

**FY 2024–2025 Notice of Funding Opportunity**  
**Federal-State Partnership for Intercity Passenger Rail Program**  
**For Projects Not Located on the Northeast Corridor (FSP-National)**  
Federal Railroad Administration  
U.S. Department of Transportation

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## 1. BASIC INFORMATION

SUMMARY OVERVIEW OF KEY INFORMATION	
Topic	Description
Federal Agency Name	Federal Railroad Administration (FRA)
Funding Opportunity Title	Notice of Funding Opportunity for the Fiscal Years 2024–2025 Federal-State Partnership for Intercity Passenger Rail Program for projects not located on the Northeast Corridor (FSP-National)
Announcement Type	This is the first amended and reissued notice for Fiscal Year 2024–2025 FSP-National
Funding Opportunity Number	FR-FSP-25-006
Assistance Listing Number	20.326 Federal-State Partnership for Intercity Passenger Rail
Funding Details	The total funding available for awards under this NOFO is up to \$5,070,784,989. <sup>1</sup>
Key Dates	Applications Due: No later than 11:59 p.m. EST, February 6, 2026
Executive Summary	<p>The FSP Program provides a Federal funding opportunity to improve American passenger rail assets by funding projects that enhance safety, such as grade crossing projects on a passenger rail route; 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. The FSP Program recognizes that long-distance passenger rail routes and services should be sustained to ensure connectivity throughout the national network and has funding set aside for such efforts.</p> <p>Eligible Applicants include:</p> <ul style="list-style-type: none"> <li>(1) A State (including the District of Columbia);</li> <li>(2) A group of States;</li> <li>(3) An Interstate Compact;</li> <li>(4) A public agency or publicly chartered authority established by one or more States;</li> <li>(5) A political subdivision of a State;</li> <li>(6) Amtrak, acting on its own behalf or under a cooperative agreement with one or more States;</li> <li>(7) A federally recognized Indian Tribe; and</li> <li>(8) Any combination of the entities described in (1) through (7).</li> </ul>
Agency Contact Information	Email: FRA-NOFO-Support@dot.gov

<sup>1</sup> The funding in this NOFO is made available by the 2024 and 2025 Appropriation, 2024 and 2025 advance appropriations provided in IIJA, and de-obligated FY22-25 IIJA supplemental funds previously awarded through prior FSP-National NOFOs. Should additional FSP Program funds become available after the release of this NOFO, FRA may elect to award such additional funds to applications received under this NOFO. Any awards made under this NOFO are subject to the availability of appropriated funds.

### **a. Executive Summary**

This is an amended and reissued Notice of Funding Opportunity (NOFO) for the Fiscal Year (FY) 2024 Federal-State Partnership for Intercity Passenger Rail Program (FSP Program). This FSP Program notice is for projects not located on the Northeast Corridor (FSP-National). This notice details the application requirements and procedures to obtain grant funding for projects under FSP-National for FY 2024–2025.

The Nation’s rail network is a critical component of the U.S. transportation system and economy. The FSP Program provides a Federal funding opportunity to improve American passenger rail assets by funding projects that enhance safety, reduce the State of Good Repair backlog, improve performance, and/or expand or establish new intercity passenger rail service, including privately operated intercity passenger rail service if an eligible applicant is involved. The FSP Program has funding set aside for long-distance passenger rail routes and services to ensure connectivity throughout the national network.

### **b. Changes from previous FY24 NOFO**

The FY24 NOFO was originally published on September 30, 2024, and withdrawn on September 22, 2025. The reissued NOFO captures the following changes:

- Removes references to rescinded Executive Orders.<sup>2</sup>
- Aligns the NOFO with a new Executive Order.<sup>3</sup>
- Adds \$1,019,234,137 in FSP-National Program funds for Fiscal Year 2025 provided in the Infrastructure Investment and Jobs Act (IIJA), Pub. L. No. 117-58 (November 15, 2021), advance appropriations, \$38,362,500 provided in the Full-Year Continuing Appropriations and Extensions Act, 2025, Div A, Tit. XIII, Pub. L. 119-4, and \$564,237,915 in unawarded FY24 FSP-Northeast Corridor funding.
- Adds \$2,391,353,800.67 in FSP-National Program funds for Fiscal Years 2022-2025 provided in the IIJA advance appropriations.
- Updates the organization of the NOFO and use of references, such as moving [Key Terms](#) to the FRA website, to comply with the recent changes to 2 CFR Part 200 Appendix I.
- Removes the use of project tracks to reduce duplicative information with project Lifecycle Stages.

## **2. PROGRAM DESCRIPTION**

### **a. Program History and Authorization**

The Program, originally named the Federal-State Partnership for State of Good Repair was established by the Fixing America’s Surface Transportation (FAST) Act, Pub. L. No. 114-94 (December 4, 2015). The FAST Act marked the first time that intercity passenger rail programs were included in a comprehensive, multimodal surface transportation authorization bill, authorizing more than \$10 billion for intercity passenger and freight rail grants. Initially, the

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<sup>2</sup> Removes references to the following Executive Orders - Executive Order 11246, Equal Employment Opportunity, Executive Order 14025, Worker Organizing and Empowerment, Executive Order 14052, Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, and Executive Order 14096, Revitalizing Our Nation’s Commitment to Environmental Justice for All.

<sup>3</sup> Executive Order 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity.

program's purpose was to fund capital projects to repair, replace, or rehabilitate qualified existing railroad assets, reducing the state of good repair backlog. The IIJA expanded the program's eligibility, allowing for projects related to the expansion and establishment of new intercity passenger rail service. Additionally, IIJA changed the title of the Program to the Federal-State Partnership for Intercity Passenger Rail to better reflect its expanded eligibilities and intent. The FSP Program was authorized in Sections 22106 and 22307 of the IIJA, Pub. L. No. 117-58 (November 15, 2021); 49 U.S.C. 24911. Funding under the FY24–25 NOFO was made available by the Consolidated Appropriations Act, 2024, Div. F, Tit. I, Pub. L. 118-42 (March 9, 2024) (2024 Appropriation), the Full-Year Continuing Appropriations and Extensions Act, 2025, Div. A, Tit. XIII, Public Law 119-4 (March 15, 2025) (2025 Appropriation), and Title VIII of Division J of the IIJA.

#### **b. Program Goal and Objectives**

Under the FSP Program, FRA intends to fund capital projects that enhance safety, 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. Safety is the Department and FRA's top priority, and FRA welcomes applications for railroad safety projects that also improve intercity passenger rail performance (see 49 U.S.C. 24911(c)(2)).

FSP Program funds will not be used to further local political objectives or for projects and goals that are purely local in nature and unrelated to a proper Federal interest. The FSP Program and this NOFO instead prioritize support and assistance for projects that are consistent with the proper role of the Federal Government in our system of federalism, have strong co-funding requirements, adhere faithfully to all Federal statutory Buy America requirements, and do not depend on continuous or future U.S. Department of Transportation (DOT) support or assistance for improvements or ongoing maintenance.

#### **c. Expected Outcomes**

As stated in Section 2(b) of the NOFO, the FSP Program's focus is to enhance safety, reduce the state of good repair backlog, improve performance, and establish new services. FRA expects outcomes of selected projects to include:

- i. Safety and High-Performing Core Assets: Restore and modernize core assets to improve the state of good repair, enhance system resiliency, and increase safety.
- ii. Expansion and New Services: Invest the expansion of existing long-distance services and passenger rail routes operated by public and private partners as well investment in new passenger rail corridors.
- iii. System Reliability and Connectivity: Improve system operations to reduce trip time and delays, manage travel demand, improve connectivity.

### **3. ELIGIBILITY INFORMATION**

This section explains applicant eligibility, cost sharing and matching requirements, project eligibility, and project component operational independence. Applications that do not meet the requirements in this section will be ineligible for funding. Instructions for submitting eligibility information to FRA are detailed in Section 4(a)(IV).

### **a. Eligible Applicants**

The following entities are eligible applicants for all projects permitted under this notice:

- i. A State (including the District of Columbia);
- ii. A group of States;
- iii. An Interstate Compact;
- iv. A public agency or publicly chartered authority established by one or more States;
- v. A political subdivision of a State;
- vi. Amtrak, acting on its own behalf or under a cooperative agreement with one or more States;
- vii. A federally recognized Indian Tribe; or
- viii. Any combination of the entities described in (i) through (vii).

Applications must be submitted by the lead applicant that serves as the primary point of contact for the application, and if selected, will be the recipient of the FSP-National grant award.

To apply under (viii) above, the lead applicant must identify the other entities(s) and include a signed statement from an authorized representative of each entity that affirms the entity joins the application. See Section 4 for further instructions about applying under 49 U.S.C. 24911(a)(1)(H).

An application submitted by Amtrak and one or more States, whether eligible under (i), (ii), (vi) or (viii) above, must identify the lead applicant and include a signed cooperative agreement between Amtrak and the State(s) consistent with 49 U.S.C. 24911(a)(1)(F). FRA welcomes private sector support, though only the entities listed above are eligible. Applications may reference entities that are not eligible (e.g., private sector firms) as a partner in project funding or implementation, but ineligible entities cannot be a recipient. If the applicant seeks to partner with an ineligible entity (e.g., a private intercity passenger rail operator), that intention should be made clear in the application, and a letter of support from the ineligible entity should be included in the application. If selected, only the eligible applicant will be the recipient under the grant agreement. This means the eligible applicant will be legally and financially responsible to FRA under the terms and conditions of the FRA grant agreement. Before partnering with an ineligible entity, applicants should carefully review [FRA's Discretionary Grant Agreements](#), as these terms and conditions will apply to the applicant, if selected.

### **b. Cost Sharing and Matching**

The estimated total cost of a project must be based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment and/or facilities, consistent with 49 U.S.C. 24911(f)(1). The Federal share of total costs for FSP-National projects funded under this notice shall not exceed 80 percent, consistent with 49 U.S.C. 24911(f)(2). Additionally, applicants are encouraged to use FRA's Cost Estimate Guidance<sup>4</sup>, to account for the impact of external factors and cost-impacts of time (e.g., inflation) while preparing the scope, schedule, and budget.

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<sup>4</sup> <https://railroads.dot.gov/rail-network-development/training-guidance/capital-cost-estimating-guidance>.

