Code; surface transportation components of transit-oriented development projects; and surface transportation components of mobility on-demand projects that expand access and reduce transportation cost burden.

If an application includes right-of-way acquisition, the project will be considered a capital project. Projects that include right-of-way acquisition should include a timeline for construction.

The following projects are not considered necessary to advance the goals of the program, and, therefore, they are ineligible: school bus electrification and broadband deployment as a standalone project. Furthermore, improvements to Federally owned facilities are ineligible under the FY 2024 RAISE program, unless they are projects investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government. If a project type is not described as explicitly eligible or ineligible above, then applicants should explain in their application why the project is necessary to advance the goals of the program, and the Department will determine eligibility on a case-by-case basis.

Research, demonstration, or pilot projects are eligible only if they will result in long-term, permanent surface transportation infrastructure that has independent utility as defined in Section C.6.

Planning Projects

Activities eligible for funding under RAISE planning grants are related to the planning, preparation, or design—for example environmental analysis, equity analysis, community engagement, feasibility studies, benefit-cost analysis, and other pre-construction activities—of eligible surface transportation capital projects described in Section C.3 that will not result in construction with RAISE FY 2024 funding.

In addition, activities eligible for RAISE planning grants include those related to multidisciplinary projects or regional planning, such as: (1) development of master plans, comprehensive plans, transportation corridor plans, and integrated economic development, land use, housing, and transportation plans; (2) zero emissions plan for transit fleet; (3) planning activities related to the development of a multimodal freight corridor, including those that seek to reduce conflicts with residential areas and with passenger and non-motorized traffic; (4) planning

⁹DOT may award a RAISE 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 RAISE grants to pay for the surface transportation components of these projects. However, costs for non-surface transportation components are not eligible to count as matching funds for the RAISE grant.

activities related to zero emissions goods movement; (5) development of port and regional port planning, including State-wide or multi-port planning within a single jurisdiction or region; and (6) risk assessments and planning to identify vulnerabilities and address the transportation system's ability to withstand probable occurrence or recurrence of an emergency or major disaster.

As stated above, projects that include right-of-way acquisition are capital projects and, therefore, not eligible for RAISE planning grants.

4. Definition of Rural and Urban Areas

Rural and urban definitions are different in other DOT programs. For the RAISE program:

Urban - A project is designated as urban if it is located within (or on the boundary of) a Census-designated urban area¹⁰ that had a population greater than 200,000 in the 2020 Census.¹¹

Rural - A project is designated as rural if it is located outside a Census-designated urban area that had a population greater than 200,000 in the 2020 Census.

The Department will have an interactive map on the [RAISE website](#) to show Census-designated urban areas with populations greater than 200,000 in the 2020 Census.

A project located in both an urban and a rural area will be designated as urban if the majority of the project's costs will be spent in urban areas. Conversely, a project located in both an urban area and a rural area will be designated as rural if the majority of the project's costs will be spent in rural areas. For RAISE planning grants, the location of the project being planned, prepared, or designed will be used for the urban or rural designation.

This definition affects four aspects of the program: (1) not more than 50 percent (or \$750 million) of the funds provided for RAISE grants are to be used for projects in rural areas; (2) not more than 50 percent (or \$750 million) of the funds provided for RAISE grants are to be used for projects in urban areas; (3) for a capital project in a rural area, the minimum award is \$1 million, while the minimum capital award for urban areas is \$5 million; and (4) the Secretary may increase the Federal share above 80 percent to pay for the eligible costs of a project in a rural area.

5. Areas of Persistent Poverty and Historically Disadvantaged Communities

The definition for Areas of Persistent Poverty is found in the RAISE statute:

Areas of Persistent Poverty (APP) – (1) any county that has consistently had greater than or equal to 20 percent of the population living in poverty during the 30-year period

¹⁰ Lists of 2020 UAs as defined by the Census Bureau are available on the Census Bureau website at <https://www.census.gov/geographies/reference-maps/2020/geo/2020-census-urban-areas.html>.

¹¹ For the purpose of this NOFO, the definition of urban and rural is based on the 2020 Census-designated urbanized areas. The Department is required by the BIL to use the most recent decennial census information. See <https://www.transportation.gov/RAISEgrants/urbanized-areas> for a list of 2020 Census-designated UAs.

preceding November 15, 2021, as measured by the 1990 and 2000¹² decennial census and the most recent annual Small Area Income Poverty Estimates as estimated by the Bureau of the census; (2) any census tract with a poverty rate of at least 20 percent as measured by the 2014-2018 5-year data series available from the American Community Survey of the Bureau of the Census;¹³ or (3) any territory or possession of the United States. A county satisfies this definition only if 20 percent of its population was living in poverty in all three of the listed datasets: (a) the 1990 decennial census; (b) the 2000 decennial census; and (c) the 2021 Small Area Income Poverty Estimates.¹⁴ DOT will list all counties and census tracts that meet this definition for Areas of Persistent Poverty [RAISE website](#) as well as provide an interactive map on the [RAISE website](#).¹⁵

The definition of historically disadvantaged communities follows the Justice40 Interim Guidance Addendum, issued by the White House Office of Management and Budget (OMB), White House Council on Environmental Quality (CEQ), and Climate Policy Office (CPO):¹⁶

Historically Disadvantaged Communities (HDC) – (1) any census tract or tracts identified as disadvantaged in the [Climate & Economic Justice Screening Tool \(geoplatform.gov\)](#) (CEJST),¹⁷ created by CEQ, which identifies such communities that have been marginalized by underinvestment and overburdened by pollution.; (2) any Federally Recognized Tribe or Tribal entity, whether or not they have land. DOT will list all census tracts that meet this definition for Historically Disadvantaged Communities as well as provide an interactive map on the [RAISE website](#).

6. Project Components

An application may describe a project that contains more than one component and may describe components that may be carried out by parties other than the applicant. The Department expects, and will impose requirements on recipients to ensure, that all components included in an application will be delivered as part of the RAISE project, regardless of whether a component includes Federal funding.

The status of each component should be clearly described (for example, in the project schedule). The Department may award funds for a component, instead of the larger project, if that component: (1) independently meets minimum award amounts described in [Section B](#) and all eligibility requirements described in [Section C](#); (2) independently aligns well with the selection criteria specified in Section E.1; and (3) meets National Environmental Policy Act (NEPA) requirements with respect to independent utility. Independent utility means that the component

¹² See <https://www.census.gov/data/tables/time-series/dec/census-poverty.html> for county dataset.

¹³ See <https://data.census.gov/cedsci/table?q=ACSST1Y2018.S1701&tid=ACSST5Y2018.S1701&hidePreview=false> for 2014-2018 five year data series from the American Community Survey

¹⁴ On December 15, 2022, the 2021 Small Area Income Poverty Estimates (SAIPE) Dataset was published at <https://www.census.gov/data/datasets/2021/demo/saipe/2021-state-and-county.html>.

¹⁵ www.transportation.gov/RAISEgrants/raise-app-hdc

¹⁶ M-23-09 (Jan. 2023), https://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09_Signed_CEQ_CPO.pdf.

¹⁷ <https://screeningtool.geoplatform.gov/en/>

will represent a transportation improvement that is usable and represents a reasonable expenditure of DOT funds even if no other improvements are made in the area and will be ready for intended use upon completion of that component's construction. All project components that are presented together in a single application must demonstrate a relationship or connection between them. See Section D.2 for Required Approvals.

Applicants should be aware that, depending upon the relationship between project components and applicable Federal law, DOT funding of only some project components may make other project components subject to Federal requirements as described in Section F.2.

DOT strongly encourages applicants to identify in their applications the project components that have independent utility and separately detail costs and requested RAISE grant funding for those components. If the application identifies one or more independent project components, the application should clearly identify how each independent component addresses selection criteria and produces benefits on its own, in addition to describing how the full proposal, of which the independent component is a part, addresses selection criteria.

7. Application Limit

Each lead applicant may submit no more than three applications. 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 than three applications as the lead applicant, only the first three received will be considered.

D. Application and Submission Information

1. Address to Request Application Package

All application materials may be found on Grants.gov at www.grants.gov. Instructions for submitting applications can be found on the [RAISE program website](#)¹⁸ along with forms and attachments required for submission.

2. Content and Form of Application Submission

All applications must be submitted electronically through Grants.gov at www.grants.gov. The Department expects the application to include these files in the following order, using the following file names:

Information	File Name	NOFO Section	Page Limit
SF-424	SF-424	D.2	N/A
Project Information Form (Excel file)	FY 2024 RAISE Project Information Form	D.2	N/A
Project Description	Project Description	D.2	5 pages
Project Location File	Project Location File	D.2	N/A
Project Budget	Project Budget	D.2	5 pages

¹⁸ <https://www.transportation.gov/RAISEgrants/apply>

Funding Commitment Documentation	Funding Commitments	D.2	N/A
Merit Criteria	Merit Criteria Narrative	D.2 and E.1	15 pages
Project Readiness	Project Readiness	D.2 and E.1	5 pages
Benefit-Cost Analysis Narrative (capital projects only)	BCA Narrative	D.2 and E.1	N/A
Benefit-Cost Analysis Calculations (capital projects only, unlocked Excel file)	BCA Calculations	D.2 and E.1	N/A
Letters of Support (Optional)	Letters Of Support	D2 and E.1	N/A

The Department expects the application files be prepared with standard formatting preferences (a single-spaced document, using a standard 12-point font such as Times New Roman, with 1-inch margins), and documents should be submitted in PDF, unless otherwise specified (i.e., project information form should be in Excel, project location map files can be Shapefiles, GeoJSON, KML or KMZ, and the BCA calculations should be submitted in Excel).

The application files should collectively include all information necessary for the Department to determine that the project satisfies project requirements described in Sections B and C and to assess the selection criteria specified in Section E.1. The Department expects applications to be complete upon submission.

The Department may ask any applicant to supplement data in its application, but an applicant is not required to do so. Unsupported claims related to the selection criteria (merits, project readiness, economic benefits, etc.) will negatively affect competitiveness of the application, as described throughout Section E.2.

Supporting documents may be attached in addition to the listed files, but merit criteria evaluators are not required to review supporting documents attached to the application or provided on websites as part of the merit criteria review described in Section E.

The Department expects application files to include the following detailed information:

Standard Form 424

The SF-424 Application for Federal Assistance must be completed. Applicants may leave the following fields on the form blank: 3, 4, 5a, 5b, 6, 7, 11, 13, and 14. A number of separate files must be attached in Item 15 to provide required project information that is not included in the body of the SF-424.

FY 2024 RAISE Project Information Form

The project information form can be downloaded from Grants.gov or from the RAISE program website at <https://www.transportation.gov/RAISEgrants/apply>. The FY 2024 RAISE Project Information Form on will be used to determine applicant and project eligibility for the program as described in part C of this notice.

Information such as applicant name, RAISE amount requested, other Federal funding, non-Federal funding, etc. may be requested in varying degrees of detail on both the SF-424 and the FY 2024 RAISE Project Information Form. Applicants must fill in all fields unless stated otherwise on the forms.

a. Project Description

This file must provide a description of the project that is to be planned or constructed and should include a detailed statement of work that focuses on the technical and engineering aspects of the project, the current design status of the project, the transportation challenges that the project is intended to address, and how the project is expected address those challenges. This file may also discuss the project's history, including a description of any previously completed components. The applicant may use this file to place the project into a broader context of other transportation infrastructure investments being pursued by the applicant.

This file should also describe the project location in a narrative fashion, including a detailed geographic description of the proposed project and map(s) of the project's location, to supplement the geographic project map provided in the project location file. The project location description should narratively identify:

- **Area of Persistent Poverty** - Indicate whether the project is located in an Area of Persistent Poverty, including the relevant County and/or census tract(s);
- **Historically Disadvantaged Community** – Indicate whether the project is located in a Historically Disadvantaged Community based on the [Climate & Economic Justice Screening Tool](#) (CEJST); and
- **Urban areas** – Indicate the Census-designated urban area in which the project is located.

b. Project Location

Applicants should submit one of the following file types for project location identification. This will be used to verify the urban/rural designation and the APP/HDC designations described in the Project Description file. These location designations, together with budget information, could affect eligibility under the FY 2024 RAISE grants program, as described in NOFO Section C. Therefore, accuracy in the location file is important. Acceptable file types are: Shapefile (compressed to a .zip file containing at least the .shp, .shx, .dbf, and .prj components of the Shapefile), GeoJSON, KML, or KMZ. Applicants may use [Google Earth](#), a publicly available online mapping tool, to prepare a KML file. **These spatial files should include only the direct physical location of the project, and not a broad service area or area of impact.**

c. Project Budget

This file should describe the budget for the RAISE project using tables as well as include a narrative section. The RAISE project budget should show **future eligible project costs** and should not include any previously incurred expenses.

The RAISE project budget table should show the **total project cost** broken into different funding sources by major project activity or cost classification and present those amounts in dollars and percentages. Funding sources should be grouped into three categories: (1) RAISE funding request; (2) other Federal funds; and (3) non-Federal Funds. Identify the specific funding amount, type (grant, loan, bond, etc.), and source of all funds. If multiple non-federal and other-federal funding are being utilized, identify each specific source by name and the amount that source will contribute to the project’s budget. The RAISE project budget table should also show that the project satisfies the statutory cost share or non-federal funds matching requirements described in Section C.2 if applicable.

If needed, the Department may request additional budget information to clarify an application. The Department encourages applicants to submit the most relevant and complete information they can provide.

If the project contains **components**,¹⁹ the budget should separate the costs of each project component.

Table 1:

	[Component 1]	[Component 2]	Total Funding
Funding Source	Funding Amount	Funding Amount	
RAISE Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Other Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Non-Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Total Project Cost:	[\$XXX]	[\$XXX]	[\$XXX]

If there is only a single component, remove “Component 2” column. If there are more than 2 components, add columns.

Applicants should complete and include the following tables in their project budget file. The Department will use these tables to determine where the majority of project costs occur for the purposes of making APP, HDC, and Urban designations. The total project cost listed in Tables 2a, 2b, and 2c should match the total project cost listed on the SF 424 and the FY 2024 RAISE Project Information Form. Applicants should refer to the [Grant Project Location Verification](#) mapping tool to identify census tracts and urban designations.

Table 2a:

Note: Please refer to the *Census Tracts (2020 Census)* layer in the [Grant Project Location Verification](#) mapping tool to identify 2020 Census tracts.

¹⁹ “Project components” means separate projects activities are scheduled to be completed at the same time.

2020 Census Tract(s)	Project Costs per Census Tract
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
	Total Project Cost: \$

Add more rows for additional census tracts, if needed.

Table 2b:

Note: Please refer to the *Disadvantaged Census Tracts from CEJST (2010 Census)* layer in the [Grant Project Location Verification](#) mapping tool to identify 2010 Census tracts.

2010 Census Tract(s)	Project Costs per Census Tract
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
[XX.XX]	\$
	Total Project Cost: \$

Add more rows for additional census tracts, if needed.

Table 2c:

Note: Please refer to the *Census Designated Urban areas with Population of More than 200,000 (2020 Census)* layer in the [Grant Project Location Verification](#) mapping tool to identify urban areas.

Urban/Rural	Project Costs
Urban (2020 Census-designated urban area with a population greater than 200,000)	\$
Rural (Located outside of a 2020 Census-designated urban area with a population greater than 200,000)	\$
	Total Project Cost: \$

The project budget narrative should include:

- **Sources, Uses, and Availability** – Provide complete information on how all capital or planning project funds may be used, their availability, and documented funding commitments. For example, if a 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 source of funds is available for expenditure only during a fixed period, the application should describe that restriction. Examples of documentation include, but are not limited to, a letter signed by a governing official or chief financial officer confirming the amount and source of funding, a page or pages from the STIP or TIP (please do not include a link to the entire STIP/TIP), a signed city ordinance, or a county administrator committing previously approved general obligation bonds.
- **Contingency Amount** – Indicate the specific contingency amount included in the budget to demonstrate there is sufficient funding to cover unanticipated cost increases and describe a plan to address potential cost overruns. Planning projects are not required to include a contingency amount but must describe a plan to address potential cost overruns.
- **Level of Design** – Indicate the degree of design completion (e.g., no design, 30, 60, 90 percent design) for which the cost was estimated in the case of a capital project;
- **Cost Estimates** – Indicate how, when, and by whom project costs were estimated. Cost estimates should be no older than a year from February 28, 2024. If older, please apply an inflation factor.
- **Cost Share or Non-Federal Funding Match** – Explain how the project budget satisfies the statutory cost share or non-federal funds matching requirements shown in the project budget table, if applicable.

The budget should clearly identify any expenses expected to be incurred between time of award and obligation because these expenses are not eligible for reimbursement, as described in Section B.4. Similarly, non-Federal funds incurred prior to obligation are not eligible to count as matching funds nor eligible to count towards meeting the level of non-Federal that is being committed in the application, as described in Section C.2. Unless authorized by the Department in writing after the Secretary’s announcement of FY 2024 RAISE awards, any costs that a recipient incurs before DOT executes a grant agreement for that recipient’s project are ineligible for reimbursement and are ineligible match for cost share requirements.

d. Merit Criteria

The merit criteria narrative file should demonstrate how the project aligns with each of the 8 statutory merit criteria described in Section E of this notice. The narrative should explain how and why the proposed transportation infrastructure project will address the surface transportation problem and achieve benefits under each criterion. To do this, applicants should:

- organize merit criteria in the order in which they are described in the Section E of the NOFO;
- address each criterion separately;
- identify the elements of the proposed project that align with items listed under each criterion under the merit rating rubric; and
- support estimated benefit claims with data, details, and/or qualitative descriptions

Applicants are encouraged to use the Department's [Equitable Transportation Community \(ETC\) Explorer \(arcgis.com\)](#) as a resource to describe how their project area is experiencing transportation related disadvantage as it relates to safety, affordable transportation options, pollution, access to good-paying jobs, climate change, and/or improving quality of life.

Insufficient information to assess any criterion will negatively impact the project rating. Applicants should note that merit reviewers will focus on this file and will not be required to reference links or the other files in the application package; therefore, **all relevant information to demonstrate alignment with the merit criteria, as described in Section E, should be included in this file.**

Guidance describing how the Department will evaluate projects against the Selection Criteria listed in Section E of this notice. Applicants should review that section before preparing their application.

e. Project Readiness

Project readiness describes an applicant's preparedness to move a proposed project forward once it receives a RAISE grant. The Project Readiness file should include information that, when considered with the project budget information, is sufficient for the Department to evaluate whether the project is reasonably expected to begin the capital or planning project in a timely manner and meet both the obligation and expenditure deadlines. Applicants can see a Project Readiness checklist on the [DOT Navigator website](#).²⁰ The Project Readiness file should include the following sections:

Project Schedule (capital and planning projects)

The Project Readiness file should include a detailed project schedule that identifies all major project activities and milestones. For capital projects, examples of such milestones include State and local planning approvals; start and completion of NEPA and other Federal environmental reviews and approvals, including permitting, design completion, right-of-way acquisition, approval of plans, specifications, and estimates; procurement; State and local approvals; project partnership and implementation agreements including agreements with railroads; and construction start and end. For planning projects, examples of milestones may include start dates, schedule for public engagement and completion dates. The schedule should be sufficiently detailed to demonstrate that:

- all necessary activities will be complete at least six months in advance of the obligation deadline²¹ to allow sufficient time for unexpected delays and not put the

²⁰ <https://www.transportation.gov/dot-navigator>

²¹ The statutory obligation deadline is September 30, 2028. The Department assesses risk against an earlier deadline of June 30, 2028 to allow time to complete administrative processing and address challenges before the statutory deadline.

funds at risk of expiring before they are obligated;²²

- the capital project can begin construction upon obligation of grant funds and that those funds will be spent expeditiously once construction starts, with all funds expended by September 30, 2033;
- all real property and right-of-way acquisition will be completed in a timely manner in accordance with 49 CFR part 24, 23 CFR part 710, and other applicable legal requirements or a statement that no right-of-way acquisition is necessary; and
- the applicant will or has meaningfully sought community input through public involvement, particularly disadvantaged communities or other communities with environmental justice concerns that may be affected by the project where applicable.

