RAIL

MOVING AMERICA FORWARD

FY 2024 Federal-State Partnership for Projects Located on the Northeast Corridor (FSP-NEC) NOFO Webinar

U.S. Department of Transportation
Federal Railroad Administration

May 23, 2024

Presenters

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Discussion Topics

1 **FY 24 FSP-NEC Program Overview**

2 **Program Eligibility**

3 **Evaluation & Selection Criteria**

4 **Best Practices**

5 **Closing Remarks**

6 **Q&A**

7 **Appendix**

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What if We Received an LOI or PFA in FY 22-23 Selections?

If the project was selected for a **Letter of Intent**:

To receive further project funding, **you must apply**.

If ready, you may submit an FY24 application for the Lifecycle Stage(s) included in the LOI.

If the project was selected for a **Phased Funding Agreement**:

To receive FY24 funding, you **do not need to apply**.

Once executed, **the grant agreement** between FRA and the project sponsor **will govern the obligation of FY24 funds** selected under the PFA.

FY 24 FSP-NEC Program Overview

The **Federal-State Partnership for Intercity Passenger Rail Grant Program** (FSP) provides funding for American intercity passenger rail infrastructure to reduce the **Northeast Corridor's (NEC) State of Good Repair backlog, improve performance, or expand or establish new intercity passenger rail service**.

NEC Rail Lines:
- *Main rail line between Boston, MA – Washington, D.C.*
- *Branch line between Philadelphia, PA – Harrisburg, PA*
- *Branch line between Springfield, MA – New Haven CT*
- *Branch line between Spuyten Duyvil, NY to Penn Station, NY*

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FY24 Notice of Funding Opportunity (NOFO)

May 15 — NOFO published in the Federal Register

July 15 — Applications **are due by 11:59 PM Eastern Time**, after conclusion of 60-day application window
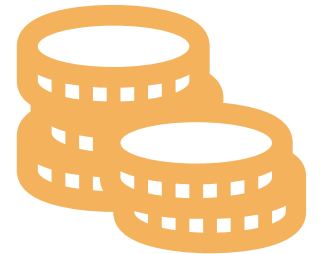
November — Target selection announcement

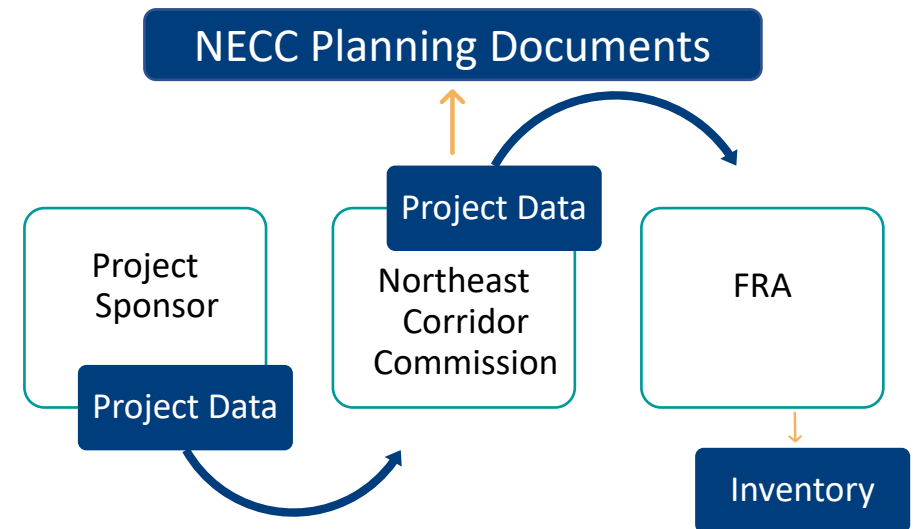> *The typical timeline of grant obligation is 6-12 months after selections are announced.*

$2,034,362,500 made available for new awards from combined FY24 advance and annual appropriations

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- FRA must publish an **NEC Project Inventory** at least every two years. The Inventory is a pipeline to the FSP-NEC program and assists with long-term capital planning.

- The 2024 NEC Project Inventory was **published on April 15, 2024**

- The Inventory identifies capital projects, project sponsors**,** funding needs, and proposed Federal funding levels.

NECC Planning Documents

Project Data

Project Sponsor

Northeast Corridor Commission

FRA

Project Data

Inventory

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- **Projects included in the Inventory are:**
  - ✓ Featured on the NECC FY 24-28 CIP
  - ✓ Shared-benefit or sole-benefit intercity passenger rail projects
  - ✓ Reasonably anticipated to be eligible under the FSP Program and
  - ✓ The Project Sponsor indicated an intention to apply for FSP-NEC Funding
- **Inventory Projects are grouped into "Buckets" based on Project Type and then organized by Lifecycle Stage**
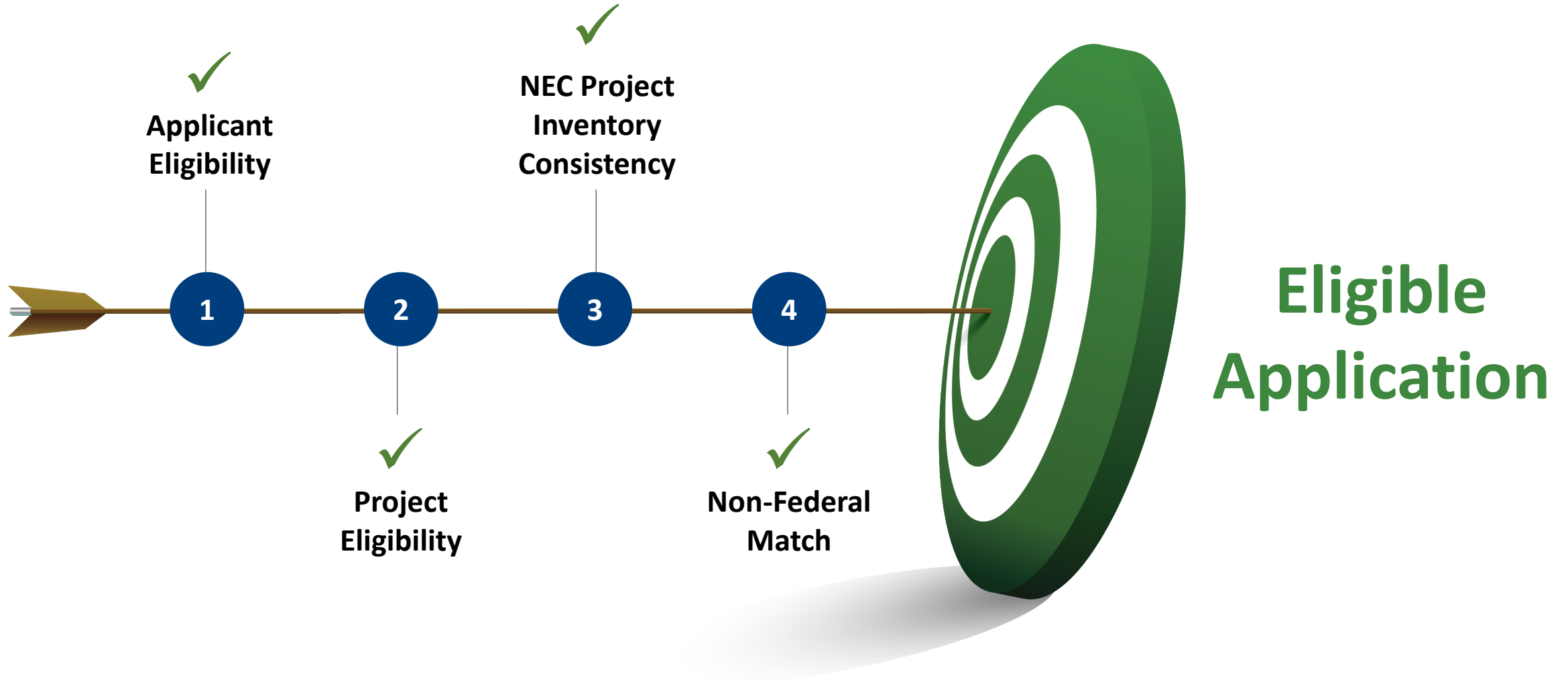
1 **Major Backlog Projects**

