



**U.S. Department  
of Transportation**  
Pipeline and  
Hazardous Materials  
Safety Administration  
(PHMSA)

## Notice of Funding Opportunity

### Hazardous Materials Emergency Preparedness (HMEP) Grant

Fiscal Year (FY) 2022

NOFO Posted Date: March 1, 2022  
Applications Due Date: April 15, 2022, 11:59 pm ET  
Questions Due Date: April 7, 2022, 11:59 pm ET

Applicant must be registered at [www.grants.gov](http://www.grants.gov) to apply online. It is highly recommended that applicants begin the registration process as soon as possible to avoid delays in submission. Additionally, applicants must maintain an active registration in the System for Award Management at [www.SAM.gov](http://www.SAM.gov).

Furthermore, applicants must register with FedConnect at <https://www.fedconnect.net> for an account before submitting an application. Your organization's Marketing Partner ID number (MPIN), which can be retrieved from SAM, is required to create an account. For instructions on how to register in FedConnect and how it works to use the portal, click on the link to access the [FedConnect: Ready, Set, Go! Tutorial](#) on the FedConnect home page.

#### **Assistance Listing (formerly CFDA)**

20.703 "Interagency Hazardous Materials Public Sector Training and Planning Grants"

**PHMSA Notice of Funding Opportunity Number  
693JK322NF0011**

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**PROGRAM SUMMARY**

Federal Agency Name: U.S. Department of Transportation (DOT)  
Pipeline and Hazardous Materials Safety Administration  
(PHMSA)

Funding Opportunity Title: “Hazardous Materials Emergency Preparedness Grant –  
FY 2022”

Announcement Type: Initial Announcement

Funding Opportunity Number: **693JK322NF0011**

Assistance Listing Number: 20.703

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## MISSION

The U.S. Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA) protects people and the environment by advancing the safe transportation of energy and other hazardous materials (HAZMAT) that are essential to our daily lives. To do this, PHMSA establishes national policy, sets and enforces standards, educates, and conducts research to prevent incidents. We also prepare the public and first responders to reduce consequences if an incident does occur. To accomplish this, PHMSA awards financial assistance to states and territories to ensure industry compliance with the Hazardous Materials Regulations (HMR).

## SECTION A - PROGRAM DESCRIPTION

### A.1 Statement of Purpose

This funding opportunity falls under Assistance Listing 20.703. PHMSA, through this NOFO, is requesting applications from states and U.S. territories for Hazardous Materials Emergency Preparedness (HMEP) funding to carry out hazardous materials planning and training activities to ensure the safe transport of hazardous materials. This funding opportunity will represent Year-1 of a 3-year grant award cycle to states and territories. Funding will be awarded annually through continuing applications. However, applicants are strongly encouraged to submit project plans that reflect three years of grant activities.

Funding under this award is critical to ensuring the safe transportation of hazardous materials by training emergency responders and funding planning activities such as commodity flow studies, tabletop exercises and emergency response plan development. PHMSA's training goal is to ensure that responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous materials. PHMSA's goal for planning activities is to develop, improve, and carry out emergency plans under the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001 et seq.), including ascertaining flow patterns of hazardous material transportation movement.

Consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009), PHMSA's FY 2022 priority is directed towards ensuring that underserved communities are prepared and trained to respond to hazmat transportation emergencies. This includes community response planning and training for fire, law-enforcement, and public safety access point personnel.

PHMSA requires that applicants identify specific training and planning projects based on jurisdictional needs and maintain a record of the following: 1) number trained, 2) course type, 3) cost of training, 4) number of emergency response plans developed, 5) number of commodity flow studies completed, 6) number of exercises conducted, 7) location of training, and 8) a detailed accounting and description of each grant expenditure, including the amount of, and purpose for, each expenditure. PHMSA measures performance based on the projects included in

the approved grant application and whether those projects fulfilled the training and planning needs outlined in the statement of need.

PHMSA requires that applicants comply with all applicable federal financial assistance regulations and maintain an auditable accounting system that includes a detailed accounting and description of each grant expenditure. PHMSA measures performance based on the projects included in the approved financial assistance application and whether those projects fulfilled the needs outlined in the statement of need.

