

NOTICE OF FUNDING OPPORTUNITY FOR [INSERT FISCAL YEAR AND NAME OF PROGRAM]

AGENCY: U.S. Department of Transportation (DOT), Federal Highway Administration (FHWA).

ACTION: Notice of Funding Opportunity for Exploratory Advanced Research (EAR) Program

FUNDING OPPORTUNITY NUMBER: 693JJ324NF00008

ASSISTANCE LISTING NUMBER: 20.200, Highway Research and Development

TOTAL AMOUNT AVAILABLE: This NOFO will result in the distribution of up to \$2 million. The actual amount available to be awarded under this notice will be subject to the availability of funds. This NOFO will result in the award of cooperative agreements.

DEADLINE FOR APPLICATIONS: June 5, 2024, 11:59 PM, Eastern Time

The FHWA plans to conduct outreach regarding this program in the form of a virtual meeting on Wednesday, May 8, 2024, at 1:00 pm, Eastern Time. To join the Webinar, follow the instructions posted on <https://highways.dot.gov/research/research-programs/exploratory-advanced-research/exploratory-advanced-research-overview>.

SUBMIT APPLICATIONS TO: The FHWA uses www.grants.gov for receipt of all applications. Applicants must register and use the system to submit applications electronically. Applicants are encouraged to register in advance of the submission deadline and to register to receive notifications of updates/amendments to this Notice. Approval of user registrations for the site may take multiple weeks. It is the Applicant's responsibility to monitor for any updates to this Notice.

FHWA POINT OF CONTACT:

Hector Santamaria
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U.S. Department of Transportation
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Each section of this notice contains information and instructions relevant to the application process. The applicant should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications.

The FHWA will not review applications in advance, but FHWA staff are available for technical questions and assistance. In addition, FHWA will post answers to questions and requests for clarifications at [Grants.gov](https://www.grants.gov) under this NOFO's page.

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SECTION A - PROGRAM DESCRIPTION

1. STATEMENT OF PURPOSE

The purpose of this NOFO is to solicit applications for Exploratory Advanced Research (EAR) program awards and will result in the distribution of up to \$2 million in Highway Research and Development Program funds. The actual amount available to be awarded under this notice will be subject to the availability of funds.

2. LEGISLATIVE AUTHORITY

The Highway Research and Development program is authorized in 23 U.S.C. § 503(b). The authority to enter into cooperative agreements is 23 U.S.C. § 502(b)(3)(C), which states: “The Secretary may carry out research, development, and technology transfer activities related to transportation...by making grants to or entering into contracts and cooperative agreements...”

3. BACKGROUND

The EAR program addresses the need for longer-term, higher risk breakthrough research with the potential for transformational improvements to plan, build, renew, and operate safe, congestion free, and environmentally sound transportation systems.

In FY 2023, the EAR program conducted scanning activities on accessible pedestrian data. The scanning activity found a limited amount of well documented, ground truth data that represent the diversity of pedestrian activity. Pedestrian data are important for ensuring the safety and mobility of all people. With an increase in pedestrian deaths and serious injuries on the nation’s roadways along with an increase in the range and complexity of vehicles and devices used on public roadways (e.g., electric scooters, highly automated vehicles, etc.), having access to well documented pedestrian data is increasingly important.

Pedestrian data may include data from camera and video image sensors, radar, light detection and ranging (LiDAR) technology, and mobile devices or a combination of sensors located at the roadside, mounted on vehicles, or carried by pedestrians themselves.

Data that represent the diversity of pedestrian activity include:

- Data capturing diverse pedestrians include people of different ages, genders, races, ethnicities, and abilities, which includes people that use assistive devices (such as wheelchairs, white canes, etc.) because of conditions that impact mobility, sensing, or cognition.
- Data collected in diverse locations including different types of controlled and uncontrolled intersections, mid-block crossings, urban and non-urban areas, areas with sidewalks and without sidewalks or other pedestrian-oriented features, and other physical factors in the roadway design or surrounding land use that could affect pedestrian behavior.

- Data from diverse environments including different times of day or night, different weather conditions, and different climates.
- Data derived from diverse sensor locations and types such as different types of video cameras, camera mounting locations, and data file formats.

Issues that limit the amount and diversity of pedestrian data available to researchers include: the ability to place sensors to collect data in diverse locations, privacy concerns and the ability to obtain consent from pedestrians when data may allow for disclosure of identity, and cost and level of effort in processing data, for example, from manual data labeling.

4. PROGRAM GOALS

The overall goal of this notice is to collect diverse pedestrian data, provide researchers access to diverse pedestrian data, and encourage novel approaches for analysis of diverse data in support of increasing the safety and mobility of all people. There are two tracks.

1. Track A is for projects proposing the collection and preparation of diverse pedestrian data, as described above. The collection should include close partnerships with relevant diverse stakeholders and communities throughout the process from research design and collection through data curation and access management.

The collection should consider a balance between providing ease of use of the data by qualified researchers and privacy protection to individuals represented in the data.

The data preparation should consider the use of novel methods to reduce the manual burden and improve the quality of pedestrian detection and classification.

2. Track B is for projects proposing to conduct research designed to take advantage of diverse pedestrian data. The research, like Track A, would benefit from partnerships with relevant stakeholders and communities throughout the process. Proposals should provide clear research objectives, for example, use of pedestrian data for design of safety countermeasures; explain how diversity of pedestrian data is necessary for the research objectives; and include metrics to demonstrate if and to what extent results improve traffic safety, mobility, or convenience for all or specific groups of pedestrians.

5. ADMINISTRATION GOALS

The FHWA seeks to fund projects under this NOFO that, in combination with the merit selection criteria listed below, advance one or more of the following Administration goals, where applicable:

- A. The FHWA seeks to fund research that supports the safety of vulnerable road users. Current traffic control technologies and design practices are based on data representing only a limited group of pedestrians. Greater diversity of data can assure

new technologies and design practices work for pedestrians with different needs and behaviors, such as people who are blind or vision impaired and use assistive devices to help navigate.

