

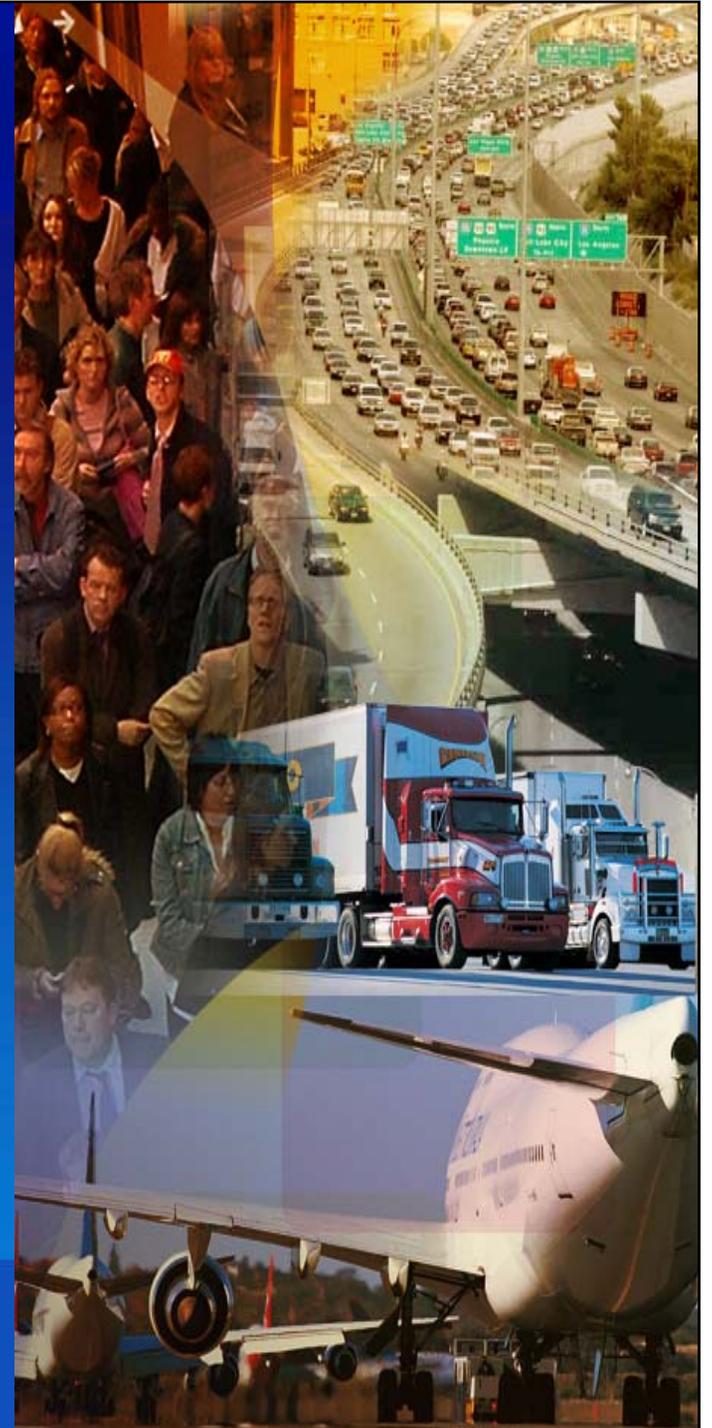


U.S. Department of
Transportation

AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009

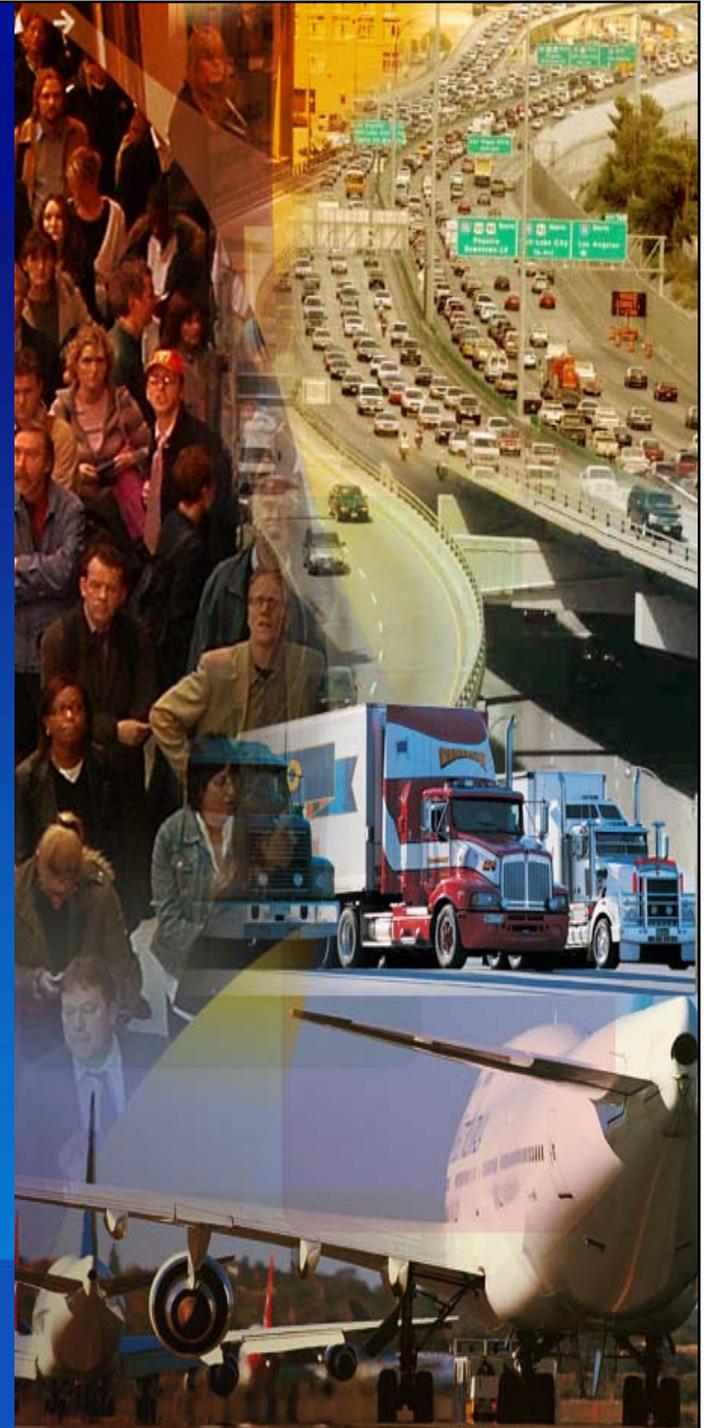
TIGER DISCRETIONARY GRANT PROGRAM

JUNE 2009



OUTLINE OF PRESENTATION

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GROUND RULES FOR COMMUNICATIONS WITH FEDERALLY REGISTERED LOBBYISTS

- **Communications about Recovery Act projects, applications, or applicants: Only in writing.**
 - No oral communications about Recovery Act projects, applications, or applicants directly with or in the presence of a federally registered lobbyist.
 - These written communications must be posted on the DOT Recovery Act web site within 3 business days.
- **Communications about Recovery Act policy questions: Oral communications allowed, but must be documented.**
 - The documentation must be posted on the DOT Recovery Act web site within 3 business days.
 - Documentation must include:
 - The date and time of the communication;
 - The names of the registered lobbyists and their clients;
 - The names and titles of the DOT officials; and
 - A short description of the substance of the communication.



PROGRAM OVERVIEW



- \$1.5 billion of grant funds for state or local governments to be awarded by the Secretary through a competitive process to projects that have a significant impact on the Nation, a metropolitan area, or a region.
- Grants must generally be \geq \$20 million and \leq \$300 million
- Secretary may waive the \$20 million minimum grant size for significant projects in smaller cities, regions or states
- Eligibility for capital investments in surface transportation
- Secretary must take measures to ensure (i) equitable geographic distribution, (ii) balance in addressing rural and urban needs, and (iii) that no more than 20% of funds go to any single state
- Priority for projects that can be completed by February 17, 2012, and grants that complete a project's overall financing package



FEDERAL REGISTER NOTICE

- On Monday, May 18, 2009, the Department published a notice of funding availability soliciting applications for TIGER Discretionary Grants
- The solicitation announces the project selection criteria, application requirements and the deadline for submitting applications – September 15, 2009
- Because this is a new program, the solicitation also provides two weeks for public comments – comments were due by June 1, 2009
- The Department may publish a supplemental notice by June 17, 2009 incorporating comments

DEPARTMENT OF TRANSPORTATION

Office of the Secretary of
Transportation

[Docket No. OST-2009-0115]

**Interim Notice of Funding Availability
for Supplemental Discretionary Grants
for Capital Investments in Surface
Transportation Infrastructure Under
the American Recovery and
Reinvestment Act and Request for
Comments on Grant Criteria**