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

Before applying, applicants should carefully review the principles for cost sharing or matching in 2 CFR 200.306. See Section 4(a) for required application information on non-Federal share. See Section 6(b) for further discussion of FRA's consideration of matching funds in the review and selection process. FRA will approve pre-award costs incurred after announcement of awards as applicable and consistent with 2 CFR 200.458. Cost sharing or matching may be used only for authorized Federal award purposes.

Applicants must identify the source(s) of the project's non-Federal share. These funds must be clearly and distinctly reflected as part of the Total Project Cost. The minimum 20 percent non-Federal share may be comprised of public or private funding.<sup>5</sup> FRA will not consider any Federal financial assistance, or any non-Federal funds already expended (or otherwise encumbered) toward the matching requirement, unless compliant with 2 CFR part 200. See Section 4(a) for supporting information required to demonstrate eligibility of Federal funds for use as non-Federal share. 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.

Consistent with 49 U.S.C. 24911(f)(3), if Amtrak is an applicant, Amtrak may use its ticket and other non-Federal revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

Funding under this NOFO may not be used for costs that are included in or used to meet cost sharing or matching requirements of any other federally financed award or program. If the applicant seeks additional funding for a project that has already received Federal financial assistance, costs associated with the scope of work for the existing Federal award are not eligible for funding under this NOFO. Only new scope elements and activities (e.g., new deliverables) are eligible for funding under this NOFO.

All contracts for projects financed with Federal funds are subject to applicable Federal requirements. Applicants with previously existing contracts must ensure that applicable Federal requirements are included if selected for Federal funding.

There are no predetermined minimum or maximum dollar thresholds for awards. FRA anticipates making multiple awards with the available funding. FRA may not be able to award grants to all eligible applications even if they meet or exceed the stated evaluation criteria (see Section 6(b)). FRA may award partial funding, as projects may require more funding than is available. If FRA anticipates not fully funding a project, FRA may contact the applicant during the evaluation process to ensure that the applicant is able to complete the project with available funding. FRA encourages applicants to propose a project that has operational independence, or a component of such project, which can be completed and implemented with funding under this NOFO as a part of the total project cost together with other, non-Federal sources.

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<sup>5</sup> A project's non-Federal share can consist of Transportation Infrastructure Finance and Innovation Act financing or Railroad Rehabilitation & Improvement Financing.

### **c. Federal Award Information**

Applicants are not limited in the number of projects for which they seek funding. Applicants submitting more than one application are required to submit a priority ranking of their submitted applications that is consistent with each application package submitted.

- i. **Award Type:** FRA will make awards for projects selected under this notice through grant agreements or cooperative agreements. FRA will determine the type of agreement after project selection and prior to grant obligation. The term “grant” is used throughout this document to reference funding awarded through a grant agreement or a cooperative agreement. Grant agreements are used when FRA does not expect to have substantial Federal involvement in carrying out the funded activity. Cooperative agreements allow for substantial Federal involvement in carrying out the agreed upon investment, including technical assistance, review of interim work products, and increased program oversight. The funding provided under this NOFO will be made available to recipients on a reimbursable basis. Recipients must certify that their expenditures are allowable, allocable, reasonable, and necessary to the approved project before seeking reimbursement from FRA. Additionally, recipients are expected to expend non-Federal funds at the required percentage concurrent with Federal funds throughout the life of the project.

The [FRA Grant Agreement Requirements](#) consists of three parts:

- Attachment 1: Standard Terms and Conditions,
- Attachment 2: Project-Specific Terms and Conditions, and
- Terms and Conditions Exhibits.

These templates are subject to revision. If selected for award, all three parts of the grant agreement must be completed. However, only Articles 4-7 of Attachment 2: Project-Specific Terms and Conditions, must be included in an application package. Attachment 2 requirements are discussed further in Section 4(b)(i).

- ii. **Phased Funding Agreements:** FRA may provide grant funding in phases through a Phased Funding Agreement (PFA) for Highly Rated Major Capital Projects. A PFA obligates an initial FSP Program grant award in phased funding provisions as authorized by 49 U.S.C 24911(g)(2). A PFA shall: (1) establish the terms of participation by the Federal Government in the project; (2) establish the maximum amount of Federal financial assistance for the Major Capital Project; (3) include the period of time for completing the Major Capital Project, even if such period extends beyond the period for which Federal financial assistance is authorized; (4) make timely and efficient management of the Major Capital Project easier in accordance with Federal law; and (5) if applicable, specify when the process for complying with NEPA and related environmental laws will be completed for the Major Capital Project. FRA anticipates limiting the use of PFAs to Major Capital Projects that are currently in, or beginning, the Final Design and/or the Construction Lifecycle Stages. A PFA provides an initial obligation of a grant award and includes contingent commitments. Contingent commitments are not financial obligations of the Federal Government. Future obligated funds are subject to the availability of appropriations.

FRA commits to provide funding as specified in the PFA for the duration of the Major Capital Project, provided the recipient continues to meet the terms of the PFA, and Congress appropriates sufficient FSP Program funding for such purpose.

Applicants seeking a PFA must request a PFA in the project narrative and provide the additional information required in Section 4(a). Additionally, FRA may independently determine that a Major Capital Project is appropriate for a PFA.

- iii. **Letters of Intent:** FRA may issue a Letter of Intent (LOI) for a Major Capital Project. An LOI, authorized at 49 U.S.C. 24911(g)(1), is a letter from FRA to a recipient announcing “an intention to obligate” an amount for a Major Capital Project from future budget authority. An LOI is a contingent commitment and is not a binding obligation of the Federal Government, but signals FRA’s intent to provide future Final Design and/or Construction Lifecycle Stage funding for Major Capital Projects. FRA anticipates issuing an LOI primarily to Major Capital Projects currently in, or beginning, the Project Development Lifecycle Stage. FRA may outline conditions and/or define readiness thresholds in the LOI that the recipient may use to inform its future funding requests under the FSP Program. Applicants seeking an LOI must request an LOI in the project narrative and provide the additional information required in Section 4(a). Additionally, FRA may independently issue an LOI for a Major Capital Project.
- iv. **Concurrent Applications:** DOT and FRA may concurrently solicit applications for transportation infrastructure projects under several financial assistance programs. Applicants may submit applications for a project to one or more of these programs. See Section 4(a)(III) for required application information on concurrent applications.

#### **d. Eligible Projects**

The following Capital Projects, including acquisition of real property interests, are eligible for funding:

- i. 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.
- ii. A project to improve intercity passenger rail service performance, including reduced trip times, increased train frequencies, higher operating speeds, improved reliability, expanded capacity, reduced congestion, electrification, and other improvements, as determined by the Secretary.<sup>6</sup>
- iii. A project to expand or establish new intercity passenger rail service.
- iv. A group of related projects described in paragraphs (i) through (iii).
- v. The planning, environmental studies, and Final Design for a project or group of projects described in paragraphs (i) through (iv).

For projects located on a shared corridor with commuter railroad passenger transportation or freight transportation, applicants must clearly demonstrate how the proposed project will benefit

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<sup>6</sup> A project that enhances safety including grade crossing improvement is eligible under this criterion provided the project also demonstrates an improvement to intercity passenger rail service performance.

Intercity Passenger Rail Transportation. The applicant must also demonstrate that the proposed project is a reasonable investment in Intercity Passenger Rail Transportation.

Capital Projects may include the acquisition of real property interests, Project Planning, Project Development, Final Design, and Construction. Pre-Construction activities are eligible for funding independently or in conjunction with Construction. Any project that includes acquisition of real property, even if the project is only receiving Federal funds for Construction, is subject to requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4601 et seq. (Uniform Act). Regulations implementing the Uniform Act are at 49 C.F.R. part 24. FRA will consider right-of-way acquisition only for applications seeking eligible Construction funding.

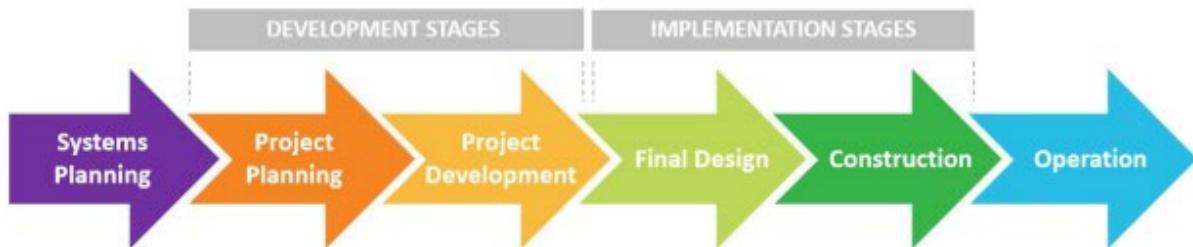
Applicants requesting Project Development funds may submit the following with their application: application engineering drawings and specifications (scale drawings at the 30 percent design level, including track geometry as appropriate), design criteria, schematics, and/or track charts. Applicants may request funding for work that can be funded in conjunction with developing preliminary engineering, such as operations modeling, surveying, project work/management plans, preliminary cost estimates, and preliminary project schedules. If selected, recipients will be expected to complete Project Development to support Final Design or Construction.

#### e. Project Component

If an applicant requests funding for a component or set of components of a larger capital project, the project component(s) must be attainable with the award amount and comply with all eligibility requirements described in Section 3. In addition, the component(s) must enable independent analysis and decision making, as determined by FRA under NEPA (i.e., have independent utility, connect logical termini, and do not restrict the consideration of alternatives for other reasonably foreseeable rail projects).

#### f. Project Lifecycle Stages

FRA strongly encourages applicants to align eligible project activities with the Lifecycle Stages outlined in FRA's [Railroad Capital Project Guidance](#).<sup>7</sup>



An applicant may seek funding for one or more Lifecycle Stages in a single application. Applicants should clearly explain which project activities fall within each Lifecycle Stage. In addition, applicants should request a specific amount of Federal funds for each Lifecycle Stage.

<sup>7</sup> To the extent permitted under EO 14151.

Based on the availability of funds, FRA may fund one or more of the Lifecycle Stages identified in the application.

