

**DEPARTMENT OF TRANSPORTATION**

**Maritime Administration**

**Notice of Funding Opportunity for the Maritime Administration’s Port Infrastructure Development Program (PIDP) under the Infrastructure Investment and Jobs Act (“Bipartisan Infrastructure Law”)**

**AGENCY:** Maritime Administration, DOT

**ACTION:** Notice of Funding Opportunity

**SUMMARY:**

<b>SUMMARY OVERVIEW OF KEY INFORMATION: Port Infrastructure Development Program (PIDP) Discretionary Grant Opportunity</b>	
<b>Program Overview</b>	This Notice of Funding Opportunity (NOFO) solicits applications for the Fiscal Year 2024 PIDP. Grants will be awarded on a competitive basis.
<b>Objective</b>	Assist in funding eligible projects for the purpose of improving the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports.
<b>Eligible Applicants</b>	<ul style="list-style-type: none"><li>• A State;</li><li>• A political subdivision of a State, or a local government;</li><li>• A public agency or publicly chartered authority established by 1 or more States;</li><li>• A special purpose district with a transportation function;</li><li>• An Indian Tribe, or a consortium of Indian Tribes;</li><li>• A multistate or multijurisdictional group of entities described above;</li><li>• A lead entity described above jointly with a private entity or group of private entities, including the owners or operators of a facility, or collection of facilities at a port.</li></ul> (NOTE: Section C.1. provides additional information.)
<b>Eligible Project Types</b>	Projects within the boundary of a port, or outside the boundary of a port and directly related to port operations or to an intermodal connection to a port that improve the safety, efficiency, or reliability of: <ul style="list-style-type: none"><li>• The loading and unloading of goods at a port;</li><li>• The movement of goods into, out of, around, or within a port;</li><li>• Operational improvements at a port;</li><li>• Environmental and emissions mitigation measures; or</li><li>• Infrastructure that supports seafood and seafood-related businesses.</li></ul> (NOTE: Section C.3. provides additional information.)

<b>Funding</b>	It is anticipated that up to \$450 million in funding will be available for the FY 2024 funding opportunity.
<b>Deadline:</b>	Applications due: May 10, 2024 at 11:59:59 p.m. E.D.T.

**ADDRESSES:** Applications must be submitted through Grants.gov.

**FOR FURTHER INFORMATION CONTACT:** For further information concerning this notice, please contact the PIDP staff via email at *PIDPgrants@dot.gov*, or call Wade Morefield at 202–366–6025. A TDD is available for individuals who are deaf or hard of hearing at 202–366–3993. In addition, the Maritime Administration (“MARAD”) may post answers to questions and requests for clarifications as well as information about webinars for further information at <https://www.maritime.dot.gov/PIDPgrants>.

**SUPPLEMENTARY INFORMATION:** Each section of this notice contains information and instructions relevant to the application process for the FY 2024 PIDP discretionary grants, and all applicants should read this notice in its entirety.

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## **A. Program Description**

### **1. Program Overview**

The PIDP statute, codified at 46 U.S.C. 54301, establishes the port and intermodal improvement program to improve the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports. The Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021) (“Bipartisan Infrastructure Law” or “BIL”) appropriated \$450 million to the PIDP for FY 2024 to make discretionary grants for eligible PIDP projects. MARAD intends to retain up to two percent of this funding (\$9 million) for grant administration and oversight as permitted under 46 U.S.C. 54301(a)(11)(A).

This NOFO solicits applications for projects to be funded under the FY 2024 PIDP. It includes the funding appropriated by the BIL and may include any additional funding appropriated in FY 2024 for PIDP under the annual appropriations act. If the annual appropriations act for FY 2024 increases funding for PIDP and/or significantly alters requirements for PIDP funds, MARAD will amend this notice with guidance on any changes and additional requirements. The amended NOFO will be posted on Grants.gov and the PIDP website (<https://www.maritime.dot.gov/PIDPgrants>).

In the previous five years that the program has made PIDP awards, the U.S. Department of Transportation (“Department” or “DOT”) has awarded \$2.1 billion to projects that improve facilities within, or outside of and directly related to operations of or an intermodal connection to, coastal seaports, inland river ports, and Great Lakes ports consistent with USDOT’s Strategic Goals.<sup>1</sup> FY 2024 PIDP grants will continue to align with these strategic goals. The FY 2024 PIDP round will be implemented, as appropriate and consistent with law, in alignment with the priorities in Executive Order 14052, *Implementation of the Infrastructure Investment and Jobs Act* (86 FR 64335), which are to invest efficiently and equitably, promote the competitiveness of

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<sup>1</sup> See U.S. Department of Transportation Strategic Plan FY 2022–2026 (April 2022) at <https://www.transportation.gov/dot-strategic-plan>.

the U.S. economy, improve job opportunities by focusing on high labor standards, strengthen infrastructure resilience to all hazards including climate change, and coordinate effectively with State, local, Tribal, and territorial government partners.

The Department seeks to fund projects that advance Departmental priorities of safety, equity and Justice40, climate and sustainability, and workforce development, job quality, and wealth creation as described in the USDOT Strategic Plan and in executive orders.<sup>2</sup> MARAD encourages applicants to propose projects that, in addition to improving the safety, efficiency, or reliability of the movement of goods through ports and intermodal connection to ports, will reduce greenhouse gas emissions in the transportation sector, will create proportional impacts to all populations in a project area and increase equitable access to project benefits, and will support the creation of good-paying jobs with the free and fair choice to join a union and include the incorporation of strong labor standards and training and placement programs, especially registered apprenticeships. The process for selecting projects that further these priorities is described in section E.1. of this notice.

## **2. Changes from the FY 2023 NOFO**

- Clarifies that projects that support seafood and seafood-related businesses are eligible for PIDP funding.
- Clarifies eligibility of projects for shore power.
- Amends the definition of Small Port and clarifies how MARAD will determine that an applicant qualifies as a Small Port.

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<sup>2</sup> Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619). Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009). Executive Order 14025, Worker Organizing and Empowerment, (86 FR 22829).

- Adds a definition of strategic seaport and clarifies that MARAD may give priority to providing PIDP funding to strategic seaports in support of national security requirements.
- Adds rating rubrics for the statutory merit criteria.
- Updates guidance related to Selection Considerations based on Departmental priorities (Climate Change and Sustainability, Equity and the Justice40 Initiative, and Workforce Development, Job Quality, and Wealth Creation).
- Per changes made to the PIDP statute in section 3513 of the National Defense Authorization Act for Fiscal Year 2024 (Pub. L. 118-31, December 22, 2023) (FY 2024 NDAA), the cost-effectiveness determination stated in Section D.2.i. is waived for all large projects located in noncontiguous States and U.S. territories. Additionally, MARAD will not evaluate these projects under the Supporting Economic Vitality merit criterion.
- Updates guidance related to the factors reviewers will consider in project readiness evaluations.

Other changes have been made throughout the FY 2024 PIDP NOFO to better illustrate application requirements.

Applicants who are planning to re-apply using materials prepared for prior competitions should ensure that their FY 2024 PIDP application fully addresses the selection criteria described in this notice and that all relevant information is up to date and submitted in the proper format outlined in Sections D and E.

### **3. Definitions**

*Climate Change*: Changes in average weather conditions that persist over multiple decades or longer due to natural or anthropogenic activities, especially from greenhouse gas emissions.

Climate change encompasses both increases and decreases in temperature, as well as shifts in precipitation, changing risk of certain types of severe weather events, and changes to other features of the climate system.

Coastal seaport: A port on navigable waters of the United States or territories that is subject to the U.S. Army Corps of Engineers regulatory jurisdiction for oceanic and coastal waters under 33 C.F.R. 329.12 or that is otherwise capable of receiving oceangoing vessels with a draft of at least 20 feet (other than a Great Lakes port).

Development phase activities: Includes planning, feasibility analysis, revenue forecasting, environmental review, permitting, and preliminary engineering and design work.

Environmental justice: The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.<sup>3</sup>

Equity: The consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.

Great Lakes port: A port on the Great Lakes and their connecting and tributary waters as defined under 33 C.F.R. 83.03(o).

Historically Disadvantaged Communities: Historically Disadvantaged Communities (HDC) include (a) certain qualifying census tracts identified as disadvantaged by the Climate and Economic Justice Screening Tool (CEJST)<sup>4</sup> due to categories of environmental, climate, and

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<sup>3</sup> As defined by the U.S. Environmental Protection Agency (EPA) at <https://www.epa.gov/environmentaljustice/ej-2020-glossary>.

<sup>4</sup> <https://screeningtool.geoplatform.gov/en>.

socioeconomic burdens, and (b) any Federally Recognized Tribes or Tribal entities<sup>5</sup>, whether or not they have land.

*Inland river port:* A harbor, marine terminal, or other shore side facility used principally for the movement of goods that is not at a coastal seaport or Great Lakes port.

*Large project:* A project at a port other than a Small Port, regardless of the amount of PIDP funding sought in the application; or a project at a Small Port for which the amount of PIDP funding sought in the application is greater than \$11.25 million.

*Port resilience:* The ability to anticipate, prepare for, adapt to, withstand, respond to, and recover from operational disruptions and sustain critical operations at ports, including disruptions caused by natural or climate-related hazards (such as extreme temperatures, extreme rainfall, sea level change, Great Lakes and river water level changes, flooding, earthquakes, landslides, extreme storms [hurricanes, cyclones, typhoons, northeasters, etc.], storm surge, tsunami inundation, tornadoes, high wind events, wildfire, volcanic activity, or other extreme weather events) or human-made disruptions such as dredging and sediment management, terrorism, cyberattacks, disruptions to Position, Navigation, and Timing (PNT) data via the Global Positioning System (GPS) whether intentional or unintentional, public health emergencies, or shortages/bottlenecks at key elements of the supply chain.

*Rural area:* An area located outside of a 2020 U.S. Census-designated urban area with a population of 50,000 or more persons.<sup>6</sup>

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<sup>5</sup> A list of Federally Recognized Tribes or Tribal entities can be found here: <https://www.federalregister.gov/documents/2023/01/12/2023-00504/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>.

<sup>6</sup> Please use the DOT Rural Eligibility map for PIDP at <https://www.transportation.gov/rural/eligibility> to determine rural eligibility. This map identifies the areas in the 2020 U.S. Census that have a population of less than 50,000 and, therefore, are rural areas for the purposes of PIDP.

Small Port: A coastal seaport, Great Lakes, or inland river port to and from which the average annual tonnage of cargo for the immediately preceding three calendar years from the time an application is submitted is less than 8,000,000 short tons, as determined by using U.S. Army Corps of Engineers data or data by an independent audit if the Secretary determines that it is acceptable to use such data instead of using U.S. Army Corps of Engineers data. When using U.S. Army Corps of Engineers data to determine whether the applicant qualifies as a Small Port, MARAD will use data that is specific to the eligible applicant. If an eligible applicant provides data by an independent audit, MARAD will use such data if it is a reasonable substitute for U.S. Army Corps of Engineers data.

Small Project at a Small Port: A project at a Small Port seeking less than or equal to \$11.25 million in funding under 46 U.S.C. 54301(b).

Strategic Seaport: A military port or a commercial port that is subject to a port planning order or Basic Ordering Agreement (or both) that is projected to be used for the deployment of forces and shipment of ammunition or sustainment supplies in support of military operations.