**2** **Capital Renewal, Improvement, Station Projects**

3 **Planning Studies**

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Program Eligibility

1 — Applicant Eligibility

2 — Project Eligibility

3 — NEC Project Inventory Consistency

4 — Non-Federal Match

Eligible Application

Eligible Applicants

- ✓ **States** *(incl. the District of Columbia)*

- ✓ **Groups of States**

- ✓ **Interstate Compacts**

- ✓ **Public agencies or publicly chartered authorities** established by one or more States

- ✓ **Political subdivisions of States**

- ✓ **Amtrak,** acting on its behalf or under a cooperative agreement with one or more States

- ✓ **Federally recognized Indian Tribe**

- ✓ **Any combination of eligible parties**

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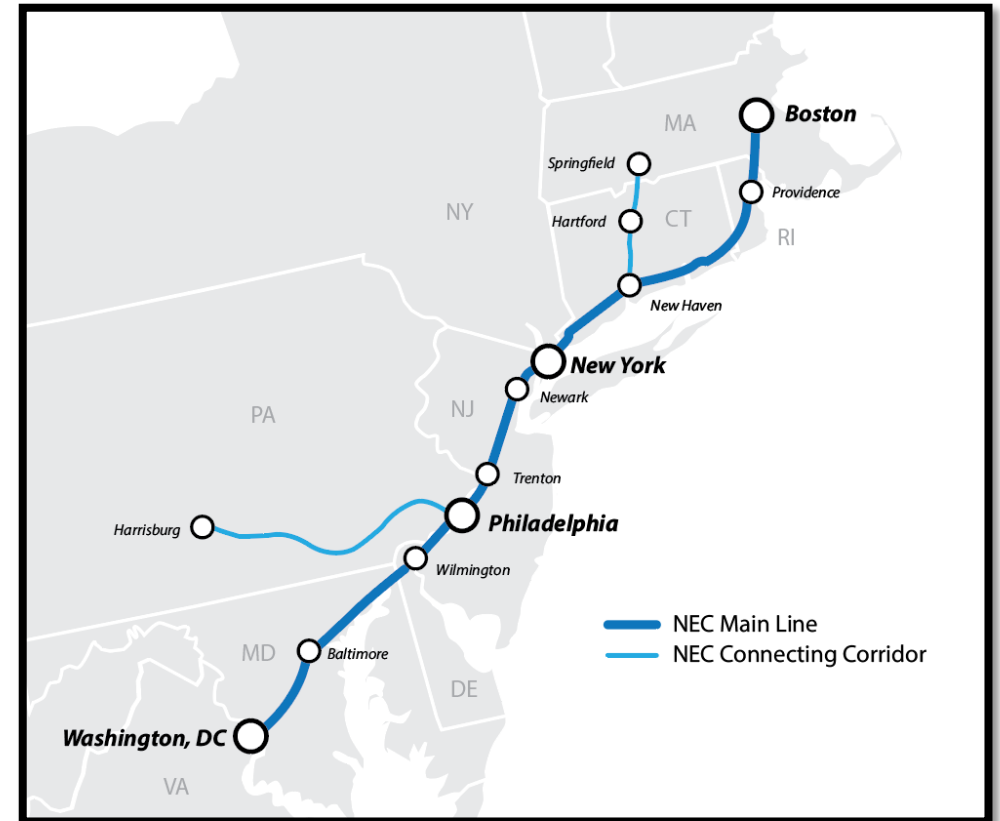
Eligible Projects

- A project **to replace, rehabilitate, or repair** infrastructure, equipment or a facility **used for providing intercity passenger rail service** to bring such assets into a state of good repair

- A project **to improve intercity passenger rail service performance**

  o Including reduced trip times, increased train frequencies, higher operating speeds, improved reliability, expanded capacity, reduced congestion, electrification, and other improvements

- A project **to expand or establish a new intercity passenger rail service**

- A group of related projects described above

- The **planning, environmental studies, and final design** for a project or group of projects described above

!

Shared Benefit Intercity & Commuter Projects:
- Demonstrate reasonable investment for intercity
- Identify cost shares
- Maintain PRIIA 212 compliance

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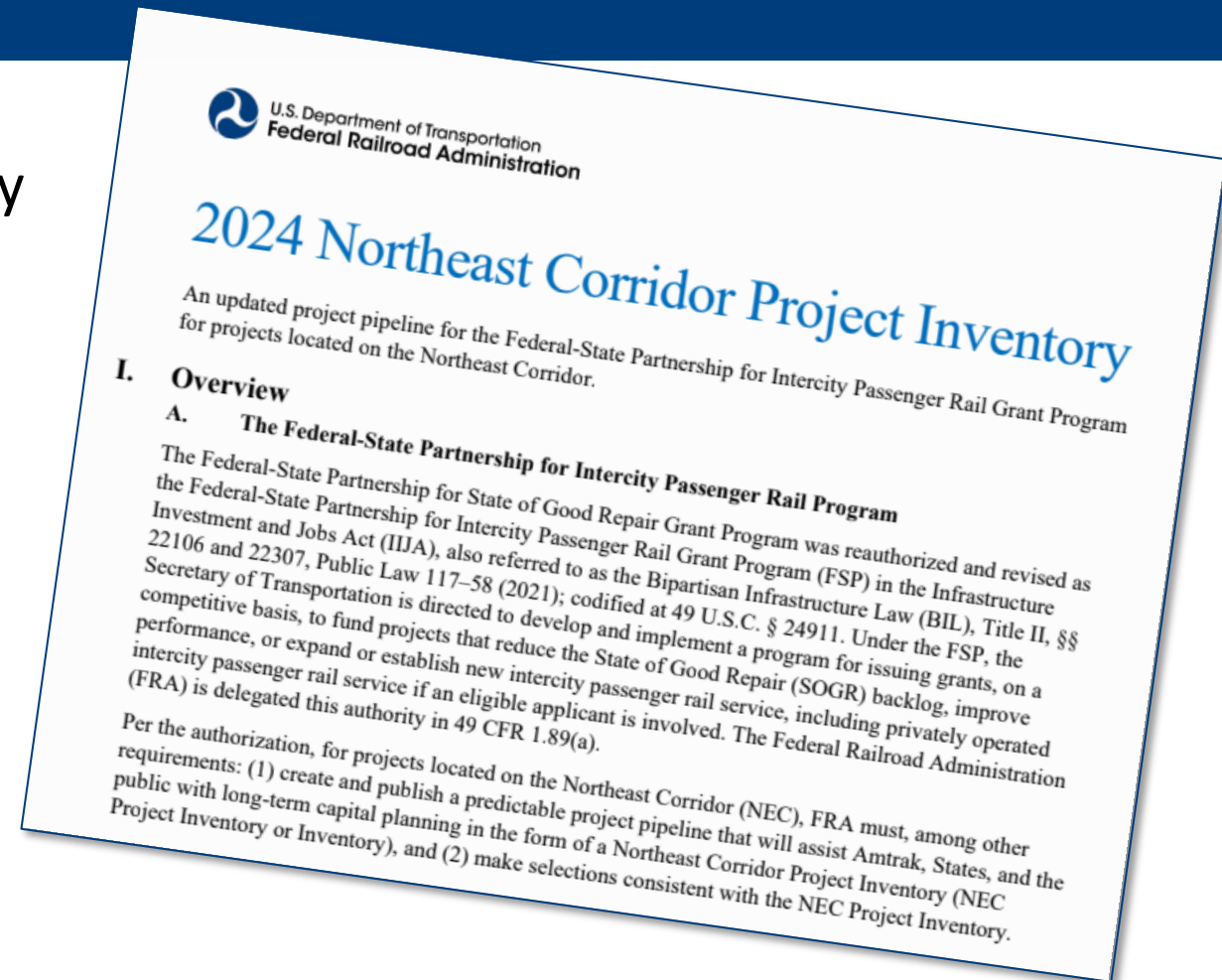
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Eligible Lifecycle Stages

The consecutive stages of a capital project as it is developed and implemented include Systems Planning, Project Planning, Project Development, Final Design, Construction, and Operation