#### 4. APPLICATION CONTENTS AND FORMAT

Applicants must submit all required information and components of the application package, as described in this section and by the deadline, to be considered for funding. Applications that are not submitted on time or do not contain all required documentation will not be considered for funding. To support the application, applicants may provide optional relevant and available supporting documentation, especially documentation that provides evidence of a Capital Project's completed Lifecycle Stage(s), where applicable.

*Table 1. Required Documents and Information for an Application Package.*

Application Information	NOFO Section for Guidance
Project Narrative	See 4(a)
Statement of Work, Estimated Project Schedule, Project Budget, Performance Measures (Attachment 2: Articles 4-7)	See 4(b)(i)
Benefit-Cost Analysis	See 4(b)(ii)
Environmental Compliance Documentation	See 4(b)(iii)
Draft Agreement required under 49 U.S.C 22905(c)(1), if applicable	See 4(b)(iv)
Corridor Identification Documentation	See 4(b)(v)
SF 424 – Application for Federal Assistance <sup>8</sup>	See 4(b)(vi)
SF 424A – Budget Information for Non-Construction or SF 424C – Budget Information for Construction	See 4(b)(vii)
SF 424B – Assurances for Non-Construction or SF 424D – Assurances for Construction	See 4(b)(viii)
FRA's F 30 – Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying	See 4(b)(ix)
FRA F 251 – Applicant Financial Capability Questionnaire	See 4(b)(x)
SF LLL – Disclosure of Lobbying Activities	See 4(b)(xi)

##### a. Project Narrative

This section describes the minimum content required in the project narrative of an FSP Program grant application. The project narrative must follow the basic outline below to address the program requirements and assist evaluators in locating relevant information.

*Table 2. Required Project Narrative Sections.*

Project Narrative Section	NOFO Section for Guidance

<sup>8</sup> The SF 424 is the official record of request. Therefore, the amount requested in the SF-424, project narrative, statement of work (Article 4), and project budget (Article 6) must match. Where there are discrepancies in the amount requested, FRA will use the request reflected in the SF 424.

I. Cover Page	See 4(a)(I)
II. Project Summary	See 4(a)(II)
III. Project Funding	See 4(a)(III)
IV. Applicant Eligibility Criteria	See 4(a)(IV)
V. Project Eligibility Criteria	See 4(a)(V)
VI. Corridor Identification Program Coordination (if applicable):	See 4(a)(VI)
VII. Detailed Project Description	See 4(a)(VII)
VIII. Safety Benefit Data	See 4(a)(VIII)
IX. Project Location	See 4(a)(IX)
X. Evaluation and Selection Criteria	See 4(a)(X)
XI. Project Implementation and Management	See 4(a)(XI)

The project narrative may not exceed 25 pages in length (excluding cover pages, a table of contents, and supporting documentation). FRA will not review or consider project narratives beyond the 25-page limitation. If possible, applicants should submit supporting documents via website links rather than hard copies. If applicable, applicants must clearly identify portions and cite page numbers of relevant information in supporting documents. The project narrative must adhere to the outline detailed below.

I. Cover Page: Include a cover page that lists the following elements in either a table or formatted list:

Project Title	
Lead Applicant Name	
Joint Applicant Name(s)	
Amount of FSP Program funding requested under this NOFO. <sup>9</sup>	\$
Amount of proposed non-Federal share	\$
Source(s) of proposed non-Federal share	
Amount of other Federal funding, if applicable	\$
Source (s) of other Federal funding, if applicable	
Total Project Cost	\$
Capital Cost Estimate	\$

<sup>9</sup> Please note FRA will round down funding requests to the nearest whole dollar.

All costs and the value of any resources needed to complete the Project Development, Final Design, and Construction stages of a capital project.	
Total cost by Lifecycle Stage(s) for which funding is requested under this NOFO (list each Lifecycle Stage and cost separately)	\$
Is right of way acquisition (ROW) part of this funding request? (Please provide funding request associated with ROW).	Yes/No \$
City(ies), State(s) where the project is located	
Congressional District(s) where the project is located	
Geospatial data for project location(s) in decimal degrees (with at least five decimal places of precision). If a track segment or corridor, provide start and end point data.	
Current Lifecycle Stage of project at time of application	
Anticipated completion date of current Lifecycle Stage	
Application Lifecycle Stage(s) proposed to be funded by this NOFO	
Existing Intercity Passenger Rail service(s) on routes not more than 750 miles benefiting from the project	
If applicable, existing Long-Distance service(s) (routes greater than 750 miles) benefiting from the project	
If applicable, existing Commuter Rail service(s) benefitting from the project	
If applicable, what Corridor, as identified in <a href="#">FY 2022 CID Selections</a> , is benefitting from the project	
Host Railroad/infrastructure owner(s) of project assets and property	
Other impacted Railroad(s)	
Tenant Railroad(s), if applicable	
If applicable, is a 49 U.S.C. 22905-compliant Railroad Agreement in place or pending?	Yes/No/Pending
LOI/PFA requested?	Yes/No
If LOI requested for Projects in Project Development, provide amount of future request of Final Design/Construction request.	\$
If PFA requested for Final Design and Construction:	
(a) Provide amount of request under this NOFO for initial obligation.	\$

(b) Provide amount of request under this NOFO for contingent commitment (equal to the remaining amount of the project cost).	\$
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II. **Project Summary:** Provide a brief, 4–6 sentence summary of the proposed project and scope of work. The applicant should explain challenges the proposed project aims to address and summarize the intended outcomes that will result from the proposed project.

III. **Grant Funds, Sources, and Use of Project Funds:** Provide a project budget that lists all funding sources (i.e., Federal and non-Federal), specify how these will contribute to each activity, and present the data in year of expenditure dollars and percentages. If applicable, the applicant should identify other Federal funds the applicant is applying for, has been awarded, or intends to use. Funding sources should be grouped into two categories: (1) Requested FSP Program grant and (2) Non-Federal match for the FSP Program grant with specific amounts for each funding source. FRA will not award more funding for a project than is requested in an application. Please note FRA will round down funding requests to the nearest whole dollar.

Applicants must specify whether non-Federal funds are currently available for the project, or if the applicant will need to secure the non-Federal funds upon selection. Applicants should submit evidence of secured non-Federal funds and other Federal funding (if applicable). Evidence may include a board resolution, letter of support from the State, or a budget document highlighting the line item or section committing funds to the proposed project. The applicant may provide this documentation in an appendix with the application. Any funding commitment letters must be signed by an authorized representative of the entity providing a non-Federal share. For a Major Capital Project, applicants are encouraged to provide an annualized budget in year of expenditure dollars. The project budget must be specific to the project scope described in the application. If the applicant requests funding for a project that is part of a larger scope, the applicant may reference the larger scope in the project narrative. However, the applicant should only include the project budget for the project scope that funding is requested for under this NOFO.

Applicants should highlight new or revised information in the application responsive to this NOFO that differs from the application(s) to other financial assistance programs, including previous rounds of the FSP Program. Applicants should identify whether an application was previously submitted for any Federal grant programs and/or are currently pending for any programs. Please specify the program(s), funding year(s), and project title of the previous application. Also identify any differences between the applications. Applicants must also indicate the other program(s) to which they applied or plan to apply for funding.

Applicants should explain whether the requested Federal funding under this NOFO must be obligated or spent by a certain date due to dependencies or relationships with other Federal or non-Federal funding sources, related projects, law, or other factors. The applicant should also indicate whether it anticipates securing financing for the project, as

well as what the source, amount, and terms will be. Financing costs (including interest) may be allowable consistent with 2 CFR 200.449. For PFAs, interest and other financing costs may be eligible, provided that such costs are not more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing, and the applicant has shown reasonable diligence in seeking the most favorable financing terms consistent with 49 U.S.C. 24911(g)(2)(C)(iii). Regardless of any expected financing, if selected, the recipient will still be required to comply with the terms of 2 CFR part 200 and FRA's Standard Terms and Conditions. If applicable, the applicant should provide the type and estimated value of any proposed in-kind contributions, as well as explain how the contributions meet the requirements in 2 CFR 200.306.

Additionally, applicants should identify and describe Lifecycle Stage(s) and/or project component(s) that could be candidates for subsequent FSP Program funding if such funding becomes available. PFA disbursements are not required to align with specific tasks that have operational independence; although, the project as a whole must achieve operational independence. Applicants are encouraged to identify meaningful milestones by which FRA can measure project progress for each forecasted funding request.

Applicants may use the following tables to describe project funding, and may use additional rows and columns, or additional project funding tables, as appropriate.

*Table 3. Example Project Funding Overview.*

Task #	Task Name/Project Component and Lifecycle Stage	Cost	Percentage of Total Cost	Source of Funds and Citation, as applicable
1				
2				
Total Project Cost				
Federal FSP funding requested in this application				
Non-Federal Funding		Cash: In-Kind:		
Non-Federal Funding (State)		Cash: In-Kind:		
Non-Federal Funding (Private Sector)		Cash: In-Kind:		
Non-Federal Funding (Local)		Cash: In-Kind:		

Other Federal funding committed and pending (e.g., Federal Transit Administration, congressionally directed/earmark, other FRA grant program funds—including previous FSP Program grants, etc.)	Committed Amount:		
Note: If there are multiple sources of other Federal funding, please break funding down by each source. <sup>10</sup>	Pending Amount:		
Other Non-Federal Funding			

Add additional FYs under Table 3, as appropriate.

*Table 4. Example phased project funding agreement.*

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

IV. **Applicant Eligibility Criteria:** Explain how the applicant meets the eligibility criteria outlined in Section 3(a) of this notice. Where applicable, the applicant should include citations to enabling legislation in support of the applicant's eligibility to receive Federal funds. For public agencies and publicly chartered authorities established by one or more States, the applicant must provide relevant legislative language and citations to the applicable enabling legislation. If the applicant intends to submit a joint application, the application must identify a lead applicant, the other eligible applicant(s), and include a signed statement from an authorized representative of each entity that affirms the entity joins the application.<sup>11</sup>

For applications involving Amtrak and one or more States, Amtrak and the State(s) must provide a cooperative agreement for the project signed by authorized representatives of Amtrak and each State. Such cooperative agreements must include a description of the roles and responsibilities of each party, including budget and subrecipient information showing how the parties will share project costs.