## **A.2 Statute and Program Authority**

The HMEP program is authorized under 49 U.S.C. § 5116 and is governed by program regulations in 49 CFR Part 110 and Federal grants administration regulations at 2 CFR Part 200. On December 4, 2015, the Fixing America's Surface Transportation (FAST) Act was signed into law (Public Law No. 114-94). The FAST Act reauthorized the HMEP Grant Program. Section 7203 of the FAST Act amended 49 U.S.C. §5116 to combine planning and training grants into section 5116 (a).

## **A.3 Background**

Congress authorized the HMEP grant program in 1990 under the Hazardous Materials Transportation Act (P.L. 101-615), codified at 49 U.S.C. § 5101 et. seq. Since its inception, the HMEP has been fully funded by registration fees collected from hazardous materials (hazmat) shippers and carriers who offer for transportation or transport certain hazmat in intrastate, interstate, or foreign commerce. Subject to the availability of funds, the HMEP is authorized in the amount of \$21,988,000 for states, tribes and territories. An additional \$2,397,997 is available in carryover funds from prior fiscal years. Of this total amount, approximately \$1,000,000 will be made available to Federally recognized tribes and tribal nonprofit organizations. Grantees are reimbursed for PHMSA-approved program expenses.

## **SECTION B - FEDERAL AWARD INFORMATION**

### **B.1 Funding**

This HMEP NOFO is subject to the availability of funds. PHMSA anticipates \$23,385,997 will be available for the HMEP grant program for states and territories.

### **B.2 Period of Performance**

The period of performance is thirty-six (36) months from the effective date of the award.

### **B.3 Type of Award**

Discretionary grant award.

## SECTION C - ELIGIBILITY INFORMATION

### C.1 Eligible Applicants and Activities

The FY 2022 HMEP grant program is open to states and territories. States and territories are defined at 49 U.S. Code § 5116 as a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, Guam, and any other territory or possession of the United States designated by the Secretary.

Applicants must have a designation letter on file with PHMSA from its governor, or governor equivalent, designating the entity to receive HMEP funds. If a new state entity will be managing the HMEP grant, a new letter reflecting that change must be included with your application.

Eligible grant projects/expenses include, but are not limited to:

1. Commodity flow studies
2. Tabletop Exercises
3. Emergency response plans (creation and updates)
4. Hazmat response training
5. Hazmat training drills
6. Training equipment
7. Hazmat training conferences
8. Salaries/Fringe benefits for HMEP program administrators
9. Supplies to conduct training and planning activities
10. Contract support costs related to HMEP planning and training activities

### C.2 Cost Sharing or Matching

In accordance with 49 U.S. Code § 5116(d), States and the Commonwealth of Puerto Rico must contribute a minimum of 20% matching share to the total cost of the grant.

Match can be calculated by using the federal share (award) divided by the percentage of Total Project Cost minus federal share. An example is as follows:

With a match of 20%, and federal share of 80%, a \$250,000 federal grant:

- \$250,000 divided by 80% = \$312,500
- \$312,500 minus \$250,000 = \$62,500
- The 20% local share is \$62,500.

The matching requirement must be satisfied by costs incurred by the grantee or by the value of in-kind contributions. All matching funds must meet the federal requirements as described in 2 CFR § 200.306 Cost sharing or matching. Funds or costs used for matching purposes under any other federal grant or cooperative agreement may not be used for HMEP matching purposes.

## Insular Areas

In accordance with 48 U.S.C. § 1469a, Guam, Virgin Islands, American Samoa, the Government of Northern Mariana and the Trust Territory of the Pacific Islands are referred to as “insular areas.” Such areas are waived from cost sharing or matching requirements as authorized in 48 U.S.C. § 1469a(d) except the Commonwealth of Puerto Rico.

## SECTION D - APPLICATION AND SUBMISSION INFORMATION

### D.1 Address to Request Application Package

PHMSA requires applicants for this funding opportunity to apply electronically through Grants.gov. Applicants must download the application package associated with this funding opportunity by following the directions provided on Grants.gov.