Environmental Risk Assessment (capital projects only)

This section of the application should include sufficient information for the Department to evaluate whether the project is reasonably expected to begin construction in a timely manner consistent with all applicable local, State, and Federal requirements. To assist the Department's environmental risk review, the applicant should provide the information requested on project schedule, required approvals and permits, NEPA class of action and status, public involvement, right-of-way acquisition plans, risk and mitigation strategies.

Required Approvals

This section should provide:

- **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 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 final agency action with respect to NEPA occurred more than 3 years before the application date, the applicant should describe a proposed approach for updating this material in accordance with applicable NEPA reconsideration requirements.
- **Information on reviews, approvals, and permits by other Federal and State agencies.** An application should indicate whether the proposed project requires reviews or approval actions by other agencies,²³ indicate the status of such actions, provide detailed information about the status of those reviews or approvals and should demonstrate compliance with any other applicable Federal, State, or local

²² Obligation occurs when a selected applicant and DOT enter into a written grant agreement after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements.

²³ 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.

requirements, and when such approvals are expected. Applicants should provide a link or other reference to copies of any reviews, approvals, and permits prepared.

- **Environmental studies or other documents**, through a 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.
- If applicable, **right-of-way acquisition plans**, with detailed schedule and compensation plan.
- **A description of public engagement** about the project that has occurred, including details on the degree to which public comments and commitments have been integrated into project development and design including the consideration of ensuring proportional impacts to all populations.

State and Local Approvals

This section should provide:

- **Receipt (or the schedule for anticipated receipt) of Tribal government, State, and local approvals** on which the project depends, such as State and local environmental and planning approvals, and Statewide Transportation Improvement Program (STIP) or transportation improvement program (TIP) funding. Additional support from relevant State and local officials is not required; however, an applicant should demonstrate that the project has broad public support, including support from impacted communities.
- **Federal Transportation Requirements Affecting State and Local Planning.** The planning requirements applicable to the relevant operating administration apply to all RAISE grant projects, including projects located at airport facilities. Applicants should demonstrate that a project that is required to be included in the relevant State, metropolitan, and local planning documents has been or will be included in such documents. If the project is not included in a relevant planning document at the time the application is submitted, the applicant should submit a statement from the appropriate planning agency that actions are underway to include the project in the relevant planning document. To the extent possible, freight projects should be included in a State Freight Plan and supported by a State Freight Advisory Committee (49 U.S.C. 70201, 70202), if these exist. Applicants should provide links or other documentation supporting this consideration such as letters of support from the State DOT if the project is intended to be included in the State Freight Plan, or results from application of the [FHWA Freight Mobility Trends Tool](https://fpcb.ops.fhwa.dot.gov/mobility_trends_tool.aspx).²⁴

²⁴ https://fpcb.ops.fhwa.dot.gov/mobility_trends_tool.aspx

Assessment of Project Risks and Mitigation Strategies

Project risks, such as procurement delays, environmental uncertainties, increases in real estate acquisition costs, uncommitted local match (non-federal funding), lack of support from stakeholders or impacted communities, or lack of legislative approval, affect the likelihood of successful project start and completion. The applicant should identify all material risks and harms to the project and the strategies that the lead applicant and any project partners have undertaken or will undertake to mitigate those risks. The applicant should assess the greatest risks to the project and identify how the project parties will mitigate those risks.

Project risks can also include the unavailability of vehicles that either comply with Federal Motor Vehicle Safety Standards or are exempt from Federal Motor Vehicle Safety Standards in a manner that allows for their legal acquisition and deployment, unavailability of domestically manufactured equipment.

If an applicant anticipates pursuing a waiver for relevant domestic preference laws, the applicant should describe steps that have been or will be taken to maximize the use of domestic goods, products, and materials in constructing its project. To the extent the applicant is unfamiliar with the Federal program, the applicant should contact the appropriate DOT operating administration field or headquarters offices, as found in contact information on the RAISE program [website](#), for information on the pre-requisite steps to obligate Federal funds in order to ensure that their project schedule is reasonable and that there are no risks of delays in satisfying Federal requirements.

Technical Capacity Assessment (capital and planning projects)

All applications should include a section in the Project Readiness file that demonstrates their technical capacity to successfully deliver the project in compliance with applicable Federal requirements including, but not limited to, compliance with Title VI/Civil Rights requirements and Buy America provisions, described in Section E.1 of this NOFO. The applicant should address the following in the technical capacity section of the Project Readiness file:

- **Federal Funding** – Experience implementing federally funded transportation projects.
- **Federal Regulations** – Understanding of federal contract and procurement requirements, Buy America, Americans with Disabilities Act, Uniform Relocation Assistance and Real Property Acquisition Act, , Davis Bacon Act, etc.
- **Project Planning** – Practice incorporating projects into long-range development plans or adding projects to the TIP/STIP through the MPO planning process.
- **Project Delivery** – Examples of successfully delivered projects of similar size, scope, and complexity.

f. Benefit-Cost analysis (capital projects only)

The purpose of the Benefit-Cost Analysis (BCA) is to enable the Department to evaluate the cost-effectiveness of the proposed project by comparing its expected benefits to its expected costs relative to the current problem often referred to as the “baseline” or “no-build alternative.” The baseline defines the world without the proposed project.

Any benefits claimed for the proposed project, both quantified and unquantified, should be clearly tied to the expected outcomes of the proposed project. While benefits should be quantified wherever possible, applicants may also describe other categories of benefits in the BCA that are more difficult to quantify and/or value in economic terms.

There should be two BCA files included in the application: (1) a narrative description of the BCA; and (2) an unlocked spreadsheet revealing the underlying calculations.

- **Narrative Description of Analysis** - The BCA narrative should describe the current baseline, the sources of data used to estimate the benefits of the project, document any assumptions, and the values of key input parameters. Applicants may also provide a table similar to the one shown below summarizing the impacts of the project and how those impacts would translate into expected benefits. This is shown as an example only:

Baseline / Current Status and Problem to be Addressed	Change to Baseline / Proposed Project to Address Problem	Example Impacts
A freeway divides two neighborhoods	A new street will be constructed to connect neighborhoods on each side of the freeway	Reduced travel time for pedestrians and cyclists by X miles per day due to a more direct route, as well as reduced emissions, vehicle operating costs, and travel time for vehicle occupants by lowering VMT by Y miles per year
A roadway with a high number of pedestrian fatalities has no sidewalks or marked crosswalks	Sidewalks, high visibility crosswalks, and upgraded lighting will be added to the roadway	Reduced pedestrian fatalities and injuries by X and Y per year, respectively, as well as amenity benefits of wider sidewalks for Z daily pedestrian trips

- **Spreadsheet Revealing Underlying Calculations** - The BCA spreadsheet file should present the calculations in sufficient detail and transparency to allow the analysis to be reproduced by Department evaluators. While DOT does not have a prescribed format for the BCA spreadsheet submitted by the applicant beyond ensuring that it is unlocked, to

allow review, the Department is also developing a new BCA spreadsheet template that will be available to assist applicants in structuring their analysis.

Applicants should review the Department’s detailed guidance on how to conduct a BCA. Both the guidance document and spreadsheet template will be available on the RAISE program [website](#).²⁵

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

Each applicant must obtain a UEI and register with [SAM.gov](#). Each applicant is required to: (i) be registered in SAM before submitting an application; (ii) provide a valid unique entity identifier in the application; and (iii) continue to maintain an active SAM registration with current information at all times during which they have an active Federal award or an application or plan under consideration by a Federal awarding agency

The Department may not make a RAISE grant to an applicant until the applicant has complied with all applicable UEI and SAM requirements and, if an applicant has not fully complied with the requirements by the time DOT is ready to make a RAISE grant, DOT may determine that the applicant is not qualified to receive a RAISE grant and use that determination as a basis for making a RAISE grant to another applicant.

4. Submission Dates and Times

Applications must be submitted through [Grants.gov](#) by 11:59 PM Eastern on February 28, 2024 for FY 2024 RAISE. Grants.gov attaches a time stamp to each application at the time that submission is complete. Applications with a time stamp after the deadline will not be considered. The Department does not accept applications via mailed paper, fax machine, email, or other means. In addition to the FY 2024 NOFO dates, tentative future NOFO publication dates and application deadlines for FYs 2025 and 2026 are listed in the table below.

BIL Fiscal Year Funding	RAISE NOFO Publication Date	Application Deadline
FY 2024	November 30, 2023	February 28, 2024
FY 2025	October 15, 2024	January 13, 2025
FY 2026	October 15, 2025	January 13, 2026

To submit an application through Grants.gov, applicants must:

- Obtain a UEI number;²⁶

²⁵ www.transportation.gov/RAISEgrants/additional-guidance

²⁶ On April 4, 2022 the Federal government stopped using the Data Universal Numbering System (DUNS) number to uniquely identify entities. Entities doing business with the Federal government must use a Unique Entity Identifier (UEI) created in SAM.gov. If your entity is currently registered in SAM.gov, your UEI has already been assigned and is viewable in SAM.gov. This includes inactive registrations.

- Register with the SAM at www.SAM.gov;
- Create a Grants.gov username and password; and
- The E-Business Point of Contact (POC) at the applicant's organization must respond to the registration email from Grants.gov and login at Grants.gov to authorize the applicant as the Authorized Organization Representative (AOR). Please note that there can be more than one AOR for an organization.

Please note that the SAM registration process takes a **minimum of 2 weeks to complete if not longer**. Failure to register for SAM or comply with Grants.gov applicant requirements in a timely manner will not be considered for exceptions to the submission requirements and deadline. The Department is not able to assist with technical issues related to Grants.gov or SAM registration. For information and instruction on each of these processes, please see instructions at [grants.gov/applicants/applicant-faqs](http://www.grants.gov/web/grants/applicants/applicant-faqs.html)<http://www.grants.gov/web/grants/applicants/applicant-faqs.html>. If applicants experience difficulties at any point during the registration or application process, please call the Grants.gov Customer Service Support Hotline at 1-800-518-4726.

5. Funding Restrictions

Recipients of RAISE Grant awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds. Instead, RAISE funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted.

Unless authorized by the Department in writing after the Secretary's announcement of FY 2024 RAISE awards, any costs that a recipient incurs before DOT executes a grant agreement for that recipient's project are ineligible for reimbursement and are ineligible match for cost share requirements.

Federal funds awarded under this program may not be used to support or oppose union organizing, whether directly or as an offset for other funds.

6. Other Submission Requirements

a. Submission Location

Applications must be submitted to Grants.gov. The Department does not accept applications via mailed paper, fax machine, email, or other means.

b. Consideration of Applications

Only applicants who comply with all submission deadlines described in this notice and electronically submit valid, on-time applications through Grants.gov will be eligible for award.

c. Late Applications

Any applications that Grants.gov time stamps after 11:59 PM on February 28, 2024 will not be accepted. Applicants are strongly encouraged to make submissions days, if not weeks, in advance of the deadline. Applicants facing technical issues are advised to contact the Grants.gov helpdesk well in advance of the deadline.

d. Compliance with Section 508 of the Rehabilitation Act of 1973

The Department encourages applicants to submit documents that are compliant with Section 508 of the Rehabilitation Act of 1973. Section 508 guidelines are available at <https://www.access-board.gov/ict/>.

E. Application Review Information

1. Criteria

This section specifies the criteria the Department will use to evaluate applications.

TIER 1 All Eligible Applications	
Merit Criteria Review	
TIER 2 All applications rated “Highly Recommended” under the merit criteria review automatically advance for second tier analysis. The Senior Review Team (SRT) can advance applications rated “Recommended” for second tier analysis.	
Project Readiness Review	
Environmental Risk Assessment	Capital Projects
Technical Capacity Assessment	Capital and Planning Projects
Financial Completeness Assessment	Capital and Planning Projects
Benefit-Cost Analysis	Capital Projects

The Department will review merit criteria for all applications. Highly Recommended capital applications will automatically advance to receive second-tier analysis consisting of three Project Readiness reviews: (1) Environmental Risk Assessment; (2) Technical Capacity Assessment; and (3) Financial Completeness Assessment, as well as a Benefit-Cost Analysis (BCA). Highly Recommended planning applications will automatically advance to receive second-tier analysis consisting of two Project Readiness areas: (1) Technical Capacity Assessment; and Financial Completeness Review. Environmental Risk Assessment and BCA will not be reviewed for planning applications. The SRT can advance select Recommended capital and planning applications for second-tier analysis under the circumstances described in Section E.2.

The Department does not consider the amount of non-Federal contribution as a selection criterion or a competitiveness factor. However, general budget information may be evaluated as part of the financial completeness in the readiness review or under the Innovation criteria in the merit review. See Sections E.1.a and E.1.b for more details.

a. Merit Criteria

For each merit criterion, the Department will evaluate whether the application uses data-driven and evidence-based methods to demonstrate that the project will provide the anticipated benefits, which will result in a rating of “high,” “medium,” “low,” or “non-responsive” as described in the rubric below.

Individual Merit Criteria Ratings	
High	The criterion must be addressed as a primary project purpose (not an ancillary or incidental consideration, except for the Partnership and Collaboration and Innovation criteria), must include clear, direct, data-driven (capital projects only), and significant benefits, and must align with at least one of the benefits described in the high column of the merit criteria rubric.
Medium	The criterion may not be a primary project purpose, or the project benefits do not meet at least one of the requirements for a ‘high’ rating, as described in the merit criteria rubric.
Low	The application contains insufficient information to assess that criterion’s benefits.
Non-Responsive	The proposed project negatively affects the criterion, or the application does not address the criterion.

Planning grant applications will be evaluated against the same merit criteria as capital grants. Planning grant applications should include data on the problem intended to be addressed, but information does not need to be as driven by data as a capital project when estimating benefits of the implemented project since data is often an outcome of the project to be planned. The Department will consider how the plan, once implemented, will ultimately further the merit criteria.

The combination of individual criterion ratings will inform one overall Merit Rating: Highly Recommended, Recommended, Acceptable, or Unacceptable, as shown below.

Overall Merit Rating	
Highly Recommended	<ul style="list-style-type: none"> • six or more of the eight merit criteria ratings are “high” • none of the merit criteria ratings are “non-responsive”

Recommended	<ul style="list-style-type: none"> • one to five of the merit criteria ratings are “high” • no more than three of the merit criteria ratings are “low” • none are “non-responsive”
Acceptable	<ul style="list-style-type: none"> • a combination of “high,” “medium,” “low,” or “non-responsive” ratings that do not fit within the definitions of Highly Recommended, Recommended, or Unacceptable
Unacceptable	<ul style="list-style-type: none"> • three or more “non-responsive” ratings

Merit Criteria:	Non-Responsive	Low	Medium	High
Safety	<p>Application did not address the Safety criterion</p> <p>OR</p> <p>Project negatively affects safety</p>	<p>Application contains insufficient information to assess safety benefit</p>	<p>The project has one or more of the following safety benefits, but safety may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> • Protect non-motorized or motorized travelers from safety risks; or • Reduce any number of fatalities and/or serious injuries 	<p>Safety is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only), and significant benefits that targets a known, documented safety problem, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Protect non-motorized travelers from safety risks; or • Reduce fatalities and/or serious injuries in underserved communities to bring them below the state-wide average; or • Incorporate and cite specific actions and activities identified in the Department’s National Roadway Safety Strategy plan or Improving Safety for Pedestrians and Bicyclists Accessing Transit report, or FTA’s Safety Advisory 23-1: Bus-to-Person Collisions; or • Incorporate specific safety improvements that are part of a documented risk reduction mitigation strategy and that have, for example, port-wide or transit system impact.
Environmental Sustainability	<p>Application did not address the Environmental Sustainability criterion</p> <p>OR</p> <p>Project negatively affects environmental sustainability</p>	<p>Application contains insufficient information to assess environmental sustainability benefits</p>	<p>Project has one or more of the following environmental sustainability benefits, but environmental sustainability may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> • Reduce transportation-related air pollution and greenhouse gas emissions; or • Reduce vehicle miles traveled; or • Incorporate lower-carbon pavement/construction materials; or • Redevelop brownfield sites; or • Improve resilience of infrastructure to current and future weather and climate risks; or • Make basic stormwater improvements 	<p>Environmental sustainability is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only), and significant benefits that explicitly considers climate change and environmental justice, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Reduce transportation-related air pollution and greenhouse gas emissions in disadvantaged communities; or • Address the disproportionately negative environmental impacts of transportation on local communities such as by reducing exposure to elevated levels of air, water, and noise pollution; or • Align with the applicant’s State Carbon Reduction Strategy, State Electric Vehicle Infrastructure Deployment Plan, or other State, local, or tribal greenhouse gas reduction plan; or • Align with the U.S. National Blueprint for Transportation Decarbonization; or • Implement transportation-efficient land use and design, such as drawing on the features of historic towns and

Merit Criteria:	Non-Responsive	Low	Medium	High
				<p>villages that had a mix of land uses, compact and walkable development patterns, accessible green space, and neighborhood centers that make it convenient to take fewer or shorter trips; or</p> <ul style="list-style-type: none"> • Reduce vehicle miles traveled specifically through modal shift to transit, rail, or active transportation; or • Reduce emissions specifically by shifting freight to lower-carbon travel modes; or • Incorporate energy efficient investments, such as electrification or zero emission vehicle infrastructure; or • Improve the resilience of at-risk infrastructure to be resilient to extreme weather events and natural disasters caused by climate change, such as by using best-available climate data sets, information resources, and decision-support tools; or • Incorporate nature-based solutions or natural infrastructure with the use of native plants; or Incorporate nature-based solutions or natural infrastructure; or • Referenced in a Resilience Improvement Plan or similar plan; or • Remove, replace, or restore culverts for the purpose of improving habitat for aquatic species; or • Avoid adverse environmental impacts to air or water quality, wetlands, and endangered species
Quality of Life	<p>Application did not address the Quality of Life criterion</p> <p>OR</p> <p>Project negatively affects quality of life</p>	Application contains insufficient information to assess quality of life benefits	<p>Project has one or more of the following quality of life benefits but quality of life may not be a primary project purpose or does not meet the description(s) of a ‘high’ rating:</p> <ul style="list-style-type: none"> • Increase affordability for travelers; or • Reduces vehicle dependence 	<p>Quality of life is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only) and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Increase affordable transportation choices by improving and expanding active transportation usage or significantly reducing vehicle dependence, particularly in underserved communities; or • Reduce transportation and housing cost burdens by integrating mixed-use development and a diversity of housing types, including by reducing barriers to such development and increasing the supply of affordable housing, with multimodal transportation infrastructure; or