Refer to FRA's Railroad Capital Project Guidance for more information.
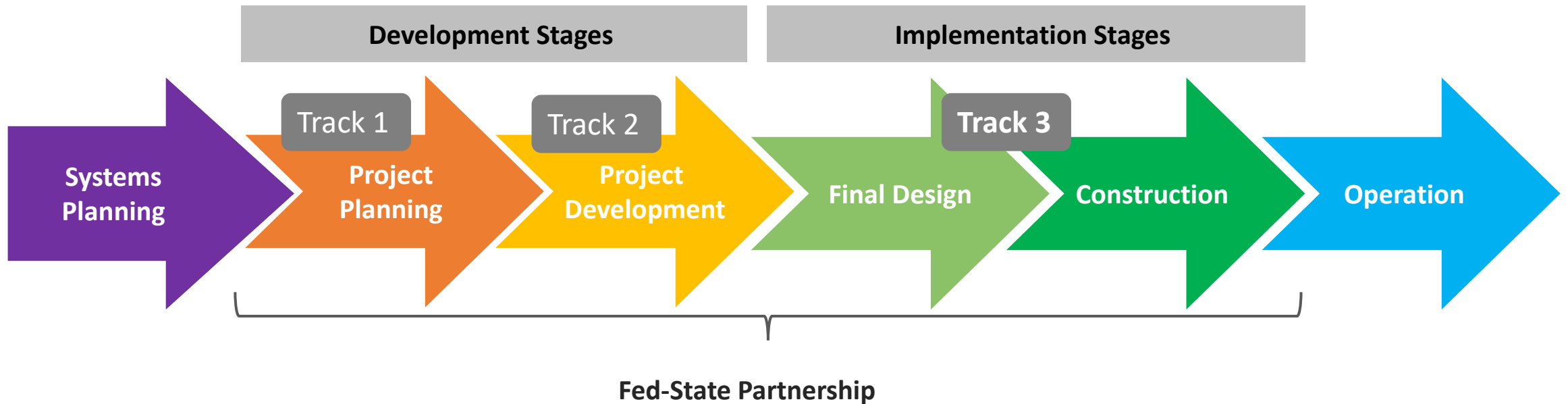
Inventory Consistency

- 2024 NOFO looks to April 2024 Inventory

- Key elements for consistency include:

  - Project Sponsor
  - Funding Need
  - Lifecycle Stage
  - Schedule
  - Scope

Inventory Consistency requirements are further discussed in the Evaluation & Selection Criteria Section below.

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2024 Northeast Corridor Project Inventory

An updated project pipeline for the Federal-State Partnership for Intercity Passenger Rail Grant Program for projects located on the Northeast Corridor.

I. **Overview**

A. **The Federal-State Partnership for Intercity Passenger Rail Program**

The Federal-State Partnership for State of Good Repair Grant Program was reauthorized and revised as the Federal-State Partnership for Intercity Passenger Rail Grant Program (FSP) in the Infrastructure Investment and Jobs Act (IIJA), also referred to as the Bipartisan Infrastructure Law (BIL), Title II, §§ 22106 and 22307, Public Law 117–58 (2021); codified at 49 U.S.C. § 24911. Under the FSP, the Secretary of Transportation is directed to develop and implement a program for issuing grants, on a competitive basis, to fund projects that reduce the State of Good Repair (SOGR) backlog, improve performance, or expand or establish new intercity passenger rail service if an eligible applicant is involved. The Federal Railroad Administration (FRA) is delegated this authority in 49 CFR 1.89(a).

Per the authorization, for projects located on the Northeast Corridor (NEC), FRA must, among other requirements: (1) create and publish a predictable project pipeline that will assist Amtrak, States, and the public with long-term capital planning in the form of a Northeast Corridor Project Inventory (NEC Project Inventory or Inventory), and (2) make selections consistent with the NEC Project Inventory.

View the 2024 Inventory

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Non-Federal Share Requirements

✓ Total Federal share of total costs **shall not exceed 80%**

✓ Identify the source(s) of all non-Federal funds and **clearly and distinctly reflect these funds** as part of the total project budget

✓ Include Cost Share Agreements and funding commitment letters

✓ **In-kind contributions**, including the donation of services, materials, and equipment, **may be credited as a project cost** in a uniform manner consistent with 2 CFR 200.306
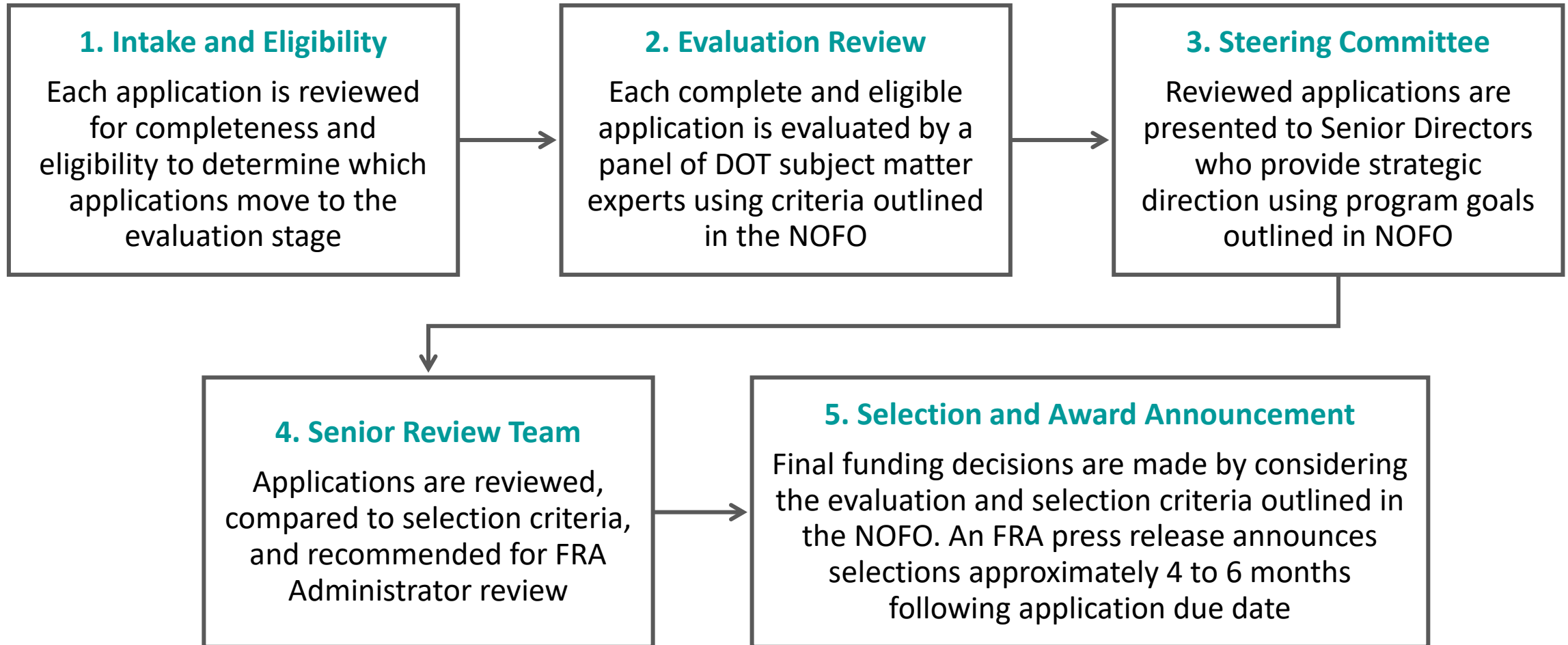
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Administrative & Other Federal Policy Requirements

- **Federal contract compliance**

  o All components of projects on the NEC Project Inventory and funded with FSP may be subject to FSP-NEC program requirements

- **Use of Financing**

  o Identify the source, amount and terms of any financing

- **Domestic preference requirements** (Build America, Buy America Act)

  o Steel, iron, construction materials, and manufactured goods used in the project must be produced in the United States

- **Civil Rights**, Title VI and Americans with Disabilities Act

- **Reporting, performance measurement** and potential **program evaluation**

*See **Section F** of the NOFO for further information*

Evaluation & Selection Criteria

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Application Review & Selection Process

1. Intake and Eligibility

Each application is reviewed for completeness and eligibility to determine which applications move to the evaluation stage

2. Evaluation Review

Each complete and eligible application is evaluated by a panel of DOT subject matter experts using criteria outlined in the NOFO

3. Steering Committee

Reviewed applications are presented to Senior Directors who provide strategic direction using program goals outlined in NOFO

4. Senior Review Team

Applications are reviewed, compared to selection criteria, and recommended for FRA Administrator review

5. Selection and Award Announcement

Final funding decisions are made by considering the evaluation and selection criteria outlined in the NOFO. An FRA press release announces selections approximately 4 to 6 months following application due date

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Eligibility Criteria *Updated in FY 24* • NEC Project Inventory Consistency

Merit Criteria

- Project Readiness
- Technical Merit
- *New in FY 24* • Project Outcomes

Selection Criteria

- Program Preferences
- Administration Priorities
- Funding Considerations

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Eligibility Criteria - NEC Project Inventory Consistency

- FRA will review applications for consistency with the 2024 NEC Project Inventory

  - The following components will be evaluated for consistency between the Application and 2024 Inventory: **Project Sponsor, Funding Need, Lifecycle Stage, Schedule, and Scope**

- Where applications have changed from the project as depicted on the 2024 Inventory, applicants must provide an explanation or justification.