- B. The FHWA also seeks to fund projects that address equity, particularly for communities (including rural communities) that may disproportionately experience consequences from vehicle traffic. Current pedestrian data primarily are obtained at signalized intersections. There are very limited data on pedestrians in other contexts, for example, in areas that lack sidewalks and where people may walk along shoulders of rural, two-lane roads. Accordingly, there is limited evidence to support how design decisions may impact the safety of pedestrians in rural areas.
- C. The Department seeks to fund projects that advance transformation. In addition to seeking collection of more diverse data, this notice also seeks to fund projects that utilize new methods that dramatically increase the ability to process the data into useful information that can be shared with researchers for example from substantially increasing the automation of data processing including data labeling, substantially decreasing the amount of training or tuning of algorithms in response to changes in data.

6. REQUIRED SUBMITTALS OR MILESTONES

For Track A, key milestones include:

1. Development of a data management plan, including details on data collection methods, data classification scheme, data processing approaches, and data access;
2. Institutional Review Board approval of human subject data collection;
3. Completion of data collection;
4. Completion of data processing and data documentation;
5. Opening data and data documentation for researcher use; and
6. Quarterly progress reports.

For Track B, key milestones include:

1. Development of a detailed research plan including data management plan;
2. Institutional Review Board approval of human subject data use;
3. Presentation of interim findings to FHWA;
4. Draft final report;
5. Public presentation(s) of research findings;
6. Publication of revised final report and associated data or software; and
7. Quarterly progress reports.

SECTION B – FEDERAL AWARD INFORMATION**1. FUNDING**

The total amount of funding available for awards under this NOFO is up to \$2 million of Highway Research and Development Program funds provided in section 11101(c)(1)(A) of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (P.L. 117-58).

The estimated amount of funding available per award under this NOFO is up to \$250,000.

*Please note that this NOFO is subject to availability of funding. The Government's obligation under any resulting award is contingent upon the availability of funding. No legal liability on the part of the Government for any payment may arise until funds are available and obligated to an award. The Government reserves the right to make no awards under this NOFO.

2. ANTICIPATED NUMBER OF AWARDS

The Government anticipates making 8-10 awards as a result of this NOFO.

3. TYPE OF AWARD

The planned award type is a cooperative agreement with cost-sharing of 20 percent or more.

4. PERIOD OF PERFORMANCE

The award period of performance is anticipated to be up to two years.

5. DEGREE OF FEDERAL INVOLVEMENT

The FHWA anticipates substantial Federal involvement between FHWA and the Recipient during this project. The anticipated Federal involvement may include:

1. Technical assistance and guidance to the Recipient;
2. Close monitoring of performance;
3. Involvement in technical decisions;
4. Participation in status meetings; and
5. Review and comment on draft and final documents as appropriate.

SECTION C – ELIGIBILITY INFORMATION

1. ELIGIBLE APPLICANTS

This notice is open to all sources.

2. COST SHARING OR MATCHING

Cost sharing or matching is required for cooperative agreements made under this announcement. In accordance with Section 11101(c)(3) of BIL, the Federal share of the cost of a project carried out with Highway Research and Development Program funds shall be no more than 80 percent of the total project costs. Therefore, at least 20 percent of the total project costs must come from non-Federal sources.

Cost sharing or matching means the portion of project costs not paid by Federal funds. See 2 CFR 200.306 on Cost Sharing or matching. Other Federal funds using their appropriate matching share may be leveraged for the project but cannot be considered matching funds in an application in response to this NOFO unless authorized by statute.

FHWA will not consider costs incurred prior to the effective date of the award or funds expended or otherwise encumbered prior to award towards the matching requirement for any project. Matching funds are subject to the same Federal requirements as awarded funds.

3. OTHER (if applicable)

An applicant may submit only one proposal for Track A and one proposal for Track B, for a maximum of two proposals as the prime applicant. An applicant may be listed as a subrecipient on other applications submitted by a different prime applicant.

SECTION D - APPLICATION AND SUBMISSION INFORMATION

1. ADDRESS TO REQUEST APPLICATION PACKAGE

All application materials may be found on Grants.gov at <http://www.grants.gov>.

Once at Grants.gov, select the Search Grants tab. Then enter one of the following:

- Opportunity Number: **693JJ324NF00008**
- Opportunity Name: **Exploratory Advanced Research Program**
- Assistance Listing Number: **20.200, Highway Research and Development**

When at one of these pages, select the Opportunity, which will open to a page with several tabs. The first tab is a synopsis of the opportunity. Select the Application Package tab to download the forms needed to submit an FY 2024 – Exploratory Advanced Research Program grant application.

For a TDD, please call (202) 366-3993. If potential applicants are unable to download the application package from the internet, they may send a written request for a paper copy to the below address. Requests should be sent to:

Angela A. Jones, Agreement Specialist
Office of Acquisition and Grants Management
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Ave., SE.
Washington, DC 20590
202-366-4255
Angela.Jones@dot.gov

Alternate:
Hector Santamaria, Agreement Officer
Office of Acquisition and Grants Management
Federal Highway Administration
U.S. Department of Transportation
1200 New Jersey Ave., SE.
Washington, DC 20590
202-493-2402
Hector.Santamaria@dot.gov

2. CONTENT AND FORM OF APPLICATION SUBMISSION

Application Format

- Applications must be formatted for 8½ x 11- inch paper. Pages that exceed this size, such as foldouts, are not allowable.

