FY 2025 Notice of Funding Opportunity

United States Marine Highway Program

Maritime Administration

US Department of Transportation (DOT)

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A. BASIC INFORMATION

SUMMARY OVERVIEW OF KEY INFORMATION: United States Marine Highway Program (USMHP) Discretionary Grant Opportunity			
Topic	Description		
Federal Agency Name	Maritime Administration (MARAD)		
Funding Opportunity	Fiscal Year 2025 United States Marine Highway Program		
Title	(USMHP)		
Announcement Type	This is the announcement for the FY 2025 round of USMHP		
	grants. 693IF725R000009		
Funding Opportunity	693JF725R000009		
Number			
Assistance Listing	20.816 United States Marine Highway Grants		
Number Funding Details	The Full-Year Continuing Appropriations and Extensions Act,		
	2025 (Pub. L. 119-4, March 15, 2025) ("FY 2025 Appropriations Act") appropriated \$5 million for the USMHP in FY 2025. MARAD will retain up to 3 percent, or \$150,000, of that funding for grant administration and oversight. An additional \$9,192,621 in unexpended prior-year USMHP funding is available for FY 2025 grant awards for eligible Projects and MARAD plans to make those unexpended prior-year funds available for award in the FY 2025 funding opportunity. Therefore, a total of up to \$14,042,621 is available in funding for the FY 2025 USMHP. If this Notice of Funding Opportunity (NOFO) does not result in the award and obligation of all available funds, MARAD may publish additional solicitations. There is no maximum or minimum award size under the USMHP.		
Key Dates	Applications Due: July 15, 2025 at 11:59:59 pm Eastern Daylight Time.		
Submission	All applications must be submitted through <u>Grants.gov</u> .		
Requirements and			
Deadlines	Complete instructions on how to register and apply may be found at <u>Grants.gov</u> . If applicants experience difficulties at any point during the registration or application process, please use the help available on <u>Grants.gov</u> , such as the Customer Support Hotline at 1-800-518-4726 or email.		
Executive Summary	The USMHP provides funding support to Marine Highway Transportation Projects or components of Projects that: 1) provide a coordinated and capable alternative to landside transportation; mitigate or relieve landside congestion; promote Marine Highway Transportation; or use vessels documented under 46 U.S.C. chapter 121; and 2) develop, expand, or promote Marine Highway Transportation or shipper use of Marine Highway Transportation.		

Eligible Applicants	• State			
	Political subdivision of a State or a local government			
	United States metropolitan planning organization			
	United States port authority This is a second of the			
	• Tribal government (as defined in Section B.5. of this notice)			
	United States private sector operator of Marine Highway			
	Projects or private sector owners of facilities, including an			
	Alaska Native Corporation, with an endorsement letter from			
	the current Marine Highway Route Sponsor.			
Questions	Email questions to mh@dot.gov . Due to the competitive nature of			
	the program, during the application submittal period, MARAD is			
	unable to accommodate individual questions or meeting requests			
	to discuss specific project ideas.			
	MARAD posts Frequently Asked Questions as well as information about informational webinars at			
	https://www.maritime.dot.gov/grants-finances/marine-			
	highways/frequently-asked-questions-us-marine-highway-			
	<u>program-usmhp</u> and <u>https://www.maritime.dot.gov/grants-</u>			
	finances/2023-us-marine-highway-program-grant-program-			
	webinars.			
Agency Contact	Email mh@dot.gov or call Fred Jones at 202–366–1123.			

1. CHANGES FROM THE FY 2024 NOFO

The FY 2025 USMHP NOFO incorporates the following changes from the FY 2024 NOFO:

- Removes references to rescinded Executive Orders.
- Updates rating rubrics for selection criteria to better align with statutory requirements.
- Clarifies eligibility of, and provides a definition for, Marine Highway Transportation Planning Activities.
- Clarifies what applicants must provide in order to demonstrate that Project funds will be spent efficiently and effectively.
- Updates the organization of the NOFO and references to comply with the recent changes to 2 CFR Part 200 Appendix I.

Other changes have been made throughout this notice to better illustrate application requirements. Applicants who choose to re-apply using materials prepared for prior competitions should ensure that their FY 2025 USMHP application fully addresses the criteria described in this notice and that all relevant information is updated and submitted in the proper format outlined in Section D.

B. ELIGIBILITY

To be selected for a FY 2025 USMHP grant, an applicant must be an eligible applicant, and the Project must be an eligible Project. In addition to this Section B, applicants should reference Section C.3 for funding restrictions that apply to the USMHP and that may affect an applicant's or Project's eligibility.

1. ELIGIBLE APPLICANTS

Eligible applicants for a FY 2025 USMHP grant are:

- a State,¹
- a political subdivision of a State or a local government;
- a United States metropolitan planning organization;
- a United States port authority;
- a Tribal government (as defined in Section B.5. of this notice);
- or a United States private sector operator of Marine Highway Projects or private sector owners of facilities, including an Alaska Native Corporation, with an endorsement letter from the current Marine Highway Route Sponsor (if there are multiple route sponsors, the private sector applicant is only required to submit an endorsement letter from one of the route sponsors).

Federal agencies and individuals are not eligible applicants for the FY 2025 USMHP.

Private sector applicants, including Alaska Native Corporations, should refer to Section D.3.d. on additional application information necessary when applying under this notice.

Eligible applicants are encouraged to develop coalitions, which might include vessel owners and operators; third-party logistics providers; trucking companies; shippers; railroads; port authorities; state, regional, and local transportation planners; impacted communities; or any combination of entities supporting the Project.

If submitting a joint application, applicants must identify in the application the eligible lead applicant as the primary point of contact, who will also be responsible for financial administration of the Project and ensuring that all funds are expended in accordance with Federal requirements. Joint applications should include a letter of support signed by each applicant as an attachment and include a description of the roles and responsibilities of each entity. If a joint applicant is providing some or all of the required non-Federal matching funds, a Letter of Financial Commitment from that joint applicant must be provided as an attachment to the application. See Section D.3.c. for more information.

MARAD expects 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

¹ 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.

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 2025 USMHP Project should refer to 2 CFR 200.331-333 on how to make subrecipient determinations and what requirements apply to pass-through entities. Applicants should be aware that all contracts executed under the USMHP award that create procurement relationships must follow the procurement standards at 2 CFR 200.317-327, including requirements regarding competition.

To be eligible for award, eligible applicants must provide a brief written statement describing their authority to plan, carry out, own, operate, or 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.3.a. for more information. Please note that any joint applicants, whether they are public or private entities, must comply with all applicable Federal requirements.

2. 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.

3. COST SHARING

Cost sharing means the portion of the Project's cost that is not paid by Federal funds. Cost share funds are typically stated as a percentage of the total project cost. Per 46 U.S.C. 55601(d)(4), the Federal share of the total costs of an eligible USMHP Project may not exceed 80 percent; however, the Secretary may increase the Federal share of costs above 80 percent for:

- (1) a grant to an eligible entity that is a Tribal government; or
- (2) a grant for a Project that is located in a rural area.

"Tribal government" and "rural area" are defined in Section B.5 of this notice.

Additionally, consistent with 48 U.S.C. 1469a, for grants to American Samoa, Guam, the Virgin Islands, or the Northern Mariana Islands (collectively, the "Insular Areas"), MARAD will waive any cost share requirement for local matching funds under \$200,000 (including in-kind contributions) that otherwise would have applied to a grant under the USMHP.

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

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

Total Project Cost means the sum of future eligible Federal and non-Federal costs that have not yet been incurred. MARAD will not consider previously incurred costs or previously expended or encumbered funds towards the non-Federal cost-share requirement.

Eligible sources of non-Federal funds include:

• State funds originating from programs funded by State revenue;

- Local funds originating from State or local revenue-funded programs;
- Private funds.

The application must demonstrate in its Letter(s) of Financial Commitment, 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 2025 USMHP grant award and another Federal grant program. All non-Federal cost-share funds are subject to the same Federal requirements described in Section H.1 as awarded funds.

For the purpose of eligibility, the proceeds of Federal assistance under <u>chapter 6 of Title 23</u>, United States Code ("TIFIA") or Sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210) ("RRIF"), as amended, shall be considered to be part of the non-Federal share of Project costs if the loan is repayable from non-Federal funds, unless otherwise requested by the Project sponsor. See Section B.3. 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 and Financial Viability" merit criterion described in Section F.1.a (4).

For each Project that receives a USMHP grant award, the terms of the award will require the recipient to complete the Project using at least the amount 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 by providing additional funds. 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 the recipient maintains the level of non-Federal funding stated in the application.

4. PRE-AWARD AUTHORITY

Unless authorized by the DOT in writing after announcement of FY 2025 USMHP awards, any costs incurred prior to MARAD's obligation of funds for a Project ("pre-award costs") are ineligible for reimbursement and cost share requirements. USMHP funds are administered on a reimbursement basis. Grant recipients will generally be required to pay Project costs upfront using their own funds, and then request reimbursement for those costs. If a recipient cannot complete a Project on reimbursement basis, MARAD will—on a case-by-case basis—consider recipient requests to use alternate payment methods as described in 2 CFR 200.305(b), including advance payments.

5. **DEFINITIONS**

<u>Alaska Native Corporation:</u> Any Regional Corporation, any Village Corporation, any Urban Corporation, and any Group Corporation, as those terms are defined under Section 3 of the <u>Alaska Native Claims Settlement Act</u> (43 U.S.C. 1602).

<u>Construction activities:</u> Includes construction, reconstruction, rehabilitation, or acquisition of property (including land related to the Project and improvements to the land) and right of ways,

environmental mitigation, construction contingencies, equipment acquisition, vessel acquisition, modification, or rehabilitation, and operational improvements.

<u>Development phase activities:</u> Includes planning, feasibility analysis, revenue forecasting, environmental or other permitting-related reviews, preliminary engineering and design work, and other preconstruction activities intended to support construction activities for a capital project.

<u>Documented vessel:</u> A vessel documented under <u>46 U.S.C. chapter 121</u>.

<u>Facility:</u> A specific location in a port where passengers or commodities are transferred between land and water carriers or between two water carriers, specifically including: wharves, piers, sheds, warehouses, yards, and docks.