Inconsistent	Minimally Consistent	Highly Consistent
Project **does not appear** on the most recently published NEC Project Inventory.	Project appears on the most recently published NEC Project Inventory. One or more of the Project Details is inconsistent with the Inventory, and there is **limited or no information to justify or explain the change**.	Project appears on the most recently published NEC Project Inventory. The Project Details are consistent with the Inventory or are inconsistent, but **sufficient and reasonable information to justify or explain** the change has been provided.

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- **Capital Cost Estimate** – Total cost of **all** project Lifecycle Stages

- **Total Project Cost** – Total of all Federal share and non-Federal share in Lifecycle Stage(s) during the Inventory Period

- **FSP Funding Request** – Should reflect the Allocation on the 2024 Inventory (50-80% of the Funding Need)
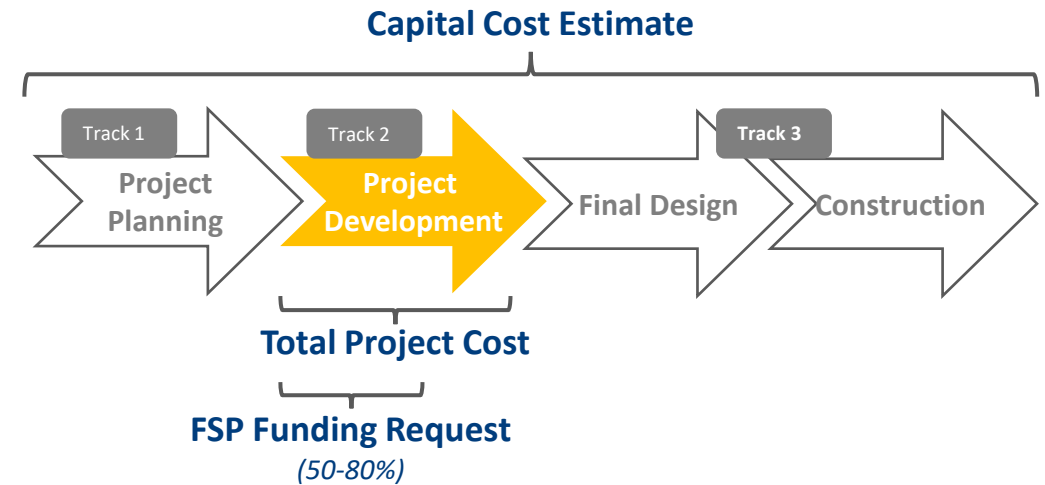
> **From the NOFO:** *"FRA expects that Total Project Cost will generally reflect the amount in the column titled "Funding Need" in the 2024 Inventory because the application request should only be for costs to fund the Lifecycle Stages during the Inventory Period."*

Any deviation from this expectation will require justification.

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Justifying Inventory Inconsistency: Examples

Example Change	Illustrative Explanation(s)
FSP Funding Request is 30% higher than Inventory Allocation	**Explain the increased request,** for example: • Market-wide cost increases in certain project components or materials • Cost estimate updated after submission of NEC Commission data in fall 2023
Applying for a different (later) Lifecycle Stage than listed on Inventory	**Explain the changed schedule**, for example: • Agency added resources to project (e.g., hired dedicated project manager(s) and staff for the project) • Agency reprioritized its capital program and decided to expedite this project • Recent inspection determined asset repair/replacement is more urgent than prior schedule assumed
Applying for part of an Inventory project or combining multiple Inventory projects in a single application	**Explain the changed scope**, for example: • Identify which scope components are included and which are excluded in the application relative to the Inventory • Explain impacts on project outcomes • Explain why you proposed to split up or combine the scope elements – for efficient project delivery? Sequencing, phasing, or track outages? Prioritization of certain elements? • (If scope reduction) Explain how the partial application scope can proceed on its own and how/if remaining scope will still be accomplished
Applicant is not the Project Sponsor on Inventory	**Explain the changed Project Sponsor**, for example: • Original Project Sponsor has experienced change in its responsibilities or resources and agreed to transfer responsibility for the project to a new Sponsor • Agencies agreed the Sponsor that is applying will lead for this particular Lifecycle Stage • Project Narrative or Letters of Support from Sponsor/Partner explain decision to switch Project Sponsor and indicates whether a permanent switch or just for this application or certain Lifecycle Stage(s)

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Merit Criteria - Project Readiness

To evaluate project readiness, FRA will review:

- Environmental readiness
- Status and timeline of agreements
- Completion of preceding Lifecycle Stage(s)
- Project partner coordination
- Understanding of risk related to force account
- Plans to manage track outages

Unacceptable	High Risk	Medium Risk	Low Risk
Application provides **limited or no information** necessary to assess the project against the project readiness criteria; application **does not demonstrate progress of required Lifecycle Stage prerequisites**; or application indicates **one or more significant barriers** that would prevent project delivery.	Application provides **insufficient information** to assess the project against the project readiness criteria; application **does not demonstrate sufficient progress of required Lifecycle Stage prerequisites and indicates risk to advancing the project without foreseeable delays**; or application indicates a **barrier that would likely prevent** project delivery.	Application provides **sufficient information** to assess the project against the readiness criteria; application **demonstrates progress of one or more required Lifecycle Stage prerequisites but indicates some risk** to advancing the project in a timely manner; and the application **does not indicate a barrier** that would likely prevent project delivery.	Application provides **thorough and complete information and evidence** to assess the project against the project readiness criteria demonstrates strong progress or completion of required Lifecycle Stage prerequisites, indicates **minimal risk** to advancing the project in a timely manner, and application **does not indicate a barrier** that would likely prevent project delivery.

Merit Criteria - Technical Merit

To evaluate technical merit, FRA will review:

- The appropriateness of tasks and subtasks outlined in the SOW (see FRA's [Railroad Capital Project Guidance](#))

- Technical qualifications and experience of key personnel

- Applicant's financial readiness

- Applicant's legal, financial, and technical capacity to carry out the project and to retain satisfactory continuing access

- Applicant's history of successfully managing similar projects

Unacceptable	Acceptable	Responsive	Highly Responsive
Application **provides limited or no information** necessary to assess the project against the technical merit criteria.	Application contains **insufficient information** to assess the project against one or more of the technical merit criteria OR applicant **demonstrates challenges that could impact delivery but not prevent** the applicant from delivering the project	Application provides **sufficient information** and evidence to assess the project against the technical merit criteria and demonstrates that the **applicant can deliver the project with minimal technical challenges**.	Application provides **thorough and complete information** and evidence to assess the project against the technical merit criteria and sufficiently demonstrates that the **project can be successfully delivered** by the applicant.