Urban area: An area located within (or on the boundary of) a 2020 U.S. Census-designated urban area with a population of 50,000 or more persons.

#### **4. Additional Information**

The PIDP is described in the Federal Assistance Listings under the assistance listing program title “Port Infrastructure Development Program” and assistance listing number 20.823.

### **B. Federal Award Information**

#### **1. Amount Available**

MARAD intends to award up to \$450 million on a competitive basis for projects that improve facilities within, or outside of and directly related to, operations of, or an intermodal connection to, coastal seaports, inland river ports, and Great Lakes ports. This amount consists of



the \$450 million provided for FY 2024 in the BIL. Additionally, pursuant to 46 U.S.C. 54301(a)(7)(B), MARAD will reserve 25 percent of the appropriated funds (\$112,500,000) for projects meeting certain requirements described in this notice for “small projects at small ports.” MARAD will retain up to two percent (\$9,000,000) of the funds appropriated for necessary costs of grant administration as permitted under 46 U.S.C. 54301(a)(11)(A). If MARAD does not receive sufficient qualified applications, it will award less than the amount available.

In addition to the FY 2024 PIDP funds, unobligated prior year PIDP funds may be made available and awarded under this solicitation to eligible projects. If this solicitation does not result in the award and obligation of all available funds, MARAD may publish additional solicitations.

## **2. Award Size**

For funding awarded under the BIL, there is no minimum award size. Except as limited by the amount of available funding and statutory restrictions on funding identified in Section B.3., there is no maximum award size.

If selected, MARAD may make an award below the PIDP funding request amount if some elements of the project are ineligible or to comply with statutory set asides such as those related to geographic preference or small projects at small ports.

## **3. Restrictions on Funding**

The BIL and 46 U.S.C. 54301 impose several restrictions on awards issued pursuant to this notice:

- Not more than 25 percent of the available funds (\$112,500,000) can be awarded for projects in any one State.
- Twenty-five percent of the available funds (\$112,500,000) is reserved for small projects at small ports awarded under 46 U.S.C. 54301(b), which are defined in Section A.3. of

this notice. Of the reserved amount, not more than 10 percent (\$11,250,000) may be used to make grants for development phase activities under 46 U.S.C. 54301(b)(5)(A)(ii)(III).

- Not more than 10 percent (\$33,750,000) of the funds not reserved for small projects at small ports may be awarded for development phase activities for large projects (as defined in Section A.3. of this notice) that do not result in construction.
- Additionally, to maximize flexibility for applicants and optimize the number of grants that can be awarded, MARAD will limit any single award to a small project at a small port to not more than \$11.25 million under both the BIL and any additional PIDP funding that may become available under the annual appropriations act for FY 2024.

As proscribed in Section 825 of the FY 2024 NDAA, no funds may be awarded to an entity that utilizes or provides in part or in whole: the national transportation logistics public information platform (commonly referred to as ‘LOGINK’) provided by the People’s Republic of China, or departments, ministries, centers, agencies, or instrumentalities of the Government of the People’s Republic of China; any national transportation logistics information platform provided by or sponsored by the People’s Republic of China, or a controlled commercial entity; or a similar system provided by Chinese state-affiliated entities.<sup>7</sup>

#### **4. Availability of Funds**

MARAD seeks to obligate FY 2024 PIDP funds by September 30, 2027. Obligation occurs when a selected applicant and MARAD enter into a written grant agreement after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements, such as those under the National Environmental Policy Act

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<sup>7</sup> For more information on LOGINK, including information about potential vulnerabilities to maritime port equipment and networks, see the advisory on Worldwide Foreign Adversarial Technological, Physical, and Cyber Influence on the Maritime Security Communications Industry portal: <https://www.maritime.dot.gov/msci-advisories>.

(NEPA). Unless “pre-award costs” are authorized by MARAD in writing after MARAD’s announcement of FY 2024 PIDP award selections pursuant to 46 U.S.C. 54301(a)(10)(B) or 2 C.F.R. 200.458, any costs incurred prior to MARAD’s obligation of funds for a project are ineligible for reimbursement and are ineligible to count as match for cost share requirements.<sup>8</sup> Per 46 U.S.C. 54301(a)(11)(B)(ii), MARAD also expects grant recipients to expend funds within five years of obligation. As part of the review and selection process described in Section E, MARAD will consider a project’s likelihood to be ready for obligation of funds by September 30, 2027, and liquidation of funding within five years after the date of obligation.

## **5. Previous PIDP Awards**

Recipients of prior PIDP grants may apply for funding to support additional phases of a project previously awarded funds under the PIDP. However, to be competitive, the applicant should demonstrate the extent to which the previously funded project phase has met estimated project scope, schedule, and budget milestones, as well as how the new phase will enhance the ability to achieve the benefits expected for all phases of the project.

### **C. Eligibility Information**

To be selected for a FY 2024 PIDP discretionary grant, an applicant must be an eligible applicant and the project must be an eligible project.

#### **1. Eligible Applicants**

An eligible applicant for a FY 2024 PIDP grant is a State, a political subdivision of a State or a local government,<sup>9</sup> a public agency or publicly chartered authority established by one or more

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<sup>8</sup> Pre-award costs are only costs incurred directly pursuant to the negotiation and anticipation of the PIDP award where such costs are necessary for efficient and timely performance of the scope of work, as determined by MARAD.

<sup>9</sup> State means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

States, a special purpose district with a transportation function, an Indian Tribe or consortium of Indian Tribes,<sup>10</sup> a multistate or multijurisdictional group of entities, or a lead entity described above jointly with a private entity or group of private entities (including the owners or operators of a facility, or collection of facilities, at a port). Federal agencies are not eligible applicants for the FY 2024 PIDP.

If submitting a joint application, applicants must identify in the application the eligible lead applicant as the primary point of contact. The lead applicant, who will be the primary recipient of the award and responsible for financial administration and monitoring of the project, must be an eligible lead entity described above (i.e., not a private entity). Joint applications should include a description of the roles and responsibilities of each applicant. If a joint applicant is providing some or all of the required non-Federal matching funds, a letter of funds commitment from that applicant should be provided as an attachment to the application. See Section D.2.d. for more information.

MARAD expects that the lead applicant submitting the application will administer and deliver the project. If the lead applicant intends to act as a pass-through entity for disbursing funds to a subrecipient (including a private-entity joint applicant, if applicable) who will deliver all or a portion of the project, that intention should be made clear in the application and a letter of support from the intended subrecipient should be included as an attachment to the application. Lead applicants intending to make subawards under their proposed FY 2024 PIDP project should refer to 2 C.F.R. 200.331-333 on how to make subrecipient determinations and what requirements apply to pass-through entities. Applicants should be aware that all contracts

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<sup>10</sup> An Indian Tribe as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), without regard to capitalization.

executed under the PIDP award that create procurement relationships must follow the procurement standards at 2 C.F.R. 200.317-327, including requirements regarding competition.

In order to be eligible for award, eligible applicants must provide a written statement that they have the authority to plan, construct, own, operate, and maintain the grant-funded project. In the case of joint applications, at least one of the eligible applicants must demonstrate this authority. See Section D.2.h. for more information.

## **2. Cost Sharing or Matching**

Per 46 U.S.C. 54301(a)(8), the Federal share of the total costs of an eligible PIDP project must not exceed 80 percent; however, the Secretary may increase the Federal share of costs above 80 percent for: (1) a grant for a project that is located in a rural area; or (2) a grant awarded to a small project at a small port under 46 U.S.C. 54301(b). “Rural area” and a “small project at a small port” are defined in Section A.3. of this notice.

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

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

For the PIDP, Total Project Cost means the sum of future eligible Federal and non-Federal costs that have not yet been incurred.

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. If repaid from non-Federal sources, Federal credit assistance is considered non-Federal share. The application must demonstrate, such as through a commitment letter or other documentation included in the PIDP application, the sources of the non-Federal funds. 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 FY 2024 PIDP grant award and another Federal grant program.

MARAD will not consider previously incurred costs or previously expended or encumbered funds towards the non-Federal cost-share requirement, except for awards made under 46 U.S.C. 54301(b) (small projects at small ports). For awards made under 46 U.S.C. 54301(b), MARAD may consider certain eligible pre-construction costs towards the non-Federal cost-share requirement if incurred after the date of application submittal but before announcement of project selection, if the costs are clearly indicated in the budget included in the application and comply with all applicable Federal requirements. All non-Federal cost-share funds are subject to the same Federal requirements described in Section F.2. as awarded funds.

See Section D.2.d. for information about documenting cost sharing in the application. In addition to these cost share requirements, cost share will be evaluated according to the “Leveraging Federal Funding” criterion described in Section E.1.a.(3).

For each project that receives a PIDP 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, MARAD will generally reduce the Federal contribution to ensure Federal cost share requirements are met.

### **3. Other**

#### **a. *Eligible Projects***

Eligible projects for FY 2024 PIDP grants shall be located either within the boundary of a port, or outside the boundary of a port and directly related to port operations or to an

intermodal connection to a port. Grants may be made for capital projects that will be used to improve the safety, efficiency, or reliability of:

- (I) the loading and unloading of goods at the port, such as for marine terminal equipment;
- (II) the movement of goods into, out of, around, or within a port, such as for highway or rail infrastructure, intermodal facilities, freight intelligent transportation systems, and digital infrastructure systems;
- (III) operational improvements, including projects to improve port resilience;
- (IV) environmental and emissions mitigation measures, including projects for—
  - (a) port electrification or electrification master planning;
  - (b) harbor craft or equipment replacements or retrofits;
  - (c) development of port or terminal microgrids;
  - (d) provision of idling reduction infrastructure;
  - (e) purchase of cargo handling equipment and related infrastructure;
  - (f) worker training to support electrification technology;
  - (g) installation of port bunkering facilities from ocean-going vessels for fuels;
  - (h) electric vehicle charging or hydrogen refueling infrastructure for drayage and medium or heavy-duty trucks and locomotives that service the port and related grid upgrades; or
  - (i) other related port activities, including charging infrastructure, electric rubber-tired gantry cranes, and anti-idling technologies; or
- (V) port and port-related infrastructure that supports seafood and seafood-related businesses, including the loading and unloading of commercially harvested fish and fish products, seafood processing, cold storage, and other related infrastructure.

As described in section 3513(a) of the FY 2024 NDAA, eligible projects also include projects to provide shore power at a port that services both of the following:

- 1) passenger vessels described in section 3507(k) of title 46, United States Code; and
- 2) vessels that move goods or freight.

Further, such projects to provide shore power shall be treated as satisfying the determination that the project improves the safety, efficiency, or reliability of the movement of goods outlined in Section D.2.h.

This program will not fund construction, reconstruction, reconditioning, or purchase of a vessel, unless the Secretary determines such vessel is necessary for a project under Section C.3.a.(IV), above, and is not already receiving assistance under 46 U.S.C. chapter 537. In addition, this program will not fund any project within a small shipyard (as defined in 46 U.S.C. 54101).

Improvements to Federally owned facilities are ineligible under the FY 2024 PIDP, unless they are projects investing in port facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government.