- Narrative text must be printed using a font size no less than 12-point font.
- Tables are permitted. Text in tables may be smaller than 12-point font but must be legible.
- Page margins must be a minimum of 1-inch top, bottom, and each side.
- Page numbers may be located within the 1-inch margin.
- A Header or Footer identifying the Applicant/Team and the Volume or Part, may be located within the 1-inch margins.
- Resumes are limited to 2 pages each.
- PAGE LIMITS: Application volumes shall adhere to the page count limitations listed below. The page limit includes all narratives, figures, tables, appendices, and all other ancillary materials with the exception of the following.
- EXCEPTION ON PAGE LIMITS: The following items do NOT count against the page limitation.
 - Document covers;
 - Cover letters;
 - Title pages;
 - Divider pages;
 - Tables of contents;
 - Lists of acronyms;
 - Letters of intent to participate from proposed subcontractors, consultants, Partners, and new hires; and
 - Resumes. (NOTE: resumes shall not exceed 2 pages each.)

Application Content - Overview

The application package must consist of the following parts:

- 1) Standard Forms (SF)
- 2) Volume 1 Technical Application / Project Narrative
- 3) Volume 2 Budget Application

Application Content – Detailed Instructions

- 1) Standard Forms (SF):
 - a. SF-424, Application for Federal Assistance
 - b. SF-424A, Budget Information - Non-Construction Programs
 - c. SF-LLL, Disclosure of Lobbying Activities
- 2) Volume 1 Technical Application / Project Narrative

NOTE: The Volume 1 Technical Application/Project Narrative must not exceed 10 pages. As noted above, resumes and Letters of Intent are excluded from the page count.

- A. Project Abstract: Summarize the scope of work that would be completed under the award, including project goals and outcomes anticipated.
- B. Project Description: Include a detailed description and scope of work including specific milestones. Provide a technical and management plan describing in detail how the Applicant proposes to carry out the work. Describe how the Applicant proposes to meet program goals listed in NOFO Section A. Identify project risks and how the Applicant proposes to address these risks. Identify proposed project performance measures and how they will be evaluated.
- C. Project Outcomes: Include a detailed description of how the project advances one or more of the Administration goals described in NOFO Section A.
- D. Project Team Information: Include detailed information about the proposed Applicant team, including any partnerships or collaborations with other entities to deliver the project. The information should specifically describe the role of each entity in delivering the project. Provide a staffing plan to perform the work, including names and positions of key personal. Provide an organizational chart identifying proposed staff members assigned to this effort. The chart must be supported with narrative text to include the title and a brief description of each position's responsibilities, as well as the proposed level of effort and allocation of time (percent in relation to their other duties) for each position on a yearly basis and in summary format. The level of effort may be displayed (single spaced) in a table format. One table can be presented if the level of effort will be constant over all years, and the table is annotated as such. The hours in this table must be consistent with the information presented in the Budget Volume.
- E. Project Schedule: Include detailed information about the project schedule that identifies all major project milestones and required submittals.
- F. Applicant Experience: Provide a description of completed projects, ongoing projects, or both, that demonstrate organizational and staff experience relevant to the scope and complexity of the proposed project. Provide specific information on past or present projects to include title, work description, value, dates, sponsor/customer point of contact, role of Applicant in the project, and an explanation of why or how the project is considered relevant or similar to the project being proposed.
- G. Resumes: Provide resumes of key personnel and staff with significant roles, from both the prime Applicant and team members/subawardees as necessary.
- H. Letters of Intent to Participate: Provide a letter of intent or commitment from each proposed sub-recipient/subcontractor. This includes any sub-recipient/subcontractor that will be included in the Federal share, the non-Federal share, or a non-paid (volunteer) capacity. Provide a letter of intent to participate from significant team members as the Applicant deems necessary.

3) Volume 2 Budget Application

NOTE: If needed, the FHWA may request additional budget information to clarify an application. FHWA encourages Applicants to submit the most relevant and complete information they can provide.

- A. Budget Tables: Provide a separate detailed budget table for each year and summarize the information for all years for all activities. Clearly show Federal share; Non-Federal share; and Total. Spreadsheets can be formatted similarly to the format in DOT Form 4220.44, located at: [4220_44.xls \(dot.gov\)](#). **NOTE: Profit/fee is not allowable for the prime Recipient.**

Budget tables must include the following cost elements as applicable to the project:

Labor Rates: Direct labor-by-labor categories to include hours, rates, and escalation. The labor rates and annual direct labor escalations rate and its basis must be in accordance with 2 CFR 200.430.

Indirect Rates: Provide your organization's signed current approved indirect cost rate from the cognizant Federal agency or letter of request to cognizant agency for rate establishment or adjustment. Indirect costs rates must be established according to 2 CFR 200.414. **NOTE: Per 2 CFR 200.414(f), Indirect (F&A) Costs, any Applicant that does not have a current negotiated (including provisional) rate, except for those non-Federal entities described in 2 CFR Part 200 appendix VII, paragraph D.1.b may elect to propose a de minimis indirect rate of 10 percent of modified total direct costs.**

Other Direct Costs: Applicants must provide a breakout and justification of Other Direct Costs by Category (travel, equipment, etc.). Direct costs must be in accordance with 2 CFR Part 200 Subpart E (Cost Principals).

Subcontractors/sub-recipients: If subcontractors/sub-recipients (lower-tiered organizations and/or individual consultants) will be used in carrying out this project, the following minimum information concerning such, must be furnished:

- 1) Name and address of the organization or consultant.
- 2) Description of the portion of work to be conducted by the organization or consultant.
- 3) Cost details for that portion of work.
- 4) Applicant's cost/price analysis of each sub-recipient/contractor(s) showing how their price is fair and reasonable (this includes any sub-recipient/contractor(s) that will be included in the Federal share or the non-Federal share).
- 5) Provide detail and support for cost share as part of overall project budget.
- 6) Clearly delineate cost share match versus Federal share.