Merit Criteria:	Non-Responsive	Low	Medium	High
				<ul style="list-style-type: none"> • Coordinate and integrate land use, affordable housing, and transportation planning in order to create more livable communities and expand travel choices; or • Improve access to daily destinations like jobs, healthcare, grocery stores, schools, places of worship, recreation, or parks through transit and active transportation; or • Implement transit-oriented development that benefits existing residents and businesses, low-income and disadvantaged communities, and minimizes displacement; or • Improve public health by adding new facilities that promote walking, biking, and other forms of active transportation; or • Mitigate urban heat islands to protect the health of at-risk residents, outdoor workers, and others; or • Proactively addresses equity.
Mobility and Community Connectivity	<p>Application did not address the Mobility and Community Connectivity criterion</p> <p>OR</p> <p>Project negatively affects mobility and community connectivity</p>	Application contains insufficient information to assess mobility and community connectivity benefits	<p>Project has one or more of the following mobility and community connectivity benefits, but mobility and community connectivity may not be a primary project purpose or does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Increase accessible transportation choices; or • Include ADA improvements 	<p>Mobility and community connectivity is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only) and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Improve system-wide connectivity with access to transit, micro-mobility, and mobility on-demand; or • Implement plans, based on community participation and data, that addresses gaps identified in the existing network; or • Remove physical barriers for individuals by reconnecting communities to direct, affordable transportation options; or • Include transportation features that increase the accessibility for non-motorized travelers in underserved communities; or • Incorporate Universal Design including details of how the improvements go beyond ADA requirements by designing environments to be usable by all people, to the greatest extent possible, without the need for adaption or specialized design such as a Complete Streets approach; or

Merit Criteria:	Non-Responsive	Low	Medium	High
				<ul style="list-style-type: none"> • Directly increasing intermodal and multimodal freight movement; or • Consider last-mile freight plans in a Complete Streets and multimodal approach
Economic Competitiveness and Opportunity	<p>Application did not address the Economic Competitiveness and Opportunity criterion</p> <p>OR</p> <p>Project negatively affects economic competitiveness and opportunity</p>	Application contains insufficient information to assess economic competitiveness and opportunity benefits	<p>Project has one or more of the following economic competitiveness and opportunity benefits, but economic competitiveness and opportunity may not be a primary project purpose or does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Improve travel time reliability; or • Improve movement of goods; or • Create jobs related to the project's delivery and on-going operations 	<p>Economic competitiveness is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only), and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Improve intermodal and/or multimodal freight mobility, especially for supply chain bottlenecks; or • Facilitate tourism opportunities; or • Promote local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises or 8(a) firms; or • Promote wealth building; or • Promote long-term economic growth and other broader economic and fiscal benefits; or • Create good-paying jobs with free and fair choice to join a union including through the use of a project labor agreement; or • Adopt local and economic hiring preferences for the project workforce or include other changes to hiring policies and workplace cultures to promote the entry and retention of underrepresented populations; or • Promote greater public and private investments in land-use productivity, including rural main street revitalization or locally driven density decisions that support equitable commercial and mixed-income residential development

Merit Criteria:	Non-Responsive	Low	Medium	High
State of Good Repair	<p>Application did not address the State of Good Repair criterion</p> <p>OR</p> <p>Project negatively affects state of good repair</p>	<p>Application contains insufficient information to assess state of good repair benefits</p>	<p>Project has one or more of the following state of good repair benefits but state of good repair may not be a primary project purpose or does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Routine or deferred maintenance; or • Create new infrastructure (not in a remote community) that will be maintained in a state of good repair; or • Identify the party responsible for maintenance and describe how the new or improved asset(s) will be maintained in a state of good repair; or • Resolve the current or projected transportation system vulnerabilities 	<p>State of good repair is a primary project purpose AND the project has clear, direct, data-driven (for capital projects only) and significant benefits, by doing one or more of the following:</p> <ul style="list-style-type: none"> • Restore and modernize (such as through road diets and complete streets approaches) the existing core infrastructure assets that have met their useful life; or • Reduce construction and maintenance burdens through efficient and well-integrated design; or • Create new infrastructure in remote communities that will be maintained in a state of good repair; or • Address current or projected transportation system vulnerabilities for underserved communities; or • Prioritize improvement of the condition and safety of existing transportation infrastructure within the <u>existing</u> footprint
Partnership and Collaboration	<p>Application did not address the Partnership and Collaboration criterion</p> <p>OR</p> <p>Project negatively affects partners or community members (e.g. negative impacts from ROW acquisition, lack of support for the project, etc.)</p>	<p>Application contains insufficient information to assess the partnership and collaboration benefits</p>	<p>Project has one or more of the following partnership and collaboration benefits but partnership and collaboration may not be a primary project purpose or does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Collaborate with public and/or private entities; or • Document support from local, regional, or national levels 	<p>Project has, or demonstrates plans to, support and engage diverse people and communities by doing one or more of the following:</p> <ul style="list-style-type: none"> • Engage residents and community-based organizations to ensure equity considerations for underserved communities are meaningfully integrated throughout the lifecycle of the project, for example, by citing and describing how the project aligns with the Department's Promising Practices for Meaningful Public Involvement in Transportation Decision-Making Guide; or • Coordinate with other types of projects such as economic development, commercial or residential development near public transportation, power/electric infrastructure projects, or broadband deployment; or • Partner with Disadvantaged Business Enterprises or 8(a) firms; or • Partner with high-quality workforce development programs with supportive services to help train, place, and retain people in good-paying jobs or registered apprenticeships. These programs should have a focus on expanding access for women, people of color, and others

Merit Criteria:	Non-Responsive	Low	Medium	High
				<p>that are underrepresented in infrastructure jobs (people with disabilities, people with convictions, etc.); or</p> <ul style="list-style-type: none"> • Partner and engage with unions and/or worker organizations in the development of the project and the lifecycle of the project, including the maintenance or operation of the completed project; or • Partner with communities or community groups representative of historically underrepresented groups to develop workforce strategies; or • Establish formal public-private partnerships or joint ventures to expand or create new infrastructure or economic development capacity; or • Participate in the Thriving Communities Network
Innovation	<p>Application did not address the Innovation criterion.</p> <p>OR</p> <p>Includes non-innovative practices or components</p>	Application contains insufficient information to assess innovation benefits	<p>Project has one or more of the following innovation benefits but does not meet the description(s) of a 'high' rating:</p> <ul style="list-style-type: none"> • Deploy technologies, project delivery, or financing methods that are <u>new or innovative to the applicant or community</u> 	<p>Project has, or demonstrates plans for, one or more of the following innovative benefits.</p> <ul style="list-style-type: none"> • Innovative Technologies <ul style="list-style-type: none"> ○ Enhance the environment for electric, connected, or automated vehicles to improve the detection and mitigation of safety risks; or ○ Improve safety using Advanced Driver Assistance Systems on public transit vehicles, including functions such as precision docking; lane keeping or lane centering; or ○ Use sensors or small unmanned aerial vehicles to enhance infrastructure inspection and asset management processes; or ○ Use sensors to monitor real-time conditions of pavement quality, signage, crosswalks, transit headways, or other public infrastructure; or ○ Use low-carbon or other innovative materials; or ○ Use caps, land bridges, or underdecks; or ○ Use active grade crossing detection systems to enable responsive traffic management; or ○ Use detection systems on railroads to target and deter trespassing; or ○ Digitalize curb management to optimize use across purposes and modes, including freight, pick-up drop-off, and transit usage • Innovative Project Delivery

Merit Criteria:	Non-Responsive	Low	Medium	High
				<ul style="list-style-type: none">○ Use practices that facilitate accelerated project delivery such as single contractor design-build arrangements, Advanced Digital Construction Management, Accelerated Bridge Construction, Digital as-builts, or an up-to-date programmatic agreement between an environmental resource agency and a state DOT, or other NEPA lead agency, that establishes a streamlined process for environmental consultations and permits for commonly encountered project types.● Innovative Financing<ul style="list-style-type: none">○ Secure TIFIA, RRIF, or private activity bond financing; or○ Use congestion pricing or other demand management strategies

Safety

The Department will assess how the project targets a known safety problem and seeks to protect motorized or non-motorized travelers from safety risks on roadways, transit, rail, or ports. Applicants are highly encouraged to include data-driven information when addressing the safety criterion such as the current and projected number or rate of crashes, fatalities and/or serious injuries among transportation users and how those compare to the statewide average; details about the transportation user that will reap the safety benefits such as whether the project addresses vulnerable roadway users²⁷ or whether the project addresses inequities in crash victims. If applicable, applicants should describe how the project incorporates specific actions and activities identified in the Department's [National Roadway Safety Strategy](#),²⁸ or [Improving Safety for Pedestrians and Bicyclists Accessing Transit report](#), or [FTA's Safety Advisory 23-1: Bus-to-Person Collisions](#).

Environmental Sustainability

The Department will consider the extent to which the project incorporates considerations of climate change and environmental justice in the project planning or project delivery stage. Environmental justice means 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: (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 (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.

The Department will evaluate whether and how the project demonstrates environmental sustainability benefits. For this assessment, the Department will consider, for example, how the project will significantly reduce transportation-related pollution like air pollution and greenhouse gas emissions; aligns with the applicant's State, regional, county or city carbon-reduction plan or the [U.S. National Blueprint for Transportation Decarbonization](#); address the disproportionate negative environmental impacts of transportation such as exposure to elevated levels of air, water, and noise pollution; or implement transportation-efficient land use and design, such as drawing on the features of historic towns and villages that had a mix of land uses, compact and walkable development patterns, accessible green space, and neighborhood centers that make it convenient to take fewer or shorter trips.

The Department will assess whether and how the project is expected to reduce emissions, such as shifts to lower emissions vehicles, transit, or active transportation; shift freight to lower-carbon travel modes to reduce emissions; improve the resiliency of at-risk infrastructure²⁹ to withstand

²⁷ As defined by FHWA's Vulnerable Road User Safety Assessment Guidance, a vulnerable road user is a non-motorist and may include people walking, biking, or rolling as well as highway workers on foot in a work zone.

²⁸ www.transportation.gov/NRSS

²⁹ For the RAISE program, at-risk infrastructure is defined as infrastructure that is subject to, or faces increased long-term future risks of, a weather event, a natural disaster, or changing conditions, such as coastal flooding, coastal erosion, wave action, storm surge, or sea level rise, in order to improve transportation and public safety and to reduce costs by avoiding larger future maintenance or rebuilding costs.

extreme weather events and natural disasters caused by climate change such as by using best-available climate data sets, information resources, and decision-support tools, and incorporating [nature-based solutions](#) or [natural infrastructure](#); or incorporates lower-carbon pavement or construction materials as described in the Environmental Protection Agency’s [interim guidance on low-carbon materials](#)³⁰ or the [U.S. National Blueprint for Transportation Decarbonization](#). The Department will also consider whether and how the project will incorporate energy efficient investments such as electrification or zero emission vehicle infrastructure; redevelop brownfield sites; remove, replace or restore culverts to improve passage of aquatic species; or avoid adverse impacts to air or water quality, wetlands, and endangered species. If applicable, applicants are encouraged to make floodplain upgrades consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law, in Executive Order 14030, *Climate-Related Financial Risk* (86 FR 27967) and 13690, *Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input* (80 FR 6425.)

Quality of Life

The Department will consider whether and how the project will improve quality of life, such as by increasing affordable transportation choices and expanding active transportation usage or significantly reducing vehicle dependence; reduce transportation and housing cost burdens by integrating mixed use development and a diversity of housing types (including affordable housing) with multimodal transportation infrastructure; coordinate and integrate land use, affordable housing, and transportation planning in order to create more livable communities and expand travel choices; reduce vehicle dependence and improve access to daily destinations such as jobs, healthcare, grocery store, schools, places of worship, recreation, or parks such as by adding new facilities that promote walking, biking; implement transit-oriented development that benefits existing residents and businesses; mitigate urban heat islands to protect the health of at-risk residents, outdoor workers, and others; or proactively address racial equity.³¹

Mobility and Community Connectivity

The Department will assess whether and how the applicant will improve mobility and community connectivity. For this assessment, DOT will consider, for example, how the project will address system-wide connectivity with access to transit, micro-mobility, and mobility on-demand; implement plans, based on community participation and data, that identifies and addresses gaps in the existing network; remove physical barriers for individuals by reconnecting communities to direct, affordable transportation options; include transportation features that increase accessibility for non-motorized travelers, such as through a Complete Streets approach; incorporate Americans with Disabilities Act (ADA) or [Universal Design](#)³² improvements; directly increase intermodal and multimodal freight movement; or considers last-mile freight plans in a Complete Streets and multimodal approach.

³⁰ https://www.epa.gov/system/files/documents/2023-01/2022.12.22%20Interim%20Determination%20on%20Low%20Carbon%20Materials%20under%20IRA%2060503%20and%2060506_508.pdf

³¹ Definitions for “racial equity” and “underserved communities” are found in Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Sections 2 (a) and (b).

³² Definition for “Universal Design” found on the General Services Administration’s Section508.gov website and states, “Universal design is a concept in which products and environments are designed to be usable by all people, to the greatest extent possible, without the need for adaption or specialized design.”

Economic Competitiveness and Opportunity

The Department will assess whether and how the project will improve economic competitiveness and opportunity. For this assessment, DOT will consider, for example, how the project will improve intermodal or multimodal freight mobility, especially for supply chain bottle necks; facilitate tourism; promote local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises or 8(a) firms; wealth building; long-term economic growth and other broader economic and fiscal benefits; create good-paying jobs with free and fair choice to join a union including through the use of a project labor agreement; or adopt local and economic hiring preferences for the project workforce or include other changes to hiring policies and workplace cultures to promote the entry and retention of underrepresented populations. DOT will evaluate the extent to which the project will promote greater public and private investments in land-use productivity, including rural main street revitalization or locally driven density decisions that support equitable commercial and mixed-income residential development.

State of Good Repair

The Department will assess whether and to what extent the project improves state of good repair. For this assessment, DOT will consider, for example, how the project will mitigate current or projected system vulnerabilities; restore and modernize (such as through road diets and Complete Streets approaches) the existing core infrastructure assets that have met their useful life; reduce construction and maintenance burdens through efficient and well-integrated design; create new infrastructure *in remote communities* that will be maintained in a state of good repair; prioritize improvement of the condition and safety of existing transportation infrastructure within the existing footprint; conduct routine or deferred maintenance; create new infrastructure (*not in a remote community*) that will be maintained in a state of good repair; or identify the party responsible for maintenance and how the new or improved asset(s) will be maintained in a state of good repair.

The Department encourages applicants to improve the condition and safety of existing state and locally owned transportation infrastructure within the right-of-way before proposing projects that add new general purpose travel lanes serving single occupancy vehicles.

Partnership and Collaboration

The Department will consider the extent to which the project has or will support and engage diverse people and communities. For this assessment, DOT will consider, for example, how the project has or will collaborate with public and/or private entities; documents support from local, regional, and/or national levels; engage residents and community-based organizations to ensure equity considerations for underserved communities are meaningfully integrated throughout the project. Applicants should describe how the project incorporates specific actions and activities identified in the Department's [Promising Practices for Meaningful Public Involvement in Transportation Decision-Making Guide](https://www.transportation.gov/priorities/equity/promising-practices-meaningful-public-involvement-transportation-decision-making);³³ coordinate with other types of projects such as economic development, commercial or residential development near public transportation, power/electric infrastructure projects, or broadband deployment; partner with Disadvantaged

³³ <https://www.transportation.gov/priorities/equity/promising-practices-meaningful-public-involvement-transportation-decision-making>

Business Enterprises or 8(a) firms; partner with high-quality workforce development programs with supportive services³⁴ to help train, place, and retain underrepresented communities in good-paying jobs or registered apprenticeships including through the use of local and economic hiring preferences, linkage agreements with workforce programs that serve underrepresented groups, and proactive plans to prevent harassment; 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; or partners with communities, or community groups representative of historically underrepresented groups, to develop workforce strategies; or establish formal public-private partnerships or joint ventures to expand or create new infrastructure or economic development capacity. DOT will assess the level of detail and description provided about the partnerships listed above. Applications that provide more details and descriptions about the project partnership will be rated higher than those that do not, in alignment with the merit rating rubric.

The Department will consider whether the applicant is participating in the [Thriving Communities Network](#).³⁵ Applications that include right-of-way acquisition plans that minimally disrupts communities and maintains community cohesion will be more competitive than right-of-way acquisition plans that disrupt communities. For projects involving other Federal agencies, or requiring action from other Federal agencies, DOT will consider the level of involvement and commitment from those agencies. For example, relevant port projects should demonstrate alignment with U.S. Army Corps of Engineers investment strategies.

Innovation

The Department will assess the extent to which the applicant uses innovative: (1) technologies; (2) project delivery; or (3) financing. If this project is the first time the applicant or community will deploy specific innovations, the Department will consider them innovative, to the extent applicants provide enough detail to determine whether the innovations being deployed are new or innovative to the applicant or community regardless of whether other applicants or communities have implemented these innovations.

Innovative Technologies - The Department will consider how the project enhances the environment for connected, electric, or automated vehicles to improve the detection, mitigation, and documentation of safety risks. Examples include the use of Advanced Driver Assistance Systems on public transit vehicles and detection systems on railroads to target and deter trespassing. The Department will assess the extent to which the project uses innovative technology that significantly enhances the operational performance and maintenance of the surface transportation system including sensors to inspect infrastructure and manage assets or to monitor real-time conditions of pavement quality, signage, crosswalks, or transit headways; active grade crossing detection systems to enable responsive traffic management; or digitalized curb management to optimize use

³⁴ Supportive services are critical to help women and people facing systemic barriers to employment be able to participate and thrive in training and employment. Recommended supportive services include childcare, tools, work clothing, application fees and other costs of apprenticeship or required pre-employment training, transportation and travel to training and work sites, and services aimed at helping to retain underrepresented groups like mentoring, support groups, and peer networking.

³⁵ <https://www.transportation.gov/federal-interagency-thriving-communities-network>

across purposes and modes, including freight, pick-up drop-off, and transit usage. The use of low-carbon materials as well as the use of caps, land bridges, or underdecks are also considered innovative.

Please note that all innovative technology must be in compliance with 2 CFR § 200.216.³⁶ If an applicant is proposing to deploy autonomous vehicles or other innovative motor vehicle technology, the Department will consider whether and how the applicant demonstrates that all vehicles will comply with applicable safety requirements, including those administered by the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Safety Administration (FMCSA). Specifically, the Department will consider whether the vehicles acquired for the proposed project will comply with applicable Federal Motor Vehicle Safety Standards (FMVSS) and Federal Motor Carrier Safety Regulations (FMCSR). If the vehicles may not comply, the Department will consider applications that do one of the following more competitive than applications that do not: either (1) show that the vehicles and their proposed operations are within the scope of an exemption or waiver that has already been granted by NHTSA, FMCSA, or both agencies or (2) directly address whether the project will require exemptions or waivers from the FMVSS, FMCSR, or any other regulation and, if the project will require exemptions or waivers, present a plan for obtaining them.

Innovative Project Delivery - The Department will consider the extent to which the project utilizes innovative practices in contracting (such as public-private partnerships and single contractor design-build arrangements), single contractor design-build arrangements, project bundling, [Advanced Digital Construction Management](#), [Accelerated Bridge Construction](#), [Digital as-builts](#), or an up-to-date programmatic agreement between an environmental resource agency and a state DOT, or other NEPA lead agency, establishing a streamlined process for environmental consultations and permits for commonly encountered project types .Digital as-builts.