This program will not fund the purchase or installation of fully automated cargo handling equipment, or the installation of terminal infrastructure that is designed for fully automated cargo handling equipment, if the Secretary determines that such equipment would result in a net loss of good jobs or reduction in the quality of jobs within the port or port terminal. In general, fully automated cargo handling systems transfer materials without the need, or a significantly reduced need, for human assistance. Such systems may be remotely operated or monitored, with or without the exercise of human intervention or control. Applicants that propose projects that include the acquisition of eligible cargo handling equipment or terminal infrastructure for cargo handling equipment must indicate in their application whether or not the equipment is fully



automated (or whether the terminal infrastructure is designed for fully automated equipment). If fully automated equipment is proposed to be acquired or terminal infrastructure for such equipment is proposed to be created, the applicant must provide information describing the job changes that will result from the project, including supporting evidence demonstrating that the project will not directly result in a net loss of good jobs or degradation of job quality.

Activities eligible for funding under PIDP planning grants include those related to development phase activities—such as planning, feasibility analysis, revenue forecasting, environmental review, permitting, preliminary engineering and design work, development of master plans, electrification master planning, and planning to address a port’s ability to withstand probable occurrence or recurrence of an emergency or major disaster—of eligible PIDP capital projects described above in this Section C.3.a. and may not result in construction with FY 2024 PIDP funding.

Under the FY 2024 PIDP, 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.

**b. Project Components**

An application must describe only one project, but that project may contain more than one component and may describe components that may be carried out by parties other than the applicant. MARAD expects, and will impose requirements on, fund recipients to ensure that all components included in an application will be delivered as part of the PIDP project, regardless of whether a component includes Federal funding. The status of each component should be clearly described (for example, in the project schedule and budget). MARAD 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 with the selection criteria identified in Section E; and (3) meets NEPA requirements with respect to independent utility. Independent utility means that the component will represent a transportation improvement that is usable even if no other improvement is 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 among them or MARAD may fund only one or more of the connected components and reduce the PIDP award.

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

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

**c. Application Limit**

Each eligible applicant may submit no more than one application. If an applicant submits multiple applications, only the last one received by MARAD will be considered.

**D. Application and Submission Information**

**1. Address to Request Application Package**

Application materials may be accessed on Grants.gov. Instructions for submitting applications can be found at <https://www.maritime.dot.gov/office-port-infrastructure->

[development/port-and-terminal-infrastructure-development/how-apply-port](#) along with specific instructions for the forms and attachments required for submission.

## **2. Content and Format of Application Submission**

All applications must be submitted electronically through Grants.gov at [www.grants.gov](http://www.grants.gov).

The application must include the Standard Form (SF) 424 (Application for Federal Assistance) and the Project Narrative. More detailed information about the Project Narrative follows.

Applicants are encouraged to also complete the SF-424C (Budget Information – Construction Programs). These forms may be found on Grants.gov and are also available at

[www.maritime.dot.gov/PIDPgrants](http://www.maritime.dot.gov/PIDPgrants).

MARAD expects the Project Narrative 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 the narrative text in one column only). Documents should be submitted in PDF, unless otherwise specified (e.g., Benefit-Cost Analysis (BCA) calculations should be submitted in an unlocked Excel spreadsheet). The Project Narrative may not exceed 30 pages in length, excluding cover pages and table of contents. The only substantive portions that may exceed the 30-page limit are documents supporting assertions or conclusions made in the 30-page Project Narrative and documentation related to the required determinations. Except for the BCA, evaluators are not required to review supporting documents as part of the selection criteria review described in Section E. Supporting documentation should be dated, and MARAD recommends using appropriately descriptive file names (e.g., “Project Narrative,” “Maps,” “Memoranda of Understanding,” “Letters of Support,” “Engineering Drawings,” etc.) for all

attachments. If supporting documents are submitted, applicants should clearly identify within the Project Narrative the relevant supporting document(s).<sup>11</sup>

MARAD recommends that the Project Narrative follow the basic outline below to ensure applications address all applicable requirements and assist evaluators in locating relevant information.

Narrative Introductory Information.....	See D.2.a.
Narrative Section I: Project Description .....	See D.2.b.
Narrative Section II: Project Location .....	See D.2.c.
Narrative Section III: Grant Funds, Sources, and Uses of Project Funds	See D.2.d.
Narrative Section IV: Merit Criteria .....	See D.2.e.
Narrative Section V: Selection Considerations.....	See D.2.f.
Narrative Section VI: Project Readiness .....	See D.2.g.
Narrative Section VII: Determinations.....	See D.2.h.

The Project Narrative should include the information necessary for MARAD 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. In addition to a detailed statement of work, detailed project schedule, and detailed project budget, the Project Narrative should include a table of contents, maps, photographs, and graphics, as appropriate, to make the information easier to review and the project location and scope easier to understand. Applicants should provide supporting data and documentation in a form that is directly verifiable by MARAD. MARAD

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<sup>11</sup> Although they are not required to do so, applicants are strongly encouraged to include a list of their supporting documents on the last page of their Project Narrative and to attach the documents to their application package in the following order: SF-424, Application for Federal Assistance; Project Narrative; Attachments Form; BCA narrative; BCA spreadsheet (in an unprotected Excel document); project schedule; funding commitment letter(s); MOUs; project engineering drawings; project planning documents; SF-424 C, Budget Information for Construction Programs; project cost estimate information; letters of support; other documentation.

expects applications to be complete upon submission and will evaluate the application based on the information submitted. MARAD may ask any applicant to supplement data in its application but is not required to do so. Lack of supporting information provided with the application negatively affects competitiveness of the application, as described in Section E.2.

MARAD recommends applications include the following content:

**a. Introductory Information**

Each application should include a cover page with information about the project included in the following chart:

<b>Field Name</b>	<b>Guidance</b>
Name of lead applicant	
Is the applicant applying as a lead applicant with any joint applicants?	If yes, identify by name each of the joint applicants.
Does the applicant or joint applicant own the property where the grant-funded improvements will occur?	Yes or No.
Is the applicant seeking funding under the small project at a small port set-aside?	Yes or No.
Project name	Provide a concise (five- to seven-word) name of the project. For example: “Wharf and Uplands Improvement Project”
Project description	Provide a brief (no more than 100 words) description of the project that focuses on what the project consists of. For example: “This project will fund construction of a new wharf at the X Terminal, renovate the uplands adjacent to the wharf, construct a 100,000 SF-refrigerated warehouse, and install approximately 20,000 LF of track to connect the new facilities to the port’s rail switch yard.”
Is this a planning project?	Yes or No.
Is this a project at a coastal, Great Lakes, or inland river port?	Specify coastal, Great Lakes, or inland river port.
Is this project located in a noncontiguous State or U.S. territory?	Yes or No. If yes, name the State or U.S. territory.
Geographic Coordinates (in Latitude and Longitude format)	Provide the coordinates of the approximate geographic center of the project.

Field Name	Guidance
	The latitude and longitude of the project are to be reported as decimal degrees with a minimum of 5 decimal places.
Is this project in an urban or rural area?	Use the guidance in Section A.3. of the NOFO to answer this question.
Project Zip Code	Identify the zip code that corresponds to the coordinates identified above.
Is the project located in a Historically Disadvantaged Community?	Answer yes only if the project is wholly or partially in a Historically Disadvantaged Community. Provide information in support of the claim. For example, the Census Tract number and description. (If the project is located in multiple zones, the project will be designated as a HDC if the majority of the Project's costs will be spent in the area that qualifies as a HDC.)
Has the same project been previously submitted for PIDP funding?	If so, identify the program and year of the prior submission (such as "PIDP FY 2023").
Is the applicant applying for other Federal discretionary grant programs (managed by DOT or a separate agency) in 2024 for the same work or related scopes of work?	If so, identify the program, amount of funding requested and scope (such as DOT RAISE FY 2024, \$25 million, components 1 and 2 of this PIDP project).
Has the applicant previously received DOT funding for the same work or related scope of work?	If so, identify the program, amount of funding received and scope (such as U.S. Marine Highway Program FY 2022, \$2 million, phase 1 of this PIDP project), and status of the NEPA review for the previously funded project.
Has the applicant previously received TIGER, BUILD, RAISE, FASTLANE, INFRA, USMHP, or PIDP funding?	If so, identify the program and year of the prior award (such as "INFRA FY 2023").
PIDP Grant Amount Requested	Enter the total amount of PIDP grant funds requested.
Total Project Cost	Total Project Cost will be equal to the Total Future Eligible Project Cost, including the PIDP grant amount requested. (Only for small projects at small ports can this cost include previously incurred expenses). This number must be the same as the amount entered on line 18g of the SF-424.
Total Federal Funding	Enter the amount of Federal funding from ALL sources that will be used for this project and list each source of Federal funding. This number must be the same as the amount entered on line 18a of the SF-424.

Field Name	Guidance
Total Non-Federal Funding	Enter the amount of funds committed to the project from non-Federal sources.
Will the applicant be seeking approval to expend funds prior to grant agreement execution?	Yes or No.
Will RRIF or TIFIA funds be used as part of the project financing?	Indicate whether RRIF or TIFIA funding will be used for the project. If so, indicate the amount of funds that will be used.
Does the applicant use LOGINK or a similar logistics platform provided or sponsored by the People’s Republic of China or Chinese state-affiliated entities?	Yes or No. See Section B.3. of this NOFO.

**b. Narrative Section I: Project Description**

This section of the Project Narrative should include:

- A detailed statement of work and describe the proposed PIDP project that is to be planned or constructed, focusing on the technical and engineering aspects of the project as well as the current design status of the project;
- A description of the transportation challenges that the project is intended to address and how the project will address those challenges;
- The project’s history, including a description of any previously completed components, to place the project into a broader context of other relevant infrastructure investments being pursued by the project sponsor (the applicant should make clear which related investments are outside the scope of the proposed PIDP project);
- A written statement that the eligible applicant has the authority to plan, construct, own, operate, and maintain the grant-funded project;
- If the lead applicant intends to act as a pass-through entity for disbursing funds to a subrecipient (including a private-entity joint applicant, if applicable) who will deliver all or a portion of the project, a description of that intention and the work the

subrecipient will carry out should be included in this section and a letter of support from the intended subrecipient (as applicable) should be included as an attachment; and

- If the proposed project includes dredging, the applicant should confirm that the dredging is not for channel improvements or harbor deepening that are part of a Federally maintained navigation channel.

Additionally, if submitting a joint application, applicants should also:

- Identify the lead recipient of the award who will be responsible for financial administration of the project; and
- Include a description of the roles and responsibilities of each applicant.

**c. Narrative Section II: Project Location**

This section of the application should describe the project location, provide a map or maps that clearly indicate the project's location in the local area and the State or territory, provide photographs of the project location, and (if available) renderings of the proposed project. The project's connections to existing transportation infrastructure should also be clearly described or illustrated.