To request a hard copy of the application package, please contact:

Carla Sheppard  
 Pipeline and Hazardous Materials Safety Administration  
 1200 New Jersey Ave. SE, E23-446  
 Washington, DC 20590  
 Email: HMEP.grants@dot.gov  
 Phone: (202) 366-1109  
 FAX: (202) 366-3753

Applications will only be accepted via Grants.gov. Mail and fax submissions will not be accepted.

If you are a hearing-impaired person, please contact the FR/TTY at 1-800-877-8339 or email PHMSA-Accessibility@dot.gov.

The application package contains all required electronic forms and the ability to upload attachments for the budget narrative, budget justification, project narrative, assurances, and certifications. The applicant must submit the information outlined in the Application Guide in addition to the program-specific information below.

To begin the process, applicants must be registered with [www.Grants.gov](http://www.Grants.gov) to submit an application. It is highly recommended that applicants begin the registration process as soon as possible to avoid delays with submission. Failure to comply with the application requirements as described in this section may result in the failure of an application to be reviewed.

### D.2 Accessing Grant Systems

1. **Grants.gov.** For new users, go to <http://www.grants.gov/web/grants/applicants.html>, or go to the main page at <http://www.grants.gov/> and select “Register.” New user registrations for Grants.gov can take up to two weeks to complete. For additional

questions on how to register, contact Grants.gov support by phone at (800) 518-4726 or via email at [support@grants.gov](mailto:support@grants.gov).

2. **FedConnect.** Applicants must register with FedConnect at <https://www.fedconnect.net> for an account before submitting an application. Your organization's Marketing Partner ID number (MPIN), which can be retrieved from SAM, is required to create an account. For instructions on how to register in FedConnect and how it works to use the portal, click on the link to access the [FedConnect: Ready, Set, Go! Tutorial](#) under the *Need Help?* section on the FedConnect home page. For other technical issues or questions, either email [fcsupport@unisonglobal.com](mailto:fcsupport@unisonglobal.com) or call us at 1-800-899-6665 option 2. The FedConnect Support Center is staffed Monday - Friday 8 a.m. to 8 p.m., ET, except federal holidays.
3. **Unique Entity Identifier (Dun and Bradstreet Universal Numbering System (DUNS) Number) and System for Award Management (SAM).** PHMSA may not make an award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements. If an applicant has not fully complied with the requirements by the time PHMSA is ready to make an award, PHMSA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant. PHMSA recommends that applicants review the SAM database to ensure that their DUNS number is updated and "active." Link: <https://www.sam.gov/portal/public/SAM/>.

Each applicant is required to:

- Register in SAM (SAM.gov) before submitting its application.
- Provide a valid DUNS number in its application.
- Always maintain an active SAM registration and DUNS with current information during which it has an active federal award or an application under consideration.

### **D.3 Content and Form of Application Submission**

Applications for FY 2022 HMEP funding should be submitted in electronic format in [grants.gov](https://grants.gov) according to the following outline. There are two overall sections: (1) standard forms that the applicant must download and complete from [grants.gov](https://grants.gov) under the FY 2022 HMEP funding opportunity; and (2) attachments the applicant will need to create and upload.

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

Completed applications must be received electronically by 11:59 p.m. Eastern Time on April 15, 2022. If an applicant has technical difficulties submitting the application through [Grants.gov](https://grants.gov), that applicant should contact the Grants Program Office by phone at (202) 366-1109 or via email at [HMEP@dot.gov](mailto:HMEP@dot.gov). Applications received after this deadline may not be considered. PHMSA will only accept one application from each applicant.

## D.5 Standard Forms

The following forms are found in grants.gov under the FY 2022 HMEP Funding Opportunity and must be completed by the applicant.