<u>Letter of Financial Commitment:</u> A letter that demonstrates the funding source(s) for the non-Federal funds are stable, dependable, and dedicated to the Project and that is signed and certified by an authorized representative of the organization(s) providing the non-Federal funds. The letter must be submitted on the organization(s) letterhead, specify the exact dollar amount committed to the Project, and include proof that the matching funds (i.e., exact dollar amount specified in the letter) will be available and/or committed prior to obligation of funds, regardless of the source of funding.

Marine Highway Transportation: The carriage by a documented vessel of cargo (including such carriage of cargo and passengers), if such cargo is: 1) contained in intermodal cargo containers and loaded by crane on the vessel; loaded on the vessel by means of wheeled technology, including roll-on roll off cargo; shipped in discrete units or packages that are handled individually, palletized, or unitized for purposes of transportation; bulk, liquid, or loose cargo loaded in tanks, holds, hoppers, or on deck; or freight vehicles carried aboard commuter ferry boats; and 2) is loaded at a port in the United States and unloaded either at another port in the United States or at a port in Canada or Mexico; or loaded at a port in Canada or Mexico and unloaded at a port in the United States.

<u>Marine Highway Transportation Route:</u> A Marine Highway Transportation Route previously designated by the Secretary.²

<u>Marine Highway Transportation Route Sponsor:</u> The requester of a Marine Highway Transportation Route designation or modification of a designated route approved by the Secretary. See Appendix A: U.S. Marine Highway Program Routes and Route Sponsors.

<u>Marine Highway Transportation Project:</u> The proposed Project for which the applicant is seeking FY 2025 USMHP funding. The Project must be part of an existing or proposed Marine Highway Transportation Service and must serve a designated Marine Highway Transportation Route.

<u>Marine Highway Transportation Service:</u> The overall Marine Highway Transportation Service and operation that is proposed, expanded, or promoted by the Marine Highway Transportation Project. The service must have a point of origin or destination on a designated Marine Highway Transportation Route.

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² https://www.maritime.dot.gov/grants-finances/us-marine-highway-route-designation-process

<u>Performance Measures:</u> Verifiable information to measure the benefits of the Project, such as volumes of cargo (e.g., TEUs, tons, cubic meters, etc.) moved, contribution to environmental mitigation, safety, reduced vehicle miles traveled, or reduced road maintenance and repair costs.

Marine Highway Transportation Planning Activities: Activities that are intended to develop strategies, plan for, or research the development, expansion or promotion of Marine Highway Transportation on one or more designated Marine Highway Transportation Routes (including activities that consider the potential expansion or modification of designated Marine Highway Transportation Routes), but that are not intended to directly support construction activities for a specific capital project or an existing Marine Highway Transportation Service.

Rural area: An area located outside a 2020 Census-designated urban area.³

<u>Shipper:</u> The Beneficial Cargo Owner (BCO), i.e., the party that ultimately owns the product or cargo being shipped.

<u>Tribal government:</u> The recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently, as of the date of enactment of the FY 2025 National Defense Authorization Act, pursuant to Section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

Urban area: An area located within (or on the boundary of) a 2020 Census-designated urban area.⁴

6. ELIGIBLE PROJECTS

Eligible Projects may be either capital Projects, development phase, or Marine Highway Transportation Planning Activities. Eligible Project activities include Projects or components of Projects that 1) provide a coordinated and capable alternative to landside transportation; mitigate or relieve landside congestion; promote Marine Highway Transportation; or use vessels documented under 46 U.S.C. chapter 121; and 2) develop, expand, or promote Marine Highway Transportation or shipper use of Marine Highway Transportation.

Development phase activities—such as planning, feasibility analysis, revenue forecasting, preliminary engineering and design work, development of master plans, and other preconstruction work—may be eligible Projects if they satisfy all other eligibility requirements and merit criteria described in this notice. Similarly, Projects involving Marine Highway Transportation Planning Activities may be eligible Projects if they satisfy all other eligibility requirements and merit criteria described in this notice. However, Projects for development phase or Marine Highway Transportation Planning Activities that do not include any construction activities as defined in

³ For the purpose of this NOFO, the definition of rural is based on the 2020 Census. The Census Bureau delineates urban areas after each decennial census by applying specified criteria to decennial census and other data. Rural encompasses all population, housing, and territory not included within an urban area. This website will be used to determine whether a Project is in an urban or rural area: https://tigerweb.geo.census.gov/tigerweb2020/.

⁴ Lists of 2020 urban areas as defined by the Census Bureau are available on the Census Bureau website at https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html. This website will be used to determine whether a Project is in an urban or rural area: https://tigerweb.geo.census.gov/tigerweb2020/.

Section B.5. will be less competitive than those Projects that will result in construction with FY 2025 USMHP funding.

Ineligible Project activities are:

- Improvements to port or land-based infrastructure, including equipment, outside the United States.
- Raising sunken vessels, constructing buildings or other physical facilities, or acquiring land, unless the Secretary determines that such activities are necessary to carry out the Marine Highway Transportation Project for which such assistance is provided. If an applicant requests funding to raise sunken vessels, construct buildings or other physical facilities (as "facility" is defined in Section B.5.), or acquire land, it must explain why the activities are necessary to carry out the Marine Highway Transportation Project. Refer to Section D.3.a. of this notice for further information on documentation needed to justify these activities.
- Improvements to Federally owned facilities.
- The purchase or installation of fully automated cargo handling equipment remotely operated or monitored, with or without the exercise of human intervention or control, if the Secretary determines that such equipment would result in a net loss of jobs within the port or port terminal. Applicants that propose Projects that include the acquisition of eligible cargo handling equipment must indicate in their application whether the equipment is fully automated. If fully automated equipment is proposed to be acquired, the applicant must provide information demonstrating that the Project will not directly result in a net loss of jobs.

Additionally, applications that receive a "Non-Responsive" rating in Demonstrating the Need to Develop, Expand, or Promote Marine Highway Transportation or shipper use of Marine Highway Transportation; Expanding the Benefits of Marine Highway Transportation; or Leveraging Federal Funding and Financial Viability merit criteria will not be recommended for award.

7. 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 funding recipients to ensure, that all components included in an application will be delivered as part of the USMHP 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:

- Independently satisfies eligibility requirements.
- Independently aligns with selection criteria.
- Meets National Environmental Policy Act (NEPA) requirements with respect to independent utility, meaning the component must be a usable improvement on its own and ready for use upon completion.

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 among them related to the overall benefits and objectives of the Project.

MARAD strongly encourages applicants to identify in their applications the Project components that have independent utility and separately detail costs and requested USMHP funding for those components. If the application identifies one or more independent Project components, the application should clearly identify the applicant's priority for funding among the components, how each independent component addresses the selection criteria and produces benefits on its own and describe how the full proposal of which the independent component is a part addresses the selection criteria described in Section F.

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 H.1.

8. REDUCED AWARDS

If selected for award, MARAD may decrease the funding amount from the applicant's request if some elements of the Project are ineligible.

9. PREVIOUS USMHP AWARDS

Recipients of prior USMHP grants including grants formerly referred to as America's Marine Highway (AMH) may apply for funding to support additional phases or components of a project previously awarded funds under 46 U.S.C. 55601. However, to be competitive, the applicant should demonstrate the extent to which the previously funded project phase or component has met estimated project scope, schedule, and budget milestones, as well as how the new phase or component will enhance the ability to achieve the benefits expected for all phases of the Project.

C. PROGRAM DESCRIPTION

1. PROGRAM HISTORY AND AUTHORIZATION

The USMHP, codified at 46 U.S.C. 55601, was originally established by Section 1121 of the Energy Independence and Security Act of 2007 to reduce landside congestion through the designation of Marine Highway Routes. The USMHP statute authorizes the Department to make grants to implement Projects or components of Projects that 1) provide a coordinated and capable alternative to landside transportation; mitigate or relieve landside congestion; promote Marine Highway Transportation; or use vessels documented under 46 U.S.C. chapter 121; and 2) develop, expand, or promote Marine Highway Transportation or shipper use of Marine Highway Transportation.

Since this program was established, the Department has awarded \$107.8 million through competitive grants to eligible entities for Marine Highway Projects that have supported the development and expansion of documented vessels and port and landside infrastructure.

2. PROGRAM GOALS AND OBJECTIVES

The goal of the USMHP is to fund eligible Projects to relieve landside congestion and generate other public benefits by increasing the efficiency of the surface transportation system. Projects selected under this Notice are intended to further the program's goals and objectives.

3. RESTRICTIONS ON FUNDING

Assistance provided under this notice may not be used to improve port or land-based infrastructure outside the United States or, unless the Secretary determines that such activities are necessary to carry out the Marine Highway Transportation Project for which such assistance is provided, to raise sunken vessels, construct buildings or other physical facilities, or acquire land. Grant funds may only be used for the purposes described in this Notice and may not be used as an operating subsidy.

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. Consistent with <u>2 CFR 200.458</u>, unless "pre-award costs" are authorized by MARAD in writing after MARAD's announcement of FY 2025 USMHP 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 requirements⁵.

As proscribed in Section 825 of the National Defense Authorization Act for Fiscal Year 2024 (Pub. L. 118-31, December 22, 2023), 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.⁶

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

4. AVAILABILITY OF FUNDS

The FY 2025 Appropriations Act appropriated \$5 million for the USMHP in FY 2025. MARAD will retain up to 3 percent, or \$150,000, of that funding for grant administration and oversight. An additional \$9,192,621 in unexpended prior-year USMHP funding is available for FY 2025 grant awards for eligible Projects, and MARAD plans to make those unexpended prior-year funds available for award in this FY 2025 funding opportunity. Therefore, a total of up to \$14,042,621 is available in funding for the FY 2025 USMHP.

⁵ Pre-award costs are costs incurred directly pursuant to the negotiation and anticipation of the USMHP award where such costs are necessary for efficient and timely performance of the scope of work, as determined and pre-approved in writing by MARAD.

⁶ 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.

The table below outlines the obligation and expenditure deadlines for FY 2025 funding.

Fiscal Year	Year Funding Obligation Deadline Funding Expenditure Dead	
FY 2025	September 30, 2028	Five years after funds obligation
		for each individual award.

MARAD seeks to obligate FY 2025 USMHP grant funds by September 30, 2028.