Merit Criteria - Project Outcomes

Bring Assets into a State of Good Repair and **reduce the NEC's State of Good Repair backlog**

Improve intercity passenger rail service performance by **increasing operating speeds** in the project area

Improve intercity passenger rail service performance by **reducing infrastructure-related delays** in the project area

Unacceptable	Acceptable	Responsive	Highly Responsive
Application **provides limited or no information** necessary to assess the project against the project outcomes criteria or **demonstrates that the project will not result** in the above outcomes.	Application **contains insufficient information** to assess the project against the project outcomes criteria or **does not demonstrate** that the project will achieve all of its intended outcomes.	Application provides **sufficient information** to assess the project against the project outcomes criteria and **adequately demonstrates** that the project will likely achieve the above outcomes.	Application provides **thorough and complete information and evidence** to assess the project against the project outcomes criteria and **sufficiently demonstrates** that the project will achieve one or more of the outcomes above.

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Major Backlog Projects

Capital Renewal, Improvement, and Station Projects entering or in the **Construction** Lifecycle Stage

Projects expected to result in **significant Intercity Passenger Rail outcomes**

Projects that **contribute to the reduction of the NEC's State of Good Repair backlog**

Projects that propose a **Federal share of less than 80%**

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Selection Criteria - Administration Priorities

FRA will review applications for responsiveness to the following key Administration priorities:

Safety

Equity and Justice40

Climate Change and Sustainability

Workforce Development, Job Quality, and Wealth Creation

Non-Responsive	Acceptable	Responsive	Highly Responsive
Application contains insufficient information to assess the project or project is **inconsistent with one or more of the priorities**	Application **contains limited information that is supported by some evidence, but primarily described qualitatively**, but the project is consistent with at least one of the priorities.	Application **contains sufficient information, that is adequately supported by both quantitative and qualitative evidence,** that the project has **clear and direct benefits** in at least one of the Administration priority areas.	Application **contains thorough and complete information, that is strongly supported by both quantitative and qualitative evidence,** that the project has clear, direct, and **significant benefits in one or more of the Administration priority areas** and is **not inconsistent** with any of the Administration priorities.

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Major Backlog Projects

- FRA will fund projects up to **80%** (inclusive of all Federal funding sources)

Capital Renewal, Improvement, and Station Projects

- FRA will generally fund projects between **50%** and **80%** Federal share

- FRA will favorably consider a higher Federal share to the extent such projects*:
  - o Bring assets supporting Intercity Passenger Rail service into a State of Good Repair
  - o Demonstrate the likelihood of significant Intercity Passenger Rail Outcomes

Funding Breakdowns

Major Backlog Projects
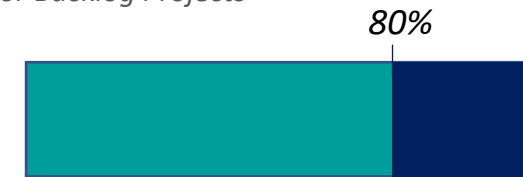
80%

Capital Renewal, Improvement, and Station Projects

50%   *80%*

Legend

Federal Share

Non-Federal Share

Either Federal or Non-Federal*

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Best Practices

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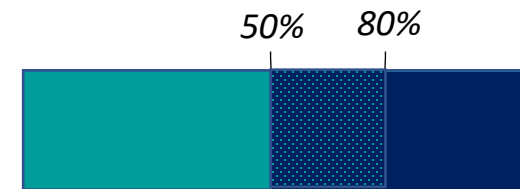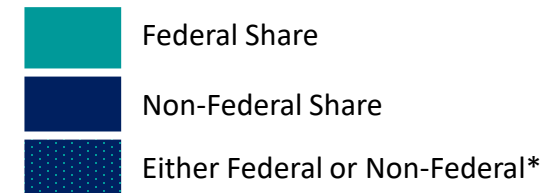
Best Practices – Helpful Hints

- Read the **Notice of Funding Opportunity (NOFO) completely** and carefully to understand the criteria for eligibility and selection, and what information each application must include

- Provide a **clear project title** that tells us who you are and what the project is about
  - Should be easily cross-referenced with the 2024 Inventory

- There are three primary areas where applications not selected for funding typically demonstrate deficiencies:
  - Project Narrative
  - Statement of Work (SOW)
  - Environmental Documentation

FEDERAL REGISTER
The Daily Journal of the United States Government

NATIONAL ARCHIVES

(N) Notice

Notice of Funding Opportunity for Projects Located on the Northeast Corridor for the Fiscal Year 2024 Federal-State Partnership for Intercity Passenger Rail Program

A Notice by the Federal Railroad Administration on 05/15/2024

PUBLISHED DOCUMENT

AGENCY:

Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION:

Notice of funding opportunity (NOFO or notice).

SUMMARY:

This notice details the application requirements and procedures to obtain grant funding for projects located on the Northeast Corridor (NEC) under the Federal-State Partnership for Intercity Passenger Rail Program (FSP Program) for Fiscal Year (FY) 2024. This notice solicits applications for FSP Program funds made available by the Consolidated Appropriations Act, 2024, and Division J of the Infrastructure Investment and Jobs Act (IIJA). The opportunity described in this notice is made available under Assistance Listings Number 20.326, "Federal-State Partnership for Intercity Passenger Rail."

DATES:

Applications for funding under this solicitation are due no later than 11:59 p.m. Eastern Time, July 15, 2024. Applications that are incomplete or received after 11:59 p.m. Eastern Time, on July 15, 2024 will not be considered for funding. See Section D of this notice for additional information on the application process.

DOCUMENT DETAILS

Printed version:
PDF

Publication Date:
05/15/2024

Agencies:
Department of Transportation
Federal Railroad Administration

Dates:
Applications for funding under this solicitation are due no later than 11:59 p.m. Eastern Time, July 15, 2024. Applications that are incomplete or received after 11:59 p.m. Eastern Time, on July 15, 2024 will not be considered for funding. See Section D of this notice for additional information on the application process.

Document Type:
Notice

Document Citation:
89 FR 42573

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Document Number:
2024-10656

Best Practices – Project Narrative

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Best Practices – Project Narrative (Tables)

- FRA has focused on refining our request for data in FSP-NEC applications

- To assist, FRA provides a job aid that includes template tables for applicant use, available on the FRA website: FY 24 FSP-NEC Job Aid for NOFO Tables

Table Templates include:

- ✓ Cover page
- ✓ Lifecycle Schedule
- ✓ Project Funding, Overview
- ✓ Proposed Project Funding, Details
- ✓ Project Funding, Phased Funding Agreement
- ✓ Project Outcomes

Best Practices – Project Narrative

Project Narrative Outline

I.   Cover Page

II.   Project Summary

III.   Grant Funds, Sources, and Uses of Project Funds

IV.   Applicant Eligibility

V.   Project Eligibility

VI.   Detailed Project Description

VII.   Project Location

VIII.   Evaluation & Selection Criteria

IX.   Project Implementation & Management

☑ Structure your project narrative in accordance with the outline specified in the NOFO

☑ Include all elements identified in the outline

☑ Follow the instructions for each element

☑ Adhere to 25-page limit

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Best Practices – Project Narrative

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☑ Application Snapshot

☑ Note FY24 NOFO revisions

☑ Indicate if application is under concurrent review or will be submitted to another Federal program; highlight differences, if any

Project Narrative Outline

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☑ Briefly describe the project in **4 to 6 sentences**, its anticipated benefits, and the transportation challenges the project will address

☑ Think of this section of the application **as your elevator pitch for the project** to the DOT Secretary and FRA Administrator

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Best Practices – Project Narrative

Project Narrative Outline

I. Cover Page

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V. Project Eligibility

VI. Detailed Project Description

VII. Project Location

VIII. Evaluation & Selection Criteria

IX. Project Implementation & Management

☑ Include eligible costs only

☑ Confirm funding amount matches SF-424 and Statement of Work

☑ Specify each source of non-Federal match and provide details about in-kind match

☑ Describe the non-Federal funding arrangements and attach Cost Share Agreements

☑ Attach other funding commitment letters

☑ Identify if the proposed match will not be available until a certain date or if funds must be spent by a deadline

Best Practices – Project Narrative (Tables)

- Project budgets should show how different funding sources will contribute to each task and Lifecycle Stage (YOE $)

- Identify other Federal funds and associated non-Federal share amount/source

- Demonstrate **availability of non-Federal funds**. Evidence may include:

  o Board Resolution

  o Funding commitment letter signed by a State

  o Budget Document

Be sure to highlight the section demonstrating that funds have been committed to the proposed project.

Projects on the NEC Project Inventory with an **Anticipated Obligation** listed are eligible for **Advance Costs**.