1. Standard Form (SF)-424 – Application for Federal Assistance
2. SF-424A – Budget Information
3. SF-LLL – Disclosure of Lobbying Activities.
4. Standard Title VI/Non-Discrimination Assurances – Civil Rights Assurances

## D.6 Applicant Attachments

All required forms must be created by the applicant and uploaded to grants.gov under the FY 2022 Hazardous Materials Emergency Preparedness (HMEP) Grant Funding Opportunity. Guidance for submitting the project narrative and budget narrative is listed in the following section.

1. HMEP Grant Application Form
  - Project Narrative attachment
  - Budget Narrative attachment
2. Indirect cost agreement; and/or Statement claiming 10 percent de minimis (if applicable)
3. Letters of Support from partner organizations (if applicable)
4. Additional optional attachments (if applicable)

Applications should be well written and free of mathematical errors in the line-item budget and budget narrative. Program narratives should have the sections clearly identified and follow the structure requested in this NOFO. The application forms and templates are available on Grants.gov in the ‘Related Documents’ tab with detailed instructions on the application process.

### Project Narrative

The following Project Narrative sections are required. To facilitate the application review and award process, submit the sections in the order of their appearance as stated below. Applicants should clearly identify the sections in the project narrative section of the application.

1. **Cover Letter.** The letter should be provided from the governor designating the entity to receive federal funds if the designated entity has changed.
2. **Organization Information and Capacity.** Briefly provide information about your organization. This should include: (1) your organization’s mission; (2) a brief overview of the structure of your organization, programs, leadership, and special expertise; and

(3) your organization's experience and capacity to manage federal financial assistance programs.

3. **Contact Information.** In Part A of the HMEP grant form identify the designated project director, including the name, position, address, email address, and telephone number of the individual(s) who will be responsible for coordinating the funded activities. Additionally, identify authorized individuals who will accept the award grant document, as well as individuals responsible for the submission of required federal financial reports.
4. **Transportation Fees.** In Part B of application form, identify whether the states or territories assess and collect fees on the transportation of hazardous materials and what percentage of the fees collected is used solely to carry out purposes related to the transportation of hazardous materials.
5. **Planning and Training Needs Assessment.** In Part C of the application form, describe the current capacity and any areas of deficiency as it concerns preparedness for the transportation of hazardous materials. This may include: (1) A discussion of whether the applicant has identified a need to assess transportation flow patterns of hazardous materials within the states and territories. (2) Providing the number of hazmat preparedness plans that need updating. (3) Describing the location and need for exercises to be conducted that involve preparation for response to incidents involved in the transportation of hazardous materials. (4) Providing the number of responders needing training and the number of persons currently trained in the different disciplines of response functions (e.g., number of firefighters, Emergency Medical Technicians (EMTs), Emergency Medical Services (EMSs) that need training)
6. **Goals and Objectives.** In section three of Part C of the application form, list the program goals and objectives for the HMEP grant funds. In addition, applications should include long-term program objectives.

**\*Note:** The outputs in Year 1 must be completely defined. You may include detailed targets for year 2 or year 3, or estimates. Provide quantifiable and measurable outputs planned for the grant's period of performance. Outputs are quantitative data that describe the proposed activities. For delivery of hazmat training courses, outputs should include: (1) number and type of course(s); (2) the number of projected students trained for each course; and (3) number of contact hours for each course.

7. **Planning and Training Activities** – In section four and five of Part C in the application form, list and describe the proposed HMEP project activities to be undertaken during the period of performance. Provide the estimated cost of each activity and the projected start/end date. Each activity should correlate to goals listed.

**\*Note:** the activities in Year 1 must be completely defined. You may include detailed targets for Year's 2 and 3, or estimates.

8. **Monitoring.** In section six of Part C of the application, provide a description of the monitoring and evaluation of the activities that will be conducted to ensure that the grant

activities are successfully carried out according the activity timeline. Include an explanation of quality control measures, including but not limited to random examinations, inspections, and audits of planning activities, to maximize the cost effectiveness and impact of the program.