This section should also clearly identify whether the project is:

- located in a rural or urban area (as defined in Section A.3.);
- a project at a coastal, Great Lakes, or inland river port (as defined in Section A.3.);
- a small project at a small port (as defined in Section A.3.) seeking funding under 46 U.S.C. 54301(b); and



- located in a HDC (as defined in Section A.3.), including the relevant census tract(s).<sup>12</sup>

The location description should also include demographic information describing any minority, low income, or limited English proficient communities in the vicinity of, and potentially impacted by, the proposed project.<sup>13</sup>

**d. Narrative Section III: Grant Funds, Sources, and Uses of Funds**

This section should present the budget for the PIDP project (i.e., the project scope that includes PIDP funding and matching funding), including information about the degree of design completion (e.g., 30 percent design) upon which the budget is based. Except for a project seeking funding under 46 U.S.C. 54301(b), the budget should not include any previously incurred expenses that are incurred prior to MARAD's announcement of project selection.

Project budgets should show how different funding sources will share in each activity and present those data in dollars and percentages. The budget should identify other Federal funds, if any, that the applicant is applying for, has been awarded, or intends to use. Funding sources should be grouped into three categories: non-Federal, current FY 2024 PIDP funding request, and other Federal, with specific amounts from each funding source. The budget details should sufficiently demonstrate that the project satisfies the statutory non-Federal cost-sharing requirements described in Section C.2. in order for MARAD to make the determination at Section E.1.d.

At a minimum, the project budget should include:

- Total Project Costs for the FY 2024 PIDP project (see Section C.2. for definition of Total Project Cost);

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<sup>12</sup> A project located in both HDC areas and areas that are not HDC areas will be designated as HDC if the majority of the project's costs will be spent in the area that qualifies as HDC. For PIDP planning grants, the location of the project being planned, prepared, or designed will be used for the HDC designations.

<sup>13</sup> Applicants are encouraged to utilize EPA's [EJScreen](#) or the (<https://screeningtool.geoplatform.gov>) tool to identify the demographics of the communities potentially impacted by the project.

- FY 2024 PIDP grant funding request;
- Specific source, amount, type (grant, loan, etc.), and match requirements of other Federal funds to be used for eligible project costs;
- Specific sources and amounts of non-Federal funds, if included, to be used for eligible project costs; and
- If the project is located in two or more census tracts or is located only partially within an urbanized area, the budget needs to separate the costs between the various census tracts or areas designated as urban and rural.

In addition to the information enumerated above, this section should provide complete information on how all project funds may be used. For example, if a particular source of funds is available only after a condition is satisfied, the application should identify that condition and describe the applicant’s control over whether it is satisfied. Similarly, if a particular source of funds is available for expenditure only during a fixed time period, the application should describe that restriction. Complete information about project funds will ensure that MARAD’s expectations for award execution align with any funding restrictions unrelated to MARAD, even if an award differs from the applicant’s request. If a funding source is uncertain, the applicant should state that it is uncertain and describe the source of the uncertainty.

Applicants are encouraged to include the budget table below, filled out with project details:

	<b>[Component 1]</b>	<b>[Component 2]</b>	<b>Total</b>
PIDP Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Other Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Non-Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
<b>Total:</b>	<b>[\$XXX]</b>	<b>[\$XXX]</b>	<b>[\$XXX]</b>

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

The budget should clearly identify any project expenses anticipated between the time of MARAD’s announcement of project selections and obligation that the applicant intends to request approval from MARAD to expend pursuant to 46 U.S.C. 54301(a)(10)(B) to count toward the non-Federal cost share or 2 C.F.R. 200.458 if its application is selected for award.<sup>14</sup> These pre-obligation costs must still comply with all Federal requirements, including NEPA.

The discussion should also reference (and summarize) supporting documentation of funding commitments for non-Federal funds to be used for eligible project costs. This supporting documentation must be submitted as an appendix and clearly marked. In preparing this section, applicants should also refer to the “Leveraging Federal Funding” merit criterion in Section D.2.e.(3).

**e. Narrative Section IV: Merit Criteria**

This section of the application should demonstrate how the project aligns with the statutory merit criteria described in Section E.1. of this notice. PIDP statutory merit criteria are: Achieving Safety, Efficiency, or Reliability Improvements; Supporting Economic Vitality at the Regional or National Level; Leveraging Federal Funding; and Port Resilience. To assist project evaluators, MARAD encourages applicants to describe the project merit criteria in the order in which they are described in Section E.1, 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.

Insufficient information to assess any criterion will negatively impact the project rating.

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<sup>14</sup> Selection for a FY 2024 PIDP grant award does not constitute MARAD approval of pre-obligation costs. Instead, a recipient must apply to MARAD after announcement of project selection in order to incur and expend these costs pursuant to the process described in 46 U.S.C. 54301(a)(10)(B) or 2 C.F.R. 200.458 and applicable MARAD requirements. MARAD approval of these costs is not guaranteed; therefore, an applicant should not rely on receiving this approval and should be prepared to only begin incurring costs once a grant agreement is executed and funds are obligated.

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

**f. Narrative Section V: Selection Considerations.**

This section should address all the applicable selection considerations related to the Departmental priorities identified in section E.1.(b).

**g. Narrative Section VI: Project Readiness**

Project readiness describes an applicant's preparedness to move a proposed project forward once it receives a PIDP grant. This portion of the narrative should include information that, when considered with the project budget information, is sufficient for MARAD to evaluate whether the project is reasonably expected to begin the capital or planning project in a timely manner and meet both the preferred obligation and expenditure deadlines. Project readiness consists of two factors: technical capacity and environmental risk. Technical capacity is described in detail in section E.1.c.(1). and environmental risk is described in section E.1.c.(2).

**h. Narrative Section VII: Statutory Determinations**

To select a project for award, the Department must determine that the project—as a whole, as well as each independent component of the project—satisfies several statutory requirements enumerated in 46 U.S.C. 54301(a)(6)(A) and restated in the table below. The application must include sufficient information for the Department to make these determinations for both the project as a whole and for each independent component of the project. Applicants should use this section of the application to summarize how their project and, if present, each independent project component, meets each of the following requirements. Applicants are not required to reproduce the table below in their application but following this format will help evaluators identify the relevant information that supports each project determination. Supporting information provided in appendices may be referenced.

<b>Statutory Determination</b>	<b>Guidance</b>
1. The project improves the safety, efficiency, or reliability of the movement of goods through a port or intermodal connection to the port.	<p>Please summarize how the project will improve the safety, efficiency, or reliability of the movement of goods through a port or intermodal connection to a port.</p> <p>Detail specific elements of the project and their forecasted impact on port performance indicators (such as improvements in vessel dwell times, truck turn times, capacity, throughput, accident reductions, etc.).</p> <p>If the project has multiple independent components, please provide sufficient information to describe the impact of each component on the overall project.</p> <p>Note: Projects for shore power at a port that services both passenger vessels described in section 3507(k) of title 46, U.S.C. and vessels that move goods or freight are treated as satisfying this determination.</p>
2. The project is cost effective.	<p>Please highlight the results of the BCA, as well as the analyses of independent project components, if applicable.</p> <p>The Department will base its determination on the ratio of project benefits to project costs as assessed according to the Economic Vitality criterion.</p> <p>Note: This determination is not applicable to small projects at small ports or large projects located in noncontiguous States or U.S. territories.</p>
3. The eligible applicant has the authority to carry out the project.	<p>Please provide citations of authority or other supporting documentation necessary to establish an applicant's authority to carry out the project. The citations should be of sufficient detail to demonstrate that the applicant is an eligible applicant and to show how the applicant is related to the work on the property where the grant funds will be spent.</p> <p>Examples of information that could assist with making this determination include: the citation of specific sections or chapters of state or local statutory language that demonstrate relevant authority; the inclusion of a narrative outlining the authority of the eligible entity applying for</p>

	grant funding; information about who owns the property where the improvements will take place or who operates the facilities that will be improved by the project; or a description of the relationship between the applicant and the owner of the property that links the project to the authority to carry out the project (e.g., through a lease agreement).
4. The eligible applicant has sufficient funding available to meet the matching requirements.	Please indicate funding source(s) and amounts that will account for all project costs, broken down by independent project component, if applicable. Demonstrate that the funding is stable, dependable, and dedicated to this specific project by referencing a letter of commitment, a local government resolution, memorandum of understanding, or similar documentation. Include proof that the matching funds will be available and/or committed prior to obligation of funds, regardless of the source of funding.
5. The project will be completed without unreasonable delay.	Please provide expected obligation date <sup>15</sup> and construction start date, referencing project budget and schedule as needed. If the project has multiple independent components, or will be obligated and constructed in multiple phases, please provide sufficient information to show that each component meets this requirement. MARAD will base its determination on the project risk rating assessed as part of the evaluation of the Project Readiness criterion.
6. The project cannot be easily and efficiently completed without Federal funding or financial assistance available to the project sponsor.	Describe the potential negative impacts on the proposed project if the PIDP grant (or other Federal funding) is not awarded. The applicant must address at least one of the following in the narrative, although a well-written narrative will address each of the potential impacts:

<sup>15</sup> Obligation occurs when a selected applicant enters a written, project-specific agreement with MARAD and is generally after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements, such as NEPA.

	<p>1. How would the project scope be affected if PIDP (or other Federal) funds were not received?</p> <p>2. How would the project schedule be affected if PIDP (or other Federal) funds were not received?</p> <p>3. How would the project cost be affected if PIDP (or other Federal) funds were not received?</p> <p>Impacts to a portfolio of projects will not satisfy this requirement; please describe only project-specific impacts. Re-stating the project's importance for national or regional economy, mobility, or safety will not satisfy this requirement.</p>
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### **3. Unique Entity Identifier and System for Award Management (SAM)**

Each applicant must: (1) be registered in SAM before submitting its application; (2) provide a valid unique entity identifier (UEI) in its application; and (3) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

MARAD may not make a FY 2024 PIDP grant 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 MARAD is ready to make a PIDP grant award, MARAD may determine that the applicant is not qualified to receive a PIDP grant award and use that determination as a basis for making a PIDP grant award to another applicant.

### **4. Submission Dates and Times**

Applications must be submitted to Grants.gov by 11:59:59 p.m. E.D.T. on May 10, 2024. 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. MARAD does not accept applications via mailed paper, fax machine, email, or other means. Please note that the Grants.gov registration process usually takes 2-4 weeks to complete.

## **5. Funding Restrictions**

This program will not fund construction, reconstruction, reconditioning, or purchase of a vessel, unless the Secretary determines such vessel is necessary for a project under Section C.3.a.(IV) of this notice and is not already receiving assistance under 46 U.S.C. chapter 537. In addition, this program will not fund any project within a small shipyard (as defined in 46 U.S.C. 54101).

Improvements to Federally owned facilities are ineligible under the FY 2024 PIDP.

Funds may not be used for channel improvements or harbor deepening that are part of a Federally maintained navigation channel or an access channel associated with a Federal channel, nor may they be used for channel improvements outside a Federal navigation channel unless the improvements are related to an eligible project identified in Section C.3.a. of this notice.

MARAD will not consider previously incurred costs or previously expended or encumbered funds towards the matching requirement for any project prior to MARAD's announcement of project selections, except for certain costs related to a small project at a small port (i.e., grants under 46 U.S.C. 54301(b)). Unless authorized in writing by MARAD after announcement of project selection pursuant to 46 U.S.C. 54301(a)(10)(B) or 2 C.F.R. 200.458, an expense incurred before a grant agreement is executed will not be reimbursed or count towards cost share requirements.

PIDP funds may not be used to support or oppose union organizing.