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 permitting review requirements, such as those under the National Environmental Policy Act (NEPA).

MARAD reserves the right to revoke any award of USMHP grant funds and to award such funds to another project to the extent that such funds are not obligated or expended in a timely or acceptable manner and in accordance with the Project schedule and requirements detailed in the grant agreement.

5. PERFORMANCE MEASURES

Each applicant selected for USMHP grant funding must collect and report information to MARAD 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 reporting continues for three years after Project construction is completed. MARAD does not provide USMHP grant funding specifically for performance reporting.

6. PREVIOUS AWARDS

Previous program awards may be found on the **USMHP** website.

D. APPLICATION CONTENT AND FORMAT

MARAD requires the application to include the Standard Form (SF) 424 (Application for Federal Assistance) and a Project Narrative. Applicants are encouraged to also complete the SF-424C (Budget Information – Construction Programs) if applicable. The SF-424 and SF-424C may be found at Grants.gov.

MARAD expects the Project Narrative to be prepared with standard formatting preferences as follows: a single-spaced, 12-point standard font (e.g., Times New Roman), with 1-inch margins and the narrative text in one column only. Files should be submitted in PDF format unless otherwise specified.

The Project Narrative may not exceed 20 pages in length, excluding cover pages, table of contents, and a list of supporting documents. Information that may exceed the 20-page limit are supporting documents that further substantiate assertions or conclusions made in the 20-page Project Narrative and documentation related to the required determinations. If possible, website links to these documents should be provided rather than copies. It is important to ensure that website links are currently active and working.

Supporting documents may be included but are not required to be reviewed by evaluators. If including supporting documents, all documents should be dated and attached to the application or referenced via website link. MARAD expects appropriately descriptive file names for all attachments and/or links (e.g., "Project Narrative," "Letters of Support" etc.) using a file naming format of "[Applicant Name_2025USMHP_Descriptive File Name]" where "Applicant Name reflects the applicant's legal name, abbreviated as appropriate. If supporting documents are submitted, applicants should clearly identify within the Project Narrative the relevant portion of the Project Narrative that each supporting document supports.

Applicants are strongly encouraged to include a list of the supporting documents after the last page of their Project Narrative and to attach, as applicable, the supporting documents to their application package in the following order: Project Narrative; Attachments Form; Project Cost; documentation of funding commitments for non-Federal funds; Project Schedule; SF-424C form if applicable; Letters of Support; Other Documentation.

Different evaluation teams may review different parts of the application.

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

Project Narrative Outline	Section
Narrative Section I: Project Description	See D.3.a
Narrative Section II: Project Location	See D.3.b
Narrative Section III: Grant Funds, Sources, and Uses of Project Funds	See D.3.c
Narrative Section IV: Additional Application Information Needed from All	See D.3.d
Private Sector Applicants	
Narrative Section V: Merit Criteria	See D.3.e
Narrative Section VI: Selection Considerations	See D.3.f

The Project Narrative should include the information necessary for MARAD to determine that the Project satisfies requirements described in Sections B and D and to assess the selection criteria specified in Section F. In addition to a detailed statement of work, detailed Project schedule, detailed Project budget, and identification of the Marine Highway Transportation Route(s) served, 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 data and documentation in a form that is verifiable by MARAD. MARAD will evaluate the application based upon the information submitted and may ask any applicant to supplement data in its application but is not required to do so. Lack of supporting information that substantiates assertions or conclusions made in the Project Narrative negatively affects competitiveness of the application, as described in Section F.

MARAD expects applications that include the following content:

1. STANDARD FORM 424

The SF-424 Application for Federal Assistance must be completed. The form may be found at <u>Grants.gov</u>.

2. FY 2025 USMHP COVER PAGE

Each application should include a cover page with information about the Project as presented below:

Field Name	Guidance
Name of lead applicant	
Is the applicant applying as a lead applicant	If yes, identify by name each of the joint
with any joint applicants?	applicants.
Project name	Provide a concise (five- to seven-word) name of
	the Project.
Project description	Provide a brief (no more than 100 words)
	description of the Project that focuses on what
	the Project consists of.
Is this a Project for either development phase	Yes or No.
activities or Marine Highway Transportation	
Planning Activities?	
Is the applicant a United States private	If yes, identify the U.S. Marine Highway
sector operator of marine highway Projects	Transportation Route Sponsor endorsing the
or private sector owners of facilities,	application (this should be one of the sponsors
including an Alaska Native Corporation?	as indicated below in "Marine Highway Route served").
U.S. Marine Highway Route served	Specify the designated U.S. Marine Highway
Cioi marine mgirray Route Serveu	Transportation Route the Project serves and the
	U.S. Marine Highway Transportation Route
	Sponsor(s).
Project location address	Specific location of the Project, located on a
-	specific street, in a specific town or city, inside
	of a specific county, etc. This is not the
	headquarters, corporate office, or other main
	office of the applicant. If assistance for Projects
	at multiple sites is requested, list the address for
	each site.
Geographic coordinates (in latitude and	Provide the coordinates of the approximate
longitude format)	geographic center of the Project. The latitude
	and longitude of the Project are to be reported as decimal degrees with a minimum of five
	decimal places. Coordinates are the location of
	the Project, not the headquarters, corporate
	office, or other applicant office. If assistance for
	Projects in multiple sites is requested, list the
	coordinates for each site.
Is this Project in an urban or rural area?	Refer to definitions of "urban area" and "rural
	area" in Section B.5. This designation is the
	specific location(s) of the Project, not the
	headquarters, corporate office, or other
	applicant office. If the assistance for Projects in
	multiple sites is requested, the designation
	should be based on whether the majority of
	funds are being spent in an urban or rural area.

Field Name	Guidance
Is the applicant a Tribal government?	Refer to definition of "Tribal government" in
is the applicant a 111bai government.	Section B.5. of this notice.
Project Zip Code	Identify the zip code that corresponds to the
Troject Zip Code	geographic coordinates identified above. If the
	application is requesting assistance for Projects
	in multiple sites, list the zip code for each site.
Has the same Project been previously	Identify the program and year of the prior
submitted for AMH/USMHP funding?	submission (such as "AMH FY 2022",
submitted for AMITI COMITI Tunding.	"USMHP FY 2023").
Is the applicant applying for other	If so, identify the program, amount of funding
discretionary grant programs in 2025 for the	requested and scope (such as "PIDP FY 2025,
same work or related scope of work?	\$25 million, components 1 and 2 of this
same work of related scope of work.	USMHP Project").
Has the applicant previously received DOT,	If so, identify the program, amount of funding
Environmental Protection Agency (EPA),	received and scope (such as EPA Clean Ports
Department of Energy (DOE) or other	FY 2024, \$2 million, phase 1 of this USMHP
Federal funding for the same work or related	Project), and status of the NEPA review for the
scope of work?	previously funded project.
Has the applicant previously received PIDP,	Identify the program, amount of funding
TIGER, BUILD, RAISE, FASTLANE,	received, and year of the prior award (such as
INFRA Mega, or AMH/USMHP funding?	"INFRA FY 2023").
USMHP FY 2025 Grant Amount Requested	Enter the total amount of USMHP FY 2025
	grant funds requested.
Total Project Cost	Total Project Cost will be equal to the Total
	Future Eligible Project Cost, including the
	USMHP grant amount requested.
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.
Total Non-Federal Funding	Enter the amount of funds committed to the
	Project from non-Federal sources.
Will the applicant be seeking approval to	Yes or No.
expend funds prior to grant agreement	
execution?	
Will RRIF or TIFIA funds be used as part of	Indicate whether RRIF or TIFIA funding will
the Project financing?	be used for the Project. If so, indicate the
	amount of funds that will be used.
Does the applicant use LOGINK or a similar	Yes or No. See Section C.3. of this notice.
logistics platform provided or sponsored by	
the People's Republic of China or Chinese	
state-affiliated entities?	

3. PROJECT NARRATIVE

a. Narrative Section I: Project Description

This section of the Project Narrative should include a detailed statement of work and describe the proposed USMHP Project, focusing on the technical and engineering aspects of the Project as well

as the current design status of the Project. This section should discuss the Project's history, including a description of any previously completed components, and be used to place the Project into a broader context of other transportation investments being pursued by the Project sponsor; however, the applicant should make clear which investments are outside the scope of the Project.

If the Project includes the purchase of equipment, the application should provide a description as to how each piece of equipment is intended to be used for the Project and any specific features that the equipment must have to satisfy that intended use (e.g., minimum lifting capacity). Applicants should be aware that equipment must be purchased using open competition in accordance with the procurement standards at 2 CFR 200.317-327, unless one of the exceptions in 2 CFR 200.320(c) applies. In most cases, requiring a specific brand of equipment when other brands could also satisfy the intended use would be considered unduly restrictive of competition and therefore inconsistent with the procurement standards. Given this, applicants should describe the equipment generally, focusing on the operating requirements and features that are required to achieve the intended Project benefits and objectives, as opposed to just describing a specific brand of equipment.

This section should also discuss how the Project promotes, expands, or develops a Marine Highway Transportation Service as defined in Section B.5. This includes a description of the type of cargo moved by the Project or Marine Highway Transportation Service supported by the Project and ports served by the Marine Highway Transportation Service.

If submitting a joint application, applicants should also identify in this section the lead recipient of the award, who will also be responsible for financial administration of the Project and ensuring Project compliance with all Federal requirements, and a description of the roles and responsibilities of each applicant. Applications should include a signed letter of support from all eligible non-lead joint applicants as an attachment. If the lead recipient determines that a joint applicant is classified as a "subrecipient" as that term is defined at 2 CFR 200.1, the lead recipient must ensure that it complies with the requirements applicable to pass-through entities at 2 CFR 200.331, 2 CFR 200.332, and 2 CFR 200.333.

Applicants should also include in this section citations of authority or other supporting documentation necessary to establish an applicant's authority to carry out the Project, so that MARAD can make the statutory determination necessary for award at 46 U.S.C. 55601(d)(7)(C) and discussed further in Section B.1. 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. 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 grant funding; 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).

In the case of a joint application, only one of the joint applicants need demonstrate that they have authority to carry out the Project.