9. **Statement of auditable accounting system.** In Part E of application form, certify that the person authorized to provide training agree to have an auditable accounting system.
10. **Statement of aggregate expenditures.** In Part E of application form, certify that the aggregate expenditures, for hazardous materials incident preparedness training and planning activities (exclusive of federal funds) will not fall below the average level of its expenditures for its last five fiscal years.
11. **Statement of 75% programmatic requirement.** In Part E of application form, certify that 75% of grant funding will be used for HMEP programmatic activities and no more than 25% of federal funding will be used for maintenance and administration costs (M&A).
12. **State Emergency Response Commission (SERC) review of grant application.** In Part E of the application form, certify that all members of the SERC were provided the opportunity to review the grant application.
13. **Equity.** In accordance with Executive Order 13985, funds shall be distributed equitably under this grant. Equity means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as women, Black, Latino, and Indigenous persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

## Budget Narrative

The budget narrative is an explanation of each budget component, which supports the cost of the proposed work. The budget narrative should focus on how each budget item is required to achieve the proposed project goals and objectives. It should also justify how budget costs were calculated. The budget narrative should be clear, specific, detailed, mathematically correct, and correspond to the SF-424A line-item categories.

Provide a budget narrative justification with a reference to the object class categories found on the SF-424A for each proposed activity and explain why the amount is needed to implement the project as proposed in the project narrative. The budget narrative must correlate with the costs identified in the SF-424A line item budget.

A well-developed budget narrative is an effective monitoring tool for both the awarding agency, and grant recipient. However, a budget narrative that does not represent a project's

needs makes it difficult to recommend for full funding and to assess financial performance over the life of the project. A description of the object class categories is provided below:

1. **Personnel** costs are the employee salaries for those working directly on the grant project. Include the number, type of personnel, the percentage of time dedicated to the project, hourly wage (or salary) and total cost to the grant.
2. **Fringe Benefit** costs are the allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe costs are benefits paid to employees, including the cost of employer's share of FICA, health insurance, workers' compensation, and vacation. Include how the fringe benefit amount is calculated (i.e., actual fringe benefits estimate, approved rate, etc.) Include a description of specific benefits charged to a project and the benefit percentage.  
Additional considerations:
  - The personnel salaries should have corresponding fringe; and vice-versa. PHMSA cannot pay fringe benefits for a position that is not listed in the Personnel section.
  - Explain what is included in the benefit package and at what percentage.
  - Fringe benefits are only for the percentage of time devoted to the grant project.
  - The applicant must not combine the fringe benefit costs with direct salaries and wages in the personnel category.
3. **Travel** costs are those costs requested for field work, or for travel, to professional meetings associated with grant activities. Provide the purpose, method of travel, number of persons traveling, number of days, and estimated cost for each trip. If the details of each trip are not known at the time of application submission, provide the basis for determining the amount requested.
4. **Equipment** costs include those items which are tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, unless the applicant has a clear and consistent written policy that determines a different threshold. Include a description, quantity, and unit price for all equipment.
  - Purchases of less than \$5,000 should be listed under "Supplies" or "Other."
  - Each item of equipment must be identified with the corresponding cost. General-purpose equipment must be justified as to how it will be used on the project.
  - Analyze the cost benefits of purchasing versus leasing equipment, particularly high-cost items, and those subject to rapid technical advances. List rented or leased equipment costs in the "Contractual" or "Other" category, depending upon the procurement method.
5. **Supplies** are tangible personal property other than equipment. Include the types of property in general terms. It is not necessary to document office supplies in detail (for example: reams of paper, boxes of paperclips, etc.). However, applicants should

include a quantity and unit cost for larger cost supply items such as computers and printers.