Innovative Financing - The Department will assess the extent to which the project incorporates innovations in transportation funding and finance, for example through private sector funding or financing, using congestion pricing or other demand management strategies to address congestion, securing a TIFIA or RRIF loan, or receiving an allocation for private activity bonds through DOT's Build America Bureau.

b. Project Readiness

Capital project applications that receive second-tier analysis³⁷ will be reviewed for Project Readiness and assigned three evaluation ratings: Environmental Risk Assessment, Technical Capacity Assessment, and Financial Completeness Assessment.

Planning project applications that receive second-tier analysis will be reviewed for Project Readiness and assigned two evaluation ratings: Technical Capacity Assessment and Financial

³⁶ <https://ecfr.federalregister.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-C/section-200.216>

³⁷ The process for determining which applications receive second-tier analysis is described in Section E.2 of this notice.

Completeness Assessment. (Environmental Risk Assessment will not be performed for planning applications).

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

Environmental Risk

The Environmental Risk Assessment analyzes the project's environmental approvals and likelihood of the necessary approval affecting project obligation funds will be spent expeditiously once construction starts as described in Section D of the NOFO, and results in a rating of "high risk," "moderate risk," or "low risk."

Technical Capacity

The Technical Capacity Assessment will assess the applicant's capacity to successfully deliver the project in compliance with applicable Federal requirements as well as the recipient's experience working with Federal funds, civil rights compliance, and previous experience delivering infrastructure projects. This review is partially based on information submitted with the application and partially based on DOT Operating Administration knowledge of the applicant's performance. Technical Capacity ratings will be one of the following: "certain," "somewhat certain," or "uncertain."

DOT will assign the highest rating of "certain," if the application demonstrates that: the applicant has extensive experience with Federal funds; the applicant has extensive experience completing projects with similar scope; the applicant has the resources to deliver the project; and the project will comply with all applicable Federal requirements including, but not limited to, Buy America provisions, ADA regulations, Civil Rights requirements, Federal Motor Vehicle Safety Standards, and/or the Federal Motor Carrier Safety Regulations.

If an applicant is proposing to adopt innovative technology or other innovative practices, DOT will assess whether the applicant's capacity to implement those innovations, the applicant's understanding of applicable Federal requirements and whether the innovations may require extraordinary permitting, approvals, exemptions, waivers, or other procedural actions, and the effects of those innovations on the project delivery timeline.

Financial Completeness

The Financial Completeness Assessment reviews the project budget to confirm the availability of funding for the project and whether the applicant presented a complete funding package based on reasonable cost estimates. Financial Completeness ratings are: "complete," "partially complete," or "incomplete."

DOT will assign the highest rating of "complete," if the application identifies all funding sources for the project budget, documents all funding is available and committed to the project, includes contingency amount in the project budget and describes a plan to address potential cost overruns, and cost estimates are no more than a year old or include an inflation factor. Planning grants are

not required to include a contingency amount but must discuss a plan to address potential cost overruns.

Projects with funding estimates that are based on early stages of design (e.g., less than 30 percent design) or outdated cost estimates without specified budget contingencies will receive a lower rating. All applicants, including those requesting 100 percent grant funding, should describe a plan to address potential cost overruns.

c. Cost Benefit Analysis

For capital projects that receive second-tier analysis, the Department will consider the costs and benefits of projects seeking RAISE grant funding in determining whether a project is cost effective. To the extent possible, the Department will rely on quantitative, evidenced-based and data-supported analysis to assess how well a project addresses this criterion, including an assessment of the project's estimated benefit-cost ratio (BCR) based on the applicant-supplied BCA described in Section D.2.f.

To evaluate the costs and benefits of a proposed project, the Department will assign the project as either negative net benefits (costs exceed benefits) or positive net benefits (benefits exceed costs.) Projects with negative net benefit ratings will not be selected for an award, unless the project receives a "Highly Recommended" rating and demonstrates exceptional benefits for underserved or disadvantaged communities, as identified by the Senior Review Team.³⁸

2. Review and Selection Process

This section explicitly addresses the BIL requirement to describe the methodology for evaluation in the NOFO. The RAISE grant program review and selection process consists of Merit Criteria Review; Project Readiness Review (consisting of Technical Capacity Assessment, Environmental Risk Assessment, and Financial Completeness Assessment); Benefit-Cost Analysis; and Senior Review. The Secretary makes final project selections.

Teams comprising Department and contractor staff review all eligible applications received by the deadline for a Merit Review and assign ratings as described in Section E. Using the Merit Review rubric described in section E, the combination of eight merit criteria ratings will result in one overall Merit Rating: Highly Recommended, Recommended, Acceptable, or Unacceptable.

"Highly Recommended" projects automatically advance for second-tier analysis.

The Senior Review Team (SRT) reviews all "Recommended" projects to determine if the benefits of a particular criterion are so significant that the project merits advancing for second-tier analysis. The SRT can advance a "Recommended" project only if:

³⁸ The Senior Review Team, and its role in the application evaluation and selection process, is described in section E.2 of this notice.

1. the project received a “high” in one or more of the priority criteria of safety, environmental sustainability, mobility and community connectivity, or quality of life, and the benefits in that criterion are exceptional; or
2. if the SRT provides additional information to demonstrate that a criterion has benefits that are aligned with a “high” rating for one or more of the priority merit criteria listed above (whether or not the Merit Review Team assigned a “high” rating) and the benefits in that criterion would be exceptional.

Senior Operating Administration staff and OST staff may make recommendations to the SRT for which projects should advance based on exceptional benefits of a particular priority criterion.

“Recommended” projects designated a “RCN Program Extra” project under the FY 2023 Reconnecting Communities and Neighborhoods (RCN) Program competition that receive at least one “High” in a priority criterion during the FY 2024 RAISE application evaluation process will automatically advance for second-tier analysis.

Second-tier analysis consists of:

- **Capital Projects** - Cost-Benefit Analysis and Project Readiness: (1) Environmental Risk Assessment; (2) Financial Completeness Assessment; and (3) Technical Capacity Assessment.
- **Planning Projects** – Project Readiness: (1) Financial Completeness Assessment; and (2) Technical Capacity Assessment.

Following completion of second-tier analysis, the SRT determines which projects are designated as Highly Rated.

Using the discretionary authority provided in statute, the Secretary selects projects from the Highly Rated List for award, consistent with the selection criteria and statutory requirements for geographic and modal diversity. The Secretary may, depending on the pool of qualified applications, seek to award at least one project per state or territory.

Projects for which an FY 2024 RAISE application is advanced by the Senior Review Team to the Highly Rated List, but that are not awarded, are automatically designated as “Projects of Merit.” Projects with this designation will be carried over into FY 2025 RAISE and considered by the SRT for advancement to the Highly Rated List, along with other FY 2025 applications eligible for advancement to the Highly Rated List.

The BIL mandates that RAISE grant award selections be announced by June 27, 2024.

Consistent with past practice and statute, the Department offers debriefs to applicants not selected for award to receive information about the RAISE project’s evaluation. Due to overwhelming demand, the Department is unable to provide a RAISE award to every competitive project that applies.

3. Additional Information

Prior to award, each selected applicant will be subject to a risk assessment as required by 2 CFR § 200.206. The Department 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 on the [RAISE program website](#).³⁹ Recipients will be notified by email. Notice of selection is not authorization to begin performance or to incur costs for the proposed project. Following that announcement, the RAISE program Office and relevant operating administration will contact the point of contact listed in the SF-424 to initiate negotiation of the grant agreement for authorization.

Recipients of RAISE Grant awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds. Instead, RAISE funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted.

Unless authorized by the Department in writing after the Secretary's announcement of FY 2024 RAISE awards, any costs that a recipient incurs before DOT executes a grant agreement for that recipient's project are ineligible for reimbursement and are ineligible match for cost share requirements.

2. Administrative and National Policy Requirements

a. Administrative Requirements

Please visit the [RAISE program website](#)⁴⁰ for the General Terms and Conditions for FY 2023 RAISE awards. The FY 2024 RAISE Terms and Conditions will be similar to the FY 2023 RAISE Terms and Conditions, but it will include relevant updates consistent with this notice.

³⁹ www.transportation.gov/RAISEgrants

⁴⁰ <https://www.transportation.gov/policy-initiatives/raise/raise-grant-agreements>

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 part 1201. Federal wage rate requirements included in subchapter IV of chapter 31 of title 40, U.S.C., apply to all projects receiving funds under this program, and apply to all parts of the project, whether funded with RAISE Grant funds, other Federal funds, or non-Federal funds.

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.

Additionally, applicable Federal laws, rules and regulations of the relevant operating administration administering the project will apply to the projects that receive RAISE 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 that are eligible under RAISE but are not eligible under DOT's other programs or projects that are eligible under multiple DOT programs, the RAISE program will determine the appropriate requirements to ensure the project is delivered consistent with program and Department goals. In particular, Executive Order 14005 directs the Executive Branch Departments and agencies to maximize the use of goods, products, and materials produced in, and services offered in, the United States through the terms and conditions of Federal financial assistance awards. If selected for an award, grant recipients must be prepared to demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their project. RAISE grant projects involving vehicle acquisition must involve only vehicles that comply with applicable Federal Motor Vehicle Safety Standards and Federal Motor Carriers Safety Regulations, or vehicles that are exempt from Federal Motor Vehicle Safety Standards or Federal Motor Carrier Safety Regulations in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

For projects administered by FHWA, applicable Federal laws, rules, and regulations set forth in Title 23 U.S.C. and Title 23 C.F.R generally apply, including the 23 U.S.C. 129 restrictions on the use of toll revenues, and Section 4(f) preservation of parklands and historic properties requirements under 23 U.S.C. 138. For an illustrative list of the other applicable laws, rules, regulations, executive orders, policies, guidelines, and requirements as they relate to a RAISE grant project administered by the FHWA, please see the [RAISE program website](https://www.transportation.gov/grants/raise/raise-fy2023-fhwa-exhibits-june-23-2023).⁴¹

⁴¹ <https://www.transportation.gov/grants/raise/raise-fy2023-fhwa-exhibits-june-23-2023>

For RAISE 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 RAISE grant funds, some requirements of chapter 53 of title 49 U.S.C. and chapter VI of title 49 CFR apply.

For projects administered by the Federal Railroad Administration, FRA requirements described in 49 U.S.C. Subtitle V, Part C apply.

b. Program Requirements

Climate Change and Environmental Justice Impact Consideration

Each applicant selected for RAISE grant funding must demonstrate effort to consider climate change and environmental justice impacts as described in Section E, consistent with Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad* (86 FR 7619). In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities in Section E.1.

Land Use and Housing Affordability Impact Consideration

Each applicant selected for RAISE grant funding must demonstrate effort to consider housing affordability impacts of the grant, and particularly how local land use and zoning practices already allow for, or have been modified to, ensure adequate affordable housing supply proximate to the transit investment. Applicants will be required to memorialize commitments they have made in their applications in one or more of the activities in Section E.1.

Racial Equity and Barriers to Opportunity

Each applicant selected for RAISE grant funding must demonstrate effort to improve racial equity and reduce barriers to opportunity as described in Section E, consistent with Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (86 FR 7009). In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities listed in Section E.1.

Labor and Workforce

Each applicant selected for RAISE grant funding 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 strong labor standards as described in Section E, 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). In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities listed in Section E.1.

Critical Infrastructure Security, Cybersecurity, and Resilience

It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against all hazards, including both physical and cyber threats, consistent with Presidential Policy Directive 21 - Critical Infrastructure Security and Resilience and the National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems. Each applicant 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 the Department of Homeland Security, will be required to do so before receiving funds.

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 domestic preference requirements based on the Operating Administration that administers the project, including 23 U.S.C. 313 (FHWA projects); 49 U.S.C. 5323(j) (FTA projects); 49 U.S.C. 22905(a) (FRA projects); and section 70914(a) of the Build America, Buy America Act (all projects). The Department expects all applicants to comply without needing a project-specific waiver for domestic preference requirements.

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. DOT's and the applicable Operating Administrations' Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

Federal Contract Compliance

As a condition of grant award all Federally assisted contractors are required to make good faith efforts to meet the goals of EO 11246, Equal Employment Opportunity (30 FR 12319, and as amended). 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. 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.

Project Signage and Public Acknowledgements

Recipients are encouraged for construction and non-construction projects to post project signage and to include public acknowledgments in published and other collateral materials (e.g., press releases, marketing materials, website, etc.) satisfactory in form and substance to DOT, that identifies the nature of the project and indicates that "the project is funded by the Bipartisan Infrastructure Law". In addition, recipients employing project signage are required to use the official Investing in America emblem in accordance with the Official [Investing in America Emblem Style Guide](#). Costs associated with signage and public acknowledgments must be reasonable and limited. Signs or public acknowledgments should not be produced, displayed, or published if doing so results in unreasonable cost, expense, or recipient burden. The Recipient is encouraged to use recycled or recovered materials when procuring signs.

3. Reporting

a. Progress Reporting on Grant Activities

Each applicant selected for RAISE grant funding must submit quarterly progress reports and Federal Financial Reports (SF-425) to monitor project progress and ensure accountability and financial transparency in the RAISE grant program.

b. Performance Reporting

Each applicant selected for RAISE grant funding must collect and report to the DOT information on the project's performance based on performance indicators DOT identifies related to program goals (e.g., travel time savings, greenhouse gas emissions, passenger counts, level of service, etc.) and other information as requested by DOT. Performance indicators 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 RAISE Grant Program. To the extent possible, performance indicators used in the reporting should align with the measures included in the application and should relate to at least one of the selection criteria defined in Section E.1. Performance reporting continues for several years after project construction is completed, and DOT does not provide RAISE grant funding specifically for performance reporting. RAISE grant performance measures are posted on the [RAISE website](#).⁴²

c. Program Evaluation

As a condition of grant award, RAISE grant recipients may be required to participate in an evaluation undertaken by DOT, or another agency or partner. The evaluation may take different

⁴² <https://www.transportation.gov/grants/raise/raise-performance-measures-update-2023>

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. The Department may require applicants to collect data 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) in the case of an impact analysis, facilitate the 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 incorporate program evaluation including associated data collection activities from the outset of their program design and implementation 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 subrecipients 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). Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

d. 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 to the SAM that is made available in 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 Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 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.

G. Federal Awarding Agency Contacts

For further information concerning this notice please contact the RAISE grant program staff via e-mail at RAISEgrants@dot.gov, or call Andrea Jacobson at 202-366-9603. 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 the RAISE website at www.transportation.gov/RAISEgrants. 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 RAISE grant 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 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 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 CFR § 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.

2. Publication and Sharing of Application Information

Following the completion of the selection process and announcement of awards, the Department intends to publish a list of all applications received along with the names of the applicant organizations and funding amounts requested. Except for the information properly marked as described in Section H.1, The Department may make application narratives publicly available or 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.



Pete Buttigieg

Issued in Washington D.C. on November 30, 2023



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution authorizing agreement with Verizon Connect on behalf of the Chemung County Sewer Districts (Vehicle Tracking Subscription)

Resolution #:

Slip Type: CONTRACT

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

CCSD requests authorization to enter into an agreement with Verizon Connect for GPS vehicle tracking. CCSD feels that these would be valuable to add into the vehicles for safety and security of county assets and employees. There are 19 vehicles in the Sewer District fleet that the devices will be installed in at a monthly cost of \$15.95 per vehicle- for a total monthly cost of \$303.05 per month (plus fees). CCSD is requesting that the agreement be authorized at a not to exceed cost of \$4,300 for the year of 2024.

Vendor/Provider Verizon Connect

Term 1 Year Total Amount 4,300 Prior Amount

Local Share 4,300 State Share Federal Share

Project Yes Funds are in
Budgeted? Account #


CREATION:

Date/Time:	Department:
1/29/2024 10:50:50 AM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
2/20/2024 1:14 PM	Approved	County Executive	
3/19/2024 10:23 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
 Chemung County Sewer District Updated Quote-Order-19_VTU.pdf	Chemung County Sewer District Updated Quote	Cover Memo

STAMP_ITEMNUMB

5055 North Point Pkwy
Alpharetta, GA 30022-3074
Fax: (781) 577-4793

SERVICES ORDER FORM

Customer Service: 1-844-617-1100
Customer Service:
www.verizonconnect.com



GENERAL INFORMATION

Order Date: January 2, 2024	Customer Reference Number:	VCF Salesperson Name: Patrick Stewart	Region: VZT
Company Name: Chemung County Sewer District		Officer or Owner: Ron Jankowski	Telephone: (607) 739-3896
Address (Mailing or Invoicing Address): 600 Milton Street		Officer/Owner Email Address: rjankowski@chemungcountyny.gov	Cell Phone:
City: Elmira	State: NY	Zip Code: 14904	Installation Contact if other than Officer/Owner: Telephone:
Please advise your VCF scheduler if there are multiple shipping or installation addresses		Accounts Payable Contact, if other than Officer/Owner:	Telephone:
		Email:	

SUBSCRIPTION SERVICES:

QUANTITY	DESCRIPTION	MONTHLY PER UNIT FEE	MONTHLY TOTALS
19	Vehicle Tracking Subscription	15.95 USD	303.05 USD

TOTAL Monthly AMOUNT	303.05 USD
Agreement Length: 12 Months from the Subscription Start Date. The billing and Service Term shall commence upon the earlier of (i) installation of any Equipment into a Vehicle, or (ii) ninety (90) days from the shipment of the Equipment.	Excludes Applicable Taxes and Fees

ONE-TIME FEES (per Occurrence):

QUANTITY	DESCRIPTION	AMOUNT	EXTENDED PRICE
19	Install: VTU+Features or AT Trip	0.00 USD	0.00 USD
Total One-Time Fees		0.00 USD	
COVERT INSTALLATION: Unknown		EXCLUDES APPLICABLE TAXES AND FEES	

ORDER TERMS:

Customer agrees that the purchase and/or licensing of the products and/or services set forth in this order is subject to the terms and conditions in the contract between Verizon Connect Fleet USA LLC (VCF) and GSA Schedule 47QTCA22D00DD that are in effect as of the date the order was received by VCF. The GSA Schedule terms and conditions are available at https://www.gsaadvantage.gov/ref_text/47QTCA22D00DD/0Y078X.3TQK3L_47QTCA22D00DD_47QTCA22D00DD-3-3-2023-697104.PDF. If, in accordance with the terms of the GSA Contract, Customer and VCF have executed an additional separate written agreement ("Customer Addendum") with respect to the products and/or services set forth in this order, the terms and conditions set forth in the Customer Addendum shall also apply with respect to the products and/or services set forth in this order, if there are any discrepancies in the Addendum language and the GSA Schedule, the GSA Schedule Terms and Conditions shall supersede. All orders are subject to product availability. If an item is not in stock at the time you place your order, we will notify you immediately.

Unless otherwise specified, this Order Form is valid for 30 days after the Order Date. Please remit a signed copy of this Order Form to your VCF Salesperson within the validity period.