If an applicant requests funding to raise sunken vessels, construct buildings or other physical facilities (as defined in Section B.5.), or acquire land, it must explain in the application why the

activities are necessary to carry out the Project. Funding cannot be awarded for one of these uses unless the Secretary determines that such activities are necessary to carry out the Project.

b. Narrative Section II: Project Location

This section of the application should describe the Project's location and, if available, provide photographs of the location. This section should also describe the Marine Highway Transportation Route served by the Project and whether the Project is located in a rural or urban area (as defined in Section B.5.), including the relevant census tracts.^{7,8}

Applicants should submit a Project map that clearly indicates the Project's location in the local area and the State or territory, and its connections to existing transportation infrastructure. The map is needed to verify urban/rural areas. The location should only include the direct physical location of the Project. It should not include a broad service area or area of Project impact. The location is where the requested grant funds will be used, not the headquarters, corporate office, or other office of the applicant. If the Project includes multiple sites, include location information for all sites.

Applicants must ensure that the location and address of the Project are correctly identified in the application.

c. Narrative Section III: Grant Funds, Sources, and Uses of Project Funds

This section should present the budget for the USMHP Project (i.e., the Project scope that includes USMHP funding and matching funding). 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, rounded up or down to the nearest dollar, and percentages. The budget should identify other Federal funds the applicant is applying for, has been awarded, or intends to use.

Funding sources should be grouped into three categories: non-Federal, USMHP, and other Federal, with specific amounts from each funding source. The Project budget should include total Project Costs for the FY 2025 USMHP Project (see Section B.3. for definition of Total Project Cost); FY 2025 USMHP grant funding request; specific source, amount, type, e.g. grant, loan, etc.), and match requirements of any other Federal funds to be used for eligible Project costs; and specific sources and amounts of non-Federal funds, if included, to be used for eligible Project costs.

For MARAD to make the determination required by <u>46 U.S.C. 55601(d)(7)(A)</u> that sufficient funding is available to meet the non-Federal share requirement described in Section B.3, the applicant must demonstrate that the funding source(s) for the non-Federal funds are stable,

⁷ This website will be used to determine whether a Project is in an urban or rural area: https://tigerweb.geo.census.gov/tigerweb2020/.

⁸ A Project located in both an urban and a rural area will be designated as *urban* if the majority of the Project's costs will be spent in urban areas. Conversely, a Project located in both an urban area and a rural area will be designated as *rural* if the majority of the Project's costs will be spent in rural areas. For development phase, planning, or research Projects, the location of the Project being planned, prepared, or designed will be used for the urban or rural designation.

dependable, and dedicated to this specific Project by attaching or linking the Letter(s) of Financial Commitment (as defined in Section B.5.). This section should reference and summarize the provided Letter(s) of Financial Commitment. That documentation and information will be evaluated as described in Section F.1.a (4).

If a Project is in two or more census tracts or is located only partially within an urban or rural area, the budget needs to separate the costs between the various census tracts or areas designated as urban and rural.

If an applicant is a Tribal government or has a proposed Project in a rural area, it may request a USMHP Federal share of costs above 80 percent.

This section should also 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:

	[Component 1]	[Component 2]	Total
USMHP Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Other Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Non-Federal Funds:	[\$XXX]	[\$XXX]	[\$XXX]
Total:	[\$XXX]	[\$XXX]	[\$XXX]

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

d. Narrative Section IV: Additional Application Information Needed from All Private-Sector Applicants

In addition to the required Marine Highway Transportation Route Sponsor endorsement letter, all private-sector lead applicants, including previous USMHP applicants, must provide the following additional information as attachments to the application:

- A description of the entity including location of the headquarters; a description of the entity's assets (tugs, barges, etc.); years in operation; ownership; customer base; and website address, if any.
- Unique Entity Identifier of the parent company (when applicable).
- The most recent year-end audited, reviewed, or compiled financial statements, prepared by a certified public accountant (CPA), per U.S. generally accepted accounting principles (not tax-based accounting financial statements). If CPA prepared financial statements are not available, provide the most recent financial statement for the entity. Do not provide tax returns.

- Statement regarding the relationship between applicants and any parents, subsidiaries, or affiliates, if any such entity is going to provide a portion of the matching funds.
- Evidence documenting applicant's ability to make proposed matching requirement (loan agreement, commitment from investors, cash on balance sheet, etc.).
- Pro-forma financial statements reflecting financial condition at beginning of period; effect
 on balance sheet of grant and matching funds (e.g., a decrease in cash or increase in debt,
 additional equity, and an increase in fixed assets); and impact on company's projected
 financial condition (balance sheet) of completion of Project, showing that company will
 have sufficient financial resources to remain in business.
- Statement regarding whether during the past five years, the applicant or any predecessor or related company has been in bankruptcy or in reorganization under Chapter 11 of the Bankruptcy Code, or in any insolvency or reorganization proceedings, and whether any substantial property of the applicant or any predecessor or related company has been acquired in any such proceeding or has been subject to foreclosure or receivership during such period. If so, give details.
- Additional information may be requested as deemed necessary by MARAD to facilitate
 and complete its review of the application. If such information is not provided, MARAD
 may deem the application incomplete and cease processing it.

e. Narrative Section V: Merit Criteria

Within this section, demonstrate the extent to which the Project aligns with the statutory merit criteria. The USMHP merit criteria are: 1) Demonstrating the Need to Develop, Expand, or Promote Marine Highway Transportation or shipper use of Marine Highway Transportation; 2) Expanding the Benefits of Marine Highway Transportation; 3) Measuring Project Support; and 4) Leveraging Federal Funding and Financial Viability.

Guidance describing how MARAD will evaluate Projects against the merit criteria is included in Section F.1.a. of this notice. Insufficient information to assess any criterion will negatively impact the Project rating. Applicants are encouraged to describe the merit criteria in the order they are described in that section and address each criterion separately.

f. Narrative Section VI: Selection Considerations

After addressing the merit criteria identified above, this section of the application should discuss how the Project addresses all the selection considerations identified in Section F.1.b. of this notice. Applicants are encouraged to respond to the selection considerations in the order they are described in that section and address each consideration separately.

E. SUBMISSION REQUIREMENTS AND DEADLINE

1. ADDRESS TO REQUEST APPLICATION PACKAGE

All application materials may be found on **Grants.gov**

2. UNIQUE ENTITY IDENTIFIED (UEI) AND SYSTEM FOR AWARD MANAGEMENT (SAM)

Each applicant must:

- Be registered in <u>SAM.gov</u> before submitting its application;
- Provide a valid unique entity identifier (UEI) in its application; and
- Continue to maintain an active registration in <u>SAM.gov</u> with current information at all times during which it has an active Federal award or an application under consideration by a Federal agency.

Please note that the SAM registration process takes several weeks to complete, if not longer.

3. SUBMISSION DATES AND TIMES

Applications must be submitted to <u>Grants.gov</u> by 11:59:59 p.m. Eastern Daylight Time on July 15, 2025. <u>Grants.gov</u> 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 <u>Grants.gov</u> registration process usually takes two to four weeks to complete.

a. Submission Instructions

Each applicant must:

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

Failure to register for SAM or comply with <u>Grants.gov</u> applicant requirements in a timely manner will not be considered for exceptions to the submission requirements and deadline.

b. Submission Issues

MARAD is not able to assist with technical issues related to <u>Grants.gov</u> registration or application submission. For information and instructions, please see <u>Grants.gov</u>. If applicants experience difficulties at any point during the registration or application submission process, please call the Grants.gov Customer Service Support Hotline at 1-800-518-4726 or email <u>support@grants.gov</u>.

c. Consideration of Applications

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

d. Late Applications

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

4. 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/.

5. INTERGOVERNMENTAL REVIEW

This program is not subject to EO 12372, Intergovernmental Review of Federal Programs.

F. APPLICATION REVIEW INFORMATION

This section identifies how MARAD will evaluate applications received for FY 2025 USMHP grant funding. Applications will be evaluated for their alignment with the USMHP merit criteria. MARAD will also consider the extent to which applications align with the USMHP selection considerations and may give priority to those Projects that align well when selecting among similarly rated applications. Applications will be reviewed for compliance with the statutory determinations at 46 U.S.C. 55601(d)(1) to: 1) provide a coordinated and capable alternative to landside transportation; mitigate or relieve landside congestion; promote Marine Highway Transportation; or use vessels documented under 46 U.S.C. chapter 121; and 2) develop, expand, or promote Marine Highway Transportation or shipper use of Marine Highway Transportation. Proposed Projects that include construction activities will be more competitive than applications for development phase activities or Marine Highway Transportation Planning Activities only.

1. CRITERIA

a. Merit Criteria

The following merit criteria will be used by the USMHP selection team to evaluate the extent to which an application aligns with the selection criteria set forth in 46 U.S.C. 55601: 1)

Demonstrating the Need to Develop, Expand, or Promote Marine Highway Transportation or shipper use of Marine Highway Transportation (46 U.S.C. 55601(d)(1)(B) and (d)(2)(A)(i)(III));

2) Expanding the Benefits of Marine Highway Transportation (46 U.S.C. 55601(d)(1)(A) and (d)(2)(A)(i)(IV));

3) Measuring Project Support (46 U.S.C. 55601(d)(2)(A)(i)(II)); and 4)

Leveraging Federal Funding and Financial Viability (46 U.S.C. 55601(d)(2)(A)(ii) and 46 U.S.C. 55601(d)(4) and (5)). Reviewers will assess a Project's alignment with these merit criteria and evaluate whether the benefits of the Project under each criterion are clear, direct, and reasonable. Insufficient information to assess any criterion will negatively impact the Project rating. See Section F.2. for more information on the review and selection process.

Applications for development phase or Marine Highway Transportation Planning Activities will be evaluated against the same merit criteria as capital grant applications; 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 Project, once implemented, will ultimately further the merit criteria.