<sup>10</sup> For other Federal funds that will be used for the project, the applicant should identify the Federal program and FY of the funding request(s), as well as highlight new or revised information in the application responsive to this NOFO that differs from the application(s) to other financial assistance programs.

<sup>11</sup> See 49 U.S.C. 24911(a)(1)(H).

V. **Project Eligibility Criteria:** Explain how the proposed project meets the project eligibility criteria in Section 3(c) of this notice.

VI. **Corridor Identification Program Coordination (if applicable):** Applicants who are Corridor Identification and Development (CID) Sponsors must explain the status of the sponsor's corridor within the CID Program (e.g., completed Step 1, beginning Step 2) in their project narrative. CID Sponsors should explain how the proposed FSP-National project is consistent with the corridor sponsor's planning efforts under CID and will not preclude any outcomes from planning activities explored under CID. The explanation provided shall demonstrate how the CID Sponsor has the support of participant stakeholders (as identified in the Service Development Plan), governance structure and institutional capacity to implement and maintain on-going service, funding identified for implementation and on-going operations support, and a clearly defined benefit for the Corridor. For applicants who are not CID Sponsors, a letter of support from the CID Sponsor is encouraged. See Section 4(b)(v) for more information.

VII. **Detailed Project Description:** The applicant must include a detailed project description that expands upon the brief project summary. The applicant should provide, at a minimum: a description of the scope of the requested project, for which funding is being requested in this NOFO; a project schedule showing completed and expected start and end dates for project activities that corresponds to each Lifecycle Stage; additional background on the transportation challenges the project aims to address; a summary of current and proposed railroad operations in the project area, including service frequency and identification of all railroad owners and operators including types of passenger or freight service; the expected users and beneficiaries of the project; proposed project outcomes and any other information the applicant deems necessary to justify the proposed project.

Applicants should provide project outcome data consistent with Table 5, define the project area used, and indicate if the project area changes based on the data table. For example, ridership data may be tracked between passenger stations on either side of the project area, while delays may be tracked according to railroad interlockings on either side of the project area. Applicants are encouraged to provide the requested data to the maximum extent practicable. Appropriate rounding or best estimates are acceptable in instances where precise data is unavailable or to account for possible uncertainty. Where data is not available, applicants may provide a qualitative explanation of the anticipated impact of the project. It is anticipated that the format and prompts of Table 5 remain consistent for both improvements to existing passenger rail services and the development of new passenger rail services. For the latter, the passenger rail baseline or the No Build Scenario would be zero.

*Table 5. Project Outcomes.*

<b>Ridership in the Project Area</b>		
	<b>No Build Scenario</b>	<b>Build Scenario</b>
Total Annual Ridership		

Annual Intercity Passenger Rail (IPR) Ridership						
Annual Commuter Passenger Rail (CR) Ridership (if applicable)						
<b>Train Counts in the Project Area</b>						
	<b>No Build Scenario</b>		<b>Build Scenario</b>			
Total Weekly Trains						
Weekly Intercity Passenger Rail (IPR) Trains						
Weekly Commuter Rail (CR) Trains (if applicable)						
Weekly Freight Trains (if applicable)						
<b>Operating Speeds in the Length of Track Improvement Area</b>						
	<b>No Build, IPR</b>	<b>Build, IPR</b>	<b>No Build, CR</b>	<b>Build, CR</b>	<b>No Build, Freight</b>	<b>Build, Freight</b>
Average Operating Speed (mph)						
Highest Maximum Authorized Speed (mph)						
Lowest Maximum Authorized Speed (mph)						
Average Scheduled Travel Time (Time/Trip)						

VIII. Safety Benefit Data: Applicants are strongly encouraged to submit safety justifications for the project that rely on standardized, objective safety metrics and data, if available, including data from sources such as: GradeDec.Net; National Risk Index; 49 CFR part 234; safety metrics found in Appendix D of 49 CFR part 222; the FRA Safety Data dashboard<sup>12</sup>; or other relevant safety data or metrics. FRA will analyze data for each grade crossing, including the detailed history of each crossing's incident history for the past five calendar years (2020-2024), to demonstrate the existing level of risk for each grade crossing proposed for improvement. Grade crossing data, as well as other tools and measures, will be used to better inform selection evaluation. Applicants are encouraged to provide a description of how their proposed project will significantly increase overall safety of the system and/or riders.

<sup>12</sup> <https://data.transportation.gov/stories/s/FRA-Safety-Data/dakf-i7zd>.

IX. **Project Location:** Applicants must include geospatial data for the project, as well as a map of the project's location. Geospatial data must be expressed in decimal degrees for latitude and longitude with at least five decimal places of precision. For example, if a project was proposed to take place at the Department of Transportation Headquarters in Washington, DC, then the reported latitude should be 38.87589 and the longitude should be reported as -77.00337. If the project includes a length of track or corridor development, the start and end coordinates for each corridor or segment must be provided. All Congressional districts in which the project will take place should be provided. Milepost, railroad, and subdivision identifiers can also be provided but must be accompanied by corresponding latitudes and longitudes. For projects with multiple locations, the corresponding geospatial data must be included for each location, with individual columns for latitude and longitude, in table form as an attachment to the application.

For any project that includes grade-crossing components, applicants must provide the following information for each grade crossing to be addressed in the application:

- DOT grade crossing inventory number and location using latitude and longitude coordinates, expressed with at least five decimal places of precision. For projects involving pathway-rail grade crossings that do not have DOT grade crossing inventory numbers or data, applicants should provide as much locational data as possible.
- The proposed improvement requested in the application, using “new, separated, closed or improved” (such as gate additions, lights, etc.) to describe proposed improvement;
- The operator(s) (i.e., the entity(ies) that operates on the railroad right-of-way);
- The property/infrastructure owner (i.e., the entity(ies) that owns the underlying property or infrastructure within the railroad right-of-way); and
- 5-year incident history that includes any minor or major accidents, fatalities, and other relevant safety events.

The following table format can be used within the Project Narrative or, if more space is needed, in a separate, unlocked Excel file attachment. The table will not count against the 25-page Project Narrative page limit.

Table 6. Grade Crossing Information for Proposed Project.

DOT Grade Crossing Inventory #	Proposed Improvement	Rail Operator(s)	Railroad Owner	Latitude Coordinates (at least five decimal places)	Longitude Coordinates (at least five decimal places)	5 Year Incident History

If applicable, applicants should also provide the page number in the State Highway-Rail Grade Crossing Action Plan where the grade crossing is referenced. Applicants should specify whether the project will result in the elimination of one or more grade crossings through grade separation or otherwise.

X. **Evaluation and Selection Criteria:** The applicant must include a thorough discussion of how the proposed project meets the evaluation and selection criteria. As described in Section 6, FRA will evaluate applications based on project readiness, technical merit, and project outcome. If an application does not sufficiently address the evaluation and selection criteria, it is unlikely to be a competitive application. Applicants are expected to follow the directions and format requested in this NOFO. Adherence to these directions will be considered in evaluations.

FRA expects applicants to include quantifiable railroad data, such as information on typical daily, weekly, or annual train movement by operator; ridership data for passenger operations; failure or safety incidents; service delays; and primary expected project outcomes such as increased ridership, increased trains, increased speed, reduced delays, improved rail network asset condition and performance, enhanced safety, or similar outcomes and benefits. Applicants may also include qualitative data on accessibility improvements to new or existing assets. To the extent feasible, railroad data should be provided and analyzed discretely for Intercity Rail Passenger Transportation and, if applicable, Commuter Rail Passenger Transportation and freight rail transportation services involved in the proposed project.<sup>13</sup> Applicants must organize project outcome data consistent with Table 5.

XI. **Project Implementation and Management:** Applicants must describe proposed project implementation and project management arrangements. Applicants should provide descriptions of the expected arrangements for project contracting (Construction, maintenance, and operation), contract oversight and control, change-order management,

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<sup>13</sup> For more information on performance metrics see FRA's Metrics and Minimum Standards for Intercity Passenger Rail Service, available at: <https://railroads.dot.gov/elibrary/metrics-and-standards-final-rule-november-16-2020>.

risk management, and conformance to Federal requirements for project progress reporting.<sup>14</sup>

Applicants should describe experience in managing and overseeing similar projects, the technical qualifications and demonstrated experience of key personnel proposed to lead and perform the technical efforts, and the qualifications of the primary and supporting organizations to execute the proposed project fully and successfully within the proposed timeframe and budget, including a discussion of the factors in 2 CFR 200.206(b) and the proposed approach to assessing and mitigating project risk.

Applicants should explain how they will fulfill responsibilities that continue after closeout of the award such as use, maintenance and disposition of property acquired or improved under the award, consistent with 2 CFR 200.345 and the FRA grant agreement.

## **b. Additional Application Elements**

Applicants must submit the following documents and forms. Note, the Standard OMB Forms needed for the electronic application process are available at: [www.grants.gov](http://www.grants.gov).

- i. Project Specific Terms and Conditions: This includes a statement of work, estimated project schedule, project budget, and performance measures (using [Articles 4-7 of Attachment 2: Project Specific Terms and Conditions of FRA's grant template](#)) for the proposed project if it were selected for award. The applicant should include sufficient detail in the SOW describing the expected outcomes of the proposed work to be performed. The SOW should also describe how the applicant will monitor progress toward completing project tasks and deliverables during a prospective period of performance. The applicant is required to include all four of the Articles (4-7) in its application. Applications that do not follow this format will be considered incomplete and may not be reviewed.

If an applicant requests funding for Major Capital Projects under Final Design/Construction, the applicant must attach (or link) the following supplemental material:

### A. Schedule in .pdf and either .mpp or .xer, reflecting:

- The activities needed to accomplish the project work along with the duration of each activity, including completion of prerequisite activities (such as design, NEPA, funding, right-of-way acquisition, agreements, public involvement, permits/approvals) needed to begin delivery of the project defined by the application and indicating the project critical path;
- Logical sequence of the activities and major milestones, including project phasing and seasonal and/or third-party restrictions on Construction periods;
- Relationships between the activities; and

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<sup>14</sup> For more information on Federal requirements for project progress reporting, see FRA Reports, available at: <https://www.fra.dot.gov/Page/P0274>.