- B. Other Business Information: Provide the following information relative to the PRIME

APPLICANT.

- 1) Identify any exceptions to the anticipated award terms and conditions as contained in Section F, Federal Award Administration Information.
- 2) Identify any preexisting intellectual property that the Applicant anticipates using during award performance, and your position on its data rights during and after the award period of performance.
- 3) Applicant SAM Unique Entity Identifier (UEI).
- 4) A statement to indicate whether the Applicant has previously completed an A-133 Single Audit and, if so, the date that the last A-133 Single Audit was completed.
- 5) A statement regarding Conflicts of Interest. The Applicant must disclose in writing any actual or potential personal or organizational conflict of interest in its application that describes in a concise manner all past, present or planned organizational, contractual, or other interest(s), which may affect the Applicants' ability to perform the proposed agreement in an impartial and objective manner. Actual or potential conflicts of interest may include but are not limited to any past, present, or planned contractual, financial, or other relationships, obligations, commitments, or responsibilities that may bias the Applicant or affect the Applicant's ability to perform the project in an impartial and objective manner. The FHWA will review the statement(s) and may require additional relevant information from the Applicant. All such information, and any other relevant information known to FHWA, will be used to determine whether an award to the Applicant may create an actual or potential conflict of interest. If any such conflict of interest is found to exist, the FHWA may (a) disqualify the Applicant, or (b) determine that it is otherwise in the best interest of the Government to award to the Applicant and include appropriate provisions to mitigate or avoid such conflict in the award pursuant to 2 CFR 200.112.
- 6) A statement to indicate whether a Federal or State organization has audited or reviewed the Applicant's accounting system, purchasing system, and/or property control system. If such systems have been reviewed, provide summary information of the audit/review results to include as applicable summary letter or agreement, date of audit/review, and Federal or State point of contact for such review.
- 7) Terminated Contracts. List any contract/agreement that was awarded to the prime Applicant then later terminated for convenience of the Government within the past 3 years, and any contract/agreement that was terminated for default within the past 5 years. Briefly explain the circumstances in each instance.
- 8) Describe how the Applicant will obtain the necessary resources to fund and fulfill the proposed cost share, as applicable.
- 9) The Applicant is directed to review Title 2 CFR Part 170 (<http://www.ecfr.gov/cgi->

[bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr170_main_02.tpl](#)) dated November 12, 2020, and Appendix A thereto, and acknowledge in its application that it understands the requirement, has the necessary processes and systems in place, and is prepared to fully comply with the reporting described in the term if it receives funding resulting from this NOFO. The text of Appendix A will be incorporated in the award document as a General Term and Condition as referenced under this NOFO's Section F, Federal Award Administration Information.

- 10) Disclose any violations of Federal criminal law involving fraud, bribery, or gratuity violations. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.339 entitled Remedies for Noncompliance, including suspension or debarment. (See also 2 CFR Part 180 and 31 U.S.C. 3321).
- 11) If a nonprofit or not-for-profit status, please provide evidence of this status, preferably from the Internal Revenue Service.
- 12) The DOT is committed to considering project funding decisions holistically among the various discretionary grant programs available in BIL. The DOT also recognizes that applicants may be seeking grant program funding from multiple DOT grant programs and opportunities. An applicant may seek the same award amounts from multiple DOT grant programs opportunities or seek a combination of funding from multiple DOT opportunities. In those cases, the applicant must indicate, within the Federal funding description, details as to what other potential DOT grant programs and opportunities they are currently applying for or intend to apply for and what award amounts they will be seeking. This information will be reviewed by DOT to ensure that a single project, or its sub-elements, is not awarded Federal funding under multiple DOT grant programs. DOT reserves the right to contact applicants to obtain additional information concerning those scopes of work to discuss any possible or actual overlap in scope.
- 13) Acknowledgement of acceptance of the NOFO terms and acknowledgement and acceptance of any Amendments issued to this NOFO. List Amendment numbers and issue dates, if any.

3. UNIQUE ENTITY IDENTIFIER AND SYSTEM FOR AWARD (SAM)

Each Applicant is required to:

- a. Have an active registration in SAM.gov at the time the Applicant submits an application;
- b. Provide a valid UEI in their application; and
- c. Continue to maintain an active SAM registration with current information at all times during which the Applicant has an active Federal award or an application or plan under consideration by a Federal awarding agency.

FHWA may not make a Federal award to an Applicant until the Applicant has complied with all applicable UEI and SAM requirements. If an Applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the Applicant is not eligible to receive a Federal award and use that determination as a basis for making a Federal award to another Applicant.

NOTE TO APPLICANTS: The SAM requires the registrant to provide a UEI number to complete the registration. These processes can take several weeks to complete so should be started well before the application deadline.

4. SUBMISSION DATES AND TIMES

The application must be received electronically through www.grants.gov by the application due date/time listed on page 1 of this NOFO (or as updated by a NOFO Amendment, if applicable). The due date/time is the date and time by which FHWA must receive the full and completed application, including all required sections.

For the submitted application package, FHWA suggests that pictures, graphics, and other large files be reduced in number and quality to keep the size of the files of the application manageable and in line with the Grants.gov maximum size of 200 megabytes for the entire grant application package.

A late application will not be reviewed or considered unless the Agreement Officer (AO) determines that doing so is in FHWA's best interest. The FHWA will not consider late applications that are the result of failure to register or comply with *Grants.gov* applicant requirements in a timely manner. If Applicants are unable to use the system due to verifiable technical difficulties, Applicants must email complete applications directly to the FHWA point of contact listed in the NOFO Section G no later than the NOFO application deadline cited herein, with explanation of the technical issue experienced and supporting documents regarding the nature of the technical difficulties. For instance, provide screen capture(s) of the technical issues experienced along with a corresponding Grants.gov "Grant tracking number." If you are experiencing difficulties with your submission, it is best to contact the Grants.gov Support Center and get a tracking number. Provide the Grants.gov Help Desk Tracking Number since it will assist FHWA with tracking your issue and understanding background information on the system issue in the event of a late application. If the reported technical issues cannot be validated, late applications may be rejected as untimely.