For more information, see the FRA FSP-NEC Advance and Pre-Award Cost FAQs.

Best Practices – Project Narrative (Tables)

> *Table 3 is required only if **seeking a Phased Funding Agreement***

- Applicants should enter the request as reflected by their anticipated cost schedule
  - *However, FRA will determine actual obligation schedule based on availability of funding*

Table 3 - Project Funding, Phased Funding Agreement (PFA) Request

This template is only applicable to applicants requesting a PFA. This template prompts the user to provide a breakdown of their PFA request.

Lifecycle Stage	Initial Obligation Request (FY 2024)	FY 2025 Obligation Request	FY 2026 Obligation Request	Total FSP-NEC Request
Final Design	$	$	$	$ -
Construction	$	$	$	$ -
Total FSP-NEC Request	$ -	$ -	$ -	$ -

Best Practices – Project Narrative

Project Narrative Outline

I.   Cover Page

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☑ Discuss the transportation challenges and benefits thoroughly

☑ Describe how project components are related and will be sequenced

☑ Include photographs or diagrams

☑ Identify all host railroads, operators, and beneficiaries

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Best Practices – Project Narrative

Project Narrative Outline

I.   Cover Page

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V.   Project Eligibility

VI.   Detailed Project Description

VII.   **Project Location**

VIII.   Evaluation & Selection Criteria

IX.   Project Implementation & Management

- ☑ Identify cities, counties, and states where project is located
- ☑ Include a map of the project
- ☑ Identify railroad mileposts
- ☑ Provide geospatial data— longitude and latitude

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Best Practices – Project Narrative

Project Narrative Outline

I.   Cover Page

II.   Project Summary

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V.   Project Eligibility

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VIII.   Evaluation & Selection Criteria

IX.   Project Implementation & Management

☑ Include a separate section in the project narrative focused on how the project meets each of the evaluation and selection criteria

☑ **DO NOT** rely solely on the "detailed project description" to satisfy this requirement—it is OK to repeat key points in this section

☑ Quantify outcomes whenever possible

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Best Practices – Project Narrative

- Evaluation based on **Project Outcome** data – **Table 4** in the NOFO

Bring assets into a State of Good Repair and **reduce the NEC's State of Good Repair backlog**

- % of project work replacing existing assets
- % of project work installing new rail network assets
- Asset Age & Condition Assessment

Improve intercity passenger rail service performance by **increasing operating speeds** in the project area

- Average Operating Speed
- Highest Maximum Authorized Speed
- Lowest Maximum Authorized Speed
- Average Scheduled Travel Time

Improve intercity passenger rail service performance by **reducing infrastructure-related delays** in the project area

- Annual Delay Minutes Attributed to Infrastructure
- Annual Delay Incidents Attributed to Infrastructure

Best Practices – Project Narrative (Tables)

- For Project Outcomes data, applicants should **define the project area** in the project narrative

- **Convert to units** requested in the NOFO

- Appropriate **rounding or best estimates are acceptable** in instances where precise data is unavailable or to account for possible uncertainty

  o Explain the reasoning for rounding, when possible

- Where data is not available, applicants should justify and, alternatively, may provide a **qualitative explanation** of the anticipated impact of the project

Best Practices – Project Narrative

Project Narrative Outline

I. Cover Page

II. Project Summary

III. Grant Funds, Sources, and Uses of Project Funds

IV. Applicant Eligibility

V. Project Eligibility

VI. Detailed Project Description

VII. Project Location

VIII. Evaluation & Selection Criteria

IX. **Project Implementation & Management**

- ☑ Highlight applicant's past experiences managing and overseeing similar projects, including FRA- or DOT-funded projects

- ☑ Describe expected arrangements for project contracting, contract oversight, change-order management, risk management, and conformance with Federal requirements for progress reporting

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Best Practices – Environmental Readiness

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Best Practices – Environmental Readiness

> **Environmental review is required** underlined, **under the National Environmental Policy Act (NEPA) for all FRA grant-funded projects before obligation.**

FRA's environmental review also includes compliance with numerous other Federal laws and Executive Orders under the "NEPA umbrella" including:

- Section 106 of the National Historic Preservation Act (NHPA)

- Section 4(f) of the USDOT Act

- Endangered Species Act (ESA)

- Clean Water Act (CWA)

- Coastal Zone Management Act (CZMA)

- Environmental Justice EOs 12898 and 14096

The level of environmental review varies depending on the potential impacts of each project.

Considerations

More **complex projects require more time and effort** for review of environmental/cultural resources. This includes impacts to:

- Areas outside the existing railroad right-of-way or in previously undisturbed areas

- Waters/wetlands

- Protected species and/or their habitat (including staging, site access, and vegetation clearing)

- Section 4(f) resources such as publicly owned parks, recreational areas, wildlife refuges, etc.

- Communities

- Historic properties (such as buildings, structures, archaeological sites)

  - Evaluations are generally required for properties over 45 years old

  - Consultation with the State Historic Preservation Office and Tribes is generally required for properties over 45 years old
    - Exceptions for projects that completely fall under the Section 106 Program Comment for Rail Rights-of-Way

Tips

☑ Provide a **clear, complete, and accurate scope of work** in your application

☑ With your FSP grant application, **submit an approved NEPA document, if one exists**, from FRA, FTA, FHWA or any other Federal agency. Indicate if there have been any changes in scope.

☑ If there is no previously completed/approved NEPA document associated with your project, **consider and describe the following in your grant application** to the best of your knowledge:

- o Project location including description of existing setting/land use. Maps and photos are very helpful.

- o Potential resources present and potential impacts to the human (e.g., historic properties, protected populations, noise and vibration) and/or natural (e.g., water bodies and wetlands, air, species/habitat) environment

- o Anticipated permitting needs (e.g., construction, Clean Water Act Section 404) or coordination/consultation (e.g., State Historic Preservation Office, US Fish and Wildlife Service)

- o Anticipated construction methods.

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Rely on FRA's experience and expertise to determine the type of NEPA review, documentation level, and coordination appropriate for your project — **contact our experts!**

NEPA Resources

- FRA & NEPA Documentation
- FRA Recommended Training & Environmental Resources

NEPA Questions:

FRAenvironment@dot.gov

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Best Practices – Statement of Work

(Attachment 2: Project-Specific Terms and Conditions, Articles 4-7)

Best Practices – Attachment 2 (Articles 4-7)

☑ See the <u>FRA Discretionary Grant Agreements</u> web page

☑ SOW (Article 4)

☑ Award Dates & Estimated Project Schedule (Article 5)

☑ Award and Project Financial Information (Article 6)

☑ Performance Measurement Information (Article 7)

Article 4: Statement of Work

- Identifies:

  o **General Project Description:** Concise description of the Project funded under the agreement

  o **Project Location:** Specific and detailed, including maps and GPS location, as applicable

  o **Project Scope:** List standard FRA Project tasks and deliverables defined by Project Lifecycle Stage

  o Examples:

    ▪ Project Management Plan

    ▪ Capital Cost Estimate

    ▪ Final Performance Report

    ▪ PE Design Drawings

    ▪ FD Design Drawings

  o Required environmental commitments as applicable

Article 5: Award Dates and Estimated Project Schedule

- Identifies award dates and Project schedule, which lists significant milestones in Project advancement

Refer to the FRA Railroad Capital Project Guidance for more information.

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Best Practices – Attachment 2 (Articles 6-7)

Article 6: Award and Project Financial Information

- Outlines the award amount, obligation, funding source(s) and availability, Project budget, and other relevant financial information for the project
  - o There are two budget tables provided in Article 6, both should be completed.

Article 7: Performance Measurement Information

- Performance measures enable FRA to assess the Recipient's progress in achieving grant program goals and objectives
- The Recipient will report on these performance measures in accordance with the frequency and duration specified (in Table 7-A)
- Applicants should choose 2-3 performance measures that correspond with the project narrative to include in the template submitted as a part of the application; examples from the NOFO include:
  - o Slow Order Miles
  - o Equity in Contracting
  - o Justice40
  - o Fuel Savings/Emissions

Best Practices – Statement of Work

☑ Organize the scope of work into discrete and logically sequenced tasks based on project lifecycle stage

☑ Provide appropriate timing for tasks

☑ Identify sufficient funding to complete the project

☑ Check the budget to ensure numbers are consistent with cost information submitted in forms and other areas of the application

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NOT INTENDED FOR EXECUTION WITHOUT MODIFICATION

ARTICLE 4: STATEMENT OF WORK

4.1   General Project Description

Instructions: Provide a concise description of the Project funded under this Agreement. Section 4.1 should state the objective of the Project and the benefits that that the Project is intended to achieve. Project objectives and benefits inform—and should be consistent with—the Performance Measures in Article 7 of this Attachment 2, Performance Measurement Information.