6. **Contractual** costs are those services carried out by an individual or organization, other than the applicant, in the form of a procurement relationship.
7. **Other** costs that do not fit any of the categories, include rent for buildings used to conduct project activities, utilities, leased equipment, employee training tuition, etc. “Other” direct costs must be itemized.
8. **Indirect Costs** (if applicable, must include IDC agreement or statement claiming de minimis rate): Indirect costs are allowable under the HMEP grant. Indirect costs are incurred for common or joint objectives that benefit more than one project. The applicant must include a current, and fully executed, indirect cost rate agreement in the application, if claiming indirect costs. The rate must be applied to the appropriate base in the approved agreement. If the rate will not be approved by the application due date, attach the letter of renewal or letter of request that you sent to your cognizant agency to your application. If the applicant has never received or has an expired indirect cost rate agreement, the applicant may be eligible for the 10 percent de minimis rate provided by 2 CFR § 200.414. A nonprofit entity that has never received a negotiated indirect cost rate may elect to charge a de minimis rate of 10 percent of modified total direct costs, per 2 CFR § 200.414, which may be used indefinitely. Applicants intending to charge the de minimis rate must include a statement verifying that the organization has never received a negotiated indirect cost rate and that the organization has elected to charge the de minimis rate.

#### **D.7 Funding Restrictions**

The following costs are not eligible for reimbursement under the FY 2022 HMEP grant:

1. Fees for the state and local personnel receiving training.
2. Entertainment, alcohol, or morale costs.
3. Excessive costs for general office supplies, equipment, computer software, printing and copying.
4. Expenses not related to the transportation of hazardous materials.
5. Expenses claimed and or reimbursed by another program.
6. Expenses counted as match funds toward another federal program.
7. Expenses that supplant existing operational funds/programs.
8. Any costs disallowed or stated as ineligible in 2 CFR Part 200.

\*Please note, the HMEP program now allows for costs such as overtime, backfill, and stipends if the costs are in compliance with the HMEP Guidance on Backfill, Overtime and Stipends.

## SECTION E - APPLICATION REVIEW INFORMATION

### E.1 Criteria

PHMSA will evaluate applications through administrative, technical, and programmatic reviews based on the evaluation criteria.

PHMSA developed evaluation criteria to rate and select competing applications. Submission of an application is not a guarantee of award. PHMSA may, at its discretion, award a grant based on an application in its entirety, award only portions of a grant based on its application, or not award a grant at all.

#### 1. Technical Criteria

- Does the application contain a planning and training needs assessment that identifies the current capacity and any areas of deficiency as it concerns preparedness for the transportation of hazardous materials?
- Does the application list the program goals and objectives for the grant funds?
- Does the application contain planning and training activities that align with the HMEP grant program guidelines?
- Do the activities listed appear to be allowable, allocable, necessary and reasonable?
- Does the application adequately describe the proposed activities?
- Does the application provide costs and a reasonable timeline of proposed grant activities?
- Does the application provide a description of the monitoring and evaluation of the proposed activities?

#### 2. Programmatic Criteria

- If the designated agency has changed, does the applicant provide a letter from the Governor designating the new entity to receive federal funds?
- Does the applicant provide an explanation of whether fees are assessed and collected for the transportation of hazardous materials, and if so, are the fees used only to carry out a purpose related to transporting hazardous material?
- Does the applicant provide a statement certifying that the person authorized to provide training agree to have an auditable accounting system?
- Does the applicant provide a statement certifying that 75 percent of grant funding will be used for HMEP programmatic activities and no more than 25 percent of federal funding will be used for maintenance and administration costs (M&A)?
- Does the applicant provide a statement indicating that all members of the State Emergency Response Commission (SERC) were provided the opportunity to review the grant application?

- Does the applicant provide the number of hazardous material facilities in the State?
- Does the applicant provide the types and amounts of hazardous material transported in the State or on such land?
- Does the applicant provide the past record of the state effectively managing planning and training grants?
- Does the applicant direct funds or activities to underserved communities?
- Did the applicant provide a completed SF-424 form?
- Is the SF-424A budget form completed and properly filled out?
- Did applicant submit a completed ED-80-0013 combined assurance and Title VI form?
- Does the budget (SF-424A) and budget narrative align?
- Does the budget narrative provide detail as to how the costs under Personnel correspond to the staff included in the narrative, and how they were calculated?
- Does the budget narrative provide an explanation or breakout of the staff Fringe Benefits?
- If there are funds entered under Travel, does the budget narrative provide a clear and reasonable explanation that relates to the costs?
- Does the budget narrative identify supply cost, are the costs adequately explained?
- If there are funds under “Contractual”, does the budget narrative clearly describe how contractual costs were derived for each agreement or subaward?
- If there are costs under “Other”, have the costs been reasonably explained?
- If indirect costs are requested, does the application/budget narrative include an approved, current Indirect Cost Rate agreement or statement claiming the 10% de minimis rate?