GRANTS.GOV: Applicants must follow the instructions on Grants.gov to successfully use the website to submit an application. Use of Grants.gov may entail the following steps for those setting up new accounts or first-time users.

- a. Register with SAM at www.SAM.gov
- b. Obtain a valid UEI;
- c. Create a *Grants.gov* account; and
- d. Respond to the registration email sent to the E-Business Point of Contact from *Grants.gov*, and login at *Grants.gov* to authorize the Applicant as the Authorized

Organization Representative. Please note that there can be more than one Authorized Organization Representative for an organization.

****Please note that the *Grants.gov* registration process may take two to four weeks.**

GRANTS.GOV HELP: For Grants.gov training resources, including video tutorials, refer to: [Home | GRANTS.GOV](#). For assistance with Grants.gov registration and application submittal, refer to the Grants.gov Support Center: [Support | GRANTS.GOV](#).

5. INTERGOVERNMENTAL REVIEW

An application under this Notice of Funding Opportunity is not subject to the State review under E.O. 12372.

6. FUNDING RESTRICTIONS

The FHWA will not reimburse any pre-award costs or application preparation costs under this proposed award.

7. OTHER SUBMISSION REQUIREMENTS

a. Submission Location

Applications must be submitted to *Grants.gov*.

b. Consideration of Applications

Only applicants who comply with all submission deadlines described in this NOFO and electronically submit valid applications through *Grants.gov* will be eligible for award. Applicants are strongly encouraged to make submissions in advance of the deadline.

c. Late Applications

Applicants experiencing technical issues with Grants.gov that are beyond the applicant's control must contact grants.gov at support@grants.gov or visit their support Webpage at <https://www.grants.gov/support> prior to the application deadline with the username of the registrant and details of the technical issue experienced. The applicant must provide:

- (1) Details of the technical issue experienced;
- (2) Screen capture(s) of the technical issues experienced along with corresponding Grants.gov "Grant tracking number;"
- (3) The "Legal Business Name" for the applicant that was provided in the SF-424;
- (4) The Point of Contact name submitted in the SF-424;
- (5) The UEI associated with the application; and

(6) The Grants.gov Help Desk Tracking Number.

To ensure a fair competition of limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to complete the registration process before the deadline; (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Website; (3) failure to follow all instructions in this NOFO; and (4) technical issues experienced with the applicant's computer or information technology environment.

After FHWA reviews all information submitted and contacts the Grants.gov Help Desk to validate reported technical issues, FHWA staff will contact late applicants to approve or deny a request to submit a late application through Grants.gov. FHWA will not accept appeals of FHWA's decision to approve or deny a request for a late application. If the reported technical issues cannot be validated, late applications will be rejected as untimely.

SECTION E - APPLICATION REVIEW INFORMATION

1. CRITERIA

The Government will evaluate applications based on the following criteria:

MERIT: The Government will evaluate applications against the following technical evaluation criteria, considered of equal importance. These criteria are distinct from eligibility criteria (see Section C) that are addressed before an application is accepted for review.

- 1) Program Goals: Degree to which the proposed project successfully supports and addresses the program goals listed in Section A of the NOFO. Demonstrated understanding of how to accomplish the program goals.
- 2) Administration Goals: Degree to which the proposed project successfully supports and addresses the Administration goals listed in Section A of the NOFO, where applicable. Demonstrated understanding of how to accomplish the Administration goals.
- 3) Technical and Management Approach: Demonstration of a sound, feasible, and achievable technical and management approach to successfully perform the proposed project.
- 4) Staffing Approach and Expertise: Demonstration of a sound, feasible, and achievable staffing approach to successfully perform the proposed project. Demonstration of sufficient knowledge and relevant experience of the proposed team to successfully perform the proposed project.
- 5) Partnership: Demonstrate meaningful inclusion of relevant stakeholders throughout the research process. Meaningful participation should go beyond a general letter of support for the proposal and include specific proposed contributions such as technical support, use of right-of-way, access to equipment, or facilitation working with specific communities or populations.

COST: Relative cost will be considered in the award decision. The budget application will be analyzed to assess cost reasonableness and conformance to applicable cost principles. Proposed cost share will be evaluated to ensure the proposed amount meets the minimum matching requirements and that proposed costs are in compliance with 2 CFR § 200.306. This evaluation factor will not be rated.

Funding availability will also be considered in the award decision.

2. REVIEW AND SELECTION PROCESS

FHWA will screen applications received to confirm Applicant eligibility, project eligibility, completeness of submittal, and compliance with NOFO application requirements. An

application determined to be ineligible, incomplete, and/or non-compliant with the NOFO application requirements may be removed from the competition and from further consideration for award or continued evaluation.

FHWA will utilize the following merit review process to evaluate applications. A panel of FHWA experts will collectively evaluate and rate all eligible applications using the selection criteria listed above. If deemed necessary, FHWA may use outside experts and/or contractor support to review the applications. The panel will recommend awards to the selection official based on the results of the panel's review. The panel will recommend for award the applications that are considered the most advantageous to FHWA using the selection criteria.

NOTE: Award recommendations will consider the best use of the funds, given program and Administration goals. Award recommendations may consist of a group of projects that collectively represent the most advantageous use of funds to achieve a combination of program and Administration goals.

As determined necessary to support the evaluation and selection process, FHWA may conduct discussions with Applicants to clarify elements of the technical and budget applications and request additional detailed and itemized cost information.