(1) Demonstrating the Need to Develop, Expand, or Promote Marine Highway Transportation or Shipper Use of Marine Highway Transportation (46 U.S.C. 55601(d)(1)(B) and (d)(2)(A)(i)(III))

This section of the application must clearly demonstrate how a Project is needed to develop, expand, or promote Marine Highway Transportation or shipper use of Marine Highway Transportation.

i. Market Need

The application should include a description of specific commodities, markets, and shippers the Marine Highway Transportation Service is attracting or is expected to attract. This can include a discussion of the Marine Highway Transportation Service's market or customer base and the value proposition to customers.

ii. Project Need

The application must document why the Project is needed to attract the specific commodities, markets, and shippers necessary to develop, expand, or promote the Marine Highway Transportation Service. For example, applicants could describe a type of equipment or vessel that would meet the need of moving a specific commodity or increase the ability of a Marine Highway Transportation Service to expand or enter a market. This section should identify existing deficiencies or inefficiencies in the market and discuss how the Project will correct or address them. If applicable, the narrative should also explain how the Project will strengthen the Marine Highway Transportation Service within the larger local, regional, or national supply chain. The application should include Performance Measures to support claims of expected improvements, such as changes in freight volumes (TEU or Tons), safety, or other measures as proposed by the applicant.

iii. Project Impact

The application should include a description of the impact, if any, to the development, expansion, or promotion of the Marine Highway Transportation Service if the Project is delayed or not realized. For example, the narrative could describe how existing deficiencies or inefficiencies in the market would increase or expand. It could also describe the impacts to the growth or development of the Marine Highway Transportation Service. If applicable, the narrative should also describe the impacts to safety, system resiliency and redundancy, and landside congestion if the Project is delayed or not realized.

MARAD will evaluate the extent to which the Project is needed to develop, expand, or promote Marine Highway Transportation or shipper use of Marine Highway Transportation. Reviewers will assign a rating of "high," "medium," "low," or "non-responsive" as further described below.

Project Impact			
Non-Responsive	Low	Medium	High

The application contains	The application	The application	The application
insufficient information to	effectively	effectively	effectively
assess this criterion, or the	demonstrates only	demonstrates only	demonstrates Market
information provided fails to	the Project Need, but	Market Need and	Need, Project Need,
effectively demonstrate that	the demonstration of	Project Need, but the	and Project Impact.
the Project is needed to	Market Need and	demonstration of	
develop, expand, or promote	Project Impact is	Project Impact is	
Marine Highway	less clear.	less clear.	
Transportation or shipper use			
of Marine Highway			
Transportation. An			
application that receives a			
non-responsive rating for this			
criterion will not be			
considered for award.			

(2) Expanding the Benefits of Marine Highway Transportation (46 U.S.C. 55601(d)(1)(A) and (d)(2)(A)(i)(IV))

This section of the application must clearly document the overall benefits gained through the successful implementation of the Project.

The applicant should only describe the benefits directly attributable to the Project, not those attributable to the overall Marine Highway Transportation Service, which would exist with or without the Project. For example, an application for a Project to purchase specific cargo handling equipment should focus on information and data demonstrating benefits that the acquisition of that specific cargo handling equipment will have (e.g., by increasing the volume of freight moved on the Marine Highway Transportation Service, landside congestion in the surrounding area will be reduced), rather than the benefits of the overall Marine Highway Transportation Service. Applicants should include data and/or well-reasoned analyses when providing inputs on the benefits of a proposed Project, including associated Performance Measures to support claims of current needs and expected improvements. For example, to support a claim of increased efficiency or reliability, the application should include Performance Measures such as the volumes and types of cargo or passengers moved, or the number of vessels served might be used to document increased reliability of cargo operations or increase in market access, particularly where the narrative documents a deficiency in goods movement.

If the Project has multiple independent components, the narrative should include sufficient information to describe the impact of each component on the overall Project. Eligible applicants should organize the public benefits of the Project based on the categories below. The applicant should include a reference to any letters of support from Project partners described below in Section F.1.a.(3) that further support these criteria and those letters may be considered when assigning a rating for these criteria.

i. Landside Congestion

This section should also describe how the Project mitigates or relieves landside congestion, including how the Project results in a reduction of commercial vehicle miles traveled (VMT).

ii. Economic Competitiveness

Describe how the Project measurably results in transportation efficiency and economic gains. Applicants should provide evidence of how improvements in transportation outcomes (such as time savings, operating cost savings, and increased utilization of assets) translate into long-term economic benefits and improve the competitive position of the Marine Highway Transportation Service.

iii. Alternative to Landside Transportation

Describe how the Project provides a coordinated and capable alternative to landside transportation. This description should include how the Project improves resiliency in the transportation network, including how the Project offers an alternative and benefit when other routes are interrupted because of natural or man-made incidents. This section should also include a description of how the Project benefits the larger local, regional, or national supply chain.

iv. Safety Improvements

Describe, in measurable terms, the projected safety improvements that would result from the Project. Applicants should also discuss how the Project measurably mitigates any safety risks resulting from the Project and demonstrate that the Project will not result in any negative impacts to the overall safety of the travelling public. Applicants are encouraged to include data-driven information that demonstrates the extent to which the Project reduces serious injuries related to operations or incorporates specific safety improvements that are part of a documented risk reduction strategy.

MARAD will evaluate the extent to which the Project will expand the benefits of Marine Highway Transportation. Reviewers will assign a rating of "high," "medium," "low," or "non-responsive" as further described below.

Expanding the Benefits of Marine Highway Transportation			
Non-Responsive	Low	Medium	High
The application contains	The application only	The application	The application
insufficient information to	demonstrates how	demonstrates how	demonstrates how
assess this criterion, or the	the Project benefits	the Project benefits	the Project benefits
information provided fails to	a) Landside	a minimum of three	all four categories.
demonstrate how the Project	Congestion and b)	categories, two of	
benefits a) Landside	Economic	which must be: a)	
Congestion and b) Economic	Competitiveness.	Landside	
Competitiveness. An		Congestion and b)	
application that receives a		Economic	
non-responsive rating for this		Competitiveness.	
criterion will not be			
considered for award.			

(3) Measuring Project Support (46 U.S.C. 55601(d)(2)(A)(i)(II))

This section of the application must clearly document the supporters of the Project, which may include both private sector and public sector partners, as shown through attached letters of support.

For each supporter, there should be a description as to the type of support (e.g., a business commitment from a shipper to increase usage of the Marine Highway Transportation Service following the Project); the level of support (e.g., the expected level of increased usage resulting from the Project); and how that support helps to ensure the objectives and benefits of the Project are realized. Private sector partners may include terminals, vessel operators, shippards, shippers, trucking companies, railroads, third-party logistics providers, shipping lines, labor, and workforce. Public sector partners may include State Departments of Transportation, metropolitan planning organizations, municipalities, and other governmental entities, including Tribal governments. Applicants are strongly encouraged to submit letters of support as supporting documents from all private and public sector partners as part of the application. If an applicant is a private entity, the required endorsement letter from the Marine Highway Transportation Route Sponsor will count as a letter of support under this criterion.

Letters of support for the Project are expected to be current and must be written no later than six months prior to the date of application to the FY 2025 USMHP. Letters of support intended or used for other Federal grant programs aside from USMHP will not be considered. Letters of support that clearly demonstrate a commitment by a public or private sector supporter to continue or expand their usage of the Marine Highway Transportation Service as a direct result of the Project will result in higher ratings for this criterion.

MARAD will evaluate the extent to which the application has documented support for the Project. Reviewers will assign a rating of "high," "medium," "low," or "non-responsive" as further described below.

Measuring Project Support				
Non-Responsive	Low	Medium	High	
The application does	The application	The application	The application	
not demonstrate	demonstrates support	demonstrates support	demonstrates support	
support for the Project	for the Project by	for the Project by both	for the Project by both	
by either public or	either public or private	public and private	public and private	
private sector partners.	sector partners. Letters	sector partners. Letters	sector partners. Letters	
	of support need not	of support need not	of support must	
	demonstrate a	demonstrate a	demonstrate a	
	commitment to	commitment to	commitment to	
	continue or expand	continue or expand the	continue or expand the	
	their usage of the	supporter's usage of	supporter's usage of	
	Marine Highway	the Marine Highway	the Marine Highway	
	Transportation Service	Transportation Service	Transportation Service	
	as a direct result of the	as a direct result of the	as a direct result of the	
	Project.	Project.	Project.	

(4) Leveraging Federal Funding and Financial Viability (46 U.S.C. 55601(d)(2)(A)(ii) and 46 U.S.C. 55601(d)(4) and (5))

This section of the application must clearly document information that may strengthen MARAD's understanding of the applicant's effort to improve non-Federal leverage and that demonstrates the financial viability of the Project. As part of this criteria and to satisfy the determination required by 46 U.S.C. 55601(d)(7)(A), the applicant must demonstrate that the funding source(s) for the

non-Federal share is stable, dependable, and dedicated to this specific Project by referencing or linking to a Letter(s) of Financial Commitment (as defined in Section B.5.).

The applicant must document that the proposed Marine Highway Transportation Project is financially viable, will remain financially viable for as long as the Project is used for the purposes outlined in the application, and that the funds will be spent or used efficiently and effectively.

In order to demonstrate that the funds will be spent or used efficiently and effectively, applicants should include a quantitative analysis demonstrating how the Project funds will be used efficiently and effectively to 1) provide a coordinated and capable alternative to landside transportation; mitigate or relieve landside congestion; promote Marine Highway Transportation; or use vessels documented under 46 U.S.C. chapter 121; and 2) develop, expand, or promote Marine Highway Transportation or shipper use of Marine Highway Transportation. The analysis should quantify the benefits of the Project in terms of meaningful metrics such as vehicle miles saved, dollars saved, percentages, or other metrics provided by the applicant as part of the Expanding Benefits of Marine Highway Transportation merit criteria. The methodology of the analysis should be explained with assumptions used, identified, and justified.

Applicants should adequately demonstrate that the Project will support, or in the case of a conceptual service, will lead to a viable Marine Highway Transportation Service. This section may also include a discussion on the applicant's business processes and operations. To the extent that letters of support provided in connection with Section F.1.a.(3) above demonstrate financial viability of the Project (e.g., a letter from a business stating an intent to use or increase usage of the Marine Highway Transportation Service as a result of the Project), the applicant should reference those letters in this section and those letters may be considered when assigning a rating for this criterion.

An unsatisfactory financial viability evaluation may result in a Project receiving a lower overall rating for this merit criteria, even with increased non-Federal contributions. Conversely, an application that demonstrates a strong financial viability evaluation may result in a Project receiving a higher overall rating for this merit criteria, even with reduced non-Federal contributions (while still meeting the statutory 20 percent match in non-Federal funding, unless the applicant qualifies for an increased Federal share). For applications submitted by lead private-sector applicants, reviewers will also assess the financial viability of the Project by reviewing the information submitted by the applicant described in Section D.3.d.