## **6. Other Submission Requirements**

### **a. Submission Location**

Applications must be submitted to Grants.gov. MARAD does not accept applications via mailed paper, fax machine, email, or other means. To apply through Grants.gov, applicants must:



- (1) Obtain a Unique Entity Identifier<sup>16</sup> (UEI) number.
- (2) Register with the System for Award Management (SAM) at [www.SAM.gov](http://www.SAM.gov).
- (3) Create a Grants.gov username and password.
- (4) Complete Authorized Organization Representative (AOR) registration in Grants.gov.

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 AOR. Please note that there can be more than one AOR for an organization.

Please note that the Grants.gov registration process usually takes 2–4 weeks to complete and that MARAD will not consider late applications that are the result of a failure to register or comply with Grants.gov applicant requirements in a timely manner. For information and instruction on each of these processes, please see instructions at

<https://www.grants.gov/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.

#### **b. Consideration of Applications**

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

#### **c. Late Applications**

Any applications that Grants.gov time stamps after 11:59:59 E.D.T. on May 10, 2024 will not be accepted. Applicants are strongly encouraged to make submissions days, if not weeks, in

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<sup>16</sup> As of April 4, 2022, the Federal government no longer uses the Data Universal Numbering System (DUNS) number to uniquely identify entities. Instead, 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.

advance of the deadline, and 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. Sharing of Application Information**

Except for the information properly marked as described in Section H.1., MARAD may share application information within the Department or with other Federal agencies if the Department determines that sharing is relevant to the respective program's objectives.

### **E. Application Review Information**

This section identifies how MARAD will evaluate applications received for FY 2024 PIDP grant funding.

#### **1. Merit Criteria and Selection Considerations**

##### **a. Merit Criteria**

MARAD will review merit criteria for all applications. Reviewers will assess a project's alignment with the program's statutory merit criteria: Achieving Safety, Efficiency, or Reliability Improvements; Supporting Economic Vitality; Leveraging Federal Funding; and Port Resilience. For each criterion, reviewers will evaluate whether the benefits of the project are clear, direct, data-driven, and reasonable. Based on that assessment, reviewers will assign a rating for each criterion, as explained in greater detail in criterion-specific sections below. See Section E.2. for more information on the Review and Selection Process.

Planning grant applications will be evaluated against the same merit criteria as capital grants; however, the information does not need to be as driven by data as capital projects, since data is

often an outcome of the project to be planned. MARAD will consider how the plan, once implemented, will ultimately further the merit criteria.

### (1) Achieving Safety, Efficiency, or Reliability Improvements

MARAD will evaluate the extent to which the project will improve the safety, efficiency, or reliability of the movement of goods through a port using the rubric below. Applications should detail current safety, efficiency, or reliability issues and describe how specific elements of the project will improve applicable port performance measures (such as reduced vessel dwell times, improved truck turn times, increased capacity or throughput, reduced vehicle crashes, lives saved, reduced workplace injuries, fuel efficiency, energy efficiency, greenhouse gas emissions reductions etc.). If the project has multiple independent components, the applicant should include sufficient information to describe the impact of each component on the overall project.

Using the rubric below, reviewers will assign a rating of “high,” “medium,” “low,” or “non-responsive” for each element (that is, safety, efficiency, and reliability). Projects with higher ratings will be more competitive.

	Non-Responsive	Low	Medium	High
Safety	Application did not address the Safety criterion OR project negatively affects safety	Application contains safety information that does not satisfactorily address this criterion or relates to safety benefits that are external to the port	Project has one or more of the following safety benefits, but safety may not be a primary project purpose or the project’s safety benefits do not meet the description of a “High” rating: <ul style="list-style-type: none"> <li>- Protects workers from safety risks</li> <li>- Incorporates safety improvements that are part of a documented risk reduction plan</li> <li>- Reduces fatalities and/or serious injuries related to port operations</li> </ul>	Safety is a primary project purpose AND the project has clear, direct, data-driven (for capital projects) and significant benefits that target a documented safety problem by doing one or more of the following: <ul style="list-style-type: none"> <li>- Incorporates specific safety improvements that are part of a documented risk reduction mitigation strategy and that have port-wide impact</li> <li>- Protects individuals inside the port from safety risks</li> <li>- Reduces fatalities and/or serious injuries related to port operations</li> </ul>
Efficiency	Application did not address the Efficiency criterion OR project negatively affects efficiency	Application contains efficiency information that does not satisfactorily address this criterion or relates to	Project has one or more of the following efficiency benefits even though efficiency may not be a primary project	Efficiency is a primary project purpose AND the project has clear, direct, data-driven (for capital projects) efficiency

		efficiency benefits that are external to the port	purpose or the project's efficiency benefits do not meet the standard of a "High" rating: - Results in an improvement likely to increase cargo throughput - Makes improvements that enhance the speed of cargo operations	benefits by accomplishing one or more of the following: - Results in a documented increase in cargo throughput by meeting an existing, well-defined need for additional throughput capacity - Generates changes in port operations that increase the types of cargo that can be moved through the port with documentation of likely increases in new cargo volumes
<b>Reliability</b>	Application did not address the Reliability criterion OR project negatively affects reliability	Application contains reliability information that does not satisfactorily address this criterion or relates to reliability improvements that are external to the port	Project has one or more of the following reliability benefits even though reliability may not be a primary purpose or the project's reliability benefits do not meet the standard of a "High" rating: - Results in enhancements that are likely to improve the dependability of cargo operations - Remedies infrastructure deficiencies that have an adverse impact on port operations	Reliability is a primary project purpose AND the project has clear, direct, data-driven (for capital projects) reliability benefits by accomplishing one or more of the following: - Results in enhancements that generate well-documented improvements in the dependability of cargo operations - Remedies infrastructure deficiencies that are identified in a capital investment plan and that have a demonstrated impact on cargo operations

## (2) Supporting Economic Vitality at the Regional or National Level

### (a) Large Projects

MARAD will consider the net benefits of large projects (as defined in Section A.3.) seeking PIDP funding, except for those projects located in noncontiguous States and U.S. territories. To the extent possible, MARAD will rely on quantitative, data-supported analyses to assess how well a project addresses this criterion, including an assessment of the project's estimated Benefit Cost Ratio (BCR) and net benefits based on the applicant supplied Benefit Cost Analysis (BCA) described below.

For large projects (see Section A.3. for definition of large projects), this criterion measures the benefits generated by the project against the costs of the project. Among otherwise comparable applications, MARAD will prioritize projects that maximize net benefits.

This section describes the recommended approach for the completion and submission of a BCA narrative and calculation file. Applicants should also review DOT's detailed guidance on how to conduct a BCA, which is available on the DOT website at <https://www.transportation.gov/mission/office-secretary/office-policy/transportation-policy/benefit-cost-analysis-guidance>.

In this section, the applicant should summarize the conclusions of the BCA, including estimates of the project's Benefit-Cost Ratio (BCR) and net benefits.

The purpose of the BCA is to enable DOT to evaluate the project's cost-effectiveness by comparing its expected benefits to its expected costs, relative to a no-build scenario. Applicants should provide a BCA narrative description of their analysis as well as the calculation or analysis files used for their BCA (such as unlocked spreadsheet files). The BCA narrative should carefully document the assumptions and methodology used to produce the analysis, including a description of the baseline, the sources of data used to project the outcomes of the project, and the values of key input parameters. The spreadsheets and technical memos should present the calculations in sufficient detail and transparency to allow the analysis to be reproduced by DOT evaluators. Any benefits claimed for the project, both quantified and unquantified, should be clearly tied to the expected outcomes of the project. While benefits should be quantified wherever possible, applicants may also describe other categories of benefits in the application narrative.

To address this criterion in the project narrative, applicants should summarize the conclusions of the BCA, including estimates of the project's BCR and net benefits. In addition to

the BCA, the applicant may also wish to describe economic impacts and other data-supported outcomes that may not have been included in the BCA, such as how the project supports American industry and will result in high-quality job creation by supporting good-paying jobs with a free and fair choice to join a union in project construction and in on-going operations and maintenance, and incorporate strong labor standards, such as through the use of project labor agreements, registered apprenticeship programs, and other joint labor-management training programs.

Based on MARAD's assessment, MARAD will assign an economic analysis rating of high, medium-high, medium, medium-low, or low according to the following table:

<b>Rating</b>	<b>Description</b>
High	The project's benefits will exceed its costs, with a BCR of at least 2.0
Medium-High	The project's benefits will exceed its costs
Medium	The project's benefits are likely to exceed its costs
Medium-Low	The project's costs are likely to exceed its benefits
Low	The project's costs will exceed its benefits

Projects with a higher rating as described above will be more competitive than ones with lower ratings.

### **(b) Small Projects at Small Ports**

Applications for funding for small projects at small ports (as defined in Section A.3.) are not required to include a BCA. Instead, the economic vitality analysis for small projects at small ports will apply to applications seeking funding under 46 U.S.C. 54301(b). Under this criterion, MARAD will evaluate applications for small projects at small ports for how well they address the project's impact on: (1) the economic advantage of the port, (2) the contribution to freight

transportation at, around, and through the port, and (3) overcoming the competitive disadvantage of the port.

The economic advantage of a port relates to existing logistical, geographic, transportation, or business advantages at a port that will be enhanced or improved as a result of the project. It includes factors such as superior logistics, the availability of large spaces or capacity, proximity to railroads and highways, ample truck parking, light traffic congestion, and economic incentives. Information related to a project's impact on economic advantage should include evidence of improvements the project will generate as reflected in commitments, plans, or other documentation. It should also include analysis and documentation related to how the project will enhance the elements of economic advantage, such as by creating economies of scale, overcoming barriers to entry, or creating more efficient physical access for labor, resources, and customers to and around the port. Regarding economies of scale, the applicant should indicate whether or not the average cost of operation will decrease (or at least remain the same) following the increase in scale. Examples of projects, or project components, in support of an increase in a port's economies of scale include, but are not limited to, land expansion, new or larger warehouses, and longer or wider berths. Barriers to entry consist of economic and geographic barriers, such as an incumbent or adjacent(s) port having an absolute cost advantage due to port location, a large minimum scale of operation, or low switching costs; or the applicant's port having natural constraints to its capacity.

The narrative's discussion of the project's contribution to freight transportation should address how the project will improve the physical process of transporting goods and commodities. It should also address how the project will reduce or eliminate potential points of failure related to the transportation of goods.

Applicants should also include information that will help reviewers understand the competitive disadvantage of the port and, as appropriate, how the project will improve the port's competitive position. Competitive disadvantage refers to existing market, transportation connectivity, or infrastructure conditions that impede, disrupt, or minimize the relative competitive position of a port in logistics or business and how the proposed project will address those issues. Elements of competitive disadvantage include severe climate, unfavorable port location, technological limitations, or limited operational capability. Applicants should explain how PIDP funding will help reduce, remove, or correct those elements.

Overall, applicants should include data and/or well-reasoned analyses when providing inputs on the economic vitality of a proposed project. Economic vitality supports the development of transportation systems that stimulate, support, and enhance the movement of goods to ensure a prosperous community and economy. When preparing the Project Narrative, applicants should consider that the concept of economic vitality includes recognizing a full range of multimodal and intermodal freight needs, public-private partnerships, sustainability, and institutional linkages within the community.