The FHWA may, during the selection process, enter into discussions with an applicant that may include mutually agreeing upon a lesser amount of a potential award than originally requested in the application if necessary due to the quantity, size, and scope of the applications received in response to this notice and the results of the application review process.

The selection official responsible for final award decisions is the Agreement Officer, FHWA Office of Acquisition and Grants Management.

The Government is not obligated to make any award as a result of this notice.

Risk Assessment: Prior to award, each selected Applicant will be subject to a risk assessment required by 2 CFR 200.205. If the Federal awarding Agency determines that a Federal award will be made, special conditions that correspond to the degree of risk assessed may be applied to the Federal award.

This Risk Assessment will include evaluation of some or all of the following items relative to the Applicant and sub-applicants as applicable:

- (1) Applicant's financial stability;
- (2) Applicant's quality of management systems and ability to meet the management standards prescribed in 2 CFR Part 200;
- (3) Applicant's history of performance;

Note: History of performance includes the Applicant's record in managing

Federal awards, if it is a prior Recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, conformance to the terms and conditions of previous Federal awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards. The Government will evaluate the relevant merits of the Applicant's history of performance based on its reputation and record with its current and former customers with respect to quality, timeliness and cost control. The history of performance will be reviewed to assure that the Applicant has relevant and successful experience and will be considered in the risk assessment. In evaluating history of performance, the Government may consider both written information provided in the application, as well as any other information available to the Government through outside sources.

(4) Applicant's audit reports and findings from audits performed on the Applicant pursuant to 2 CFR Part 200 Subpart F — Audit Requirements or the reports and findings of any other available audits;

(5) Applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities;

(6) Applicant's potential for conflict of interest if applicable; and

Note: FHWA will review information provided by the Applicant, and any other relevant information known to FHWA, to determine whether an award to the Applicant may create an actual or potential conflict of interest. If any such conflict of interest is found to exist, FHWA may (a) disqualify the Applicant, or (b) determine that it is otherwise in the best interest of the United States to award to the Applicant and include appropriate provisions to mitigate or avoid such conflict in the agreement pursuant to 2 CFR 200.112.

(7) Applicant's eligibility to receive Federal funding. Per the guidelines on governmentwide suspension and debarment in 2 CFR Part 180, the Government will confirm that the Applicant and any named sub-applicants are not debarred, suspended or otherwise excluded from or ineligible for participation in Federal programs or activities.

NOTE: If an Applicant is determined to be high-risk, additional reporting requirements or other special conditions may apply to the resulting award to mitigate risks.

Pursuant to 2 CFR Part 200.206, prior to making a Federal award, the Federal awarding Agency is required to review information available through any OMB-designated repositories of government-wide eligibility qualification or financial integrity information, such as Dun & Bradstreet, and data available via SAM.gov. The Government's review of this information will occur as part of the risk assessment.

4. ANTICIPATED ANNOUNCEMENT AND FEDERAL AWARD DATES

The FHWA anticipates, but does not guarantee, announcing selections on or about September 20, 2024.

SECTION F – FEDERAL AWARD ADMINISTRATION INFORMATION

1. FEDERAL AWARD NOTICES

Following the evaluation outlined in Section E, FHWA will notify the selected Applicants and announce the selected projects. Notice that an Applicant has been selected for award does not constitute approval of the application as submitted. Before the award, FHWA may contact the Applicant's point of contact listed in the SF 424 to initiate negotiation of a project-specific agreement, if applicable. If the negotiations do not result in an acceptable submittal, FHWA reserves the right to terminate the negotiation and decline to fund the Applicant. Only the AO or other authorized representative can commit FHWA and bind the Federal Government to the expenditure of funds.

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

2. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 CFR Part 200, as adopted by DOT at 2 CFR Part 1201. Applicable Federal laws, rules and regulations set forth in 23 U.S.C. and 23 CFR and 49 CFR also apply.

GENERAL CLAUSES

The online clauses entitled "General Terms and Conditions for Assistance Award" apply to the resulting award, and are available in full text online at:

https://www.fhwa.dot.gov/cfo/contractor_recip/gtandc_generaltermsconditions.cfm

SPECIAL CLAUSES

In addition to the General Clauses cited above, the following Special Clauses will apply to the resulting award.

A. PUBLIC ACCESS TO DOCUMENTS

The Applicant agrees that the resulting deliverables/documentation submitted to the FHWA under this Agreement may be posted online for public access and/or shared by FHWA with other interested parties. The FHWA anticipates the documents cited herein may be posted on an FHWA website or another appropriate website.

B. INDIRECT COSTS

Indirect costs are allowable under this Agreement in accordance with the Recipient's Federally Negotiated Indirect Cost Rates as documented in writing and approved by the Recipient's cognizant Government agency. In the absence of such Government-approved indirect rates, the following rates are hereby approved for use under this agreement as shown below:

Type*	Indirect Rate	Period	Rate (%)	Base

*Types of Rates: Pred - Predetermined; Fixed - Fixed; Final – Final; Prov: Provisional/billing; or De minimus.

In the event the Recipient determines the need to adjust the above listed rates, the Recipient will notify the AO of the planned adjustment and provide rationale for such adjustment. In the event such adjustment rates have not been audited by a Federal agency, the adjustment of rates must be pre-approved in writing by the AO.

This Indirect Cost provision does not operate to waive the limitations on Federal funding provided in this document. The Recipient's audited final indirect costs are allowable only insofar as they do not cause the Recipient to exceed the total obligated funding.

C. DATA RIGHTS

The Recipient must make available to the FHWA copies of all work developed in performance of this Agreement, including but not limited to software and data. Data rights under this agreement shall be in accordance with 2 CFR 200.315, Intangible property.