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

- 1. FAPIIS Review:** Prior to making an award, PHMSA is required to review, and consider, any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see 41 U.S.C. § 2313). An applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM, and comment on any information about itself that a federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. PHMSA will consider the applicant’s comments, business integrity, ethics, record of performance under federal awards, and other information in the performance system when making a judgement about their review of risk as described in 2 CFR § 200.205.

2. **Administrative Review:** PHMSA will conduct an administrative review to ensure the application meets the eligibility criteria outlined in Section C on Eligibility Information. Each application will be reviewed for completeness to ensure it includes all the required elements to qualify for the grant. If the application does not meet the required elements, then the application is likely to be rejected.
3. **Technical Review:** PHMSA will conduct a technical review of the application to assess how the proposed work is to be performed; and whether the application(s) are responsive to the applicable program requirements (i.e., performance measurement, methodology, and technical merit). PHMSA reserves the right to use outside expertise to perform application evaluation. PHMSA will utilize the technical review criteria in Section E.1 to determine how the applications address the needs for outreach and training.
4. **Programmatic Review:** PHMSA will conduct a programmatic review to assess programmatic factors identified in Section E.1. Programmatic factors are those factors which are relevant and essential to the process of selecting applications that best achieve the program's objectives, in accordance with applicable statutes, regulations, policies, and guidelines. Other programmatic factors may include history of performance, program priorities, and other modal needs. For applicants with existing awards, PHMSA may consider award balances when making final funding decisions.

**\*Further, please note that in order to comply with the requirements of 2 CFR Part 200, Subpart E, and DOT's Guide to Financial Assistance, PHMSA's Agreement Officers and Grant Specialists may request additional information pertaining to your application during the application review and evaluation process.**

### **E.3 Ratings Guidelines**

Based on these results from each review, each application will receive an overall rating either as:

**Highly Recommended** - The application demonstrates that the NOFO requirements are very well understood and the approach will likely result in a very high-quality performance. The application clearly addresses and exceeds requirements with no weaknesses. The application contains outstanding features that meet or exceed, on multiple dimensions, the expectations of the government. The application scope aligns very well with DOT objectives and priorities. The risk of poor performance is very low.

**Recommended** - The application demonstrates that the NOFO requirements are understood and the approach will likely result in satisfactory performance. The application addresses and meets requirements with some minor but correctable weaknesses. The application demonstrates requisite experience, qualifications, and performance capabilities. The application scope aligns with DOT objectives and priorities. The risk of poor performance is low.

**Acceptable** - The application demonstrates that the NOFO requirements are mostly understood and the approach will likely result in satisfactory performance for part of the

requirements. The application addresses some of the requirements with some weaknesses. The application demonstrates some experience, qualifications, and/or performance capabilities. The application partially aligns with DOT objectives and priorities. The risk of poor performance is moderate.

**Not Acceptable** - The application does not meet the NOFO requirements. The application fails to address many requirements. The applicant may be ineligible to apply for the grant. The application could not satisfy critical requirements without a major revision and/or a rewrite of the application or a major redirection effort. The application scope does not align with DOT objectives and priorities. The risk of poor performance is high.

#### **E.4 Selection Process**

PHMSA will recommend applications for award based on the final overall rating as described above. Final award recommendations will be made by PHMSA's Associate Administrator for the Office of Hazardous Materials Safety after taking into consideration recommendations made during the administrative, technical, and programmatic reviews and how well the applications address PHMSA's safety priorities. The PHMSA Administrator will make final award selection decisions.

#### **E.5 Anticipated Announcement and Federal Award Dates**

Applicants chosen for funding will receive electronic notification of the federal Award. Upon notification, the applicant's authorized official must sign and return the award within the timeframe prescribed by PHMSA. PHMSA plans to make awards by July 31, 2022 with a proposed period of performance start date of September 30, 2022.