Each application will receive an overall rating for this criterion based on the ratings it receives for two factors: leverage and financial viability. Reviewers will first assign a rating of "high," "medium," "low," or "non-responsive" for each factor as reflected in the below table. Reviewers will then average the two ratings to determine the overall rating for this criterion. Applications that receive a "non-responsive" rating for either leverage or financial viability will automatically receive a non-responsive rating for this criterion and will be ineligible for award. Projects with higher ratings will be more competitive.

Leveragin	Leveraging Federal Funding and Financial Viability							
Ü	Non-Responsive	Low	Medium	High				
Leverage	The applicant does not meet the 20 percent match requirement and did not qualify for a Federal share above 80%. Applicants that receive a rating of "non-responsive" will not be eligible for award.	The applicant matches exactly the statutory 20 percent match in non-Federal funding or the applicant matches less than 20% but qualifies for a Federal share above 80%; and the applicant demonstrates that the non-Federal matching funds are stable, dependable, and dedicated to this specific Project.	The applicant matches more than 20 percent but less than 40 percent of total Project costs in non-Federal funding and the applicant demonstrates that the non-Federal matching funds are stable, dependable, and dedicated to this specific Project.	The applicant matches 40 percent or higher of total Project costs in non-Federal funding and demonstrates that the non-Federal matching funds are stable, dependable, and dedicated to this specific Project.				
Financial Viability	The applicant has not satisfactorily demonstrated that the Project is, and will remain, financially viable and the funds will be used efficiently and effectively. Applicants that receive a rating of "non-responsive" will not be eligible for award.	The applicant demonstrates a low level of confidence that the Project is, and will remain, financially viable and the funds will be used efficiently and effectively.	The applicant demonstrates a moderate level of confidence that the Project is, and will remain, financially viable and the funds will be used efficiently and effectively.	The applicant demonstrates a high level of confidence that the Project is, and will remain, financially viable and the funds will be used efficiently and effectively.				

b. Selection Considerations

After completing the merit review, among Projects of similar merit, MARAD may prioritize Projects based on the extent to which they align with the following selection considerations.

(1) Technical Capacity

This section of the application should provide information demonstrating its technical capacity to implement the Project based on experience and understanding of Federal requirements. This section may include a description of the applicant's history of delivering similar Projects or experience completing a Federally supported Project. 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 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.

MARAD will consider the technical capacity of the applicant, including risks to successful completion of the Project, cost information, the proposed schedule identifying all major Project milestones, and the applicant's overall capacity to manage Project delivery. Reviewers will also consider the applicant's previous experience working with Federal agencies on grant-funded projects and relevant planning efforts at the local, regional, or State level. An applicant's lack of previous experience with Federally funded grants will not disqualify a Project from consideration.

If applicable, 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, a Freight Investment Plan, a State Transportation Improvement Plan (STIP), part of a facility or organization strategic plan, or represented in other planning efforts should be included. Applicants should provide links or other documentation supporting the Project's inclusion in these planning efforts.

The applicant should include a detailed Project schedule that identifies all major Project milestones. For capital Project applications, examples of 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 equipment or vessel Projects, examples of milestones may include expected solicitation for bidders, expected acquisition, expected delivery, and expected date in-service. For development phase or Marine Highway Transportation Planning Activities, examples of milestones may include start dates, schedule for public engagement, and completion dates.

The Project schedule should be sufficiently detailed to demonstrate that the Project can begin quickly upon obligation of USMHP funds and that the grant funds will be spent expeditiously once the Project starts, for MARAD to make the determination at 46 U.S.C. 55601(d)(7)(B) and as described in Section F.1.c. In the case of a proposed Marine Highway Transportation Service that is not yet operational as of the application, the applicant should (1) identify the date by which the Project will be utilized on an operational Marine Highway Transportation Service; and (2) describe the prior and planned efforts to establish that Marine Highway Transportation Service.

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 risks related to procurement delays, compliance with domestic preference requirements, technical challenges in design or construction, or potential increases in Project costs. In the case of a proposed Marine Highway Transportation Service that is not operational as of the application, any risks associated with delays or challenges in establishing that Marine Highway Transportation Service should also be identified. The narrative should include a discussion that identifies how the Project parties will mitigate or otherwise be able to handle the identified risks. Risks do not disqualify Projects from award, but competitive applications will clearly and directly describe achievable risk mitigation strategies. A Project with mitigated risks is more competitive than a comparable Project with unaddressed risks.

This section of the application should include a description of whether all iron, steel, manufactured products, and construction materials to be used in the Project are produced in the United States, in accordance with the requirements of the Build America, Buy America Act (Pub. L. 117-58, Division G, §§ 70901-27), as implemented by MARAD. In addition, applicants should include a discussion of steps that they have taken or will take if their Project is selected for funding, to ensure that the Project complies with the Build America, Buy America requirements. This section should also include an assessment of what, if any, iron, steel, manufactured products, and construction materials would require a waiver⁹ and the applicant's current efforts and planned future efforts to maximize the use of domestic goods, products, and materials in constructing its Project. The content of this section of the application is particularly important for Projects that propose the acquisition of cargo-handling equipment, construction components, or bollard and fendering systems. Refer to term B.5 of the Exhibits to FY23FY 2023 USMHP grant agreements to see how MARAD intends to implement the Build America, Buy America Act for FY 2025 USMHP Projects. 10 Projects that may require a waiver of the applicable Build America, Buy America requirements but present no plan to maximize domestic content may result in a higher risk rating for Technical Capacity.

Technical Capacity ratings will be one of the following: "low risk," "moderate risk," or "high risk." For purposes of this criteria, "risk" shall be defined as an aspect of an application that presents an uncertainty as to the ability of the applicant to successfully carry out the proposed Project, meet the obligation and funds liquidation deadlines, or otherwise comply with Federal requirements.

Technical Capacity		
High Risk	Moderate Risk	Low Risk
The application does not	The application includes a	The application includes a
include a detailed and	discussion about Project risk	detailed and feasible Project
reasonable discussion about	and the capacity of the	schedule and a detailed and
Project risk and the capacity of	applicant to successfully	reasonable discussion about
the applicant to successfully	complete the Project but does	Project risk and the capacity of
complete the Project.	not fully describe the Project	the applicant to successfully
Depending on the severity of	schedule or sufficiently explain	complete the Project. The
the Project risk, any risk may	how the applicant will manage	applicant has clearly identified
result in a high risk rating.	any risks or challenges.	Project risk(s) and
		demonstrates how the risk(s)
		would be mitigated.

⁹ Please note that the DOT has approved a "Waiver of Buy America Requirements for De Minimis Costs and Small Grants" that may apply to your Project. The waiver applies to non-compliant products that do not exceed the lesser of \$1,000,000 or 5% of total applicable costs for the Project. "Total applicable project costs" are defined as the cost of materials (including the cost of any manufactured products) used in the Project that are subject to a domestic preference requirement, including materials that are within the scope of an existing waiver, but do not include costs for labor.

¹⁰ FY 2023 USMHP Exhibits are available here: https://www.maritime.dot.gov/grants-finances/marine-highways/marad-fy-2023-usmhp-exhibits-november-13-2023.

(2) NEPA Process and Permitting Risks

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 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.

The applicant should indicate the anticipated NEPA class of action 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 be aware that the final determination of NEPA class of action will be made by MARAD after announcement of project selections. The application should also include a discussion on the status of any required environmental approvals or permits in addition to the status of the NEPA process.

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. 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.

The applicant should indicate any previously completed or ongoing consultations involving the project 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. Successful applicants will be responsible for completion of MARAD's Section 106 documentation prior to NEPA completion and execution of the grant agreement. The application should also include any known or anticipated stakeholder or public contentious issues related to the Project.

The schedule provided in the application should include a timeline for completion of the NEPA process and the acquisition of the required environmental approvals and permits (such as U.S. Army Corps of Engineers permits and consultations under Section 7 of the Endangered Species Act, 16 U.S.C. 1531).

Reviewers will evaluate whether the applicant has demonstrated receipt (or reasonably anticipated receipt) of necessary environmental approvals or permits. They will also assess the applicant's understanding of the NEPA process as well as the applicant's ability to comply with environmental consultations, approvals, and permits. As with risks related to technical capacity, risks do not disqualify projects from an award, but competitive applications include achievable risk mitigation strategies.

NEPA Process and Permitting Risks ratings will be one of the following: "low risk," "moderate risk," or "high risk."

NEPA Process and Permitting Risks						
High Risk	Moderate Risk	Low Risk				

The application does not include sufficient information, does not clearly document the anticipated NEPA level of review for the Project, does not describe the environmental analysis such that reviewers are able to evaluate whether a Project is reasonably expected to begin construction or be in service in a timely manner, consistent with applicable requirements, and/or does not include the anticipated NEPA schedule.

The application documents the anticipated NEPA level of review for the Project but does not fully describe the environmental analysis in progress or completed and does not effectively demonstrate that the Project is likely to begin construction or be in service in a timely manner, consistent with applicable requirements.

The application clearly documents the anticipated NEPA level of review for the Project, describes the environmental analysis in progress or completed, and demonstrates that the Project is expected to begin construction or be in service in a timely manner, consistent with applicable requirements.

(3) Workforce Development and Job Quality

MARAD intends to use the USMHP to support the creation of good-paying jobs with the free and fair choice to join a union and the incorporation of strong labor standards, such as through the use of project labor agreements, registered apprenticeships, and other training and placement programs.

Reviewers will assign applications a "high," "medium," "low," or "non-responsive" rating as further described below.