D. PERSONALLY IDENTIFIABLE INFORMATION (PII)

Personally Identifiable Information (PII) as defined at CFR Part 200.1 will not be requested unless necessary and only with prior written approval of the AO with concurrence from the Agreement Officer's Representative (AOR).

E. AVAILABLE FUNDING

The total estimated amount of Federal funding that may be provided under this Agreement is \$_____ (to be filled in at award) for the entire period of performance, subject to the limitations shown below:

(1) Currently, Federal funds identified on page 1 of the award document, are obligated to this agreement.

(2) Subject to availability of funds, and an executed document by the AO, the difference between the current funding and the total estimated amount of Federal funding may be obligated to this Agreement.

(3) The FHWA’s liability to make payments to the Recipient is limited to those funds obligated under this Agreement as indicated above and any subsequent amendments.

F. KEY PERSONNEL

Pursuant to 2 CFR 200.308(c)(2), the Recipient must identify Key Personnel who would be specified in the award.

G. PROGRAM INCOME

Pursuant to 2 CFR 200.307, Program income earned during the agreement period must be added to the Federal award and used for the purposes and under the conditions of the Federal award, unless otherwise approved by the AO. Program income must not be used to offset the Federal or Recipient contribution to this project.

H. SUBAWARDS

Note: Recipients with a procurement system deemed approved and accepted by the Government or by the AO are exempt from the requirements of this clause. See 2 CFR 200.317 through 200.326.

Unless described in the application and funded in the approved award, the Recipient must obtain prior written approval from the AO for the subaward, transfer, or contracting out of any work under this award. This provision does not apply to the acquisition of supplies, material, equipment, or general support services.

The following subawards are currently approved under the Agreement:

(*** to be filled in at award ***)

Approval of each subaward is contingent upon a fair and reasonable price determination, and approval by the AO for each proposed subcontractor/sub-recipient. Consent to enter into subawards will be issued through a formal amendment to the Agreement.

I. ORDER OF PRECEDENCE

The Recipient's technical and budget application volumes are accepted, approved, and incorporated herein as Attachments 1 and 2. In the event of any conflict between this agreement document and the Recipient's application, this Agreement document shall prevail.

J. DESIGNATION AS RESEARCH OR NON-RESEARCH AGREEMENT

This agreement is designated as: RESEARCH

K. CONFERENCE SUPPORT RESTRICTIONS

The Recipient must obtain written approval from the AOR prior to incurring any costs for conference support. See the definition of conference as contained in 2 CFR 200.432.

Food and beverage costs are not allowable conference expenses for reimbursement under this Agreement.

Note: Costs of meals are allowable as a travel per diem expense for individuals on travel status and pursuant to the Travel clause of this Agreement.

L. DISPUTES

The parties to this Agreement will communicate with one another in good faith and in a timely and cooperative manner when raising issues under this provision. Any dispute, which for the purposes of this provision includes any disagreement or claim, between the FHWA and the Recipient concerning questions of fact or law arising from or in connection with this Agreement and whether or not involving alleged breach of this Agreement, may be raised only under this Disputes provision.

Whenever a dispute arises, the parties will attempt to resolve the issues involved by discussion and mutual agreement as soon as practical. In no event will a dispute which arose more than three months prior to the notification made under the following paragraph of this provision constitute the basis for relief under this article unless FHWA waives this requirement.

Failing resolution by mutual agreement, the aggrieved party will document the dispute by notifying the other party in writing of the relevant facts, identify unresolved issues, and specify the clarification or remedy sought. The AO will conduct a review of the matters in dispute and render a decision in writing within thirty calendar days of receipt of such written request. Any decision of the AO is final and binding unless a party will, within thirty calendar days, request further review as provided below.

Upon written request to the FHWA Director, Office of Acquisition and Grants Management or designee, made within thirty calendar days after the AO's written decision or upon unavailability of a decision within the stated time frame under the preceding paragraph, the dispute will be further reviewed. This review will be conducted by the Director, Office of Acquisition and Grants Management or designee. Following the review, the Director, Office of Acquisition and Grants Management or designee will resolve the issues and notify the parties in writing. Such resolution is not subject to further administrative review and to the extent permitted by law, will be final and binding. Nothing in this Agreement is intended to prevent the parties from pursuing disputes in a United States Federal Court of competent jurisdiction.

M. CLOSEOUT OF AGREEMENT FILE

The Government will initiate the administrative closeout of the cooperative agreement after receiving evidence that all technical work and administrative requirements have been completed.

The Recipient shall furnish all required documents in support of the closeout of the cooperative agreement within the timeframes requested by the Government. The Government anticipates the timeframe to complete administrative closeout of the cooperative agreement will not exceed six (6) months.

N. TRAVEL

Travel and per diem authorized under the cooperative agreement will be reimbursed in accordance with the travel costs section of 2 CFR 200.475.

O. PUBLIC ACCESS REQUIREMENTS AND COMPLIANCE

In response to the White House Office of Science and Technology Policy memorandum dated February 22, 2013, entitled Increasing Access to the Results of Federally Funded Scientific Research, DOT is incorporating Public Access requirements into all funding awards (grants) for scientific research. This section sets forth the requirements a funding Recipient must satisfy to be in full compliance with the USDOT Public Access plan. For all wholly or partially federal funded scientific research agreements, the Recipient hereby agrees to comply with the requirements of the USDOT Public Access plan. The Recipient is required to include these obligations in any sub- awards or other related funding agreements. The full requirements of the DOT Public Access plan requirements include, but are not limited to, the following:

A. Copyright License

Recipient hereby grants to the USDOT a worldwide, non-exclusive, non-transferable, paid-up, royalty-free copyright license, including all rights under copyright, to any and all Publications and Digital Data Sets as such terms are defined in the USDOT Public Access plan, resulting from scientific research funded either fully or partially by this funding agreement. Recipient herein acknowledges that the above copyright license grant is first in time to any and all other grants of a copyright license to such Publications and/or Digital Data Sets, and that USDOT shall have priority over any other claim of exclusive copyright to same.