- Narrative description of schedule and basis and assumptions in the schedule; along with a summary of schedule risks; Project completion (month and year), including dates of substantial completion, final completion, and revenue service, along with the date when the Project Sponsor anticipates accepting the work; and Level of detail commensurate with project size.

B. Cost estimate in .pdf and .xlsx formats, reflecting:

- All costs and value of resources needed or incurred for the Project Development, Final Design, and Construction, including design costs, right-of-way/right-of-way procurement, environmental mitigation, public outreach, Construction, overall project management, appropriate contingency for unknowns, costs/resources paid to third parties for work related to the project such as utility relocations;
- Correlation with the preliminary project design to estimate specific quantities for each work element and unit costs used and alignment with the project scope and project schedule; and
- A midpoint of Construction or annual escalation to year-of expenditure to account for cost escalation; Documentation of assumptions, methodologies, sources, and exclusions; Financing costs, itemized and shown separately; and Narrative description describing and explaining the logic, methods, assumptions, and calculations used the estimate.

C. Risk Assessment in .pdf and .xlsx formats, reflecting:

- An objective list of risks and explanation of each risk's potential impacts on the project, organized by risk category (e.g., market, design, right-of-way, utilities, permits, environmental, Construction, etc.);
- A scoring of each risk showing an objective judgment of relative severity of risk to project cost and to project schedule;
- Planned mitigations for each risk; and
- Number of identified risks, commensurate with project size.

D. A Project Management Plan describing how the Major Capital Project will be implemented, monitored, and controlled to help the Applicant effectively, efficiently, and safely deliver the project on-time, within-budget, and at the highest appropriate quality and as defined in FRA's [Railroad Capital Project Guidance](#).<sup>15</sup>

ii. Benefit-Cost Analysis (BCA): Applicants must submit BCAs as an appendix to the Project Narrative for each submitted application. The BCA must be consistent with 49 U.S.C. 24911(d)(2)(B)(i). DOT's The BCA is a systematic process for identifying, quantifying, and comparing the expected economic benefits and costs of a proposed infrastructure project. The BCA

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<sup>15</sup> To the extent permitted under EO 14151.

provides a useful benchmark from which to evaluate and compare potential transportation investments. Applicants should review the Department's [Benefit-Cost Analysis Guidance for Discretionary Grant Programs](#).

The purpose of the BCA is to enable FRA to evaluate, in economic terms, the economic merit of investing in a proposed project. While all applicants are required to submit a BCA, the submission requirements vary by project application type. For Final Design/Construction, applicants are required to document project benefits and costs. Estimates of benefits should be presented in monetary terms whenever possible; if a monetary estimate is not possible, the applicant should provide a quantitative estimate (in physical, non-monetary terms, such as crash or employee casualty and injury rates, ridership estimates, etc.). Any benefits claimed for the project, both quantified and unquantified, should be clearly tied to the expected outcomes of the project. While benefits should be quantified wherever possible, applicants may also describe other categories of benefits in the BCA that are more difficult to quantify and/or value in economic terms. The complexity and level of detail in the BCA prepared for applications submitted under this NOFO should reflect the scope, scale, and design stage of the proposed project.

For Final Design/Construction applications, there should be two BCA files included in the application: (1) a narrative description of the BCA; and (2) an unlocked spreadsheet revealing the underlying calculations. The BCA narrative should carefully document the assumptions and methodology used to produce the analysis, including a description of the baseline, the sources of data used to project the outcomes of the project, and the values of key input parameters. The BCA narrative should include, at a minimum, a description of the benefits and costs to be monetized. The BCA spreadsheet file should present the calculations in sufficient detail and transparency to allow the analysis to be reproduced by FRA evaluators. Applicants may use the Department of Transportation's BCA Spreadsheet Template for Discretionary Grant Programs, <https://www.transportation.gov/mission/office-secretary/office-policy/transportation-policy/benefit-cost-analysis-spreadsheet-template>. Please ensure any BCA spreadsheet submitted is unlocked to allow review.

For Project Planning and Project Development applications, the applicant should include a qualitative analysis detailing the project's proposed benefits and costs. For Project Planning and Project Development applications, a qualitative BCA is required. It is at the applicant's discretion to attempt to quantify benefits and costs and provide a BCA spreadsheet. While Project Planning and Project Development projects may not yield a full capital project, the submitted qualitative BCA should be for the underlying project, not the system planning or PE/NEPA work alone.

**Grade Crossing Improvements:** For applicants proposing grade crossing improvement(s), FRA developed [GradeDec](#), a highway-rail grade crossing investment analysis tool, to provide grade crossing investment decision support. GradeDec provides a full set of standard benefit cost metrics for a rail corridor, a region, or an individual grade crossing. Model output allows a comparative analysis

of grade crossing alternatives that are designed to mitigate highway-rail grade crossing accident risk and other components of user costs including highway delay and queuing, air quality, and vehicle operating costs. GradeDec is not a replacement for the BCA but is intended to provide supplemental information.

- iii. Environmental compliance documentation: Applicants should explain what Federal (and, if appropriate, State, Tribal, and local) environmental compliance and permitting requirements have been completed. Such requirements include NEPA and may include other Federal, Tribal, local, and State permitting requirements. The applicant should describe the permits, approvals, and authorizations required for the project, their current status, and the expected timeline for completion. If the NEPA process is complete (i.e., FRA has approved an environmental document for the project), the applicant should indicate the type of environmental document and date of completion. If another Federal agency has approved an environmental document for the project, the applicant should provide the applicable documentation and explain whether the applicant is proposing changes to the project in any manner other than as described in the final environmental decision document. If the NEPA process is underway, but not complete, the applicant should detail the type of NEPA review underway, where the project is in the NEPA process, and indicate the anticipated date of completion of all NEPA and other permits, approvals, and authorizations.<sup>16</sup> If the NEPA process is not yet underway, the applicant should state this.
- iv. Draft or finalized agreement(s): Applicants must provide information about the status of agreements with infrastructure owners, as applicable, including under 49 U.S.C. 22905(c)(1). FRA strongly encourages early cooperation between applicants and any relevant infrastructure owners. Under [49 U.S.C 22905\(c\)\(1\)](#), prior to grant obligation, a recipient must have a written agreement with a railroad that owns rights-of-way to be used by the project (referred to as the 22905 Agreement). If the applicant has executed the applicable agreement(s), the applicant should indicate the agreement's effective date and attach the agreement as part of the application. Applicants are also encouraged to provide draft negotiated agreements or other documentation on the status of agreements (e.g., communications with the infrastructure owners). The written agreement between the recipient and the railroad should describe use and ownership, including any compensation for such use; assurances regarding the adequacy of infrastructure capacity to accommodate both existing and future freight and passenger operations; an assurance by the railroad that collective bargaining agreements with the railroad's employees, including terms regulating the contracting of work, will remain in full force and effect according to their terms for work performed by the railroad on the railroad transportation corridor; and an assurance

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<sup>16</sup> Additional information regarding FRA's environmental processes and requirements are located at <https://fra.dot.gov/environment>.

that the grantee complies with liability requirements consistent with [49 U.S.C. 28103](#).<sup>17</sup>

- v. **Corridor ID Documentation:** For applicants who are not Corridor Sponsors, a letter of support from the Corridor Sponsor is encouraged. The letter provided shall demonstrate how the applicant has the support of the Corridor Sponsor and a clearly defined benefit for the Corridor. The letter can be submitted as an appendix.
- vi. **SF 424:** Application for Federal Assistance.
- vii. **SF 424A/SF 424C:** SF 424A – Budget Information for Non-Construction or SF 424C – Budget Information for Construction.
- viii. **SF 424B/SF 424D:** SF 424B – Assurances for Non-Construction or SF 424D – Assurances for Construction.
- ix. **FRA F30:** Certification Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying.<sup>18</sup>
- x. **FRA F251:** Applicant Financial Capability Questionnaire.<sup>19</sup>
- xi. **SF LLL:** Disclosure of Lobbying Activities.

## 5. SUBMISSION REQUIREMENTS AND DEADLINES

### a. Address to Request Application Package

Applicants may access application materials at <https://www.Grants.gov> and must submit all application materials in their entirety through <https://www.Grants.gov> no later than 11:59 p.m. Eastern Time, on February 6, 2026. Applicants must complete an Authorized Organization Representative (AOR) profile on [www.Grants.gov](https://www.Grants.gov) and create a username and password.<sup>20</sup>

Applicants are strongly encouraged to apply early to ensure that all materials are received before the application deadline. FRA reserves the right to modify this deadline.<sup>21</sup> FRA is committed to ensuring that information is available in appropriate alternative formats to meet the requirements of persons who have a disability. If you require an alternative version of files provided, please contact Lou Lorello, Office of the Chief Financial Officer, Federal Railroad Administration,

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<sup>17</sup> For additional guidance, see the FRA Answers to Frequently Asked Questions about Rail Improvement Grant Conditions under 49 U.S.C. 22905(c)(1) (<https://railroads.dot.gov/elibrary/frequently-asked-questions-about-rail-improvement-grant-conditions-under-49-usc-ss-22905c1#:~:text=These%20answers%20to%20frequently%20asked%20questions%20%28FAQs%29%20are,well%20as%20railroads%20who%20own%20rights-of-way%20that%20will>).

<sup>18</sup> <https://railroads.dot.gov/elibrary/fra-f-30-certifications-regarding-debarment-suspension-and-other-responsibility-matters>.

<sup>19</sup> <https://railroads.dot.gov/elibrary/fra-f-251>.

<sup>20</sup> Additional information about the registration process is available at: <https://www.grants.gov/applicants/applicant-registration>.

<sup>21</sup> General information for submitting applications through Grants.gov can be found at: <https://www.fra.dot.gov/Page/P0270>.

1200 New Jersey Avenue, SE, Washington, DC, 20590; email: lou.lorello@dot.gov; phone: (202) 440-2563.

The E-Business Point of Contact (E-Biz POC) at the applicant's organization must respond to the registration email from Grants.gov and login at [www.Grants.gov](http://www.Grants.gov) to authorize the applicant as the AOR. Please note there can be more than one AOR for an organization.