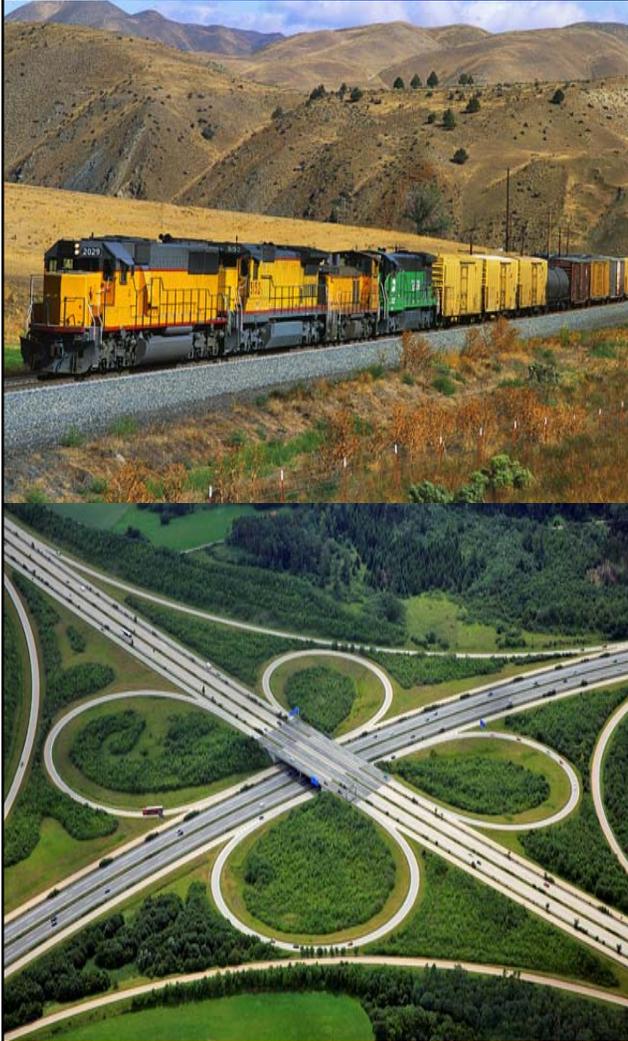
AGENCY: Office of the Secretary of
Transportation (“OST”), DOT.

ACTION: Interim Notice of Funding
Availability, Request for Comments on
Grant Criteria.

SUMMARY: On February 17, 2009, the President of the United States signed the American Recovery and Reinvestment Act of 2009 (the “Recovery Act”) to, among other purposes, (1) preserve and create jobs and promote economic recovery, (2) invest in transportation infrastructure that will provide long-term economic benefits, and (3) assist those most affected by the current economic downturn. The Recovery Act appropriated \$1.5 billion of discretionary grant funds to be awarded by the Department of Transportation (the “Department”) for capital investments in surface transportation infrastructure. The Department is referring to these grants as “Grants for Transportation Investment Generating Economic Recovery” or “TIGER



ELIGIBILITY REQUIREMENTS



- **Eligible Applicants:** Funds will be awarded to State and local governments, including U.S. territories, tribal governments, transit agencies, port authorities, other political subdivisions of State or local governments, and multi-State or multi-jurisdictional applicants.
- **Eligible Projects:** Capital investments in surface transportation infrastructure that are eligible for TIGER Discretionary Grants include, but are not limited to: (1) highway or bridge projects; (2) public transportation projects; (3) passenger and freight rail transportation projects; and (4) port infrastructure investments, including projects that connect ports to other modes of transportation and improve the efficiency of freight movement.



PRIMARY SELECTION CRITERIA

- **Long-Term Outcomes**: The Department will give priority to projects that have a significant impact on five desirable long-term outcomes:
 1. **State of Good Repair**: Improving the condition of existing transportation facilities and systems
 2. **Economic Competitiveness**: Contributing to the medium- to long-term economic competitiveness of the United States
 3. **Livability**: Improving the quality of living and working environments and the experience for people in communities
 4. **Sustainability**: Improving energy efficiency, reducing dependence on oil, reducing greenhouse gas emissions
 5. **Safety**: Improving the safety of U.S. transportation facilities



PRIMARY SELECTION CRITERIA

- **Job Creation & Economic Stimulus**: Consistent with the purposes of the Recovery Act, the Department will give priority to projects that are expected to quickly create and preserve jobs and stimulate rapid increases in economic activity, particularly jobs and activity that benefit economically distressed areas.