INSTALLATION NOTES (not valid for changes to billing, payment or other contract terms):

STAMP_ITEMNUMB

5055 North Point Pkwy
Alpharetta, GA 30022-3074
Fax: (781) 577-4793

SERVICES ORDER FORM

Customer Service: 1-844-617-1100
Customer Service:
www.verizonconnect.com



Customer Name: Chemung County Sewer District		
By (signature)	Date:	



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution extending agreement with USALCO, LLC on behalf of the Chemung County Sewer Districts

Resolution #:

Slip Type: CONTRACT

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Request authorization to extend the contract for a product (polyaluminum chloride) for extraction of phosphorus from wastewater for the CCSD treatment plants with USALCO, LLC. at a bid price of \$0.265/pound through April 11, 2025. We consume approximately 900,000 pounds per year, which approximately equates to \$238,500 per year. The contract was awarded with RFB-2490 and included a one-year extension clause.

Vendor/Provider

Term

Total Amount

Prior Amount

Local Share

State Share

Federal Share

Project No

Funds are in

Budgeted?

Account #

CREATION:

Date/Time:	Department:
2/21/2024 12:01:38 PM	County Executive

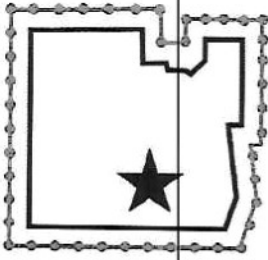
APPROVALS:

Date/Time:	Approval:	Department:	
2/21/2024 12:07 PM	Approved	County Executive	
3/19/2024 10:25 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
 RFB-2490_USALCO_Signed_Renewal (1).pdf	RFB-2490 USALCO Signed Renewal	Cover Memo

STAMP_ITEMNUMB



**CHEMUNG COUNTY
CITY OF ELMIRA
PURCHASING DEPARTMENT**

Tricia A. Wise, CPPO, CPPB
Purchasing Director

CONTRACT RENEWAL REQUEST FORM

TO: USALCO, LLC
2601 Cannery Avenue
Baltimore, MD 21226

FROM: Chemung County Purchasing Department

RE: Contract Renewal RFB-2490 Product for Extraction of Phosphorous from Wastewater

Date: February 2, 2024

The term of the above contract ends on April 11, 2024. This contract can be extended for one additional one-year contract period under the same terms and conditions and at the same bid discounts, contingent upon Chemung County Legislative approval. Please indicate below your firm's willingness to renew the contract and return this form by email no later than February 19, 2024, to Nina Wells at nwells1@chemungcountyny.gov.

*****Please confirm receipt of this document*****

We want to renew the contract for one (1) additional 1-year period, ending on April 11, 2025, under the original terms and conditions, contingent upon approval by the Chemung County Legislature.

Terry Waldo, Chief Commercial Officer

Typed/Printed name and Title of Person Preparing this Form.

Terry Waldo

Signature of Person Preparing Form

2/2/2024

Date

We do not want to renew the contract.

Typed/Printed name and Title of Person Preparing this Form.

Signature of Person Preparing Form

Date

STAMP_ITEMNUMBER



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution authorizing agreement with Larson Design Group on behalf of the Chemung County Sewer Districts (General Services Agreement)

Resolution #:

Slip Type: CONTRACT

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

CCSD is requesting authorization for a general services agreement with Larson Design Group (LDG) for 2024 and 2025. The attached proposal outlines a two-year term with a not-to-exceed fee of \$18,000. The attached proposal provides a detailed scope of services. Services will only be billed upon written authorization and direction from CCSD of the task items included in the proposal.

Vendor/Provider Larson Design Group

Term	2 Years	Total Amount	\$18,000	Prior Amount	\$18,000 for 1 Year
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Local Share	18,000	State Share	Federal Share
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Project Budgeted?	Yes	Funds are in Account #
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CREATION:

Date/Time:	Department:
2/21/2024 11:47:57 AM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
2/21/2024 11:50 AM	Approved	County Executive	
3/19/2024 10:22 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
 CCSD_LDG_2024_25_Retainer_Agreement.pdf	Retainer Agreement	Cover Memo

STAMP_ITEMNUMB



February 8, 2024

Alexandra Rennie, PE
Executive Director
Chemung County Sewer Districts
600 Milton Street
Elmira, NY 14901

Re: 2024/25 General Service Agreement
Chemung County Sewer Districts
Chemung County, New York

Dear Ali,

Larson Design Group (LDG) appreciates the opportunity to submit this proposal for engineering services. We have enjoyed working with CCSD on projects large and small over the past several years and we appreciate the opportunity to continue building that partnership through 2025.

It is understood that CCSD wishes to retain LDG to provide engineering services, similar to previous general service agreements, related to the following scope:

- Study & Analysis Services:
 - Gravity and pressure sewer capacity analysis.
 - Inflow and infiltration (I/I) investigations.
 - Pump station condition and capacity assessments.
 - Analysis of discharge from industrial discharges.
- Design Services:
 - Minor Collection System Projects: Small sewer repairs and trenchless rehabilitation.
 - Minor Treatment Plant Projects: Minor maintenance and repairs to process equipment, accessory structures, catwalks, etc.
- Funding Applications:
 - Grant Application Services related to Large Capital Improvement Projects.

The specific scope of these tasks and services will be defined on a case-by-case basis as the need arises throughout the duration of the agreement. LDG will develop task orders at the request of CCSD outlining the detailed scope of specific tasks and assigning a budget for the work identified.

LDG will not charge any retainer fees as part of this engineering agreement; however, LDG proposes to assign a total contract value of \$18,000.00 to this retainer agreement in order to establish a Purchase Order for these services with the Chemung County Purchasing Office. CCSD authorization will be obtained prior to incurring any costs on this contract.

A 2024/5 Retainer Agreement has been attached for your review and consideration. If this letter and the agreement language are acceptable, please sign and return a copy of the Agreement at your earliest convenience. LDG will review, sign, and return an executed copy for recordkeeping purposes.

Larson Design Group

1 West Market Street, Suite 301, Corning, NY 14830
607.936.7076 | larsondesigngroup.com

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If you have any questions, please feel free to contact me at LDG's Corning office at (607) 463-2903 or via bsick@larsondesigngroup.com. We appreciate your consideration and look forward to continuing work with CCSD.

Sincerely,

LDG ENGINEERS & ARCHITECTS, PC
dba Larson Design Group

A handwritten signature in black ink that reads "Bradley A. Sick". The signature is written in a cursive, flowing style.

Brad Sick, PE
Project Manager

cc: Ann Overdorff - CCSD
7077-0012

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AGREEMENT BETWEEN OWNER AND DESIGNER FOR PROFESSIONAL SERVICES

THIS AGREEMENT entered into this _____ day of _____ 2024, by and between LDG Engineers and Architects, P.C. (hereinafter "**LDG**") with offices at 1 West Market Street, Suite 301, Corning, NY 14830, and the Chemung County Sewer Districts (hereinafter, "**Owner**"), a New York State municipality utility with offices at 600 Milton Street, Elmira, NY.

WHEREAS, the **Owner** is in the business of owning and managing municipal public infrastructure, and desires **LDG** to perform certain professional services.

WHEREAS, **LDG** is in the business of providing professional design and technical services and desires to perform such services for the **Owner**.

Owner's Project, of which **LDG's** services under this Agreement are a part, is generally identified as follows:

2024-2025 General Consulting Services ("Project").

LDG's Services under this Agreement are generally identified as follows:

LDG 2024-2025 Retainer Scope of Services ("Services").

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, and intending to be legally bound hereby, the parties agree as follows:

1. Basic Agreement and Period of Service.

1.1 Engineer shall provide, or cause to be provided, the services set forth in this Agreement. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above. Owner shall pay Engineer for its services as set forth in Paragraphs 7.01 and 7.02.

1.2 Engineer shall make commercially reasonable efforts to complete its services in accordance with the dates and times set forth in Project schedule.

1.3 If the Project includes construction-related professional services, then Engineer's time for completion of services is conditioned on the time for Owner and its contractors to complete construction. If the actual time to complete construction exceeds the number of days provided in the Project schedule, then Engineer's time for performance and its total compensation shall be equitably adjusted.

2. Payment Procedures.

2.1 Invoices: Engineer shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for services and expenses within 30

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days after receipt of Engineer's invoice, then the amounts due Engineer will be increased at the rate of 1.5% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. In addition, Engineer may, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges. Owner waives any and all claims against Engineer for any such suspension. Payments will be credited first to interest and then to principal. If collection efforts are exercised by Engineer, all costs associated with these efforts will be reimbursed by Owner.

3. Termination.

3.1 The obligation to continue performance under this agreement may be terminated:

3.1.1 For cause,

3.1.1.a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party. Failure to pay Engineer for its services is a substantial failure to perform and a basis for termination.

3.1.1.b. By Engineer:

3.1.1.b.1. Upon seven days written notice if Owner demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or

3.1.1.b.2. Upon seven days written notice if the Engineer's services for the Project are delayed for more than 90 days for reasons beyond Engineer's reasonable control.

Engineer shall have no liability to Owner on account of a termination by Engineer under Paragraph 3.1.1.b.

3.1.1.c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 3.1.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

3.1.2. For convenience, by Owner effective upon Engineer's receipt of written notice from Owner.

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3.2 The terminating party under Paragraph 3.1 may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Engineer to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.

3.3 In the event of any termination under Paragraph 3, Engineer will be entitled to invoice Owner and to receive full payment for all services performed or furnished in accordance with this Agreement and all reimbursable expenses incurred through the effective date of termination.

4. Successors, Assigns, and Beneficiaries.

4.1 Owner and Engineer are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 4.2 the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

4.2 Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Owner recognizes that each state has the authority to regulate the services offered by Engineer. As such, Owner approves of Engineer's use of affiliated entities and employees to comply with different state licensure laws for the solicitation and execution of services.

4.3 Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Engineer to any contractor, subcontractor, supplier, other individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party.

5. General Considerations.

5.1 The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality (hereinafter referred to as "Standard of Care"). Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Subject to the foregoing Standard of Care, Engineer and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.

5.2 Engineer shall not at any time supervise, direct, control, or have authority over any contractor's work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the

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safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work.

5.3 The validity or construction of this Agreement, as well as the rights and duties of the parties hereunder, shall be governed by the laws of the Commonwealth of Pennsylvania without regard to its choice of law provisions.

5.4 Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor. Engineer is not responsible for variations between actual construction bids or costs and Engineer's opinions or estimates regarding construction costs.

5.5 Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any of their agents or employees or of any other persons (except Engineer's own employees) at the Project site or otherwise furnishing or performing any construction work; or for any decision made regarding the construction contract requirements, or any application, interpretation, or clarification of the construction contract other than those made by Engineer.

5.6 The general conditions for any construction contract documents prepared hereunder are to be the "Standard General Conditions of the Construction Contract" as prepared by the Engineers Joint Contract Documents Committee (EJCDC C-700, 2007 Edition) unless the parties agree otherwise.

5.7 All documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Owner shall have a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment for all services relating to preparation of the documents and subject to the following limitations: (1) Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Engineer; (2) any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or to its officers, directors, members, partners, agents, employees, and consultants; (3) Owner shall indemnify and hold harmless Engineer and its officers, directors, members, partners, agents, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by Engineer; and (4) such limited license to Owner shall not create any rights in third parties.

5.8 In no event shall either Owner or Engineer have any claim or right against the other, whether in contract, warranty, tort (including negligence), strict liability or otherwise, for any special, indirect, incidental, or consequential damages or any kind of nature whatsoever, such as but not

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limited to loss of revenue, loss of profits on revenues, loss of customers or contracts, loss of use of equipment or loss of data, work interruption, increased cost of work or cost of any financing, howsoever caused, even if same were reasonably foreseeable.

5.9 To the fullest extent permitted by law, Owner agrees to limit Engineer's liability to Owner and to all other contractors or subcontractors on the Project for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in any way related to the Project or this Agreement from any cause or causes including but not limited to Engineer's negligent acts, errors, omissions, strict liability, breach of contract, or breach of warranty, such that the total aggregate of liability of Engineer to all those named shall not exceed the greater of \$50,000 or the total fees received by Engineer for services rendered under the Project.

5.10 The parties acknowledge that Engineer's scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste as defined by the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq., or radioactive materials). If Engineer or any other party encounters a Hazardous Environmental Condition, Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (1) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (2) warrants that the Site is in full compliance with applicable Laws and Regulations.

5.11 Owner and Engineer agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If negotiations are unsuccessful in resolving the dispute, then the dispute shall be mediated. If mediation is unsuccessful, then the parties may exercise their rights at law. This Agreement imposes an obligation of good faith, fair dealings and the mitigation of damages among the parties in all matters relating to this Agreement. Good faith, for this purpose, includes honesty in fact and the observance of reasonable commercial standards of fair dealings and in the mitigation of damages even in situations where a decision is left to the sole discretion of a single party.

5.12 The Owner and Engineer agree that if Engineer's Basic Services under this Agreement do not include (a) Project Observation or other review or examination of contractor performance, and/or (b) any other Construction Phase Services, then the Owner shall assume full and complete responsibility for such services. This includes, but is not limited to, responding to questions regarding the intent of the contract documents, reviewing submittals, transmittals, shop drawings, applications for payment, or any other document prepared or submitted by the contractor or owner during construction, attendance at project meetings, preparation of correspondence or any other such duty.

5.13 Where Engineer has a duty to review any shop drawings, submittals or other such documents, it is agreed Engineer's review shall be for general design concept only. Engineer is not responsible for deficiencies, errors or omissions in the shop drawings, or submittals, or other such documents provided by contractor.

5.14 Where Engineer has a duty to review certified payrolls of the Contractor, it is agreed that Engineer's review is only for purpose of determining the approximate value of the work performed by

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the Contractor. Engineer's recommendations as to payment of applications for payment shall not be construed as Engineer's acceptance of any work.

5.15 Changes in Pennsylvania's One-Call law have imposed new responsibilities upon project owners "to utilize sufficient quality levels of subsurface utility engineering or other similar techniques whenever practicable to properly determine the existence and positions of underground facilities when designing known complex projects having an estimated cost of four hundred thousand dollars (\$400,000) or more." In addition, Engineer sometimes makes recommendations to owners that subsurface utility engineering is necessary based upon job conditions, regardless of project cost.

The American Society of Civil Engineers standard which is referenced in the One-Call Law, sets forth four (4) quality levels designated as A (highest), B, C and D (lowest). Engineer typically provides services at level C. This includes requesting line and utility information from the PA One Call System, locating marked utilities and visible above ground utility features, and identifying approximate locations of utility lines on the plans using its professional judgment in correlating the information obtained from the field survey, existing records, oral statements, information from PA One Call System.

Based upon job conditions, Engineer may recommend levels A or B. Engineer does not provide services at level A or B, but has the ability to coordinate a subconsultant that does provide this level. If Engineer recommends level A or B and if the Owner agrees with this recommendation, Engineer will enter into a subconsultant agreement to have this work performed at an additional cost to the Owner.

5.16 Engineer will not provide advice as it relates to municipal securities and thus is not a "Municipal Advisor" as defined by the Security and Exchange Commission "Municipal Advisor Rule". However Engineer may qualify as a municipal representative and if such should apply, will be subject to all benefits accordingly.

5.17 Owner hereby agrees to allow Engineer to utilize Owner's name and brief Project description in marketing material.

5.18 In no event shall either Engineer or Owner have any claim or right against the other for any failure of performance where such failure of performance is caused by or is the result of causes beyond the reasonable control of the other party due to any occurrence commonly known as a "force majeure," including, but not limited to: acts of God; fire, flood, or other natural catastrophe; epidemic, pandemic, or quarantine restrictions; acts of any governmental body; labor dispute or shortage; national emergency; insurrection; riot; or war.

5.19 If any term, covenant, condition or provision of this Agreement is found by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect, and shall in no way be affected, impaired or invalidated.

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6. Total Agreement.

6.1 This agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

6.2 In the event that Owner and Engineer have not executed this Agreement for Professional Services, Owner's verbal or written authorization to Engineer to proceed with the performance of the services set forth therein, or any payment received from Owner toward this project, shall constitute acceptance by Owner of this Agreement for Professional Services. The parties agree that, notwithstanding its terms, no subsequently executed purchase order or other Owner submitted terms and conditions shall modify, contradict or supplement the terms of this Agreement for Professional Services. In particular, no such subsequently executed document shall create any warranty with regard to the services performed by Engineer and its subconsultants nor shall it create any right of indemnification or any remedy for the benefit of Owner that is not expressly set forth in this agreement.

7. Basis of Payment – Hourly Rates Plus Reimbursable Expenses.

7.1. Unless separate basis of payment is negotiated for a specific task, Using the procedures set forth in Paragraph 2, Owner shall pay Engineer as follows:

7.1.1. An amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times the Engineer's hourly rates for each applicable billing class for all services performed on the Project, plus reimbursable expenses and Engineer's consultants' charges, if any.

7.1.2. Engineer's Standard Hourly Rates are attached as Attachment A.

7.1.3. The total compensation for services and reimbursable expenses is estimated to be **\$18,000.**

8. Additional Services.

8.1 For additional services of Engineer's employees engaged directly on the Project, Owner shall pay Engineer an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times standard hourly rates for each applicable billing class; plus reimbursable expenses and Engineer's consultants' charges, if any. Engineer's hourly rates are attached as Attachment A.

9. Attachments.

Attachment A, LDG Water/Wastewater 2024-2025 Rate Schedule

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

OWNER:

By: _____

Title: _____

Date Signed: _____

Address for giving notices:

Chemung County Sewer Districts

600 Milton Street

Elmira, NY 14901

ENGINEER: LDG Engineers and Architects, P.C.

By: Bradley A. Sick

Title: Brad Sick, PE - Project Manager

Date Signed: 2/8/24

Engineer License or Firm's

Certificate Number: 0008419

State of: NY

Address for giving notices:

LDG Engineers and Architects, P.C.

dba Larson Design Group

1 West Market Street, Suite 301

Corning, NY 14830

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WATER/WASTEWATER RATE SCHEDULE

Director/Program Manager.....	\$209.00
Sr. Project Manager/Sr. Technical Manager.....	\$198.00
Project Manager/Technical Manager/Sr. Engineer.....	\$182.00
Assoc. Project Manager/Sr. Technical Specialist.....	\$160.00
Engineer/Planner/Technical Specialist.....	\$143.00
Sr. Engineering Associate/Sr. Designer/Sr. Env Scientist.....	\$116.00
Designer/Engineer Assoc./Sr. CADD/Technical Analyst.....	\$105.00
Administrative Assistant/Technician.....	\$77.00
Construction Inspector.....	\$88.00
Survey Party Chief.....	\$94.00
Sr. Survey Technician.....	\$72.00
Survey Technician.....	\$66.00
Sr. GIS Analyst.....	\$138.00
GIS Analyst.....	\$116.00
GIS/Environmental Technician.....	\$88.00

Reimbursable Costs (not all inclusive):

Mileage.....	\$0.655 per mile (or current approved IRS rate)
Project Copies.....	Starting at \$0.10/Copy
Project Prints.....	Starting at \$1.00/Print
Codes/Permits/Agency Approval.....	At Cost
Postage.....	At Cost
Nuclear Density Gauge.....	\$55 per day
Boat.....	\$140 per day
UTV Ranger/Trailer.....	\$160 per day
3D Scanner.....	\$275 per day
Lodging.....	At Cost
Survey Equipment.....	\$95 per day
Subsistence.....	\$44 per day/person or 95% of GSA rates

The above figures provide an opportunity to negotiate a Professional Services Contract that is satisfactory to both Larson Design Group (LDG) and the Client.