If an applicant experiences difficulty at any point during this process, please call the Grants.gov Customer Center Hotline at 1-800-518-4726, 24 hours a day, 7 days a week (closed on Federal holidays).

**b. Unique Entity Identifier and System for Award Management (SAM)**

To apply for funding through Grants.gov, applicants must be properly registered in SAM. Applicants must provide a valid unique entity identifier in the application and continue to maintain an active SAM registration. Complete instructions on how to register with SAM and submit an application can be found at [www.Grants.gov](http://www.Grants.gov). Registering with Grants.gov is a one-time process; however, it can take up to several weeks for first-time registrants to receive confirmation and a user password. FRA recommends that applicants start the registration process as early as possible to prevent delays that may preclude submitting an application package by the application deadline. Applications will not be accepted after the due date.

FRA may not make a grant award to an applicant until the applicant has complied with all applicable SAM requirements. If an applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the applicant is not qualified to receive a Federal award. The Federal awarding agency may use that determination as a basis for making a Federal award to another applicant. Late applications, including those that are the result of a failure to register or comply with Grants.gov applicant requirements in a timely manner, will not be considered. If an applicant has not fully complied with the requirements by the submission deadline, the application will not be considered. To submit an application through Grants.gov, applicants must follow the directions outlined here: [Discretionary Grants Application Process](#).

**c. Submission Instructions**

- i. **Actions Needed Prior to Applying:** Please see SAM instructions as described in section 5(b)<sup>22</sup>.

If an applicant experiences difficulty at any point during this process, please call the GrantSolutions Help Desk at 1-866-577-0771, Monday through Friday 8:00 a.m. to 6:00 p.m. ET (closed on Federal holidays).<sup>23</sup>

- ii. **Methods for Submitting:** Applications must be submitted via [www.Grants.gov](http://www.Grants.gov). Only applicants who comply with all submission requirements described in this notice and submit applications through [www.Grants.gov](http://www.Grants.gov) will be eligible for award.

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<sup>22</sup> <https://railroads.dot.gov/grants-loans/discretionary-grants-application-process>.

<sup>23</sup> For information and instructions on each of these processes, please see instructions at: <https://home.grantsolutions.gov/home/recipient-training-videos/#grantsolutions-training>.

Applicants must complete and submit all required documents for the application, which are outlined in the following paragraphs. See Section 4 for the application checklist. FRA welcomes the submission of additional relevant supporting documentation, such as planning, engineering, and design documentation, and letters of support from partnering organizations. Supporting documentation will not count against the project narrative 25-page limit. Letters of support should be included in the application package. Additional letters of support received after the application deadline should be sent to [FRA-NOFO-support@dot.gov](mailto:FRA-NOFO-support@dot.gov). Please note that FRA cannot guarantee the review of any letters received after the deadline.

For any supporting application materials that an applicant is unable to submit via [www.Grants.gov](http://www.Grants.gov) (such as oversized engineering drawings), an applicant may submit an original and two copies to Mr. Sergio Coronado, Office of Rail Program Development, Federal Railroad Administration, 220 Binney Street, Cambridge, MA 02142. However, due to delays caused by enhanced screening of mail delivered via the U.S. Postal Service, applicants are advised to use other means of conveyance (such as courier service) to ensure timely receipt of materials before the application deadline.

#### **d. Submission Dates and Times**

To apply for funding under this announcement, all applicants are required to be registered as an organization with Grants.gov. Applicants must submit complete applications to [www.Grants.gov](http://www.Grants.gov) no later than 11:59 p.m. Eastern Time, February 6, 2026. Applicants are strongly encouraged to apply early to ensure all materials are received before this deadline. Applicants will receive a system-generated acknowledgement of receipt. FRA reviews Grants.gov information on dates/times of applications submitted to determine timeliness of submissions. Late applications will be neither reviewed nor considered, no exceptions.

To ensure a fair competition of limited discretionary funds, no late submissions will be reviewed for any reason, including: (1) failure to complete the Grants.gov registration process before the deadline; (2) failure to follow Grants.gov instructions on how to register and apply as posted on its website; (3) failure to follow all the instructions in this NOFO; and (4) technical issues experienced with the applicant's computer or information technology environment.

Please use generally accepted formats such as .pdf, .doc, .docx, .xls, .xlsx, and .ppt, when uploading attachments. While applicants may embed picture files, such as .jpg, .gif, and .bmp in document files, applicants should not submit attachments in these formats. Additionally, the following formats will not be accepted: .com, .bat, .exe, .vbs, .cfg, .dat, .db, .dbf, .dll, .ini, .log, .ora, .sys, and .zip.

#### **e. Intergovernmental Review**

Intergovernmental Review is required for this program. Applicants must contact their State's Single Point of Contact (SPOC) to learn about and comply with their State's process under [Executive Order 12372](#).

## 6. APPLICATION REVIEW INFORMATION

### a. Completeness and Eligibility Criteria

FRA will first screen each application for applicant and project eligibility (eligibility requirements are outlined in Section 3 of this notice), completeness (application documentation and submission requirements are outlined in Section 4 of this notice), and the 20-percent minimum non-Federal match. Applications that do not meet these criteria will not be reviewed in the Evaluation Review Phase. FRA may contact the applicant during the evaluation process to ensure that the applicant is able to complete the project with available funding.

### b. Evaluation Criteria

FRA will evaluate all eligible and complete applications using the evaluation criteria outlined in this section to determine project readiness, technical merit, and project benefits.

- i. **Project Readiness:** In evaluating project readiness, FRA will evaluate project and applicant risk based on the applicant's preparedness and capacity to implement the proposed project, including whether the applicant is reasonably equipped to begin the capital or planning project in a timely manner to meet its proposed schedule. FRA will evaluate whether the applicant is able to meet project milestones and use Federal funds efficiently to deliver the proposed project.<sup>24</sup>

FRA will evaluate the application for the degree to which –

- A. The application demonstrates strong project readiness, evidenced by status of required NEPA and environmental permitting readiness (if applicable);
- B. The application identifies the appropriate Lifecycle Stage(s) for the proposed project, demonstrates that the project has completed or will complete any preceding Lifecycle Stage(s), and the project is able to complete all requirements of the identified Lifecycle Stage(s);
- C. The applicant demonstrates project partner coordination and commitment, as well as CID coordination, as applicable. The applicant may include letters of support or agreements detailing that funding is secured or able to be secured without undue delay.
- D. The status and timeline of agreements, including the agreement required under 49 U.S.C. 22905(c)(1), and other agreements necessary for the legal, financial, and technical capacity to complete the project, are sufficiently developed for the proposed project Lifecycle Stage; and
- E. The applicant demonstrates financial readiness, including strong co-funding requirements and commitment of funds from proposed non-Federal matching sources in the form of cost sharing agreements or signed financial commitment letters.

- ii. **Technical Merit:** In evaluating Technical Merit, FRA will evaluate the degree to which the application, statement of work, estimated project schedule, and project budget are reasonable and appropriate to achieve the expected outcomes, commit the

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<sup>24</sup> Additional information on DOT's Project Readiness checklist can be found here: <https://www.transportation.gov/grants/dot-navigator/project-readiness-checklist-dot-discretionary-grant-applicants>.

necessary resources and workforce to deliver the project, and the proposed project elements that are appropriate for the project funding request. FRA will also consider applicant risk, including the applicant's past performance in developing and delivering similar projects.

FRA will evaluate application information for the degree to which—

- A. The tasks and subtasks outlined in the statement of work (SOW), estimated project schedule, and project budget (using Articles 4-6 templates) are appropriate to achieve the expected outcomes of the proposed project;
- B. The technical qualifications and experience of key personnel the applicant proposes to lead and perform the technical efforts, including the qualifications of the primary and supporting organizations, demonstrates the ability to fully and successfully execute the proposed project within the proposed time frame and budget;
- C. The proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the proposed project;
- D. The applicant has, or will have, the legal, financial, and technical capacity to carry out the proposed project; satisfactory continuing control over the use of the equipment or facilities; and the capability and willingness to maintain the equipment or facilities;
- E. The degree to which the applicant and project deploy innovative technology, encourage innovative approaches to project delivery, and incentivize the use of innovative financing; and
- F. If applicable, the consistency of the project with planning guidance and documents set forth by DOT or otherwise required by law.

- iii. Project Benefits: FRA will evaluate the project benefits of the proposed project for the anticipated private and public benefits relative to the costs of the proposed project and the summary of benefits provided in the narrative. Such project benefits will include those listed at 49 U.S.C. 24911(d)(2)(B) as follows:

- Effects on system and service performance, including as measured by applicable metrics set forth in part 273 of title 49, Code of Federal Regulations (or successor regulations). If the project is anticipated to result in improved intercity passenger rail train performance, applicants have the option of including the current performance metrics for the applicable Amtrak routes and stations;
- Effects on safety (e.g., improvements in grade crossing);
- Effects on competitiveness, reliability, trip or transit time, greenhouse gas emissions, and resilience;
- Effects of anticipated positive economic and employment impacts, including development in areas near passenger stations, historic districts, or other opportunity zones;
- Efficiencies from improved integration with other modes; and

- Ability to meet existing or anticipated demand....
- Such project benefits will also include those listed under 49 U.S.C. 24911(d)(2)(B)(vi).):

iv. **Benefit-Cost Analysis:** FRA will evaluate the Benefit-Cost Analysis (BCA) and consider a project's benefits as compared to its costs and assign a BCA Rating. To the extent possible, the Department will rely on quantitative, evidence-based and data-supported analysis, including an assessment of the project's estimated benefit-cost ratio (BCR) based on the applicant-supplied BCA. For Final Design and Construction applications, based on the FRA's assessment, the Department will assign a BCA Rating of high, medium-high, medium, medium-low, or low according to the following table:

BCA Rating	Description
High	The project's benefits will exceed its costs, with a benefit-cost ratio of at least 2.0
Medium-High	The project's benefits will exceed its costs
Medium	The project's benefits are likely to exceed its costs
Medium-Low	The project's costs are likely to exceed its benefits
Low	The project's costs will exceed its benefits

For Project Planning and Project Development projects, based on FRA's assessment, the Department will assign a BCA Rating of positive or negative, according to the following table:

BCA Rating	Description
Positive	The project is likely to yield positive net benefits
Negative	The project is likely to yield negative net benefits