4.2   Project Location

Instructions: Provide information related to the geographic scope of the Project and identify important, related intercity corridors or service. The Project location should be specific and detailed, including GPS location(s) and mileposts, where possible. Planning projects should identify the study area and provide a map identifying, at a minimum, the major markets intended to be served.

4.3   Project Scope

Instructions: In this Section, divide the Project scope into discrete and delineable tasks. If the Project funded under this Agreement is part of a larger effort, describe that larger effort, but link tasks specifically to the FRA-funded portion of the Project. Clearly define the work to be performed in each task and be sure tasks are linked to deliverables and incorporated into the Project Schedule. Use the instructions below to develop this Section.

The Recipient will notify FRA in writing of any requested changes in Project Scope and will not proceed with the changed scope unless approved by FRA in writing. If approved, changes to Project Scope may require additional environmental review or an amendment to this Agreement.

Best Practices – Major Capital Projects

U.S. Department of Transportation
Federal Railroad Administration

What is a Major Capital Project?

Project with a capital cost estimate of **$500 million or greater**

AND

with at least **$100 million in Federal assistance** received or requested under the FSP Program

OR

A capital project that **FRA determines** to be a major project (depending on complexity and procedural needs)

Refer to the FRA Railroad Capital Project Guidance for more information.

Additional Required Materials

Track 3—FD/Construction: Track 3 comprises projects for eligible Final Design and Construction activities.

For Major Capital Projects under Track 3, the following documents are required:

- ✓ Project Management Plan (PMP)
- ✓ Schedule (component of PMP)
- ✓ Capital Cost Estimate
- ✓ Financial Plan

d. <u>Project Management Plan</u>. – Project Management Plan means a document developed consistent with this guidance that is based on the information available at the relevant project lifecycle stage that describes how the capital project will be implemented, monitored, and controlled to help the Project Sponsor effectively, efficiently, and safely deliver the project on-time, within-budget, and at the highest appropriate quality. See Section V.(b) for additional information.

e. <u>Schedule</u>. – Schedule means a complete representation of the project's implementation in units of time, specifying a defined beginning and end for the capital project along with logical sequencing and duration information for activities needed to accomplish the project.

f. <u>Capital Cost Estimate</u>. – Capital Cost Estimate means an estimate of the cost to implement the capital project inclusive of the project development stage through completion of the construction stage that accounts for risk to the cost elements and the schedule to complete the project. See Section V.(d) for additional information.

g. <u>Financial Plan</u>. – Financial Plan means a comprehensive document that reflects the capital project's scope, schedule, cost estimate, and funding structure, based on the Capital Cost Estimate. The Financial Plan demonstrates that sufficient financial resources are available and describes how those resources will be managed through the completion of the project. For projects that involve financing, the Financial Plan identifies all project funds raised from debt proceeds or other financing methods and the anticipated revenue stream to repay the financing. See Section V.(e) for additional information.

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Other Expectations of a Major Capital Project

- ☑ Schedule showing all activities to accomplish project work and durations in .PDF and .MPP or .XER format
- ☑ Logically sequence activities and major milestones, including showing interdependencies between tasks
- ☑ All costs and values of resources needed to complete the project
- ☑ Annualized budget in the year of expenditure dollars

- ☑ Risk Register in .PDF and .XLSX formats
- ☑ Scoring of each risk showing objective judgment of severity of the risk
- ☑ Organization chart and qualifications of primary project delivery personnel
- ☑ Matrix of agency permits and agreements, including issuing agency and date issuance or signature anticipated

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Closing Remarks

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Tips

- ✓ Verify that all budget figures match corresponding figures cited in different parts of your application package – such as the Cover Sheet, SOW, Project Narrative, and various forms

  - o Numbers in columns and rows should add up properly in budget tables

  - o Only include project costs that are expected to be incurred *after* grant selection

  - o The SF-424 is the official funding request

- ✓ Name key partners, indicate in-place agreements, and include letters of support

- ✓ Provide evidence and quantitative information, where applicable

- ✓ Have an objective individual unfamiliar with the grant application review your final document before submission

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Resources

- [FSP-NEC FY 2024 NOFO](#)

- [2024 NEC Project Inventory](#)

- [Job Aid: Application Table Templates](#)

- [FRA's Competitive Grants Application Process](#)

- [FRA Grants Webinars](#)

- [FRA Grants Videos](#)

- [FRA & NEPA Documentation](#)

- [FRA Recommended Trainings & Environmental Resources](#)

- [FRA FSP-NEC Advance & Pre-Award Cost Notice](#)

- [FRA's Discretionary Grant Agreements](#)

- [Buy America & Component List](#)

- [FRA Guidance on the Development and Implementation of Railroad Capital Projects](#)

railroads.dot.gov/federal-state-partnership-intercity-passenger
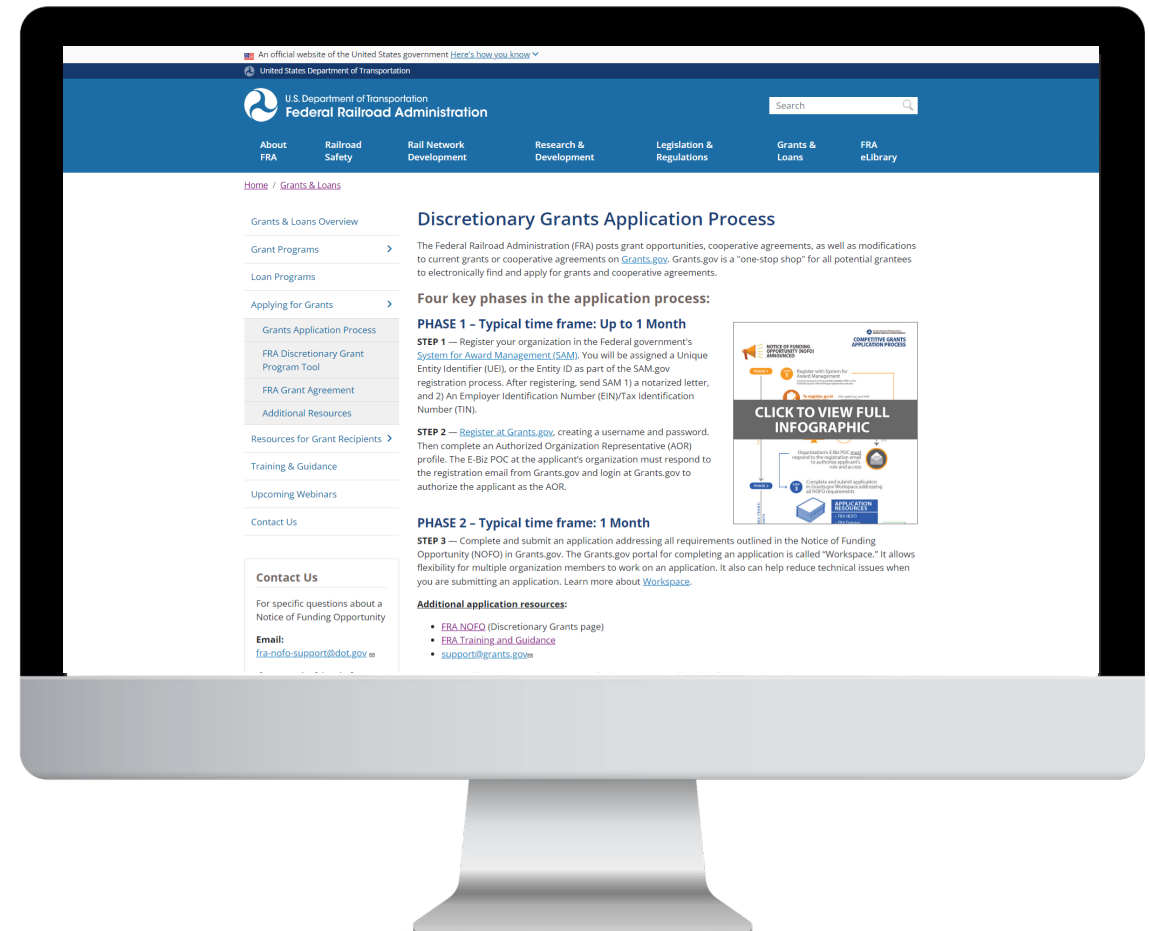
Contact Us

Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Connect with us at USDOTFRA

U.S. Department of Transportation
Federal Railroad Administration

General NOFO Questions & Support Inbox

FRA-NOFO-Support@dot.gov

FSP-NEC Program:

Bryan Rodda
Bryan.Rodda@dot.gov

Richelle Gosman
Richelle.Gosman@dot.gov

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Application Process:

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Environmental Readiness:

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*To learn more about FRA Competitive Discretionary Grant Programs, visit: **railroads.dot.gov/grants***

APPENDIX A:
NOFO Overview

U.S. Department of Transportation
Federal Railroad Administration

NOFO Overview

WHAT IS A NOFO?

A Notice of Funding Opportunity (NOFO):

- Announces the grant opportunity

- Contains details about the application requirements and procedures to request Federal funding for eligible projects

NOFO Overview

KEY PARTS OF A NOFO

- Program Summary

- Key Dates

- Required Documents

- Addresses

- FRA Contact Information

- Table of Contents
  - Program Description
  - Federal Award Information
  - **Eligibility Information**
  - **Application and Submission Information**
  - **Application Review Information**
  - Federal Award Administration
  - Federal Awarding Agency Contacts

U.S. Department of Transportation
Federal Railroad Administration

WHERE IS THE FY 24 FSP-NEC NOFO?

Visit the FRA Discretionary Competitive Grant Program web page!

1

Federal-State Partnership for Intercity Passenger Rail (FSP) Grant Program (Northeast Corridor)

The Federal-State Partnership program is making available $2,034,420,932 in funding for capital projects that reduce the state of good repair backlog, improve performance, or expand or establish new intercity passenger rail service for projects located on the Northeast Corridor (NEC). Applications are due no later than 11:59 p.m. ET, July 15, 2024. See the FY 2024 Notice of Funding Opportunity (NOFO) for more information.

- Register for the FY 2024 Federal-State Partnership for Intercity Passenger Rail Grant Program (NEC) Notice of Funding Opportunity Webinar

2

Federal-State Partnership for Intercity Passenger Rail (FSP) Grant Program

Overview: This program provides funding for capital projects that reduce the state of good repair backlog, improve performance, or expand or establish new intercity passenger rail service, including privately operated intercity passenger rail service, if an eligible applicant is involved. For more information, see the FY 2024 Notices of Funding Opportunities (NOFO) and other resources in the Resources section.

For projects not located on the Northeast Corridor (FSP-National): NOFO release anticipated fall 2024

For projects located on the Northeast Corridor (FSP-NEC):

- **Funding Available for Award Under the FY 2024 NOFO:** $2,034,420,932
- See the FY24 FSP-NEC NOFO for more information
- Applications for the FY24 FSP-NEC Grant Program are due no later than 11:59 p.m. ET on July 15, 2024
- Register for the FY24 FSP-NEC NOFO Webinar

3

FEDERAL REGISTER
The Daily Journal of the United States Government

Notice

Notice of Funding Opportunity for Projects Located on the Northeast Corridor for the Fiscal Year 2024 Federal-State Partnership for Intercity Passenger Rail Program

A Notice by the Federal Railroad Administration on 05/15/2024

PUBLISHED DOCUMENT

AGENCY:
Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION:
Notice of funding opportunity (NOFO or notice).

SUMMARY:
This notice details the application requirements and procedures to obtain grant funding for projects located on the Northeast Corridor (NEC) under the Federal-State Partnership for Intercity Passenger Rail Program (FSP Program) for Fiscal Year (FY) 2024. This notice solicits applications for FSP Program funds made available by the Consolidated Appropriations Act, 2024, and Division J of the Infrastructure Investment and Jobs Act (IIJA). The opportunity described in this notice is made available under Assistance Listings Number 20.326, "Federal-State Partnership for Intercity Passenger Rail."

DATES:
Applications for funding under this solicitation are due no later than 11:59 p.m. Eastern Time, July 15, 2024. Applications that are incomplete or received after 11:59 p.m. Eastern Time, on July 15, 2024 will not be considered for funding. See Section D of this notice for additional information on the application process.

DOCUMENT DETAILS

Printed version:
PDF

Publication Date:
05/15/2024

Agencies:
Department of Transportation
Federal Railroad Administration

Dates:
Applications for funding under this solicitation are due no later than 11:59 p.m. Eastern Time, July 15, 2024. Applications that are incomplete or received after 11:59 p.m. Eastern Time, on July 15, 2024 will not be considered for funding. See Section D of this notice for additional information on the application process.

Document Type:
Notice

Document Citation:
89 FR 42573

Page:
42573-42595 (23 pages)

Document Number:
2024-10656

NOFO Overview

WHERE IS THE FY 24 FSP-NEC NOFO?

NOTE: Application deadline is **11:59 p.m. ET**, Monday, July 15, 2024

APPENDIX B:
How to Apply

How to Apply

KEY STEPS

- Obtain a Unique Entity Identifier (UEI)

- **Register early** in the Federal government's System for Award Management (SAM)
  - ❖ *NOTE: SAM registration can take up to 4 weeks (longer if you do not have an Employer Identification Number)*

- For Grants.gov, complete an **Authorized Organization Representative** profile and create a username and password

- Submit an application addressing all requirements outlined in the NOFO

How to Apply

WHERE DO I FIND APPLICATION INFORMATION?

Search grants on **Grants.gov:**

Click the **Opportunity Number** to see the Synopsis.

How to Apply

WHAT IS THE SYNOPSIS?

Summary information about the grant opportunity in Grants.gov:

How to Apply

- Project Narrative

- Statement of Work (Terms and Conditions, Articles 2-7)

- Environmental Compliance (NEPA) Documentation
  - ❖ *Note: The Applicant may include a draft document that will require development, review, and approval by FRA, or an existing completed NEPA document approved by FRA or another Federal agency that covers the proposed project scope*

- Draft Use/Ownership Agreement *(if applicable)*
  - ❖ *Note: FRA requires that a written agreement exist between the applicant and the railroad regarding use and ownership consistent with 49 U.S.C. 22905(c)(1) for projects using rights-of-way owned by a railroad that is not the applicant*

U.S. Department of Transportation
Federal Railroad Administration

How to Apply

- **SF424** (Application for Federal Assistance) ⟵ *The official funding request*
  - o *Either*: SF 424A or 424C – Budget info for Non-Construction OR Construction
  - o *Either*: SF 424B or 424D – Assurances for Non-Construction OR for Construction

- FRA's Additional Assurances and Certifications (**FRA F 30**)

- FRA's Applicant Financial Capability Questionnaire (**FRA F 251**)

- **SF LLL**: Disclosure of Lobbying Activities (only required if reportable lobbying activities exist)

U.S. Department of Transportation
Federal Railroad Administration

How to Apply

WHERE DO I FIND ADDITIONAL INFORMATION AND HELP?

Find **Additional Information** about the grant opportunity in Grants.gov at the bottom of the Synopsis page:

Additional Information

Agency Name:	DOT - Federal Railroad Administration
Description:	This program funds capital projects on the Northeast Corridor that reduce the state of good repair backlog, improve performance, or expand or establish new intercity passenger rail service.
Link to Additional Information:	FY24 Federal-State Partnership for Intercity Passenger Rail Grant Program for projects located on the Northeast Corridor
Grantor Contact Information:	If you have difficulty accessing the full announcement electronically, please contact: Grants.gov Contact Center Phone Number: 1-800-518-4726 Hours of operation are 24 hours a day, 7 days a week. The contact center is closed on federal holidays. support@grants.gov Grants.gov Customer Support

U.S. Department of Transportation
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