We will provide services based on the above listed fees, plus expenses, that are the basis for the rates quoted above. These rates shall be effective for the 2024 and 2025 calendar years. If the contract is extended or a new contract is negotiated, an annual escalation factor of approximately 5% will be added to the direct payroll costs to compensate for any salary and cost of living increases that occur.

Client agrees that the pricing data contained in this submission by LDG shall be considered confidential and proprietary and shall not be released or otherwise made available to any third party without the express written consent of LDG.



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution renewing agreement with ClearGov Inc. on behalf of the Chemung County Department of Information Technology

Resolution #:

Slip Type: CONTRACT

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

Submitting an agenda item for legislative review to purchase year 2 of Cleargov subscription (SaaS), utilizing an established Cooperative Contract through BuyBoard, the Cooperative's lead agent. Relevant paperwork is attached.

Vendor/Provider Cleargov, Inc.

Term	1/1/2024 - 12/31/2024	Total Amount	47,400	Prior Amount	
Local Share	n/a	State Share	n/a	Federal Share	n/a
Project Budgeted?	No	Funds are in Account #	No, a budget action item will be initiated		

CREATION:

Date/Time:	Department:
1/29/2024 2:38:59 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
2/20/2024 12:40 PM	Approved	County Executive	
3/22/2024 11:24 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
invoice_2024-12953.pdf	ClearGov invoice	Cover Memo
JAN_2024_ClearGov_Contract_Renewal.pdf	Contract renewal	Cover Memo

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**FROM**

ClearGov Inc.
2 Mill and Main Pl, Suite 630
Maynard, MA 01754
855-553-2715
ar@cleargov.com

BILL TO

Chemung, NY - County
Jennifer Furman
203 Lake St
Elmira, NY 14902
United States

INVOICE NUMBER	2023-12953
DATE	01/01/2024
DUE DATE	01/31/2024
AMOUNT DUE (USD)	\$ 47,400.00

ITEM / DESCRIPTION	QUANTITY	RATE	AMOUNT
Includes ClearGov Operational Budgets Suite - Renewal This is your subscription fee for CG Operational Budget Builder for the term starting 01/01/2024 and ending 12/31/2024.	1	\$ 22,900.00	\$22,900.00
Includes ClearGov Capital Budgeting Suite Renewal This is your subscription fee for Includes ClearGov Capital Budgeting Suite Renewal for the term starting 01/01/2024 and ending 12/31/2024.	1	\$ 15,050.00	\$15,050.00
Includes ClearGov Digital Budget Book Suite - Renewal This is your subscription fee for Includes ClearGov Digital Budget Book Suite - Renewal for the term starting 01/01/2024 and ending 12/31/2024.	1	\$ 13,750.00	\$13,750.00
Bundle Discount This is your subscription discount for Bundle Discount for the term starting 01/01/2024 and ending 12/31/2024.	1	\$ -38,800.00	\$-38,800.00

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ITEM / DESCRIPTION	QUANTITY	RATE	AMOUNT
Includes ClearGov Personnel Budgeting Suite This is your subscription fee for Includes ClearGov Personnel Budgeting Suite for the term starting 01/01/2024 and ending 12/31/2024.	1	\$ 21,800.00	\$21,800.00
Includes ClearGov Transparency Suite This is your subscription fee for Includes ClearGov Transparency Suite for the term starting 01/01/2024 and ending 12/31/2024.	1	\$ 12,700.00	\$12,700.00
AMOUNT DUE (USD)			\$ 47,400.00

BANK WIRE INSTRUCTIONS

Bank: Customers Bank

Routing #031302971

Account Type: Business Checking

Account #7228105

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Wells, Nina

From: Bryan Burdick <bburdick@cleargov.com>
Sent: Friday, January 5, 2024 11:20 AM
To: Wells, Nina; Wise, Tricia
Cc: Brenda Luebbers
Subject: Re: Contract 692-23 Software as a Service Clear Gov
Attachments: BuyBoard - Contract Survival Clause Clarification.pdf

Nina,

Brenda forwarded your email to me with the question about BuyBoard contract dates. First of all, you are reading everything correctly. We have been approved for a 3 year contract with BuyBoard, although - technically - the contract renews on an annual basis every year. We typically received the "renewal notice" from Buyboard sometime in February, and we'd be happy to send you a copy of that when it comes through.

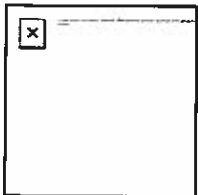
Meanwhile, I wanted to mention to you that the BuyBoard agreement actually includes survival language to specifically address the issue that I think you're questioning. In short, any agreement that is covered by the BuyBoard contract and is signed while the BuyBoard contract is active with a vendor is covered by the BuyBoard contract for the complete term of the vendor agreement even if the vendor's BuyBoard contract does not renew. In fact, the folks at BuyBoard have even put together the attached clarification document since this question comes up from time to time. In other words, even if ClearGov did not renew its contract with BuyBoard, you would still be covered by the BuyBoard contract for as long as your agreement with ClearGov remains in place.

With that said, and just to be clear, we have every intention of continuing our relationship with BuyBoard. And, from what they've told us, ClearGov is one of their best partners, so you can safely assume that relationship will be in place for a long, long time.

Please let me know if this has addressed your immediate concern or if you still have any questions.

Thanks,

Bryan



Bryan A. Burdick

President & Co-founder
Cell/Text (508) 298-8062
bburdick@cleargov.com
www.cleargov.com

ClearGov is endorsed by the
National Association of Counties



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Contract Survival Language Review and Clarification

BuyBoard proposal invitation terms and conditions include a survival clause that allows ancillary or software agreements to extend beyond the vendors awarded contract term on the BuyBoard if the purchase order or agreement is fully executed prior to the expiration of the vendors' contract. Proposal invitation language follows as described in RFP 692-23 for Software as a Service (SaaS), Cybersecurity Assessments and Related Products and Services.

General Terms and Conditions - Section E. Contract Performance

1. Contract Term

(b) Survival. *The Contract shall govern the Vendor's and the Cooperative member's rights and obligations with respect to any Purchase Order and/or Member Software Agreement issued during the Contract term and afterwards with respect to any Purchase Order and/or Member Software Agreement or purchase bound by the Cooperative member for specified goods or services before the Contract award period ended.*

Example:

A BuyBoard member purchases a software application from ABC company with the issuance of a purchase order dated May 1, 2023. The software license and support agreement is executed as part of the purchase for a period of 5 years beginning May 1, 2023, expiring April 30, 2028. The vendor is in the final renewal period of a 3-year BuyBoard contract that will expire on September 30, 2023. The vendor does not submit a response to the new contract that takes effect on October 1, 2023 and by such has no BuyBoard contract after September 30.

What happens to the members 5-year software license and support agreement?

The members agreement with the vendor remains in force as executed until the agreement expires April 2028. If the agreement had stipulated extensions beyond the 5-year period those extensions could be executed as part of the original agreement and still be covered by the original awarded BuyBoard contract.



2 Mill & Main; Suite 630; Maynard, MA 01754

Service Order

Created by	Rob Battaglia
Contact Phone	631-747-3253
Contact Email	rbattaglia@cleargov.com

Order Date	Mar 15, 2023
Order valid if signed by	Mar 31, 2023

Customer Information					
Customer	Chemung County	Contact	Jennifer Furman	Billing Contact	Matt Fogarty
Address	203 Lake Street	Title	Deputy County Executive	Title	Deputy Director, Budget & Research
City, St, Zip	Elmira, NY 14902	Email	jfurman@chemungcountyny.gov	Email	mfogarty@chemungcountyny.gov
Phone	607-737-2062			PO # (if any)	

This Service Order will be contracted through...

Procurement Aggregator	ClearGov Contract
Buyboard	Buyboard Proposal No. #607-20

The Services you will receive and the Fees for those Services are...

Set up Services	Tier/Rate	Service Fees
ClearGov Setup: Includes activation, onboarding and training for ClearGov solutions	Tier 4	\$ 15,000.00
ClearGov Setup Bundle Discount: Discount for bundled solutions	Tier 4	\$ (10,125.00)
Total ClearGov Setup Service Fee - Billed ONE-TIME		\$4,875.00
Subscription Services	Tier	Service Fees
ClearGov Operational Budgeting - Civic Edition	Tier 4	\$ 22,900.00
ClearGov Personnel Budgeting - Civic Edition	Tier 4	\$ 21,800.00
ClearGov Capital Budgeting - Civic Edition	Tier 4	\$ 15,050.00
ClearGov Digital Budget Book - Civic Edition	Tier 4	\$ 13,750.00
ClearGov Transparency - Civic Edition	Tier 4	\$ 12,700.00
ClearGov Budget Cycle Management Bundle Discount: Discount for bundled solutions	Tier 4	\$ (38,800.00)
Total ClearGov Subscription Service Fee - Billed ANNUALLY IN ADVANCE		\$47,400.00

ClearGov will provide your Services according to this schedule...

Period	Start Date	End Date	Description
Setup	Apr 1, 2023	Apr 1, 2023	ClearGov Setup Services
Pro-Rata	Apr 1, 2023	Dec 31, 2023	ClearGov Subscription Services (OB, CB, DBB)
Initial	Jan 1, 2024	Dec 31, 2026	ClearGov Subscription Services

To be clear, you will be billed as follows...

Billing Date(s)	Amount(s)	Notes
Apr 1, 2023	\$ 4,875.00	One Time Setup Fee
Apr 1, 2023	\$ 29,081.25	9 Month Pro-Rata OB + CB + DBB Subscription Fee
Jan 1, 2024	\$ 47,400.00	Annual Subscription Fee

Additional subscription years and/or renewals will be billed annually in accordance with pricing and terms set forth herein.

Billing Terms and Conditions

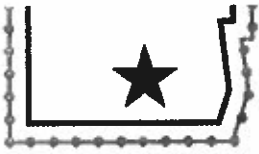
Valid Until	Mar 31, 2023	Pricing set forth herein is valid only if ClearGov Service Order is executed on or before this date.
Payment	Net 30	All invoices are due Net 30 days from the date of invoice.

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- ClearGov will activate ClearGov Service subscription(s) as of the applicable Start Date(s). ClearGov will create the initial Admin User account, and the Customer Admin User will be responsible for creating additional User accounts.
- ClearGov will assign an Implementation Manager (IM) responsible for managing the activation and onboarding process. ClearGov IM will coordinate with other ClearGov resources, as necessary.
- ClearGov IM will provide a Kickoff Call scheduling link to the Customer's Primary Contact. Customer should schedule Kickoff Call within two weeks after the Service Order has been executed.
- ClearGov IM will provide a Data Discovery Call scheduling link to the Customer's Primary Contact. Customer should schedule Data Discovery Call based on the availability of Customer's staff.
- ClearGov will provide Customer with financial data requirements and instructions, based on the ClearGov Service subscription(s).
- ClearGov will review financial data files and confirm that data is complete, or request additional information, if necessary. Once complete financial data files have been received, ClearGov will format the data, upload it to the ClearGov platform and complete an initial mapping of the data.
- After initial mapping, ClearGov will schedule a Data Review call with a ClearGov Data Onboarding Consultant (DOC), who will present how the data was mapped, ask for feedback, and address open questions. Depending upon Customer feedback and the complexity of data mapping requests, there may be additional follow-up calls or emails required to complete the data onboarding process.
- ClearGov will inform Customer of all training, learning, and support options. ClearGov recommends all Users attend ClearGov Academy training sessions and/or read Support Center articles before using the ClearGov Service to ensure a quick ramp and success. As needed, ClearGov will design and deliver customized remote training and configuration workshops for Admins and one for End Users - via video conference - and these sessions will be recorded for future reference.
- ClearGov will make commercially reasonable efforts to complete the onboarding process in a timely fashion, provided Customer submits financial data files and responds to review and approval requests by ClearGov in a similarly timely fashion. Any delay by Customer in meeting these deliverable requirements may result in a delayed data onboarding process. Any such delay shall not affect or change the Service Period(s) as set forth in the applicable Service Order.

Customer Responsibilities

- Customer's Primary Contact will coordinate the necessary personnel to attend the Kickoff and Data Discovery Calls within two weeks after the Service Order has been executed. If Customer needs to change the date/time of either of these calls, the Primary Contact will notify the ClearGov IM at least one business day in advance.
- Customer will provide a complete set of requested financial data files (revenue, expense, chart of accounts, etc.) to ClearGov in accordance with the requirements provided by ClearGov.
- Customer's Primary Contact will coordinate the necessary personnel to attend the Data Discovery and Data Review calls. It is recommended that all stakeholders with input on how data should be mapped should attend. Based on these calls and any subsequent internal review, Customer shall provide a detailed list of data mapping requirements and requested changes to data mapping drafts in a timely manner, and Customer will approve the final data mapping, once completed to Customer's satisfaction.
- Customer will complete recommended on-demand training modules in advance of customized training & configuration workshops.
- Customer shall be solely responsible for importing and/or inputting applicable text narrative, custom graphics, performance metrics, capital requests, personnel data, and other such information for capital budget, personnel budget, budget books, projects, dashboards, etc.



CITY OF ELMIRA
PURCHASING DEPARTMENT

Justification for Utilizing a Cooperative Contract

Date 4/3/23

Requesting Department Budget

Requesting Employee Jen Furman Position Deputy Co Executive

Cooperative or Lead Agency Buy Board

Contract No. 692-23 Software as a Service (PGB-2519)

Vendor(s) Name(s) ClearGov Inc

We have reviewed and completed due diligence on the aforementioned cooperative contract. As part of the due diligence review, we have confirmed that the contract complies substantially with our procurement rules and practices. We have further confirmed that all purchases will comply with the terms and prices in the contract. It has been determined that it is in the best interests of our entity to utilize this contract for the reasons cited below:

Issue	Procurement Consideration
New York State Considerations:	
1. Was the contract let by the United States or any agency thereof, any state or any other political subdivision or district therein?	Pg 1 of RFP, State of Texas Cooperative
2. Was the contract made available for use by other governmental entities?	Yes, Pg1 and Pg 44
3. Was the contract let in a manner that constitutes competitive bidding "consistent with state law?"	Yes, see responses to questions 4-7 below
4. Was there a public solicitation of bids consistent with GML 103.5 and serves to ensure that the purposes of GML 103 are furthered?	Yes, advertised in Austin American-Statesman, SanAntonio News, The Oregonian
5. Was the submission of sealed bids, or analogous procedure, done in a manner to secure and preserve the integrity of the process and confidentiality of the bids submitted?	Sealed bids and electronically using their vendor portal
6. Was the preparation of bid specifications, or a similar document that provides a common standard for bidders to compete fairly?	Yes
7. Was the award to the lowest bidder who materially or substantially meets the bid specifications and is determined to be a responsible bidder?	No awarded based on Best Value, evaluation criteria on pg 53

General Considerations:	
8. Do the terms, conditions and scope of work/specifications meet the need?	Yes
9. If no, are the terms, conditions and scope of work/specifications negotiable? It should be noted here if terms or prices were negotiated.	
10. Does the cooperative contract provide the most advantageous solution? Why? Factors may include advantageous terms, conditions, prices, quality, performance, timing, entity's experience and ability to duplicate the contract, age of the contract, etc.	Yes, advantageous Terms, Conditions & pricing Ensures Compliance with Purchasing Policy and GML-103.
11. Will any and all purchases comply with the terms and prices in the contract?	Yes
12. Will volume pricing advantages be applied to purchases?	Yes, prices are based on volume purchases
13. Was past experience with the cooperative or lead agency acceptable?	We have not used this cooperative before but will eliminate time required to bid
14. Is the item urgently needed?	Yes
15. Can a local vendor provide this service? If so, why were they not considered?	There is no local vendor
16. What is the age of the contract? How many years is it into its contract term?	4/1/2023-3/31/2024 +2 1yr renewals
ADDITIONAL COMMENTS:	Requested Iranian Divestment Form 4/3/2023

Usage reviewed and approved by:


Signature

Jackie Crowley

Buyer Name


Signature

Tricia Wise

Director of Purchasing Name



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution authorizing agreement with Southern Tier Network on behalf of the Chemung County Department of Information Technology

Resolution #:

Slip Type: CONTRACT

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

We are looking to expand our STN fiber brought into the Buildings and Grounds office building located at the Chemung County Fairgrounds to connect to the county infrastructure. This is an addendum to the existing IRU via resolution 13-181.

Vendor/Provider Southern Tier Network

Term Total Amount \$10,000 Prior Amount

Local Share State Share Federal Share

Project Yes Funds are in
Budgeted? Account #

CREATION:

Date/Time:	Department:
2/21/2024 2:37:02 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
2/21/2024 2:39 PM	Approved	County Executive	
3/19/2024 10:22 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:
STN-3036_Chemung_County_Fairgrounds.pdf	STN-3036 Chemung County Fairgrounds	Cover Memo

STAMP_ITEMNUMB



Southern Tier Network

Master Agreement – Terms & Conditions

STATEMENT OF WORK

This Statement of Work (“SOW”) for the leasing of dark fiber optic strands and related ancillary services incorporates the terms and provisions as set forth in the Dark Fiber IRU Agreement dated as of 12/12/13 entered into by STN and Chemung County (“Agreement”). Capitalized terms used but not defined herein shall have the meaning set forth in the Agreement. Customer hereby orders the following dark fibers and STN hereby agrees to deliver the following dark fibers, pursuant to and in accordance with the Agreement. On execution of this SOW by both parties, the dark fibers identified below shall become Services under the Agreement.

Span Name	Non-Recurring Fee (Installation)	Non-Recurring Charge (NRC) †	Monthly Recurring Charge	Installation Interval (Days)	Initial Term (Months)	End Point (A) Location * - End Point (Z) Location *	Fiber Count	Route Miles	Fiber Miles
STN-3036A	\$ 10,000	\$ 10,000	\$ -	Approx. 90-120 days from signed SOW	Co-Terminus with Chemung County IRU ending 12/11/2043	170 Fairview Rd to Intersection of Butler & Fariview Rd.	4	0.10	0.40

† Amounts listed are reasonable approximations based on initial off-site review. Amounts due from Customer may vary based on actual site conditions.

* Except where the demarcation point is designated above, the demarcation point at each End Point for lateral segments and riser segments shall generally be one of the following types, as determined by STN: (1) a meet at the STN backbone (for a Customer-built lateral segment); (2) a fiber meet in the building's zero or meet-me manhole; (3) a building minimum point of entry (where a Splice or patch panel is required); (4) a common demarcation point (e.g., a building common room or meet-me room); (5) the Customer distribution POP; or (6) an extended demarcation point in the STN POP. Other than as a result in changes to STN's Underlying Rights, such demarcation points once established shall not change during the Term.

Customer optical splitters are prohibited in any splice enclosure on STN-owned strand.