For each of the merit criteria, FRA will use rubric ratings with applied criteria to evaluate whether the applications meet the defined thresholds:

Merit Criteria Ratings – Project Readiness			
For the project readiness criteria described in Section 6(b)(i), FRA will evaluate the application's responsiveness to the criteria, including an assessment of supporting justifications, and assign a cumulative Project Readiness risk rating.			
Unacceptable	High risk	Medium risk	Low risk
Application provides limited or no information necessary to assess the project readiness criteria; application does	Application provides insufficient information to assess the project readiness criteria; application does not demonstrate sufficient support,	Application provides sufficient information to assess the project readiness criteria; demonstrates support, progress, or completion on one or	Application provides thorough and complete information and evidence to assess the project readiness criteria, and demonstrates

not demonstrate support, progress, or completion of Lifecycle Stage(s) pre-requisites; or application contains one or more significant barriers that would prevent project delivery.	progress, or completion of Lifecycle Stage(s) pre-requisites but indicates risk to advancing the project without foreseeable delays; or application contains a barrier that would likely prevent project delivery in any of these areas.	more Lifecycle Stage(s) prerequisites, but indicates some risk to advancing the project in a timely manner; and the application does not contain a barrier that would likely prevent project delivery in any of these areas.	strong support, progress, or completion on Lifecycle Stage(s) pre-requisites, and indicates minimal risk to advancing the project in a timely manner; and application does not contain a barrier that would likely prevent project delivery in any of these areas.
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Merit Criteria Ratings – Technical Merit			
Unacceptable	Acceptable	Responsive	Highly Responsive
Application provides limited or no information necessary to assess the project against the technical merit criteria, or application demonstrates one or more significant technical challenges that would prevent the applicant from delivering the project.	Application contains insufficient information to assess the project against one or more of the technical merit criteria, or application demonstrates technical challenges that could affect project 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 Ratings – Project Benefits			
Unacceptable	Acceptable	Responsive	Highly Responsive

<p>Application provides insufficient information necessary to assess the project benefits criteria and does not demonstrate that the project will achieve its intended benefits.</p>	<p>The application contains limited information to assess the project benefits criteria; or the project is not likely to achieve all of its intended benefits.</p>	<p>Application provides sufficient information to assess the project benefits criteria and adequately demonstrates that the project will likely achieve its intended benefits.</p>	<p>Application provides thorough and complete information and evidence to assess the project benefits criteria and sufficiently demonstrates that the project will achieve its intended benefits.</p>
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### c. Selection Preferences

After completing the merit review, FRA will give preference to eligible projects:

- i. For which Amtrak is not the sole applicant;
- ii. That improve the financial performance, reliability, service frequency, or address the state of good repair of an Amtrak route;
- iii. That are identified in, and consistent with, a corridor inventory prepared under the Corridor Identification and Development Program pursuant to 49 U.S.C. 25101<sup>25</sup>;
- iv. That demonstrate an ability to foster a safe transportation system for the movement of goods and people or reduce transportation-related fatalities and serious injuries across the transportation system. FRA's consideration of this preference will include, but is not limited to, the extent to which the project improves and upgrades infrastructure to achieve a higher level of safety and reduces incidences of rail-related trespassing. Overall, FRA expects that projects will provide positive safety benefits for all users and not negatively impact safety for all users.

FRA is interested in supporting projects that enhance railroad safety. FRA will also give full and fair consideration to projects that seek funding for Final Design and/or Construction that directly improves passenger service frequency, reliability, and financial performance that enhance railroad safety. These projects should develop a foundation for future expansion of intercity passenger rail by reducing the State of Good Repair backlog and/or improvements along shared private, public-private, and publicly owned infrastructure. Examples include replacement or rehabilitation of rolling stock, expansion or rehabilitation of existing intercity passenger rail stations, improvements to track along existing routes such as replacement of existing track or the addition of track to increase capacity, safety improvements to grade crossings, replacement or rehabilitation of bridges, power equipment and substations, maintenance facilities and equipment, signals, and communications.

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<sup>25</sup> FRA announced the first round of CID selections on December 8, 2023, with the vast majority of recipients undergoing activities under Step 1 and a limited number under Steps 2 and 3. The completion of Step 3 is a necessary prerequisite to receiving this statutory preference under FSP-National; therefore, it is not expected that this statutory preference will apply to any applicants under this NOFO, but may apply in future funding rounds. See Section 4(b)(v) for additional information for current CID sponsors.

In addition, the FRA is interested in supporting projects that align with the Administration's focus on the American family and ensuring a more seamless travel experience. Applicants are encouraged to include otherwise-eligible components in their proposed intercity passenger rail station projects that focus on enhancing the experience for traveling families, such as adding mothers' rooms, expanding waiting areas, adding new family restrooms, creating children's play areas, and other projects improving overall travel for families in U.S. intercity passenger rail stations.

The Department intends to use the FSP Program to support the creation of good-paying jobs with the free and fair choice to join a union and the incorporation of strong labor standards, such as through the use of project labor agreements, registered apprenticeship programs, and other training and placement programs.<sup>26</sup>

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

Upon completion of all reviews, FRA will finalize an Overall Rating for each application. This rating will be a combination of the results of the three Merit Criteria reviews, specifically, Project Readiness, Technical Merit, and Project Benefits criteria ratings as described in Sections 6(b)(i)-(iii) and the Benefit-Cost Analysis as identified in Section 4(b)(ii) and further described in Section 6(b)(iv). Provided in the Overall Rating Rubric below, each rating has defined parameters to which each application will be assessed.

Overall Rating			
Not Recommended	Acceptable	Recommended	Highly Recommended
The application received an overall score of not recommended based on Project Readiness, Technical Merit, or Project Benefits ratings, or lack of confidence in the application's benefit-cost analysis.	The application received an overall score of acceptable based on Project Readiness, Technical Merit, and Project Benefits ratings, and confidence in the benefit-cost analysis.	The application received an overall score of recommended based on Project Readiness, Technical Merit, and Project Benefits ratings, and confidence in the benefit-cost analysis.	The application received an overall score of highly recommended based on Project Readiness, Technical Merit, and Project Benefits ratings, and confidence in the benefit-cost analysis.

The evaluation process may draw upon subject matter experts within FRA Division offices whose expertise is relevant to understanding the application's responsiveness to the program

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<sup>26</sup> These agreements may include pre-hire collective bargaining agreements between unions and contractors that govern terms and conditions of employment for all workers on a construction project.

criteria, such as assessing the applicant's capacity to successfully deliver the project in compliance with applicable Federal requirements based on factors including, but not limited to, the recipient's experience working with Federal agencies, previous experience with DOT discretionary grant awards and/or the technical experience and resources dedicated to the project. Finally, in determining the allocation of program funds, FRA may also consider geographic diversity, variety in the size of the systems receiving funding, and the applicant's receipt of other discretionary awards.

#### **d. Review and Selection Process**

FRA will conduct a five-part application review process, as follows:

- i. **Intake and Eligibility Phase:** Screen applications for applicant and project eligibility, completeness, and the minimum non-Federal match (completed by the Evaluation Management and Oversight Team (EMOT), comprised of FRA program review directors who manage the pre-award process).
- ii. **Evaluation Review Phase:** Evaluate remaining applications against the statutory technical merit criteria, project benefits criteria, and project readiness criteria, evaluate the results of the benefit cost analysis and environmental review (completed by technical merit review panels consisting of FRA and DOT staff). The EMOT will compile the results of the Evaluation Review Phase consistent with the FSP Program set-asides and selection preferences. After considering all FRA reviews under the statutory criteria, applications will be assigned an overall rating of "Highly Recommended," "Recommended," "Acceptable," or "Not Recommended."
- iii. **Steering Committee Phase:** The Steering Committee is comprised of Senior Directors with the Office of Railroad Development, which may also include senior leadership from the Railroad Office of Safety and other relevant departments. The EMOT briefs the Steering Committee on all rated applications, and the Steering Committee may request more information from FRA offices whose expertise may be relevant. The Steering Committee provides strategic direction, in line with program goals outlined in this NOFO, on the development of funding scenario materials, including LOI and PFA recommendations for Highly Rated projects, and approach for the Senior Review Team (SRT) briefing.
- iv. **Senior Review Phase:** The SRT will review, apply selection criteria, and recommend initial selection of projects and LOI/PFAs for the FRA Administrator's review (completed by the SRT, which may include senior leadership from the Office of the Secretary and FRA).
- v. **Selection and Award Phase:** Select recommended awards for the Secretary's or his designee's review and approval (completed by the FRA Administrator).

#### **e. Risk Review**

Before making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold of \$250,000 (see 2 CFR 200.1 and1 and 48 CFR 2.101 for definition of

Simplified Acquisition Threshold), FRA will review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). 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.

FRA will consider any comments by the applicant, in addition to the other information, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.205.

## 7. AWARD NOTICES

### a. Federal Award Notices

FRA will announce applications selected for funding in a press release and on FRA's website after the application review period. This announcement is FRA's notification to successful and unsuccessful applicants alike. Following this announcement, FRA will contact the point of contact listed in the SF 424 to initiate development of a project-specific agreement. This notification is not an authorization to begin proposed project activities. FRA requires satisfaction of applicable requirements by the applicant and a formal agreement signed by both the recipient and FRA, including FRA's Standard Terms and Conditions and an approved scope, schedule, and budget, before obligating the grant.

### b. Pre-Award Funding Restrictions

Consistent with 2 CFR 200.458, as applicable, FRA will only approve pre-award costs<sup>27</sup> if such costs are incurred pursuant to the negotiation and in anticipation of the grant agreement and if such costs are necessary for efficient and timely performance of the scope of work. Under 2 CFR 200.458, grant recipients must seek written approval from FRA for pre-award activities to be eligible for reimbursement under the grant. Activities initiated prior to the execution of a grant or without FRA's written approval may be ineligible for reimbursement or matching contribution. Cost sharing or matching may be used only for authorized Federal award purposes.

FRA may consider interest and other financing costs of efficiently carrying out a part of the project within a reasonable time as eligible if the applicant demonstrates reasonable diligence in seeking the most favorable financing terms and provides a certification to that effect as required in 49 U.S.C. 24911(g)(2)(C)(iii). Interest and financing costs must meet the requirements specified in 2 CFR part 200, including section 2 CFR 200.449 to be considered eligible.