Reviewers will assign a rating of “high,” “medium,” “low,” or “non-responsive” as described in the rubric below. Projects with higher ratings will be more competitive.

Non-Responsive	Low	Medium	High
Application did not address economic advantage, contribution to freight transportation, or competitive disadvantage OR Reviewers determined that the project will not improve any of the factors	Reviewers determined that the project will address one of the following: improve economic advantage; contribute positively to freight transportation; or improve the competitive advantage of the port	Reviewers determined that the project will address two of the following factors: improve economic advantage; contribute positively to freight transportation; or improve the competitive advantage of the port	Reviewers determined that the project will address all of the following factors: improve economic advantage; contribute positively to freight transportation; and improve the competitive advantage of the port

### **(3) Leveraging Federal Funding to Attract Non-Federal Sources of Infrastructure Investment**

To maximize the impact of PIDP awards, MARAD seeks to leverage PIDP funding with non-Federal contributions. To evaluate this criterion, MARAD will assign a leverage rating to



each project. See Section D.2.d. The rating will be based on the calculated non-Federal share of the project's future eligible project costs. Refer to Section C.2. of this notice for how MARAD will make this calculation. MARAD will sort project applications based on their calculated non-Federal leverage percentage into one of five groups or quintiles. A project in a higher quintile will be more competitive than a comparable project in a lower quintile.

#### **(4) Port Resilience**

As provided in 46 U.S.C. 54301(a)(6)(B)(iii), the Secretary shall give substantial weight to changes to a port's resilience (as defined in Section A.3.) as a result of the project. Therefore, MARAD will assess whether (and how well) a project improves a port's resilience, including its role in a vibrant local, regional, or national supply chain system.

In considering a project's role in improving a port's resilience to natural or climate-related hazards, reviewers will consider how well the project incorporates evidence-based climate resilience and adaptation measures or features. Projects will score more highly on this element of the criterion if the narrative demonstrates that the project: uses best-available climate data sets, information resources, and decision-support tools (including DOT and other federal resources<sup>17</sup>) to assess the climate-related vulnerability and risk of the project; develops and deploys solutions that reduce climate change risks; is included in a Resilience Improvement Plan or similar plan; incorporates nature-based solutions/natural infrastructure; advances objectives in the National Climate Resilience Framework;<sup>18</sup> follows the Federal Flood Risk Management Standard,

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<sup>17</sup> The Department has developed a Climate Action Plan, available at <https://www.transportation.gov/sustainability/climate/dot-climate-action-plan-resilience>, that describes efforts to be taken by DOT to bolster adaptation and increase resilience. The DOT Climate Action Plan may serve as a useful resource for applicants in developing the port resilience section of the application, but the preference is for applicants to utilize State, local, or regional resilience assessment and mitigation resources where possible and describe any alignment with the DOT Climate Action Plan.

<sup>18</sup> The National Climate Resilience Framework is available at: <https://www.whitehouse.gov/wp-content/uploads/2023/09/National-Climate-Resilience-Framework-FINAL.pdf>

consistent with current law; and includes plans to monitor performance of climate resilience and adaptation measures.

Reviewers will assign a rating of “high,” “medium,” “low,” or “non-responsive” as described in the rubric below. Projects with higher ratings will be more competitive.

Non-responsive	Low	Medium	High
Application did not address how the project will advance the port’s ability to withstand natural and climate-related hazards and human-caused emergencies OR Reviewers determined that the project will not improve either of those factors.	Reviewers determined that the project will advance either the port’s ability to withstand natural and climate-related hazards or human-caused emergencies.	Reviewers determined that the project will advance either the port’s ability to withstand natural and climate-related hazards or human-caused emergencies and that the project results in positive, quantifiable impacts on the supply chain; and, the project incorporates evidence-based climate resilience and adaptation features or includes a plan to monitor performance of climate resilience and adaptation measures.	Reviewers determined that the project will advance both the port’s ability to withstand natural and climate-related hazards and human-caused emergencies and that the project results in positive, quantifiable impacts on the supply chain; and, the project incorporates evidence-based climate resilience and adaptation features and includes a plan to monitor performance of climate resilience and adaptation measures.

## b. Selection Considerations

After completing the merit review, among projects of similar merit, MARAD may prioritize projects that align well with the following Departmental priorities. Applicants may want to refer to the DOT Strategic Plan<sup>19</sup> and the DOT Navigator<sup>20</sup> for additional information and guidance relating to Selection Considerations. The DOT Navigator is a tool to assist applicants in applying for DOT funding and includes checklists for Climate Change and Workforce priorities to assist applicants in responding to those criteria.

### (1) Climate Change and Sustainability

Reviewers will assign a rating of “high,” “medium,” “low,” or “non-responsive” based on their assessment of how well the PIDP application incorporates climate change and sustainability

<sup>19</sup> The DOT Strategic Plan is available at: [https://www.transportation.gov/sites/dot.gov/files/2022-04/US\\_DOT\\_FY2022-26\\_Strategic\\_Plan.pdf](https://www.transportation.gov/sites/dot.gov/files/2022-04/US_DOT_FY2022-26_Strategic_Plan.pdf)

<sup>20</sup> The DOT Navigator is available at: <https://www.transportation.gov/dot-navigator>.

factors in both planning activities and project elements. Applications that are highly rated on this criterion will be those that use data-driven and evidence-based methods to demonstrate that the project will significantly reduce GHG emissions in the transportation sector.

A project aligns well with the project planning element of this criterion if: the narrative describes what specific climate change activities have been completed for the project; the project is part of a State Carbon Reduction Strategy, State Electric Vehicle Infrastructure Deployment Plan, or other State, Local, or Tribal GHG reduction plan; the narrative demonstrates how the project aligns with the U.S. National Blueprint for Transportation Decarbonization;<sup>21</sup> the project will strengthen domestic supply chains for clean energy industries such as offshore wind,<sup>22</sup> or, if it includes a plan to monitor the impact of the project on GHG emissions.

Projects that typically reduce GHG emissions in the transportation sector include elements that: increase the use of energy efficient modes of transportation like rail or maritime; support transitioning to clean vehicles, cargo handling equipment, harbor craft, and fuels, including electrification, charging infrastructure, and grid upgrades; use project materials and construction methods that have lower embodied GHG emissions; or incorporate carbon-reducing uses of unused areas of a port such as by installing solar arrays or facilitating transmission of electricity from renewables. Projects that also incorporate climate change and sustainability could include

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<sup>21</sup> <https://www.transportation.gov/priorities/climate-and-sustainability/us-national-blueprint-transportation-decarbonization>

<sup>22</sup> USDOT is a member of the Federal-State Offshore Wind Implementation Partnership (described at <https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/23/fact-sheet-biden-administration-launches-new-federal-state-offshore-wind-partnership-to-grow-american-made-clean-energy/>, at <https://www.whitehouse.gov/briefing-room/statements-releases/2023/02/22/fact-sheet-biden-harris-administration-announces-actions-to-expand-offshore-wind-nationally-and-harness-more-reliable-affordable-clean-energy/>, and at <https://www.whitehouse.gov/briefing-room/statements-releases/2023/09/21/fact-sheet-biden-harris-administration-advances-offshore-wind-transmission-strengthens-regional-supply-chain-buildout-and-drives-innovation/>) as well as the Floating Offshore Wind Shot (described at <https://www.energy.gov/eere/wind/floating-offshore-wind-shot>). These initiatives may serve as useful references for applicants in identifying any areas of application alignment with federal and state efforts to advance offshore wind – one example of a clean energy industry with port infrastructure needs. USDOT will coordinate with agencies involved in these initiatives to ensure alignment with federal and state offshore wind efforts.

elements that advance worker training to support electrification technology and/or support port electrification master planning, as well as elements that support GHG emission reductions beyond the transportation sector, such as providing supportive infrastructure for clean energy industries. Projects that typically increase GHG emissions, such as roadway expansions or increases in hardscape infrastructure, will not score highly on this criterion. A project will rate more highly on this criterion if an applicant demonstrates that the project: would significantly reduce transportation GHG emissions, as shown through analysis with DOT tools<sup>23</sup> or similar resources; is part of a State Carbon Reduction Strategy, State Electric Vehicle Infrastructure Deployment Plan, or other State, local, or Tribal GHG reduction plan; aligns with the U.S. National Blueprint for Transportation Decarbonization;<sup>24</sup> strengthens domestic supply chains for clean energy industries such as offshore wind; or includes a plan to monitor the impact of the project on GHG emissions. The applicant should indicate if it maintains a publicly available emissions inventory of greenhouse gases and/or other air pollutants completed after 2019, or, whether it intends to develop one.

To receive a high rating, a project must demonstrate how, in both planning activities and project elements, the project furthers the administration goals of climate change and sustainability. In addition, a project benefit must be the reduction of GHG emissions and particulates in the transportation sector. Applications that demonstrate how the project furthers the administration goals of climate change and sustainability in both planning activities and project elements, but doesn't necessarily result in GHG emissions reductions, will receive a medium rating. Applications that incorporate climate change or sustainability in only planning activities or only project elements will receive a low rating. Applications that fail to

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<sup>23</sup> <https://www.transportation.gov/priorities/climate-and-sustainability/greenhouse-gas-analysis-resources-and-tools>

<sup>24</sup> <https://www.transportation.gov/priorities/climate-and-sustainability/us-national-blueprint-transportation-decarbonization>

substantively address this criterion in either planning activities or project elements will receive a non-responsive rating. In addition, projects that will have a negative effect on climate change or sustainability will receive a non-responsive rating.

## **(2) Equity and Justice<sup>40</sup>**

MARAD reviewers will assess how an applicant's planning activities and project components support advancements in equity and Justice<sup>40</sup> considerations.

In evaluating whether a project advances the equity policy priority, reviewers will consider how it: addresses disproportional impacts on underserved communities; addresses the unique challenges rural and Tribal communities face related to economic development; and incorporates and supports integrated land use, economic development, and transportation infrastructure to improve the movement of goods.

**Equity considerations.** Projects will be rated higher on this criterion if the application narrative clearly demonstrates that: (1) the project will create positive outcomes that will reduce, mitigate, or reverse how communities adjacent to the port are experiencing disadvantage (such as by reducing pollution, connecting Americans to good-paying jobs, and/or improving quality of life). Applicants are strongly encouraged to use the USDOT Equitable Transportation Community (ETC) Explorer<sup>25</sup> to understand how their project area is experiencing disadvantage; (2) the applicant implements programs and policies that ensure the benefits of project investments for, while mitigating the economic displacement of, economically-susceptible residents and businesses; and (3) the applicant has implemented a plan to engage the public, including disadvantaged communities during all phases of the project, including planning, design, construction, and implementation.

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<sup>25</sup> <https://www.transportation.gov/priorities/equity/justice40/etc-explorer>

**Justice40 considerations.** Projects will be rated higher on this criterion if the application narrative indicates that the project supports the goals of the Justice40 initiative.<sup>26</sup> In evaluating whether a project advances the Justice40 priority, reviewers will consider how the project: considers the benefits and potential burdens a project may create; who would experience the benefits and potential burdens and how both will be measured over time (with a specific focus on how the benefits and potential burdens will impact underserved or disadvantaged communities). For example, the narrative might indicate how the project: reduces exposure to hazardous materials and waste, harmful emissions, and noise impacts on disadvantaged and overburdened communities; increases the availability of, and access to, clean transportation options, including EVs and charging stations; integrates climate justice into project-related environmental review processes; or supports innovative programs, policies, and projects to reduce the environmental impacts associated with freight movements.