### **SECTION F - FEDERAL AWARD ADMINISTRATION INFORMATION**

#### **F.1 Federal Award Notices**

PHMSA's grant awarding official will award grants to responsible and eligible applicants, at its discretion, whose applications are judged most meritorious under the procedures set forth in this NOFO. All funds provided by PHMSA must be expended solely for the purpose for which the funds are awarded in accordance with the approved application and budget, regulations, terms and conditions of the award, applicable federal cost principles, and DOT's financial assistance regulations. Funds may not be used for lobbying or litigation.

The grant award, signed by both the PHMSA Agreement Officer and the recipient's Authorized Representative, is the authorizing document and will be provided through electronic means to the Authorized Representative. The award document will provide pertinent instructions and information including, at a minimum, the following:

1. The legal name and address of recipient.

2. Title of project.
3. Name(s) of key personnel chosen to direct and control approved activities.
4. Federal Award Identification Number assigned by PHMSA.
5. Period of Performance, specifying the duration of the project.
6. Total amount PHMSA approved for the project.
7. Legal authority(ies) under which the award is issued.
8. Assistance Listing Program Number (formerly CFDA).
9. Applicable award terms and conditions.
10. Approved budget plan for categorizing allocable project funds to accomplish the stated purpose of the award.
11. Other information or provisions deemed necessary by PHMSA.

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

The administration of this award by PHMSA and the Recipient will be based on the following federal statutory and regulatory requirements:

1. 49 USC § 5116(a)
2. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
3. The Recipient must comply with 49 CFR Part 20, “New Restrictions on Lobbying.” 49 CFR Part 20 will be incorporated by reference into any award under this program and is available at <https://www.ecfr.gov/> by clicking on Title 49 CFR Part 20.
4. The Recipient must comply with Title VI of the Civil Right Act of 1964, which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.
5. The Recipient must comply with 49 CFR Part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964.” 49 CFR Part 21 will be incorporated by reference into any award under this program. 49 CFR Part 21 available at: <https://www.ecfr.gov/> by clicking on Title 49 CFR Part 21.
6. The Recipient must comply with 49 CFR Part 32, “Government wide Requirements for Drug Free Workplace (Financial Assistance),” which implements the requirements of Public Law 100-690, Title Subtitle D, “Drug-Free Workplace Act of 1988.” 49 CFR Part 32 will be incorporated by reference into any award under this program and is available at: <https://www.ecfr.gov/> by clicking on Title 49 CFR Part 32.
7. Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Throughout the Federal Government.

### F.3 Reporting Requirements

**Bi-Annual Reports** – Each grant recipient is required to submit a bi-annual Federal financial report (SF-425) and a bi-annual performance report. The reports must follow the instructions outlined in the terms and conditions of the grant award. Bi-annual Federal Financial and Progress reports are to be submitted as directed by the terms and conditions of the grant award.

**Final Reports** – Each recipient is required to submit a final Federal Financial Report (SF-425) and final performance report. Final reports are to be submitted no later than 120 days after the project period end date. Final reports must follow the instructions outlined in the terms and conditions of the grant award.

*All applications and reports will be made available to the public upon request.*

## SECTION G - FEDERAL AWARDING AGENCY CONTACTS

Questions related to the content of this funding opportunity should be submitted via the Message Center in FedConnect. For technical issues or questions related to FedConnect, please email [fcsupport@unisonglobal.com](mailto:fcsupport@unisonglobal.com), applicants can submit questions through the portal on their website or call 1-800-899-6665 option 2.

### **Agreement Administrator**

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### **Program Contact**

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## SECTION H – OTHER INFORMATION

Given the complexity of some aspects of the application process, technical assistance is available to rural applicants and inexperienced or under-resourced applicants to help with the application process. The program point of contact is listed in Section G for technical assistance.

Information and resources regarding DOT's discretionary grant programs relevant to rural applicants can be found on the Rural Opportunities to Use Transportation for Economic Success (ROUTES) website at [transportation.gov/rural](http://transportation.gov/rural).