SECONDARY SELECTION CRITERIA

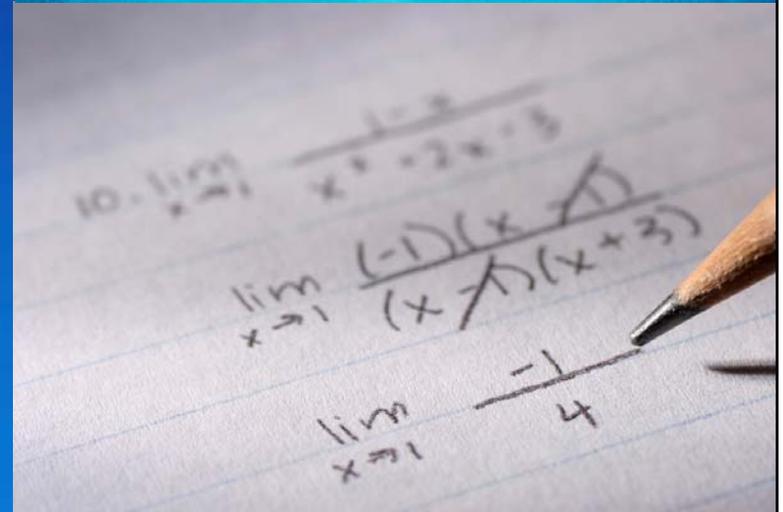


- **Innovation**: The Department will give priority to projects that use innovative strategies to pursue the long-term outcomes highlighted in the solicitation
- **Partnership**: The Department will give priority to projects that demonstrate strong collaboration among a broad range of participants and/or integration of transportation with other public service efforts



BENEFIT – COST ANALYSIS

- Conversion of benefits and costs to NPV
- **<20 M** grant size – BCA requirement is waived
- **≥20M <100M** grant size – applicants must provide estimate of a project’s benefits for the five identified long-term outcomes
- **≥100M** – applicants must provide a well-developed analysis including methodological standards used and values assigned to qualitative measures
- The Department is specifically seeking comments on this requirement.



APPLICATION CONTENT



- Narrative portion no more than 25 pages
- Project description including transportation challenges to be addressed by project
- Evidence of alignment with selection criteria, including project readiness to proceed rapidly upon award of TIGER Discretionary Grant
 - Project Schedule
 - Environmental Approvals
 - Legislative Approvals
 - State and Local Planning
 - Technical Feasibility
 - Financial Feasibility
- Alignment with selection criteria should be demonstrated with the most relevant information – requested or not
- Use of publicly available, verifiable data/protection of Confidential Business Information



EVALUATION PROCESS

- The Federal Register notice provides additional guidance on how the Department will apply the selection criteria, including illustrative metrics and examples
- Program-specific evaluation will be used to differentiate certain similar projects
- The Department will give more weight to the Long-Term Outcomes and Jobs Creation & Economic Stimulus criteria than to the Innovation and Partnership criteria
- Projects that are unable to demonstrate a likelihood of significant long-term benefits in any of the five long-term outcomes will not proceed in the evaluation process
- For the Jobs Creation & Economic Stimulus criterion, a project that is not ready to proceed quickly is less likely to be successful



REPORTING REQUIREMENTS

<http://www.fhwa.dot.gov/economicrecovery/index.htm>



- **Maintenance of Effort reporting**
 - Number, type of projects
 - On-projects jobs created / sustained
 - Estimated indirect jobs created / sustained
 - 2/17/2011 & 2/17/2012
- **Use of funds reporting**
 - 10 days after end of each calendar quarter (April, July, Oct, Jan)
 - OMB guidance on the web
- **Environmental Reporting**
 - Compliance with NEPA
- **Certification Requirements**
 - Maintenance of Effort
 - Transparency and Oversight
 - Additional Funding Distribution



MINIMUM GRANT SIZE AND TIFIA

- **Waiver of Minimum Grant Size Requirement:** The Department has discretion under the Recovery Act to waive the \$20 million minimum grant size requirement for significant projects in smaller cities, regions or States.
- **TIFIA:** Up to \$200 million may be used for the subsidy and administrative costs of the TIFIA program if it would further the purposes of the TIGER Discretionary Grants program. In addition to the TIGER Grant application, those seeking TIFIA funding will need to submit a separate TIFIA loan application.
- Applicants seeking waivers of the minimum grant size requirement or TIGER TIFIA Payments should apply in accordance with all of the criteria and guidance specified for TIGER Discretionary Grant applicants and will be evaluated concurrently with all other applications



TIMELINE FOR AWARD OF FUNDS





U.S. Department of
Transportation

FAQS FOR THIS PROGRAM CAN
BE FOUND AT:

www.dot.gov/recovery/ost

QUESTIONS,
COMMENTS, AND
DISCUSSION