B. Reporting and Compliance Activities

Recipient hereby agrees to satisfy the reporting and compliance requirements as set forth in the USDOT Public Access plan, including, but not limited to, the submission and approval of a Data Management Plan, the use of Open Researcher and Contributor ID (ORCID) numbers, the creation and maintenance of a research project record in the Transportation Research Board's (TRB) Research in Progress (RiP) database, and the timely and complete submission of all required publications and associated digital data sets as such terms are defined in the DOT Public Access plan. Additional information about how to comply with the requirements can be found at: <https://ntl.bts.gov/public-access/how-comply>.

P. PROGRAM REQUIREMENTS

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, nondiscrimination 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 the Department determines that a recipient has failed to comply with applicable Federal requirements, the Department may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

1. Critical Infrastructure Security and Resilience

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

2. Civil Rights and Title VI

Recipients of Federal transportation funding will be required to comply fully with the ADA, Title VI of the Civil Rights Act of 1964, and all other civil rights requirements. The Department's and the applicable Operating Administrations' Office of Civil Rights may work with awarded projects to ensure full compliance with Federal civil rights requirements.

3. Performance and Program Evaluation

As a condition of grant award, grant recipients may be required to participate in an evaluation undertaken by DOT or another agency or partner. The evaluation may take different forms such as an implementation assessment across grant recipients, an impact and/or outcomes analysis of all or selected sites within or across grant recipients, or a benefit/cost analysis or assessment of return on investment. DOT may require applicants to collect data 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 or DOT staff; (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 subrecipients 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 their progress towards meeting an agency priority goal(s). 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.” 5 U.S.C. § 311. 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).

For grant recipients receiving an award, evaluation costs are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such costs may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation. (2 CFR Part 200).

3. REPORTING

ADDRESSES FOR SUBMITTAL OF REPORTS AND DOCUMENTS

The Recipient shall submit all required reports and documents, under transmittal letter referencing the award number, as follows:

Submit an electronic copy to the Agreement Specialist at the following address:
TBD (***) to be filled in at award (***)

Submit an electronic copy to the AOR at the following address:
TBD (***) to be filled in at award (***)

A. QUARTERLY PROGRESS REPORT

The Recipient must submit an electronic copy of the SF-PPR to AOR and Agreement Specialist on or before the 30th of the month following the calendar quarter being reported. Final SF-PPRs are due 90 days after the end of the agreement period of performance.

Calendar quarters are defined as:

1st: January – March

2nd: April – June

Reports due on or before:

April 30th

July 30th

3rd:	July – September	October 30th
4th:	October – December	January 30th

The quarterly progress report must include the required certification pursuant to 2 CFR 200.415.

Quarterly Progress Reports shall include the following:

- a. Work performed for the current quarter;
- b. Work planned for the upcoming quarter;
- c. Description of any problem encountered or anticipated that will affect the completion of the work within the time and fiscal constraints as set forth in the agreement, together with recommended solutions to such problems; or, a statement that no problems were encountered; and
- d. A tabulation, clearly delineated by Federal share, cost share and total, of the current and cumulative costs expended by quarter versus budgeted costs.

In the SF-PPR Block 11, Other Attachments, include the following information as attached pages:

- a. SF-425, Federal Financial Report; and
- b. SF-425A, Federal Financial Report Attachment (if applicable).

B. ANNUAL BUDGET REVIEW AND PROGRAM PLAN

The Recipient must submit an electronic copy of the Annual Budget Review and Program Plan to the AO and the AOR at least 60 days prior to the anniversary date of this agreement. The Annual Budget Review and Program Plan must include the required certification pursuant to 2 CFR 200.415. The Annual Budget Review and Program Plan must provide a detailed schedule of activities, estimate of specific performance objectives, include forecasted expenditures, and schedule of milestones for the upcoming year. If there are no proposed deviations from the Approved Project Budget, the Annual Budget Review must contain a statement stating such. The Recipient must meet via teleconference or Webconference with FHWA to discuss the Annual Budget Review and Program Plan. Work proposed under the Annual Budget Review and Program Plan must not commence until AO's written approval is received.

C. RECIPIENT INTEGRITY AND PERFORMANCE MATTERS

If the Federal share of this award will be more than \$500,000 over the period of performance, the reporting requirements in 2 CFR Part 200, Appendix XII (Award Term and Condition for Recipient Integrity and Performance Matters) will apply.

SECTION G – FEDERAL AWARDING AGENCY CONTACTS

For questions concerning this NOFO and the Program, please contact:

Angela A. Jones, Agreement Specialist
Angela.Jones@dot.gov (Preferred)
202-366-4255

Secondary contact:
Hector Santamaria, Agreement Officer
Hector.Santamaria@dot.gov (Preferred)
202-493-2402

A TDD is available for individuals who are deaf or hard of hearing at 202-366-3993.

Office hours are from 7:30 a.m. to 4:00 p.m., Eastern Time, Monday through Friday, except Federal holidays

SECTION H – OTHER INFORMATION**1. PROTECTION OF CONFIDENTIAL BUSINESS INFORMATION**

All information submitted as part of or in support of any application shall use publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards, to the extent possible. If the application includes information you consider to be a trade secret or confidential commercial or financial information, the Applicant should do the following: (1) Note on the front cover that the submission "Contains Confidential Business Information (CBI)," (2) mark each affected page "CBI," and (3) highlight or otherwise denote the CBI portions.

2. PUBLICATION/SHARING OF APPLICATION INFORMATION.

Following the completion of the selection process and announcement of awards, FHWA intends to publish a list of all applications received along with the names of the applicant organizations and funding amounts requested.