Non-Responsive	Low	Medium	High
The proposed Project	The application	The application either	The application
negatively affects the	advances only	(1) provides a detailed	demonstrates a formal
selection consideration,	workforce	description of how the	commitment,
or the application	development or job	Project advances or	supported by examples
contains insufficient	quality, and lacks a	improves workforce	or data, to advancing
information to assess the	formal commitment	development and job	workforce
selection consideration.	supported by	quality but lacks a	development and job
	examples or data.	formal commitment	quality.
		supported by examples	
		or data; or (2) advances	
		or improves workforce	
		development or job	
		quality and has a	
		formal commitment	
		supported by examples	
		or data.	

c. Determinations

As required pursuant to $\underline{46 \text{ U.S.C. } 55601(d)(7)}$, MARAD will not award a grant under this notice unless the Secretary determines that:

- (A) sufficient funding is available to meet the matching requirements described in Section B.3.;
- (B) the Project will be completed without unreasonable delay described in Section F.1.b.(1); and
- (C) the recipient has authority to carry out the proposed Project described in Section B.1.

MARAD will use the information provided in these sections to ensure that all Projects satisfy these three determinations prior to award selection.

2. REVIEW AND SELECTION PROCESS

a. Review Process

The FY 2025 USMHP grant application evaluation process consists of an Intake Review Phase, a Technical Review Phase, and a Senior Review Team (SRT) Review Phase.

During the Intake Review Phase, the Intake Review Team will conduct a threshold eligibility screening to determine basic eligibility and completeness of applications received. Applications that do not meet the threshold eligibility screening will not be advanced for further consideration, although MARAD reserves the right to request supplemental or clarifying information from applicants prior to determining that an application will not advance.

After the Intake Review Phase, MARAD will initiate the Technical Review Phase where MARAD staff review applications and provide ratings for each application's alignment with the merit criteria and selection considerations, consistent with the guidance in this notice.

Applications that receive a "High" rating in Demonstrating the Need to Develop, Expand, or Promote Marine Highway Transportation or shipper use of Marine Highway Transportation; no less than a "Medium" rating in Expanding the Benefits of Marine Highway Transportation; no less than a "Medium" rating in Measuring Project Support; and no less than a "Medium" rating for Leveraging Federal Funding and Financial Viability, will be designated as "Highly Recommended" for award. Applications that receive a "Non-Responsive" rating in Demonstrating the Need to Develop, Expand, or Promote Marine Highway Transportation or shipper use of Marine Highway Transportation, Expanding the Benefits of Marine Highway Transportation, or Leveraging Federal Funding and Financial Viability will not be recommended for further consideration.

After the Technical Review Phase, the SRT will review the Highly Recommended applications identified in the Technical Review Phase and develop a List of Projects for Consideration from that list. The SRT may also review and consider any of the remaining eligible applications for possible inclusion on the List of Projects for Consideration. The SRT will base its development of the List of Projects for Consideration on how well a Project meets the merit criteria and may also consider a Project's rating on the additional selection considerations. A Project that aligns poorly with the selection considerations may nevertheless be included in the List of Projects for Consideration. Projects with higher risk ratings may still be recommended for award if the risks are properly mitigated. Additionally, the SRT will consider the statutory requirement to ensure an equitable geographic distribution of funds when developing the List of Projects for Consideration.

The SRT will recommend the List of Projects for Consideration to the Maritime Administrator. The Maritime Administrator will recommend awards from the List of Projects for Consideration to the Secretary. A Project must meet all applicable determinations to be advanced on the List of Projects for Consideration; therefore, only those Projects that meet all applicable determinations will be advanced to the Secretary. Using the discretionary authority provided in statute, the Secretary selects awards from the List of Projects for Consideration consistent with the merit criteria and selection considerations as described in Section F.

b. Compliance with DOT Order 2100.7, Ensuring Reliance upon Sound Economic Analysis in DOT's Policies, Programs and Activities

The Department intends to apply principles from DOT Order 2100.7, <u>Ensuring Reliance Upon Sound Economic Analysis in DOT's Policies</u>, <u>Programs and Activities</u>, when evaluating applications and making award selections. To the maximum extent permitted by law, MARAD will prioritize projects that are in alignment with the principles outlined in DOT Order 2100.7.

c. Follow-up with Applicants

MARAD may ask any eligible 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 scope 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 and will notify the point(s) of contact listed by the applicant on the SF-424.

d. Risk Review

Prior to obligation of funds, each selected applicant will be subject to a risk assessment as required by <u>2 CFR 200.206</u>. Before making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, MARAD must review and consider any information about the applicant that is in the responsibility/qualification records available in <u>SAM.gov</u> (see 41 U.S.C.2313). An applicant may review information in <u>SAM.gov</u> and comment on any information about itself. MARAD will consider comments by the applicant, in addition to the other information in <u>SAM.gov</u>, when completing the review of risk posed by applicants.

G. AWARD NOTICES

1. HOW PROJECT SELECTIONS ARE ANNOUNCED

MARAD will publicly announce Projects selected for award by posting a list of selected Projects at https://www.maritime.dot.gov/grants/marine-highways/marine-highways. 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, which is the official document that obligates USMHP funds.

2. ANNOUNCEMENT DATES

MARAD will publicly announce Projects selected for award no later than 270 days after the date of the enactment of the FY 2025 Appropriations Act (on or before December 10, 2025).

3. PRE-AWARD COSTS

Unless "pre-award costs" are authorized by MARAD in writing after announcement of FY 2025 USMHP selections, any costs incurred prior to the Department's obligation of funds for a project are ineligible for reimbursement and are ineligible to count as match for cost share requirements.¹¹

- Project costs incurred before project selections are announced cannot be paid for with funds from this competition.
- Funds must be used only for the specific purposes as outlined in the award letter and/or authorized by MARAD.

4. REIMBURSABLE PROGRAM

Recipients of a USMHP award will not receive a lump-sum cash disbursement at the time of announcement of Project selection or obligation of funds. Instead, USMHP 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. Grant recipients will generally be required to pay Project costs upfront using their own funds, and then request reimbursement for those costs.

Obligation occurs when a selected applicant and the Department enter into a written grant agreement after the applicant has satisfied applicable local, state, and Federal requirements.

H. POST-AWARD REQUIREMENTS AND ADMINISTRATION

1. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

Please visit <a href="https://www.maritime.dot.gov/grants/federal-grant-assistance/federal-grant

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

In connection with any program or activity conducted with or benefiting from funds awarded under this notice, recipients of funds must comply with all applicable requirements of Federal law,

¹¹ Pre-award costs are only costs incurred directly pursuant to the negotiation and anticipation of the USMHP award where such costs are necessary for efficient and timely performance of the scope of work, as determined by MARAD.

including, without limitation, the Constitution of the United States; the conditions of performance, nondiscrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of DOT; and applicable Federal financial assistance and contracting principles promulgated by the Office of Management and Budget. In complying with these requirements, recipients 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.

For projects that are eligible under the USMHP but are not eligible under DOT's other programs or projects that are eligible under multiple DOT programs, MARAD will determine the appropriate requirements to ensure the project is delivered consistent with program and Department goals. In particular, Executive Order 14005 directs the Executive Branch Departments and agencies to maximize the use of goods, products, and materials produced in, and services offered in, the United States through the terms and conditions of Federal financial assistance awards. If selected for an award, grant recipients must be prepared to demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their Project.

a. Program Requirements

(1) Civil Rights and Title VI

As a condition of a grant award, grant recipients should demonstrate that the recipient has a plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR part 21, including any amendments thereto), the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act, all other civil rights requirements, and accompanying regulations. This should include a current Title VI plan, completed Community Participation Plan, and a plan to address any legacy infrastructure or facilities that are not compliant with ADA standards. MARAD's Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

(2) Executive Order 14173, Ending Illegal Discrimination And Restoring Merit-Based Opportunity

Pursuant to Section 3(b)(iv)(A) of Executive Order 14173, Ending Illegal Discrimination And Restoring Merit-Based Opportunity, the Recipient agrees that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code.

Pursuant to Section 3(b)(iv)(B) of Executive Order 14173, Ending Illegal Discrimination And Restoring Merit-Based Opportunity, by entering into this agreement, the Recipient certifies that it does not operate any programs promoting diversity, equity, and inclusion (DEI) initiatives that violate any applicable Federal anti-discrimination laws.

(3) Critical Infrastructure Security, Cybersecurity, and Resilience

It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against all hazards, including both physical and cyber risks, consistent with National Security Memorandum on Critical Infrastructure Security and Resilience (NSM-22). Each applicant selected for Federal funding must demonstrate, prior to the signing of the grant agreement, efforts to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the Project. Projects that have not appropriately considered and addressed physical and cyber security and resilience in their planning, design, and project oversight, as determined by the Department and the Department of Homeland Security, will be required to do so before receiving funds.

(4) Domestic Preference

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. 117-58, div. G, tit. IX, subtitle A, 135 Stat. 429, 1298 (2021). The Department expects all applicants to comply without needing a project-specific waiver for domestic preference requirements.

b. Compliance with Federal Law and Policies

The applicant assures and certifies, with respect to any application and awarded Project under this NOFO, that it will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds and will cooperate with Federal officials in the enforcement of Federal law, including cooperating with and not impeding U.S. Immigration and Customs Enforcement (ICE) and other Federal offices and components of the Department of Homeland Security in the enforcement of Federal immigration law.

2. REPORTING

This section of the notice provides general information about the reporting requirements that accompany USMHP 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 USMHP 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 USMHP.

b. Performance Reporting

Each applicant selected for USMHP 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 Measures will be used to evaluate and compare Projects and monitor the results that grant funds achieve to the intended long-term outcomes of the USMHP. Performance Measures used in the reporting will relate to the merit criteria defined in Section F. Performance reporting continues for three years after Project construction is completed, and MARAD does not provide USMHP 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, USMHP grant recipients may be required to participate in an evaluation undertaken by DOT or another agency or partner. The evaluation may take different forms such as an implementation assessment across grant recipients, an impact and/or outcomes analysis of all or selected sites within or across grant recipients, or a benefit/cost analysis or assessment of return on investment. DOT may require applicants to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor; (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 the effectiveness of their Projects. 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 and to elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency" (codified at 5 U.S.C. 311). For grant recipients, evaluation expenses are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such expenses may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation (2 CFR 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 about civil, criminal, or administrative proceedings described in Appendix XII of 2 CFR 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.

I. FEDERAL AWARDING AGENCY CONTACTS

For further information concerning this notice please contact the USMHP staff via email at mh@dot.gov or call Fred Jones at 202–366–1123. In addition, MARAD may post answers to questions and requests for clarifications at https://www.maritime.dot.gov/grants-finances/marine-highways/frequently-asked-questions-us-marine-highway-program-usmhp. 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 USMHP grants selection and award process upon request.