Applicants should be aware that, for a partially funded project, depending upon applicable Federal law and the relationship among FSP Program-funded and non-FSP Program funded project portions, the FSP Program award may cause non-FSP Program funded portions to be

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<sup>27</sup> <https://railroads.dot.gov/elibrary/federal-railroad-administration-answers-frequently-asked-questions-about-pre-award>.

subject to Federal requirements as described in Section 8(a). For example, the NEPA review for the FSP Program-funded project component may need to include evaluation of all project components as connected, similar, or cumulative actions.

## **8. POST AWARD REQUIREMENTS AND ADMINISTRATION**

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

DOT is committed to providing technical assistance to help applicants streamline requirements where possible.

In connection with any program or activity conducted with or benefiting from funds awarded under this notice, recipients of funds must comply with all applicable requirements of Federal law, including, without limitation, the Constitution of the United States; the conditions of performance, nondiscrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of DOT; and applicable Federal financial assistance and contracting principles promulgated by the Office of Management and Budget. In complying with these requirements, recipients must ensure in particular that no concession agreements are denied, or other contracting decisions made, on the basis of speech or other activities protected by the First Amendment. If DOT determines that a recipient has failed to comply with applicable Federal requirements, DOT may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

Recipients and entities receiving funding from the recipient, must comply with all applicable appropriations act requirements, laws, and regulations. Examples of administrative and national policy requirements that recipients must follow include:

Procurement standards at 2 CFR part 200, subpart D – Procurement Standards, 2 CFR 1207.317 and 2 CFR 200.401; compliance with Federal civil rights laws and regulations; debarment and suspension requirements, and drug-free workplace requirements; FRA's and OMB's Assurances and Certifications; Americans with Disabilities Act; safety requirements; National Environmental Policy Act; and Buy American (41 U.S.C. 8302) provisions. Unless otherwise stated in statutory or legislative authority, or appropriations language, all financial assistance awards follow the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards at 2 CFR part 200 and 2 CFR part 1201.

In 2024, the Office of Management and Budget revised the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR part 200. The 2024 revisions to 2 CFR part 200 take effect on October 1, 2024, and are effective for all grant agreements entered into on or after October 1, 2024, including awards under this NOFO.

Assistance under this NOFO is subject to the grant conditions in 49 U.S.C. 22905, including protective arrangements that are equivalent to the protective arrangements established under section 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 836) with respect to employees affected by actions taken in connection with the project to be financed in whole or in part by grants subject to 49 U.S.C. 22905, the provision deeming operators rail

carriers and employers for certain purposes, and recipient agreements with railroad right-of-way owners for projects using railroad rights-of-way (see Section 4(b)(iv)).<sup>28</sup>

**b. Reporting**

- i. Progress Reporting on Grant Activity: Each applicant selected for a grant will be required to comply with all standard FRA reporting requirements, including quarterly progress reports, quarterly Federal financial reports, and interim and final performance reports, as well as all applicable auditing, monitoring and close out requirements. Reports may be submitted electronically. Pursuant to [2 CFR 170.210](#), non-Federal entities applying under this NOFO must have the necessary processes and systems in place to comply with the reporting requirements should they receive Federal funding.
- ii. Additional Reporting: Applicants selected for funding are required to comply with all reporting requirements in the standard terms and conditions for FRA grant awards including [2 CFR 180.335](#) and [2 CFR 180.350](#). If the total value of a selected applicant's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the applicant must maintain the information reported to SAM and ensure that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in award term and conditions of Article 3. This is a statutory requirement under Section 872 of Pub. L. 110-417, as amended ([41 U.S.C. 2313](#)). As required by Section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.
- iii. Performance and Program Evaluation: Recipients and sub-recipients are also encouraged to incorporate program evaluation, including associated data collection activities, from the outset of their program design and implementation to meaningfully document and measure the effectiveness of their projects and strategies. Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435 (2019) urges Federal awarding agencies and Federal assistance recipients and sub-recipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency” (codified at [5 U.S.C. 311](#)). Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics ([OMB Circular A-11, Part 6 Section 290](#)).

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<sup>28</sup> More information on labor protections can be found here: <https://railroads.dot.gov/elibrary/equivalent-labor-protections>.

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

- iv. **Performance Reporting:** If selected, recipients will be required to collect information and report on the project's performance using measures mutually agreed upon by FRA and the recipient to assess progress in achieving strategic goals and objectives. Projects that include funding for rolling stock will be required to integrate at least one equipment/rolling stock performance measure, consistent with the recipients' application materials and program goals. As stated in Section 4, applicants must include draft performance measures in the application using Article 7 of FRA's Project-Specific Terms and Conditions. Examples of some rail performance measures are listed in the table below. The applicable measure(s) will depend upon the type of project.

<b>Rail Measures</b>	<b>Unit Measure</b>	<b>Measurement period</b>	<b>Measurement frequency</b>	<b>Description</b>
<b>Slow Order Miles</b>	Miles		Quarterly	The number of miles per quarter within the project area that have temporary speed restrictions ("slow orders") imposed due to track condition. This is an indicator of the overall condition of track. This measure can be used for projects to rehabilitate sections of a rail line since the rehabilitation should eliminate, or at least reduce the slow orders upon project completion.
<b>End Point On Time Performance</b>	Number of Trains Arriving on Time/Total Number of Trains		Quarterly	The quality and consistency of passenger rail service over time, from season to season and year to year, regardless of the demand levels for freight and commuter service.
<b>Rail Track Grade Separation</b>	Count		Quarterly	The number of automobile crossings that are eliminated at an at-grade crossing as a result of a new grade separation.
<b>Reduce Grade Crossing Incidents</b>	Count		Annual	The number of grade crossing incidents at the grade crossings addressed by the project. Comparison of actual versus

			baseline and expected post-project number of incidents.
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v. **DOT/FRA Program Evaluation:** As a condition of grant award, recipients may be required to participate in an evaluation undertaken by FRA. The evaluation may take different forms such as an implementation assessment across grant recipients, an impact and/or outcomes analysis of all or selected sites within or across recipient, or a benefit/cost analysis or assessment of return on investment. The Department may require applicants to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, recipient must agree to: (1) make records available to the evaluation contractor; (2) provide access to program records, and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor, FRA or DOT staff. For grant recipients, evaluation expenses are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such expenses may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation (2 CFR 200).

#### **c. Data Sharing Requirements**

As a condition of funding, grant recipients are required to share safety and technology-related data if produced under the grant awards with FRA, following agreed-upon timelines to support safety assessment. Consistent with 2 CFR 200.315 grant recipients must ensure that FRA has access to safety and technology-related data generated under the award in a machine-readable format. Safety and technology-related data includes a variety of information, such as data associated with accident reports, safety assessments, technology evaluations, and performance metrics. As provided at 2 CFR 200.315(f), FRA will also “work with recipients to maximize public access to federally funded research results and data in a manner that protects data providers' confidentiality, privacy and security.”

#### **d. Program Requirements Critical Infrastructure Security, Cybersecurity, and Resilience**

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

#### **e. Domestic Preference Requirements**

As expressed in [Executive Order 14005, Ensuring the Future Is Made in All of America by All of America's Workers \(86 FR 7475\)](#)<sup>29</sup> the executive branch should maximize, consistent with law,

<sup>29</sup> <https://www.federalregister.gov/documents/2021/01/28/2021-02038/ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers>.

the use of goods, products, and materials produced in, and services offered in, the United States. Funds made available under this notice are subject to the domestic preference requirement in 49 U.S.C. 22905(a) (FRA Buy America) and the Build America, Buy America Act, Pub. L. No. 117-58, sections 70901-52. The Department expects all applicants to comply with the applicable domestic preference requirements. However, Major Capital Project applicants should include a domestic sourcing plan that provides details on the extent to which the materials covered by the plan are to be imported and the extent to which such materials can be sourced domestically. Applicants should also provide an explanation in the plan of the number of domestic jobs, temporary and permanent, that will be generated by the project and outline a plan to transition any foreign labor responsibilities to domestic jobs. Major Capital Project applicants may also request a waiver from certain Buy America requirements along with the domestic sourcing plan.

#### **f. Civil Rights and ADA**

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

#### **g. Federal Anti-Discrimination**

As a condition of award, pursuant to Section (3)(b)(iv)(A), Executive Order 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, the recipient must agree that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code. As a condition of award, pursuant to Section (3)(b)(iv)(B), Executive Order 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, by entering into a grant or cooperative agreement, the recipient must certify that it does not operate any programs promoting diversity, equity, and inclusion (DEI) initiatives that violate any applicable Federal anti-discrimination laws.

#### **h. Compliance with Federal Law and Policies**

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

To the extent a court order bars the implementation or enforcement of one or more of these conditions or requirements with respect to a particular applicant or recipient, the Department will

not implement or enforce the relevant condition(s) or requirement(s) against that applicant or recipient for as long as the order remains in place.

## **9. OTHER INFORMATION**

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

DOT regulations implementing the Freedom of Information Act (FOIA) are found at [49 CFR part 7](#) subpart C – Availability of Reasonably Described Records under the Freedom of Information Act, which sets forth rules for FRA to make requested materials, information, and records publicly available under the FOIA. Unless prohibited by law and to the extent permitted under the FOIA, contents of application and proposals submitted by successful applicants may be released in response to FOIA requests. The Department may also make application narratives publicly available or share application information within DOT or with other Federal agencies if FRA determines that sharing is relevant to the respective program’s objectives.

### **a. Helpful Links**

- FSP-National Program Page: <https://railroads.dot.gov/federal-state-partnership-intercity-passenger>.
- Railroad Capital Project Guidance: <https://railroads.dot.gov/elibrary/fra-guidance-development-and-implementation-railroad-capital-projects>.
- FRA Grant Application Guide: <https://railroads.dot.gov/elibrary/fra-grant-application-guide>.
- FRA Key Terms for Discretionary Grant Programs:  
<https://railroads.dot.gov/elibrary/definitions-key-terms-discretionary-grant-programs>.

Issued in Washington, D.C.

**David A. Fink  
Administrator.**