A project will receive a “high” rating if the narrative uses data to demonstrate that the project will advance both equity and Justice40 considerations. To receive a “medium” rating, an application must use data to demonstrate that the project advances either equity or Justice40. If the narrative demonstrates qualitatively that the project will advance both equity and Justice40, the project will receive a “medium” rating. A project will achieve a “low” rating if the narrative demonstrates qualitatively that only one of the two considerations is addressed. A project would receive a “non-responsive” rating if none of the considerations are addressed or if reviewers conclude that the project would have a negative impact on equity and Justice40.

### **(3) Workforce Development, Job Quality, and Wealth Creation**

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<sup>26</sup> <https://www.transportation.gov/equity-Justice40>

MARAD will consider the extent to which projects 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. Projects will rate more highly on this criterion if the application narrative demonstrates that the project will: (1) create good-paying, safe jobs with the free and fair choice to join a union, including through the use of project labor agreements;<sup>27</sup> (2) promotes investments in 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 women, people of color, and others that are underrepresented in infrastructure jobs (people with disabilities, people with convictions, etc.); (3) include changes to hiring policies and workplace cultures to promote the entry and retention of underrepresented populations; or (4) promotes local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned Businesses, or 8(a) firms.

Reviewers will assign applications a “high,” “medium,” “low,” or “non-responsive” rating based on how well the project addresses this topic. An application that demonstrates that a project includes a strong commitment to advancing workforce development, job quality, and inclusive economic development and entrepreneurship will receive a high rating. A medium rating will be assigned to a project if the application demonstrates that it will advance at least two of those considerations. Applications that advance only one of those considerations will be assigned a low rating. Applications that do not address this criterion or that reviewers determine will negatively impact this criterion will be assigned a non-responsive rating.

### **c. Project Readiness**

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<sup>27</sup> These agreements may include pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project.

Each application will receive a Project Readiness rating based on the ratings it receives for Technical Capacity and Environmental Risk. The Project Readiness rating will be based on the poorest risk rating earned in either Technical Capacity or Environmental Risk. For example, if an application is evaluated as high risk for Technical Capacity and medium risk for Environmental Risk, its Project Readiness rating will be high risk since a rating of high risk is less desirable than a rating of medium risk. The following paragraphs describe how MARAD will evaluate Technical Capacity and Environmental Risk.

### **(1) Technical Capacity**

The applicant should provide information demonstrating its technical capacity to implement the project based on experience and understanding of Federal requirements. The application may include a description of the applicant's history of delivering similar projects. The application should also demonstrate a project's feasibility or constructability and schedule, and how the project will comply with applicable Federal requirements. The narrative should also include information about how and when cost data in the budget was compiled, including information on how it was sourced (such as a cost database, market survey, or fixed-price bid). The discussion should also include information about the recency and degree of design completion used to compile the cost information. An applicant's failure to include this information could adversely affect its technical capacity rating.

The applicant should indicate whether the project is part of an ongoing planning effort, such as at the local, regional, or State level. Information on whether the project is included in a local or State freight plan, part of a facility or organization strategic plan, or included in other planning efforts should be included. Applicants should provide links or other documentation supporting the project's inclusion in these planning efforts.



**Project Schedule.** The applicant should include a detailed project schedule that identifies all major project milestones. For capital project applications, 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; real property and right of way acquisition; approval of plans, specifications, and estimates; procurement; project partnership and implementation agreements, including agreements with non-governmental entities involved in or impacted by the project; and construction. For planning projects, examples of milestones may include start dates, schedule for public engagement, and completion dates. The project schedule should be sufficiently detailed to demonstrate that:

- all necessary pre-award activities will be complete at least six months in advance of the obligation deadline<sup>28</sup> to allow sufficient time for unexpected delays and to meet the expected obligation deadline;<sup>29</sup>
- the capital project can begin construction upon obligation of grant funds and that those funds will be spent expeditiously once construction starts, in order for MARAD to make the determination described in Section D.2.h., with all funds expended five years after obligation;
- all real property and right-of-way acquisition will be completed in a timely manner in accordance with 49 C.F.R. part 24 and other applicable legal requirements, even if acquired outside the scope of the PIDP project, or a statement that no right-of-way acquisition is necessary; and

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<sup>28</sup> The expected obligation deadline is September 30, 2027. MARAD assesses risk against an earlier deadline of June 30, 2027 to allow time to complete administrative processing and address challenges before the obligation deadline.

<sup>29</sup> Obligation occurs when a selected applicant and MARAD enter into a written grant agreement after the applicant has satisfied applicable administrative requirements, including transportation planning and environmental review requirements.

- 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.

**Risk Mitigation.** Applicants should include a discussion of project risks and related mitigation strategies. The discussion should focus on, but need not be exclusively related to, risks related to project readiness. For example, the applicant should identify project risks, such as approval or permit delays, procurement delays, technical challenges in design or construction, environmental uncertainties, potential increases in project costs, or lack of required approvals that affect the likelihood of successful project start and completion. The narrative should include a discussion that identifies how the project parties will mitigate or otherwise be able to handle the identified risks. For example, if an applicant anticipates pursuing a waiver of 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.

The Technical Capacity Assessment will evaluate the applicant's capacity to successfully deliver the project in compliance with applicable Federal requirements. MARAD will consider significant risks to successful completion of a project, including risks associated with the complexity of the project, the proposed project schedule, and the applicant's overall capacity to manage project delivery. If applicable, reviewers will also consider the applicant's previous experience working with Federal agencies on grant-funded projects. Risks do not disqualify projects from award, but competitive applications clearly and directly describe achievable risk mitigation strategies. A project with mitigated risks is more competitive than a comparable project with unaddressed risks.

Technical Capacity ratings will be one of the following: “low risk,” “moderate risk,” or “high risk.” An applicant’s lack of previous experience with Federally funded grants will not disqualify a project from consideration.

## **(2) Environmental Risk**

The application should include sufficient information for MARAD to evaluate whether a project is reasonably expected to begin construction in a timely manner, consistent with all applicable local, State, and Federal requirements. To assist MARAD’s project environmental risk review, the applicant should provide the information requested on the anticipated NEPA class of action and status, required approvals and permits, public involvement, and right-of-way acquisition plans (if applicable), each of which is described in greater detail in the following sections. To minimize redundant information in the application, MARAD encourages applicants to cross-reference from the Project Readiness section of the narrative to relevant information in other sections of the application.

**Information about the NEPA status of the project.** The applicant should indicate the anticipated NEPA level of review for the project and describe any environmental analysis in progress or completed. This includes Categorical Exclusion, Environmental Assessment/Finding of No Significant Impact, or Environmental Impact Statement/Record of Decision. The applicant should review the Maritime Administration Manual of Orders (MAO) 600-1 (available at <https://www.maritime.dot.gov/sites/marad.dot.gov/files/docs/environment-security-safety/office-environment/596/mao600-001-0.pdf>) prior to submission.

The applicant should be aware that any project that includes in-water work, extensive ground disturbance, and/or potential significant impacts to environmental resources will not be eligible for a Categorical Exclusion and the applicant should endeavor to include the appropriate class of action for the project.

The applicant should provide a discussion of any environmental reviews that have been initiated or previously completed, where the project is in that process, and indicate the anticipated date NEPA would be initiated and an anticipated completion date. If the last agency action with respect to NEPA documents occurred more than three years before the application date, the applicant should describe why the project has been delayed and include a proposed approach for verifying and, if necessary, updating this material in accordance with applicable NEPA requirements.

The applicant should be aware that the final determination of NEPA class of action will be made by MARAD after announcement of project selections. The successful applicant will be responsible for the completion of MARAD's NEPA documentation, in collaboration with MARAD's NEPA Coordinator in the Office of Environmental Compliance, prior to execution of the grant agreement. The applicant should reflect the most conservative NEPA class of action in both the schedule and budget of the application. If applicable, applicants should include a description of any pre-submittal discussions with the appropriate MARAD NEPA Coordinator in the Office of Environmental Compliance regarding the project's compliance with NEPA and other applicable Federal environmental reviews and approvals. Applicants are encouraged to engage with MARAD's Office of Environmental Compliance as part of the application development process to ensure they fully understand MARAD's NEPA process.

**Information about the National Historic Preservation Act (NHPA) status of the project.**

The applicant should indicate any previously completed or ongoing consultations involving the project and any adjacent areas under Section 106 of the NHPA, 54 U.S.C. 306108. This includes any communication with State Historic Preservation Offices (SHPOs), Tribal Historic Preservation Offices (THPOs), and other interested parties. If applicable, the applicant should discuss the status of consultations and the anticipated date of completion. If any known historic

resources within the project area have been determined to be adversely affected or potentially adversely affected by the project, as determined by SHPO, THPO, or another Federal agency, the applicant must include this information in detail. MARAD will have final say on the acceptance of prior consultations and may require additional consultations if necessary. Successful applicants will be responsible for completion of MARAD's Section 106 documentation prior to NEPA completion and execution of the grant agreement.

**Environmental Permits and Reviews.** The application should demonstrate an awareness of all environmental permits and approvals that will be required for the project to proceed to construction consistent with the timeline specified in the project schedule and necessary to meet the obligation deadline, and a schedule showing receipt or the anticipated receipt of these anticipated approvals. Examples include but are not limited to: U.S. Army Corps of Engineers permits, consultations under Section 7 of the Endangered Species Act, 16 U.S.C. 1531, and other Federal, State, and local requirements. The successful applicant, in collaboration with MARAD, will be responsible for the completion of consultations under Section 7 of the Endangered Species Act prior to completing NEPA.

Additionally, the application should reference environmental studies or other documents, preferably through a website link, that describe in detail known project impacts and possible mitigation for those impacts, and, if applicable, right-of-way acquisition plans, with detailed schedule and compensation plan. The application should also include a description of public engagement about the project that has occurred or is anticipated to be conducted as part of the project and/or NEPA process, proactively inclusive of Historically Disadvantaged Communities, including details on compliance with environmental justice requirements and the degree to which public comments and commitments have been integrated into project development and design.

The application should also include any known or anticipated stakeholder or general public contentious issues related to the project.

**State and Local Approvals.** The applicant should demonstrate receipt (or reasonably anticipated receipt) of State and local approvals on which the project depends, such as State and local environmental permitting and planning. For projects acquiring a State DOT-owned right of way, applicants should demonstrate they have coordinated the project with the State DOT or transportation facility owner. Additional support from relevant State and local officials is not required; however, an applicant should demonstrate that the project has broad public support.

**Information on environmental reviews, approvals, and permits by other agencies.** An application should indicate whether the proposed project requires reviews or approval actions by other agencies,<sup>30</sup> provide detailed information about the status of those reviews or approvals, and should demonstrate compliance with any other applicable Federal, State, or local requirements, and when such approvals are expected. Applicants should provide a website link or other reference to copies of any reviews, approvals, and permits prepared.

A description of whether the project is dependent on, or affected by, U.S. Army Corps of Engineers investment and the U.S. Army Corps of Engineers planned activities as it relates to the project, if applicable, should be included.