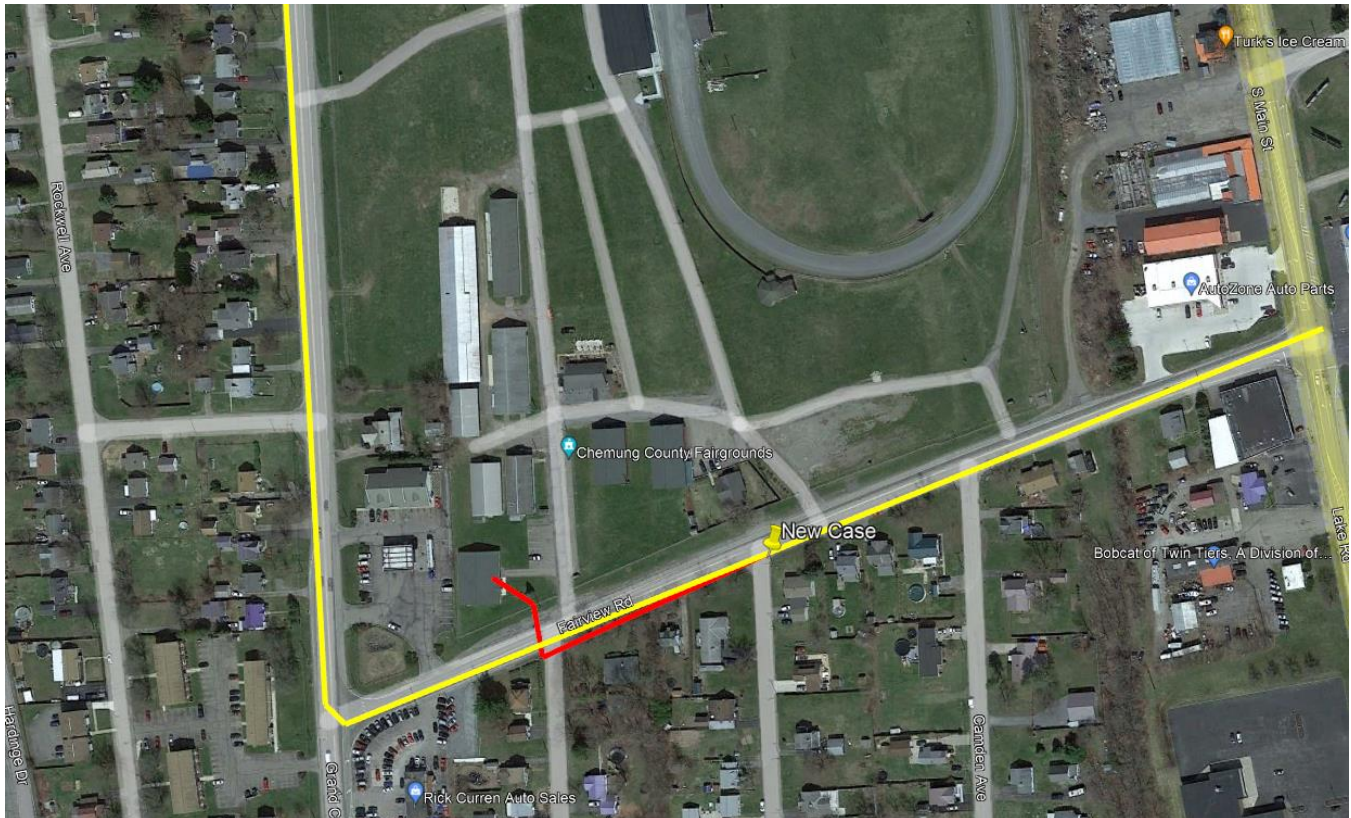
If Customer terminates this SOW prior to the completion of installation of Service, Customer shall pay a Cancellation Fee equal to the greater of: (i) all Nonrecurring Charges reasonably expended by STN to establish Service to Customer including commissions and legal expenses; or (ii) any amounts paid by Customer for Service in advance of the Service Delivery Date. If Customer terminates this Agreement prior to the expiration of the then applicable Term for any reason other than STN's default, or if STN terminates Service for Customer's default, Customer shall pay an Early Termination Fee equal to 50% of the monthly recurring charges multiplied by the number of months remaining in the Term plus all out of pocket expenses incurred by STN including legal fees and commissions. In addition, if Customer terminates this Agreement prior to the expiration of the Initial Term, Customer shall pay the aforementioned Early Termination Fee and shall reimburse STN for any credits or deferred billing STN may have granted to Customer hereunder.



Southern Tier Network

Master Agreement – Terms & Conditions

STATEMENT OF WORK



IN WITNESS WHEREOF, the parties have executed this SOW as of the date last written below.

SOUTHERN TIER NETWORK, INC.

CUSTOMER: _____

By: Jeff Gasper

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

New York State Customers: For consumer complaints that cannot be resolved with STN, you may contact the New York Department of Public Service (DPS). DPS complaints may be directed as follows: www.dps.ny.gov/complaints; or DPS Helpline at 1-800-342-3377 (M-F 8:30a – 4:00p); or, Mail to Office of Consumer Services, NYS Department of Public Service, [3 Empire State Plaza, Albany, NY 12223](https://www.dps.ny.gov/locations/empire-state-plaza).



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution authorizing Purchase Agreement with MA Polce Consulting, Inc. on behalf of the Chemung County Department of Information Technology

Resolution #:

Slip Type: CONTRACT

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

I am requesting authorization to utilize the GSA contract Piggyback in order to procure a managed risk and compliance platform. This will replace the existing Arctic Wolf platform that we currently subscribe to and provide additional services such as vCISO, bi-annual penetration testing, and annual security assessments. With this platform we not only exceed what Arctic Wolf provided but it is done at a savings of \$14,671.96 per year compared to the AW product.

This is included in the 2024 IT Operating Budget.

Vendor/Provider

Term

Total Amount

Prior Amount

Local Share

State Share

Federal Share

Project No
Budgeted?

Funds are in
Account #

CREATION:

Date/Time:	Department:
1/29/2024 1:38:34 PM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
2/20/2024 1:29 PM	Approved	County Executive	
3/20/2024 10:49 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:

STAMP_ITEMNUMB



Managed Risk and Compliance

Chemung County

Account Manager

Jaime Evanoff
(315) 624-9877
jevanoff@mapolce.com

Inside Account Manager

Dan Sindone
(315) 838-1636
dsindone@mapolce.com



M.A. Polce
IT & CYBERSECURITY

STAMP_ITEMNUMB

Statement of Work

This services statement is governed under the terms of the Master Services Agreement located at <https://mapolce.com/msa> (the “MSA”). By accepting this corresponding quote, you accept the terms of the MSA. This services statement contains provisions that define, clarify, and govern the managed security services provided or facilitated (as applicable) by M.A. Polce Consulting, Inc. (“M.A. Polce”, “we,” “us,” or “our”), as listed in the quote provided to you (the “Quote”). If you have any questions about the scope of services listed in this services statement or the Quote, or if you do not agree with the terms of the Quote or this services statement, then you should not sign the Quote and, instead, you should contact us for more information.

This services statement is our “owner’s manual” that generally describes all managed security services provided or facilitated by M.A. Polce (“M.A. Polce”); however, only those services specifically described in the Quote will be facilitated and/or provided to you (collectively, the “Services”). Activities or items that are not specifically described in the Quote will be out of scope and will not be included unless otherwise agreed to by us in writing.

This services statement contains important provisions pertaining to the auto-renewal of the Services your Quote, as well as fee increases that may occur from time to time. Please read this services statement carefully and keep a copy for your records.

Scope

The services described below (collectively, “Services”) will be provided to you under this services statement. Services that are not specifically described in this services statement will be out of scope and will not be provided to you unless otherwise agreed to by us in writing.

Executive Summary

M.A. Polce is pleased to offer the client a Managed Risk and Compliance proposal. Most, if not all, organizations are burdened by risk management and compliance. Some organizations don’t know where to begin. Others simply don’t have the staff to manage such initiatives. A large majority of organizations fall into both scenarios where a lack of direction and staffing challenges impede development of a comprehensive risk management and compliance program.

M.A. Polce can help solve these challenges that organizations are facing with our Managed Risk and Compliance service. With this service, our team will work closely with you to evaluate your risk posture and build a detailed and custom roadmap to guide you on your security mitigation efforts. Risk ratings, policies, and tasks are organized and displayed in a single dashboard for high visibility. Our streamlined process strengthens your defenses by



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continually assessing your environment, moving you toward compliance. The Managed Risk & Compliance service is an annual service billed monthly or annually, if desired.

The Managed Risk & Compliance service consists of the following core services delivered as part of this service:

1. One (1) monthly one (1) hour cadence call
2. One (1) hour per month of consultation
3. Develop and maintain security roadmap
4. Perform ongoing risk analysis
5. One (1) external vulnerability scan per month
6. Provide policy guidance on policies relevant to the organization
7. Two (2) 90 minute virtual tabletop exercises

The following add on security services have also been included in the scope of this work to help improve the overall security posture of the organization.

1. Two (2) Penetration Tests inclusive of up to 10,000 IPS addresses per test
2. Four (4) Vulnerability Scans inclusive of up to 10,000 IPS addresses per scan
3. Annual Security Assessment

Onboarding Services

Onboarding services are intended to prepare and transition the client environment for the ongoing monthly service which is described under the Ongoing Services section.

The onboarding services for this engagement are comprised of:

1. Hold initial kick off call with the client to determine service parameters
 - a. Define key points of contact for the client
 - b. Setup the monthly cadence calls
 - c. Setup the portal
 - d. Gather external IP Addressing information
 - e. Set tentative dates for the Tabletop exercises
 - f. Exchange contact information of team to the client
 - g. Complete the onboarding assessment questionnaire with the client and showcase additional assessments that will be required to align resources as required
2. Hold 90-minute client onboarding call with the client to complete the assigned assessments
 - a. Complete the assigned assessments with the client
 - b. Discuss the findings with the client and determine the plan, due date, and status for all identified items listed as severity level critical
3. Biannual Penetration Test

- a. Configure penetration testing appliance and ship to client for installation
 - b. Determine penetration testing dates and schedule accordingly
 - c. Determine subnets to be included in the penetration test
 - d. Determine any IP's to be excluded
 - e. Determine points of contacts where the reports should be delivered
4. Quarterly Vulnerability Scan
 - a. Configure vulnerability scanning appliance and ship to client for installation
 - b. Determine vulnerability scanning windows
 - c. Determine subnets to be included in the vulnerability scans
 - d. Determine any IP's or subnets to be excluded
 - e. Determine points of contacts where the reports should be delivered
5. Annual Security Assessment
 - a. Setup of testing appliance
 - b. Configure the security assessment tool with the desired testing subnets and credentials as required
 - c. Determine the approximate dates to begin the assessment
 - d. Determine key points of contacts that should be included in the biannual report deliverable

If deficiencies are discovered during the onboarding services, such as outdated equipment or unlicensed software, we will bring those issues to your attention and discuss the impact of the deficiencies on our provision of the Services and provide you with options to correct the deficiencies.

Depending on what is discovered in the Environment during the onboarding process, we may need to revise the scope of the services. (For example, we may discover additional equipment that needs to be covered, or hardware/software that needs to be replaced, etc.) If the scope of this services statement needs to be revised, you and we may agree to the revision by email or other written communication that specifically references this services statement. If you do not agree to such revisions, then we will proceed with the services as expressly described in the quote or, in our discretion, terminate this services statement with no further obligation from you or us, except for your payment of any services that had been provided to you up to the date of termination.

Ongoing Services

The following services will begin immediately after the onboarding services are completed and will continue during the term of this services statement.

1. Provide services to the client
 - a. Conduct one (1) monthly one (1) hour cadence call with the client to review the current security roadmap, assign tasks, interpret task assignments, discuss scans, review monthly report, and provide consultation.

- b. Provide one (1) consulting hour per month
 - c. Modification of the assessments within the portal as instructed by the client
 - d. Perform updating of the due dates, plans, severity level and statuses for the tasks
2. Perform one (1) monthly external vulnerability scan against the clients public IP addressing space
3. Generate reports
 - a. Generate one (1) report quarterly and email to the client
 - b. Generate one (1) external vulnerability scan report each month and email to the client prior to the cadence call
4. 90 Minute tabletop exercises
 - a. Conduct two (2) tabletop exercises remotely throughout the course of the engagement
 - b. Provide feedback for improvements
5. Provide policy guidance for default policies that have been completed and are relevant to the client's business during the last month of the engagement
6. Perform two (2) penetration tests on up to 10,000 IPS addresses per test
 - a. Perform test on both internal and external resources
 - b. Generate report complete with details on what systems can be compromised and the attack methodologies used to attack the systems
 - c. Include recommendations for remediation in the report
 - d. Provide and review the report with the client
 - e. Perform maintenance as required to ensure the appliance remains operational
7. Perform quarterly vulnerability assessments of up to 10,000 IPS addresses per assessment
 - a. Perform test on both internal and external resources
 - b. Generate report complete list of vulnerabilities and recommendations for remediation
 - c. Provide and review the report with the client
 - d. Perform maintenance as required to ensure the appliance remains operational
8. Provide annual security assessment for up to 999 end users
 - a. Perform scan against applicable systems within the clients active directory, Microsoft cloud, SharePoint On Premises, SNMP, and a sampling of endpoints including windows and Linux
 - b. Generate report complete with identified shortcomings and recommendations for remediation
 - c. Deliver and review the report with the client

Change Management Process

During the project, either party may request in writing additions, deletions, or modifications to the services described in this services statement. M.A. Polce Consulting shall have no obligation to commence work in connection with any change until the estimated fee and

schedule impact of the change is agreed upon in a written change request signed by the authorized signatories from both parties.

Within three (3) business days of receipt of the proposed change request, the client shall either indicate acceptance of the proposed change by signing the change request or advise us not to perform the change. If the client advises M.A. Polce Consulting not to perform the change, then we shall proceed only with the original services. In the absence of client acceptance or rejection within the timeframe noted, we will not perform the proposed change.

Client Responsibilities

The following is a list the activities and responsibilities which will be performed by the client at no charge to M.A. Polce Consulting.

1. The client must provide accurate and timely answers during the assessment phases
2. As the environment changes, the client must notify M.A. Polce of these changes so that the data within the roadmap portal can also be adjusted. Changes include but are not limited too.
 - a. New technologies, services, or environments added
 - b. Old technologies, services, or environments decommissioned
 - c. Assignments completed, deferred, or in progress
 - d. Change of criticality of associated policy and or assignment
3. Provide public IP addresses to be included in the external IP addressing vulnerability scans
4. Coordination of attendance of the key stakeholders for the tabletop exercises
 - a. M.A. Polce will be providing the tabletop remotely however recommends that clients sit in person during the session.
5. Further development of the policies
 - a. M.A. Polce is providing default policies that are relevant to the client's environment. It is the clients' responsibilities to take these policies and further develop them and make them their own
 - b. It is the client's responsibility to bring in other policies that may be relevant but not provided.
 - c. The policies provided will be provided near the end of the engagement because this will provide the client the most complete policies as they work throughout the engagement to further improve the security posture. The policies will be provided in PDF format and are the responsibility of the client to further refine and disseminate throughout the organization. No further customization of policies will be performed under the scope of this engagement
6. Remaining compliant is the client's responsibility. This service is being provided to assist the client on improving their cybersecurity journey which will help address piece

of cyber security regulations. But subscribing to this service will not automatically make the client compliant with said regulations

7. No audits are being provided. If audits are required, it is the client's responsibility to source them
8. The client is responsible for all work that falls outside the scope of work defined above. This includes work to accomplish tasks and assignments as directed by the
9. Define the primary point of contact(s)
 - a. Client to appoint a single point of contact of the service that will coordinate client resources and be accountable of the client responsibilities under this services statement
10. Penetration tests and Vulnerability Scans
 - a. The client must provide shipping details where the scanning and testing appliance shall be installed
 - b. The client must physically install the testing appliance, power the appliance on, and connect it to their data network
 - c. The client must provide M.A. Polce remote access by way of client VPN to the appliance as needed for troubleshooting and maintenance.
 - d. The client is responsible for configuration of the client VPN and providing login instructions to M.A. Polce Consulting
 - e. The client is responsible for shipping the appliance back to M.A. Polce if the agreement is terminated.
 - f. The client must confirm the desired date and time windows for the testing and scanning to be performed
 - g. The client must provide M.A. Polce remote access to the virtual appliance either through VPN or screenshare as required to successfully provide the services outlined in this scope of work
11. Security Assessment
 - a. Provide required credentials and access required to complete the assessment
 - b. If a scanning appliance is being provided by M.A. Polce, the client is responsible for plugging the appliance in, powering it on, and ensuring its communicating out properly.
 - c. If a scanning appliance is being provided by M.A. Polce, the client is responsible for shipping the appliance back to M.A. Polce upon direction of M.A. Polce to do so
 - d. If the scanning appliance is being provided by the client, the client must provide an environment that is meeting the minimum specifications below
 - i. Windows Operating System (Server 2022, Server 2019, Server 2016, Windows 11 Professional or Enterprise build 20H2 or higher, Windows 10 Professional or Enterprise build 20H2 or higher)
 - ii. Windows updates current
 - iii. 4 CPU cores from one CPU socket
 - iv. 1.4GHz (2.0GHz recommended)
 - v. 8GB RAM
 - vi. 50GB or more of Hard Disk Space (SSD Recommended)



vii. .NET Framework version 4.8 or higher

Client Delays

If a client responsibility (including any deliverables that are the responsibility of the client) is delayed more than (10) business days from the established due date, the client will be notified via email that the service will be placed in suspension and resources will be assigned to other services. Upon service suspension, the client can reinstate the service by contacting M.A. Polce Consulting's Project Manager, provided the client has completed the delayed responsibility (including any deliverables that are the responsibility of the client). A project reinstatement fee of \$500. USD will be invoiced to the client and must be paid in full in order to re-activate the service. Upon payment of the reinstatement fee in full, the project will be re-activated and rescheduled based on M.A. Polce Consulting's then current workload and resource availability. Any additional labor required to ramp back up on the service will be billed in addition to the original service cost.

Key Deliverables

The following is a list of the key project deliverables that will be produced within the scope of this engagement, and which must be formally reviewed and accepted under the process described in this services statement.

Deliverable Name	Deliverable Description	Acceptance Criteria
Default Policies	Default policies that are relevant to the client's business will be generated and provided to the client during the last month of the engagement	Review of the default policies
Quarterly Roadmap	Quarterly report that shows the current roadmap and the progress made	Review of the quarterly report at the cadence call
Monthly External Vulnerability Scan	Monthly external vulnerability scan report	Review of the monthly external vulnerability scan report during the monthly cadence call.
Biannual Penetration Test Report	Biannual Penetration Testing report complete with findings and recommendations for remediation	Review of the biannual Penetration testing report

Quarterly Vulnerability Scan Report	Quarterly vulnerability scan report complete with findings and recommendations for remediation	Review of the quarterly vulnerability scan report
Security Assessment Report	Annual Security Assessment Report complete with findings and recommendations for remediation	Review of the Security Assessment Report

Deliverable Acceptance Process

At specified milestones throughout the service, M.A. Polce Consulting will submit completed deliverables for the clients review and approval. Service deliverables will fall into the following categories:

- Document deliverables (e.g. Word, Excel, Visio, Project, etc.)
- Functioning components or solution deliverables (Hardware deployed and operational)

The clients use or partial use of a deliverable will constitute acceptance of that deliverable. the client may provide its acceptance or rejection of deliverables electronically through email. The following details the acceptance process for each of the deliverable types.

Document Deliverables: Within five business days from the date of submittal, Customer must either:

- Accept the Document Deliverable by signing, dating and returning the Deliverable Acceptance Form
- OR
- Provide a written notice rejecting the Document Deliverable, including a single and complete list describing every reason for rejection.

The following assumptions also apply:

- Document deliverables shall be deemed accepted unless Customer provides a timely, written rejection notice as described above.
- M.A. Polce Consulting will correct problems with a Document Deliverable that are identified in the written rejection notice, as described above, and within the scope of this services statement, after which the Document Deliverable will be deemed accepted.