J. 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 CFR 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 J.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.

Issued in Washington D.C. on [INSERT DATE OF ISSUANCE]

By Order of the Executive Director in lieu of the Maritime Administrator

Designated Route	Route Sponsor	Point of Contact	Title	Email	Phone
M-2, Puerto Rico	Puerto Rico Ports Authority	Romel Pedraza, P.E.	Assistant Executive Director for Planning, Engineering and Construction	rpedraza@prpa.pr.gov	787-728-8715
M-3, Kaskaskia River	The Kaskaskia Regional Port District (IL)	Ed Weilbacher	General Manager	ed@kaskaskiaport.com	618-282-3807
	California DOT	Jeffrey Morneau	Senior Transportation Planner	jeffrey.morneau@dot.ca.gov	916-494-3862
	Oregon DOT	John Boren	Freight Program Manager	john.boren@odot.oregon.gov	503-951-0166
M-5, Pacific Ocean Coastal Waters	Oregon Business Development Department	Margaret Barber	Ports Programing Coordinator	margaret.barber@biz.oregon.gov	971-719-3606
	Port of Port Angeles (WA)	Paul Jarkiewicz	Executive Director	paul@portofpa.com	360-417-3446
M-5AK, Alaska Coastline	State of Alaska, Department of Transportation and Public Facilities	Judy Chapman	Deputy Director of Planning, Division of Planning & Program Development	judy.chapman@alaska.gov	907-451-5150
M-10, Gulf Coastline	Mississippi DOT	Trung Trinh	Transportation Planner/Freight Coordinator	ttrinh@mdot.ms.gov	601-359-7910
M-11, Alaska Coastal Waters	State of Alaska, Department of Transportation and	Judy Chapman	Deputy Director of Planning, Division of Planning & Program Development	judy.chapman@alaska.gov	907-451-5150
	Public Facilities	Katherine Keith	Deputy Commissioner, Office of the Commissioner	katherine.keith@alaska.gov	907-799-1201

Designated Route	Route Sponsor	Point of Contact	Title	Email	Phone
M-29, Missouri River	The Port Authority of Kansas City	Richard Grenville	Vice President, Multimodal Logistics	rgrenville@portkc.com	816-559-3726
.,	Missouri DOT	Levi Woods	Administrator of Freight & Waterways	levi.woods@modot.mo.gov	573-526-5578
	Illinois DOT	William Murray	Section Chief, Aviation & Marine Transportation Program Planning	BJ.Murray@Illinois.gov	217-782-4118
	Iowa DOT	Samuel Hiscocks	Planning Team Leader	samuel.hiscocks@iowadot.us	515-239-1520
M-35, Upper Missouri River	Minnesota DOT	Patrick Phenow	Ports and Waterways Coordinator	patrick.phenow@state.mn.us	651-366-3672
	Missouri DOT	Levi Woods	Administrator of Freight & Waterways	levi.woods@modot.mo.gov	573-526-5578
	Wisconsin DOT	Mike Halsted	Harbors & Waterways Program Manager	michaels.halsted@dot.wi.gov	608-264-8426
M-40, Arkansas,	Arkansas Waterways Commission	Cassandra Caldwell	Director	cassandra.caldwell@arkansas.gov	501-682-2114
Verdigris, and White Rivers	Oklahoma DOT	Thaddaeus Babb	Branch Manager, Office of Freight Mobility, Multimodal Division	TBabb@odot.org	918-221-1280
M-49, Atchafalaya River and the J. Bennett Johnson Waterway	Louisiana DOT	Randall Withers	Ports and Waterways Director	randall.withers@la.gov	225-379-3065

Designated Route	Route Sponsor	Point of Contact	Title	Email	Phone
	Missouri DOT	Levi Woods	Administrator of Freight & Waterways	levi.woods@modot.mo.gov	573-526-5578
M-55, Mississippi and Illinois Rivers	Illinois DOT	William Murray	Section Chief, Aviation & Marine Transportation Program Planning	BJ.Murray@illinois.gov	217-782-4118
	Mississippi DOT	Trung Trinh	Ports & Waterways Director/Freight Coordinator	ttrinh@mdot.ms.gov	601-359-7916
M-64, Hampton Roads, Chesapeake Bay and James River	Richmond Regional Planning District Commission	Chet Parsons	Director of Transportation	CParsons@planrva.org	804-323-2033
M-65, Mobile – Black Warrior Rivers and Tombigbee Waterway	Tennessee- Tombigbee Waterway Development Authority	Mitch Mays	Administrator	mays@tenntom.org	662-328-3286
M-69, Bay Texas Gulf Intracoastal Waterway	Texas DOT	Matthew Mahoney	Waterways Coordinator, Maritime Division	matthew.mahoney@txdot.gov	512-486-5630
M-70, Ohio, Mississippi, and	Ohio DOT	Randy Lane	Freight and Maritime Manager	randy.lane@dot.ohio.gov	614-387-2369
Missouri Rivers	Illinois DOT	BJ Murray	Section Chief, Aviation & Marine Transportation Planning	BJ.Murray@illinois.gov	217-782-4118

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	Kentucky Transportation Cabinet, Division of Planning	Jeremy Edgeworth	Freight, Rail, and Waterways Coordinator	jeremy.edgeworth@ky.com	502-782-5095
M-70, Ohio, Mississippi, and	Missouri DOT	Levi Woods	Administrator of Freight & Waterways	levi.woods@modot.mo.gov	573-526-5578
Missouri Rivers	West Virginia DOT	Stephen R. Connolly	Deputy Commissioner – Counsel	stephen.r.connolly@wv.gov	304-414-8941
	Ports of Indiana	Eric Powell	Director of Communications	epowell@portsofindiana.com	317-233-6231
	Port of Pittsburgh Commission	Mary Ann Bucci	Executive Director	mary-ann@portpitt.com	412-201-7331
		Scott Harshman	Marketing & Program Mgr.	scott@portpitt.com	412-201-7334
M-71/77, Lake Erie	For private applicants of	on the M-71/77 Mari	ne Highway Route, please contact	the M-90 Marine Highway Route Sponso	r.
M-75, Detroit River and Lake Erie	Detroit/Wayne County Port Authority	Mark Schrupp	Executive Director	mschrupp@portdetroit.com	313-259-5091
	Port of Pittsburgh Commission	Scott Harshman	Marketing & Program Manager	scott@portpitt.com	412-477-0836
M-79, Allegheny and Ohio Rivers	Commission	Matt Pavlovsky	Public Relations Manager	matt@portpitt.com	412-201-7335
	Morgantown Monongalia MPO	Bill Austin	Executive Director	baustin@plantogether.org	304-291-9571
M-84, Columbia, Willamette, and Snake Rivers	The Port of Portland (OR)	Richard Vincent	Senior Waterways Planner	richard.vincent@portofportland.com	503-415-6236

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M-84, Columbia, Willamette, and Snake	The Port of Portland (OR)	Fred Meyer	Waterways Manager	fred.myer@portofportland.com	503-415-6542
Rivers	Port of Benton (WA)	Diahann Howard	Executive Director	dhoward@portofbenton.com	509-375-3060
M-87, Hudson River	New York State	Ray Hessinger	Director, Freight and Passenger Rail Bureau	raymond.hessinger@dot.ny.gov	518-457-7331
and Erie Canal	DOT	David Rosenberg	Associate Transportation Analyst	david.rosenberg@dot.ny.gov	518/457-6966
M-90, Great Lakes and St. Lawrence Seaway System	Ohio DOT	Randy Lane	Freight and Maritime Manager	randy.lane@dot.ohio.gov	614-387-2369
M-95, Atlantic Ocean Coastal Waters	The Eastern Transportation Coalition	Marygrace Parker	Director of Freight Program	mgparker@tetcoalition.org	518-852-4083
M-146, Houston Ship Channel, Buffalo Bayou, and Galveston	Chambers County Galveston Bay	Judge Jimmy Sylvia	Chambers County Judge	jsylvia@chamberstx.gov	409-267-2440
M-295, East River, Long Island Sound, and Block Island Sound	Connecticut DOT	Andrew Lavigne	Manager of Business Development and Special Projects	alavigne@ctportauthority.com	860-577-5174
	New York State DOT	David Rosenberg	Office of Policy & Planning	david.rosenberg@dot.ny.gov	518-457-6966
M-495, Anacostia, Occoquan, and Potomac Rivers	Northern Virginia Regional Commission	Robert W. Lazaro	Executive Director	rlazaro@novaregion.org	703-642-4629

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M-580, San Joaquin and Sacramento Rivers	Port of Stockton (CA)	Jason Katindoy	Deputy Port Director, Maritime & Real Estate	jkatindoy@stocktonport.com	209-946-0246
M-A1, Matanuska and	Matanuska-Susitna	Dave Griffin	Port Operations Manager	david.griffin@matsugov.us	907-707-4174
Susitna Rivers	Borough (AK)	Mike Brown	Borough Manager	mike.brown@matsugov.us	907-861-8689
M-AS1, American Samoa	Port of Pago Pago American Samoa	Pu'amavae Ah- Mai	Harbormaster	puamavae.ahmai@pa.as.gov	684-252-6233
		Tumua Matu'u	Deputy Director Department of Port Administration	tumuamatuu@hotmail.com	684-258-5464
	Port Authority of Guam (PAG)	Christopher Aguon	Planner II	cjaguon@portofguam.com	671-477-5931 ext. 295
M-GNM1, Guam and Commonwealth of the Northern Mariana Islands	Commonwealth Ports Authority (CPA)	Jerra Mae B. Cing	Port of Saipan Manager	jerra.cing@cnmiports.com	670-664-3554
isianus	Commonwealth Ports Authority (CPA)	Tanner Kenty	Grants Administrator	tanner.kenty@cnmiports.com	670-664-3554
M-H1, Hawaiian Islands	Hawaii DOT	Dre Kalili	Deputy Director of Harbors	dreanalee.k.kalili@hawaii.gov	808-587-3651
M-V1, U.S. Virgin Islands	Virgin Islands Port Authority (VIPA)	Carlton Dowe	Executive Director	cdowe@viport.com	340-774-1629