Reviewers will independently assess the level of review of the project required by NEPA and evaluate whether the applicant has demonstrated receipt (or reasonably anticipated receipt) of other necessary environmental permits. Reviewers will also assess the applicant's understanding of the required environmental obligations and scope, as well as the applicant's ability to comply with other environmental reviews, consultations, and approvals (such as the Endangered Species

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<sup>30</sup> Projects that may impact protected resources such as wetlands, species habitat, or cultural or historic resources require review and approval by Federal and State agencies with jurisdiction over those resources.

Act and the NHPA). As with risks related to technical capacity, environmental risks do not disqualify projects from award, but competitive applications include achievable risk mitigation strategies.

Environmental Risk ratings will be one of the following: “low risk,” “moderate risk,” or “high risk.”

#### **d. Determinations**

As indicated in Section D.2.h. above, projects must satisfy the six determinations identified in 46 U.S.C. 54301(a)(6)(A) prior to award selection. For applications that seek funding for projects under 46 U.S.C. 54301(b), the project will not be required to satisfy the determination that the project is cost effective. Similarly, large projects in noncontiguous States and U.S. territories will not be required to satisfy the determination that the project is cost effective.

## **2. Review and Selection Process**

### **a. Review Process**

The FY 2024 PIDP grant application evaluation process consists of an Intake Review Phase, a Technical Review Phase, and a Senior Review Phase.

During the Intake Review Phase, the Intake Team will sort applications into groupings for assignment to evaluators and conduct a threshold eligibility screening based on criteria outlined in this NOFO.

During the Technical Review Phase, MARAD staff will analyze applications and provide ratings, consistent with the descriptions in this notice. Initially, all applications will be reviewed for their alignment with the following merit criteria: Achieving Safety, Efficiency, or Reliability Improvements; Port Resilience; and Leveraging Federal Funding. The applications will also be reviewed for their alignment with the additional selection considerations of Climate Change and

Sustainability; Equity and Justice<sup>40</sup>; and Workforce Development, Job Quality, and Wealth Creation.

Projects that receive a “High” rating in Safety, Efficiency, or Reliability Improvements, no less than a “Medium” rating in Port Resilience, and whose calculated non-Federal share of the project’s future eligible costs exceeds 20 percent will be designated “Highly Recommended” and automatically advance for second-tier analysis.

After that initial review, projects that did not receive a “Highly Recommended” designation will be presented to the SRT. The SRT will decide which of the projects not designated as “Highly Recommended” will move forward for second-tier analysis. The SRT will primarily base its decision on how well a project meets the statutory merit criteria of Achieving Safety, Efficiency, or Reliability Improvements; Port Resilience; and Leverage. The SRT may also consider a project’s rating on: Climate Change and Sustainability; Equity and Justice<sup>40</sup>; and Workforce Development, Job Quality, and Wealth Creation. A project that aligns poorly with the selection considerations of Climate Change, Equity, or Workforce Development may nevertheless be advanced for additional review.

During the second-tier analysis, projects will be reviewed for their alignment with the following criteria: Supporting Economic Vitality; Project Readiness; and Statutory Determinations.

Based on the results of the second-tier review, the SRT will assemble a List of Projects for Consideration for selection by the Secretary. A project will be advanced to the List of Projects for Consideration based on its alignment with the statutory merit criteria. In addition, a project must meet all applicable determinations to be advanced on the List of Projects for Consideration. Only those projects that meet all applicable determinations will be advanced to the Secretary for



consideration and those projects will be ranked in order of alignment with the statutory merit criteria.

Using the discretionary authority provided in statute, the Secretary selects projects from the List of Projects for Consideration for award consistent with the merit criteria and selection considerations described in Section E.1. In making PIDP grants, the Secretary may give priority to providing funding to strategic seaports in support of national security requirements as required by the FY 2024 NDAA.

#### **b. Follow-up with Applicants**

MARAD may ask any applicant to supplement data in its application but is not required to do so. Lack of supporting information provided with the application negatively affects competitiveness of the application. Throughout the review and selection process, MARAD may seek additional information from an applicant related to project eligibility, whether the project can be completed with a reduced award, or other information needed to complete project analysis. MARAD will use email when seeking additional information from an applicant. MARAD will send the email to the point(s) of contact listed by the applicant on the SF-424.

### **3. Additional Information**

Planning grant applications will be evaluated against the same criteria as capital grant applications, and MARAD will prioritize funding for projects that propose to move into the construction phase within the period of performance. Accordingly, applications for development phase activities only will be less competitive than capital projects.

Prior to obligation of funds, each selected applicant will be subject to a risk assessment as required by 2 C.F.R. 200.206. MARAD must review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). An

applicant may review information in FAPIIS and comment on any information about itself. MARAD 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, MARAD will announce projects selected for award by posting a list of selected projects at <https://www.maritime.dot.gov/PIDPgrants>. 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, MARAD will contact the point of contact listed in the SF-424 to initiate negotiation of the grant agreement.

Recipients of a PIDP award will not receive a lump-sum cash disbursement at the time of announcement of project selection or obligation of funds. Instead, PIDP grant funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and a valid request for reimbursement has been submitted and approved by MARAD.

### **2. Administrative and National Policy Requirements**

#### **a. Administrative Requirements**

Amounts awarded as a grant under this notice from BIL funding that are not expended by the grant recipient shall remain available to MARAD until September 30, 2034, for use for grants under this program.

MARAD will determine the period of performance for each award based on the specific project that was evaluated and selected. MARAD will administer each PIDP grant pursuant to a grant agreement with the grant recipient. The grant agreement includes two attachments: one labelled "Exhibits" and one labelled "General Terms and Conditions." These attachments include

most of the administrative and national policy requirements applicable to PIDP grant awards. Please visit <https://www.maritime.dot.gov/grants/federal-grant-assistance/federal-grant-assistance> for the Exhibits and General Terms and Conditions for prior PIDP awards. The FY 2024 PIDP Exhibits and General Terms and Conditions will be similar to the FY 2023 PIDP documents but will include relevant updates consistent with this notice.

Consistent with the provisions in 46 U.S.C. 54301(a)(10)(B) and 2 C.F.R. 200.458, unless “pre-award costs” are authorized by MARAD in writing after MARAD’s announcement of FY 2024 PIDP awards, any costs incurred prior to MARAD’s obligation of funds for a project are ineligible for reimbursement and are ineligible to count as match for cost share requirements.

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 C.F.R. part 200, as adopted by DOT at 2 C.F.R. part 1201. Federal prevailing 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 PIDP grant funds, other Federal funds, or non-Federal funds.

As expressed in Executive Order 14005, *Ensuring the Future Is Made in All of America by All of America’s Workers* (86 FR 7475), the executive branch should maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Funds made available under this notice are subject to the domestic preference requirements of the Build America, Buy America Act, Pub. L. No. 117-58, div. G, tit. IX, subtit. A, 135 Stat. 429, 1298 (2021). MARAD expects all applicants to comply with those requirements, and no amounts made available through this NOFO may be obligated for a project unless all iron, steel, manufactured products, and construction materials used in the project are produced in the United States. Refer to term B.5 of the Exhibits to FY 2023 PIDP grant

agreements<sup>31</sup> to see how MARAD intends to implement the Build America, Buy America Act for FY 2024 PIDP infrastructure projects. If selected for an award, grant recipients will be required to obtain approval from DOT to waive any of these requirements. To obtain that approval, grant recipients must be prepared to demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their project.

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; statutory, regulatory, and public policy requirements, including, without limitation, those protecting free speech, religious liberty, public welfare, the environment, and prohibiting discrimination; the conditions of performance, nondiscrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of DOT; 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 MARAD determines that a recipient has failed to comply with applicable Federal requirements, MARAD may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

## **b. Program Requirements**

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<sup>31</sup> FY 2023 PIDP Exhibits available here: <https://www.maritime.dot.gov/grants-finances/federal-grant-assistance/marad-fy-2023-pidp-exhibits-january-2-2024>.

**i. 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 C.F.R. part 21), the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act, and all other civil rights requirements and accompanying regulations. This should include a current Title VI program plan, a plan to address any legacy infrastructure or facilities that are not compliant with ADA standards, and a completed Community Participation Plan (alternatively called a Public Participation Plan). MARAD's Office of Civil Rights is available to work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

**ii. Critical Infrastructure Security and Resilience**

It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against all hazards, including 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 must demonstrate, prior to the signing of the grant agreement, an 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 risk 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.

**iii. Federal Contract Compliance**

As a condition of grant award and consistent with Executive Order 11246, *Equal Employment Opportunity* (30 FR 12319, and as amended), all Federally-assisted contractors are

required to make good faith efforts to meet the goals of 6.9 percent of construction project hours being performed by women, in addition to goals that vary based on geography for construction work hours and for work being performed by people of color. 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.

#### **iv. 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", as applicable. 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](#).<sup>32</sup> 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**

This section of the notice provides general information about the reporting requirements that accompany PIDP grant funding. Potential applicants should review these requirements to ensure that they can satisfy them if they receive an award. A recipient's failure to timely submit required reports may result in termination of an award and a legal requirement for the recipient to return funding to MARAD.

#### **a. Progress Reporting on Grant Activities**

Each applicant selected for PIDP 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 PIDP.

#### **b. Performance Reporting**

Each applicant selected for PIDP grant funding must collect and report to MARAD information on the project's observed performance with respect to the relevant long-term outcomes that are expected to be achieved through construction of the project. Performance indicators will include measurable goals or targets for a period determined by MARAD. They will be used to evaluate and compare projects and monitor the results that grant funds achieve to the intended long-term outcomes of the PIDP. To the extent possible, performance indicators used in the reporting will relate to at least one of the merit criteria defined in Section E and to a

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<sup>32</sup> <https://www.whitehouse.gov/wp-content/uploads/2023/02/Investing-in-America-Brand-Guide.pdf>

benefit estimated in the BCA, as applicable. MARAD expects that the level of performance will be consistent with estimates used in the applicant's BCA. Performance reporting continues for three years after project construction is completed, and MARAD does not provide PIDP grant funding specifically for performance reporting. For each project selected for award, MARAD, with input from the grant recipients, will identify the measures to be collected. Those measures and the reporting requirements will be formalized in the agreement obligating award funds for the project.

### **c. Performance and Program Evaluation**

As a condition of grant award, PIDP 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 and/or use information available through other reporting. 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's priority goals. 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 C.F.R. part 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 the designated integrity and performance system (currently FAPIIS) about civil, criminal, or administrative proceedings described in paragraph 2 of Appendix XII of 2 C.F.R. part 200. 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 PIDP staff via email at [PIDPgrants@dot.gov](mailto:PIDPgrants@dot.gov), or call Wade Morefield at 202–366–6025. 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 at <https://www.maritime.dot.gov/PIDPgrants>. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact MARAD with questions directly, rather than through intermediaries or third parties. MARAD may also conduct debriefs on the PIDP grants selection and award process upon request by unsuccessful applicants.

## **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 why the information you are submitting is CBI. 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 C.F.R. 7.29. Only information that is in the separate document, marked in accordance with

this section, and ultimately determined to be confidential under Section 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, MARAD 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., MARAD 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.

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March 8, 2024

By Order of the Maritime Administrator