Issues that are outside the scope of this services statement and feedback provided after Deliverable has been deemed accepted will be addressed as a potential change of scope pursuant to the Change Management process outlined in this services statement.

Assumptions / Minimum Requirements

The scheduling, fees and provision of the Services are based upon the following assumptions and minimum requirements:

1. M.A. Polce is under the assumption that all conditions will be met under the client Responsibilities section.
2. All services will be provided to the client remotely
3. Signing of this contract by the Client constitutes the Client's verification of authorization to test the network for vulnerabilities and perform penetration testing services when applicable.
4. Any costs required to bring the Environment up to these minimum standards are not included in this services statement.

Exclusions

Services that are not expressly described in this services statement will be out of scope and will not be provided to Client unless otherwise agreed, in writing, by M.A. Polce. Without limiting the foregoing, the following services are expressly excluded under this services statement, and if required to be performed, must be agreed upon by M.A. Polce in writing:

1. Vulnerability assessment(s) and penetration tests are not designed to fulfill any specific compliance requirements that may pertain to the environment. These can be provided outside the scope of this services statement.
2. No incident response services are not provided within this service. Incident response services can be purchased separately if desired.

Risks

No material risks have been identified.

Dependencies

No material dependencies have been identified.

Fees

Fees will be calculated and invoiced to you in accordance with the amounts indicated in Quote. All fees are billed on a monthly, net 30 day basis unless otherwise indicated in the Quote.

1. Changes to Environment. Initially, you will be charged the monthly fees indicated in the Quote. Thereafter, if the Managed Environment changes, then you agree that we may automatically and immediately modify the fees to accommodate those changes. Under no circumstances will the monthly fees drop below the amounts initially indicated in the Quote without our consent.
2. Fee Increases. We reserve the right to increase our fees from time to time; provided, however, we will not do so more than once per calendar year. If an increase is more than

five percent (5%) of the fees charged for the Services in the prior calendar year, then you will be provided with a sixty (60) day opportunity to terminate the affected Services by providing us with written notice of termination, and you will be responsible for the payment of all fees that accrue up to the termination date and all pre-approved, non-mitigatable expenses that we incurred in our provision of the Services through the date of termination. Your continued acceptance or use of the Services after this sixty (60) day period will indicate your acceptance of the increased fees.

In addition to the foregoing, we reserve the right to pass through to you any increases in the costs and/or fees charged by third party providers for the third party services ("Pass Through Increases"). Since we do not control third party providers, we cannot predict whether such price increases will occur, however, should they occur, we will endeavor to provide you with as much advance notice as reasonably possible. Pass Through Increases are not considered to be "Fee Increases" as described above and are not subject to the five percent trigger described in the preceding paragraph.

3. **Microsoft Licensing Fees.** The Services may require us to purchase certain "per seat" licenses from Microsoft (which Microsoft refers to as New Commerce Experience or "NCE Licenses") for certain applications (each, an "NCE Application"). To leverage the discounts offered by Microsoft for these applications and to pass those discounts through to you, we may purchase NCE Licenses for one (1) year terms for the NCE Applications. As per Microsoft's requirements, NCE Licenses cannot be canceled once they are purchased and cannot be transferred to any other customer. For that reason, you understand and agree that regardless of the reason for termination of the Services, you are required to pay for all applicable NCE Licenses in full for the entire term of those licenses. Provided that you have paid for the NCE Licenses in full, you will be permitted to use those licenses until they expire, even if you move to a different managed service provider.
4. **Travel Time.** If onsite services are provided, we will travel up to 45 minutes from our office to your location at no charge. Time spent traveling beyond 45 minutes (e.g., locations that are beyond 45 minutes from our office, occasions on which traffic conditions extend our drive time beyond 45 minutes one-way, etc.) will be billed to you at our then current hourly rates. In addition, you will be billed for all tolls, parking fees, and related expenses that we incur if we provide onsite services to you.

Term

The Services will be provided for the term indicated in the Quote and will begin no later than ten (10) days from the date of the latest date of the signed Quote (unless you and we agree to a different date).

Auto-Renewal. Unless sooner terminated pursuant to the MSA, upon the expiration of the initial term of the Services, the Services term will automatically renew on a year-to-year basis unless one party notifies the other party of its specific intention to not renew the Services no less than seventy-five (75) days prior to the end of the then-current term.

Additional Terms

1. **Remediation; Exclusions.** The security solutions and protocols described in this services statement are provided by one or more third party vendors. Remediation activities (i.e., activities required to remediate, reverse, and/or resolve the results of Security Incidents (defined below)) are not included in the scope of the Services and, if initially attempted or provided by M.A. Polce, are limited to those features and functions available through the applicable Third Party Service Provider's solution only. Given the varied number of possible Security Incidents, we cannot and do not warrant or guarantee (i) the amount of time required to remediate the effects of a Security Incident or that recovery will be possible under all circumstances, or (ii) that all data impacted by the Security Incident will be accessible or recoverable. For the purposes of this paragraph, a Security Incident means any unauthorized or impermissible access to or use of the Managed Environment, or any unauthorized or impermissible disclosure of Client's data or confidential information (such as user names, passwords, etc.), that (i) compromises the security or privacy of the information or applications in, or the structure or integrity of, the Managed Environment, or (ii) prevents normal access to the Managed Environment, or impedes or disrupts the normal functions of the Managed Environment. The scope of Services does not include any services that may be necessary to recover lost or damaged data, or data that has been made inaccessible or irretrievable due to user error or due to any Security Incident. Such activities, if agreed upon by M.A. Polce, will be provided at our then-current hourly rates.
2. **Anti-Virus; Anti-Malware.** The security solutions provided pursuant to the Quote will generally protect the Managed Environment from becoming infected with new viruses and malware ("Viruses"); however, Viruses that exist in the Managed Environment at the time that the security solution is implemented may not be capable of being removed without additional services, for which a charge may be incurred. We do not warrant or guarantee that all Viruses and related malware will be capable of being detected, avoided, or removed, or that any data erased, corrupted, or encrypted by malware will be recoverable.
3. **No Third Party Scanning.** Unless we authorize such activity in writing, you will not conduct any test, nor request or allow any third party (other than those parties designated by M.A. Polce) to conduct any test, diagnostic or otherwise, of the security system, protocols, processes, or solutions that are implemented in the Managed Environment ("Testing Activity"). Any services required to diagnose or remediate errors, issues, or problems arising from unauthorized Testing Activity is not covered under this services statement, and if you request us (and we elect) to perform those services, those services will be billed to you at our then-current hourly rates.
4. **Grant of License.** The Services may require us to obtain and use third party software, the use of which is subject to end user license agreements ("EULAs"). All persons using any device in the Managed Environment must comply with all applicable EULAs. As long as the third party software is used in accordance with that software's normal functions and features and as otherwise directed by us, then compliance with any applicable EULA will be fulfilled. If, however, we discover that any third party software is being used in any manner that violates a EULA, then we may suspend your access to our services and, if applicable, to the third party software until you resume compliance.

5. **Data Use Restrictions.** Any data that is generated from the Services shall not be used by you as a factor in or for the purpose of establishing an individual's eligibility for, or evaluating any individual with respect to, (i) credit or insurance to be used primarily for personal, family, or household purposes, (ii) employment, promotion, reassignment or retention as an employee, or (iii) any other purpose under Section 604 of the Fair Credit Reporting Act.
6. **Guidance.** Any training materials or training sessions made available to you are for your general informational and educational purposes only. Such information is provided on an "as is" basis, and M.A. Polce does not warrant or represent that the training information will cover all potential security issues, risks, or threats.
7. **Removal of Software Agents.** Unless we expressly direct you to do so, you must not remove or disable, or attempt to remove or disable, any software agents that we install in the Managed Environment. Doing so may make it difficult or impracticable to remove the software agents, which could result in network vulnerabilities and/or service fees and the continuation of license fees for the software agents for which you will be responsible.
8. **Credentials.** To access or receive our services, you may be asked to provide us with a unique username and password for each user authorized to use or benefit from the Services ("Credentials"). The integrity and security of the Credentials is your responsibility, and you must notify us immediately if any authorized user's Credentials have been disclosed or accessed by unauthorized persons. We will not ask you for your Credentials, and you should never disclose your Credentials to any third party.
9. **Penetration Testing; Vulnerability Assessment:** You understand and agrees that security devices, alarms, or other security measures, both physical and virtual, may be tripped or activated during the penetration testing process, despite our efforts to avoid such occurrences. You will be solely responsible for notifying any monitoring company and all law enforcement authorities of the potential for "false alarms" due to the provision of the penetration testing services, and you agree to take all steps necessary to ensure that false alarms are not reported or treated as "real alarms" or credible threats against any person, place or property. Some alarms and advanced security measures, when activated, may cause the partial or complete shutdown of the Environment, causing substantial downtime and/or delay to your business activities. We will not be responsible for and will be held harmless and indemnified by you against, any claims, costs, fees or expenses arising or resulting from (i) any response to the penetration testing services by any monitoring company or law enforcement authorities, or (ii) the partial or complete shutdown of the Environment by any alarm or security monitoring device.
10. **HaaS:** You will use all M.A. Polce-hosted or M.A. Polce-supplied equipment and hardware (collectively, "Infrastructure") for your internal business purposes only. You shall not sublease, sublicense, rent or otherwise make the Infrastructure available to any third party without our prior written consent. You agree to refrain from using the Infrastructure in a manner that unreasonably or materially interferes with our other hosted equipment or hardware, or in a manner that disrupts or which is likely to disrupt the services that we provide to our other clientele. We reserve the right to throttle or suspend your access and/or use of the Infrastructure if we believe, in our sole but reasonable judgment, that your use of the Infrastructure is violates the terms of this services statement or the Agreement.

11. Copyrighted Material. All training videos and other training materials supplied or made accessible to you under this services statement are owned by the authors of those materials and are protected by copyright. You shall not copy, edit, modify, resell, sublicense, or otherwise use those materials in any manner that violates the applicable author's copyrights or other intellectual property rights.
12. Return of Hardware as a Service. Within ten (10) days after the effective date of termination or expiration of this services statement, Client will remove, package and ship, at Client's expense and in a commercially reasonable manner, all hardware, equipment, and accessories provided to Client by M.A. Polce that were used in the provision of the Services. If you fail to timely return all equipment to us, or if the equipment is returned to us damaged (normal wear and tear excepted), then we will have the right to charge you, and you hereby agree to pay, the replacement value of all such unreturned or damaged equipment provided as HaaS.

Quoted To:

Chemung County
Aaron Dowd
PO Box 588
210 Lake Street, 2nd Floor
Elmira, NY 14902-0588
United States

Prepared By:

Jaime Evanoff
Business Development Manager
jevanoff@mapolce.com
(315) 624-9877

Description	Unit Price	Qty	Ext. Price
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Managed Risk & Compliance

Contract Dates: 2/1/2024 to 1/31/2025

Managed Risk & Compliance	\$1,104.74	12	\$13,256.88
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Biannual Penetration Testing & Quarterly Vulnerability Scanning

Penetration Testing Up & Vulnerability Scanning	\$2,274.99	12	\$27,299.88
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Annual Security Assessment

Security Assessment	\$530.94	12	\$6,371.28
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GSA Services Contract # 47QTCA18D00BJ

Subtotal	\$46,928.04
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Tax	\$0.00
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Shipping	\$0.00
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Grand Total	\$46,928.04
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Disclaimer: The data in this proposal is M. A. Polce Consulting, Inc. confidential and shall not be disclosed outside the receiving party and shall not be duplicated, used, or disclosed in whole or in part for any purpose other than to evaluate the proposal. If a contract is awarded to M. A. Polce Consulting, Inc. as a result of or in connection with the submission of this data, the receiving party shall have the right to duplicate, use, or disclose the data to the extent provided in the contract.

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Billing Terms and Procedures

100% of Hardware/Software components and 50% of fixed or estimated labor costs will be invoiced upon acceptance of this proposal and is due upon receipt of the invoice. Payments must be received prior to the purchase of any hardware and the start of any services.

Quote Validity

Typographical and stenographic errors are subject to correction.

Component availability will be noted in the event that a particular component is unavailable. Estimated delivery dates will be provided on a best effort basis. MA Polce will communicate changes in availability as we are made aware of them throughout the procurement process.

Expiration

The offer for this proposed custom technology installation as described in this document is good for the month that it is created in, after which an entirely new agreement must be negotiated.

STAMP_ITEMNUMB

A Disaster Recovery plan will assure that a loss is minor and only a temporary problem, restoring your business operations quickly. Connect with M.A. Polce for more information today!

STAMP_ITEMNUMB



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Resolution authorizing Purchase Agreement with SHI, Inc. on behalf of the Chemung County Department of Information Technology

Resolution #:

Slip Type: CONTRACT

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

I am requesting to utilize Sourcewell cooperative agreement for the annual renewal of our Splunk SIEM. Splunk is a critical part of the county's cyber security posture allowing for the review/notification/response of abnormal network activity.

This is included in the approved 2024 IT Operating budget.

Vendor/Provider SHI Inc.

Term	1 year	Total Amount	\$37,713.60	Prior Amount	\$34,920
Local Share	\$37,713.60	State Share	0	Federal Share	0
Project Budgeted?	Yes	Funds are in Account #	10-1680-1680-50508.01		

CREATION:

Date/Time:	Department:
1/29/2024 11:19:58 AM	County Executive

APPROVALS:

Date/Time:	Approval:	Department:	
2/20/2024 1:30 PM	Approved	County Executive	
3/20/2024 10:52 AM	Approved	Legislature Chairman	

ATTACHMENTS:

Name:	Description:	Type:

STAMP_ITEMNUMB

<div>  SHI_Quote-24256252.pdf </div>	SHI Quote	Cover Memo
<div>  PGB-2128_SHI_and_CDWG.pdf </div>	PGB	Cover Memo



Pricing Proposal
Quotation #: 24256252
Reference #: 12/7/2023
Created On: 12/7/2023
Valid Until: 3/8/2024

NY-County of Chemung

Aaron Dowd

P.O. BOX 588
ATTN: ACCOUNTS PAYABLE
ELMIRA, NY 14902
United States
Phone: 607-873-1144
Fax:
Email: Adowd@chemungcountyny.gov

Inside Account Executive

Robert O'Grady

290 Davidson Ave.
Somerset, NJ 08873
Phone: 732-667-2786
Fax:
Email: robert_ogrady@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 Splunk Cloud Subscription with Standard Success Plan - 35 GB/day Splunk - Part#: SE-S-CLD-ST Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI Coverage Term: 3/14/2024 – 3/13/2025 Note: Participant ID# 95833	1	\$34,020.00	\$34,020.00
2 Splunk Cloud Subscription - Dynamic Data Archive - 500GB Increments - 1yr Splunk - Part#: SE-S-ARC Contract Name: Sourcewell- Technology Catalog Solutions Contract #: 081419-SHI Coverage Term: 3/14/2024 – 3/13/2025 Note: Participant ID# 95833	19	\$194.40	\$3,693.60
Total			\$37,713.60

Additional Comments

Please Note: Splunk has a no returns policy

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084.

SHI International Corp. is 100% Minority Owned, Woman Owned Business.
TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.

STAMP_ITEMNU



**CHEMUNG COUNTY
CITY OF ELMIRA
PURCHASING DEPARTMENT**

Justification for Utilizing a Cooperative Contract

Date 11/25/19

Requesting Department IT

Requesting Employee Aaron Dowd Position Director

Cooperative or Lead Agency State of Minnesota

Contract No. RFP-081419 Technology Catalog Solutions

Vendor(s) Name(s) PGB-2128 (SHI, CDW-G & GovConnect)

We have reviewed and completed due diligence on the aforementioned cooperative contract. As part of the due diligence review, we have confirmed that the contract complies substantially with our procurement rules and practices. We have further confirmed that all purchases will comply with the terms and prices in the contract. It has been determined that it is in the best interests of our entity to utilize this contract for the reasons cited below:

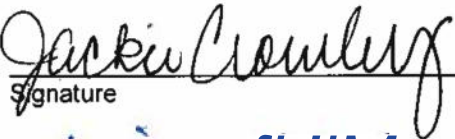
Issue	Procurement Consideration
New York State Considerations:	
1. Was the contract let by the United States or any agency thereof, any state or any other political subdivision or district therein?	Yes, State of Minnesota. RFP page 2, section A
2. Was the contract made available for use by other governmental entities?	Yes, RFP page 2, Section A & B
3. Was the contract let in a manner that constitutes competitive bidding "consistent with state law?"	Yes, see responses to question 4-8
4. Was there a public solicitation of bids consistent with GML 103.5 and serves to ensure that the purposes of GML 103 are furthered?	Yes, bids were advertised in hard copy, online and in other third party (state-level re-posting)
5. Was the submission of sealed bids, or analogous procedure, done in a manner to secure and preserve the integrity of the process and confidentiality of the bids submitted?	Yes, sealed proposal were received and publicly opened. RFP Page 9 section G.
6. Was the preparation of bid specifications, or a similar document that provides a common standard for bidders to compete fairly?	Yes, specifications are general see RFP page 3, section A and page 4 section C.2 states that deviations from industry standards are acceptable and must be identified with an explanation equivalent function.
7. Was the award to the lowest bidder who materially or substantially meets the bid specifications and is determined to be a responsible bidder?	Most responsive responsible proposer. RFP page 9 section A

STAMP_ITEMNUMB

Justification for Utilizing a Cooperative Contract

General Considerations:	
8. Do the terms, conditions and scope of work/specifications meet the need?	Yes, IT reviewed to confirm.
9. If no, are the terms, conditions and scope of work/specifications negotiable? It should be noted here if terms or prices were negotiated.	
10. Does the cooperative contract provide the most advantageous solution? Why? Factors may include advantageous terms, conditions, prices, quality, performance, timing, entity's experience and ability to duplicate the contract, age of the contract, etc.	Yes, advantageous terms, conditions and pricing
11. Will any and all purchases comply with the terms and prices in the contract?	Yes, all purchases will comply with T&C
12. Will volume pricing advantages be applied to purchases?	Yes, volume pricing will be provided.
13. Was past experience with the cooperative or lead agency acceptable?	Yes, the County has used NJPA in the past which is now Sourcewell
14. Is the item urgently needed?	Yes, items needed for Transit Temperature Control Project and can be used for other County IT projects
15. Can a local vendor provide this service? If so, why were they not considered?	No local vendor
16. What is the age of the contract? How many years is it into its contract term?	10/30/2019 - 10/30/2024
ADDITIONAL COMMENTS:	

Usage reviewed and approved by:


Signature


Signature

Jackie Crowley

Buyer Name

Tricia Wise

Director of Purchasing Name

STAMP_ITEMNUMB



CHEMUNG COUNTY ROUTE SLIP * PERSONNEL REQUISITION

Presentation - Michelle Podolec, Executive Director, Cornell Cooperative Extension of Chemung County
- Agriculture and Natural Resource Programs

Resolution #:

Slip Type: OTHER

SEQRA status

State Mandated False

Explain action needed or Position requested (justification):

CREATION:

Date/Time:	Department:
1/9/2024 12:48:13 PM	

APPROVALS:

Date/Time:	Approval:	Department:	
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ATTACHMENTS:

Name:	Description:	Type:
No Attachments Available		

STAMP_ITEMNUMB