RAIL

MOVING AMERICA FORWARD

FY 2022 Railroad Crossing Elimination Grant Program Webinar

Presented By:

Doug Gascon, Deborah Kobrin, Sergio Coronado, Lana Lau, Mariam Ouhamou, James Payne



U.S. Department of Transportation Federal Railroad Administration



Welcome: FRA Deputy Administrator Jennifer Mitchell



Presenters













Doug Gascon

Deborah Kobrin

Sergio Coronado

Lana Lau

Mariam Ouhamou

James Payne



Agenda

- 1. Railroad Crossing Elimination Program Overview
- 2. How to Apply
- 3. Best Practices
 - Project Narrative
 - Statement of Work
 - Environmental Readiness
- 4. Question and Answers



Railroad Crossing Elimination Program Overview



Railroad Crossing Elimination – Program Overview

PROGRAM PURPOSE

• To fund highway-rail or pathway-rail grade crossing improvement projects that focus on **improving the** safety and mobility of people and goods.

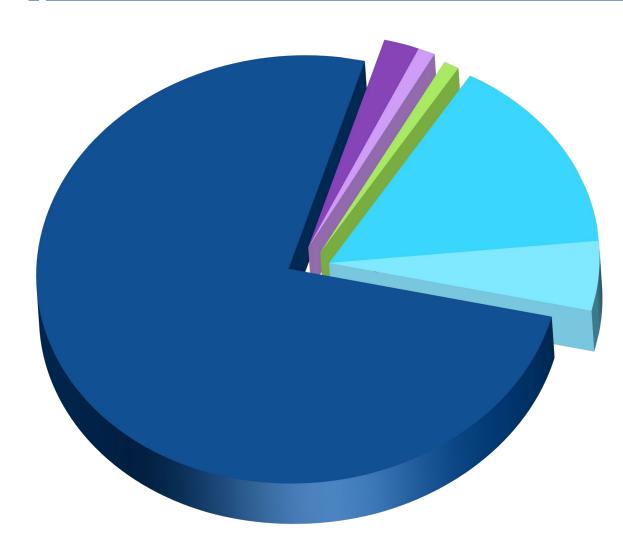
Notice of Funding Opportunity (NOFO)

- Published in the Federal Register on July 6, 2022
 - \$573 million available
 - Applications due by 5pm EST on October 4, 2022
- Please read this NOFO carefully and follow all instructions for completing and submitting your application.
- Applications that are incomplete or received after the deadline will not be considered for funding. There are no exceptions.

CRISI: Consolidated Rail Infrastructure and Safety Improvements Grant Program RAISE: Rebuilding American Infrastructure with Sustainability and Equity Grants



Program Purpose and Funding Overview



Planning

- Not less than 3% of total funding (*\$18,000,000*) is for planning projects.
 - Not less than 25% of <u>these</u> funds (*\$4,500,000*) is for planning projects in rural areas or on Tribal lands.

Crossing Safety Information and Education Program

• At least *\$1,500,000* will be made available for highway-rail grade crossing safety information and education programs

Rural and Tribal Set Aside

- Not less than 20% of total funding (*\$114,652,800*) is reserved for projects located in rural areas or on Tribal lands.
 - Not less than 5% of <u>these</u> funds (*\$5,732,640*) are reserved for projects in counties with 20 or fewer residents per square mile.

Grant Conditions

• No grant awarded shall be smaller than \$1M, except for planning grants.

State Limitation

• No more than 20% of total funding (*\$114,652,800*) in any fiscal year may be selected for projects in a single State.

Railroad Crossing Elimination – Program Conditions

Differences with other FRA Programs

Benefit-Cost Analysis (BCA)

- BCAs are <u>not</u> required, although applicants must at the very least provide sufficient qualitative information on the project's benefits for FRA to evaluate.
- Note that applicants would need to provide a BCA if interested in applying for CRISI for the same project.

Pre-Award Costs

• Applicants may count costs incurred for preliminary engineering associated with an eligible project <u>if</u> such costs were incurred before project selection for award and no earlier than Nov. 15, 2021 (date of BIL enactment). These costs must also be compliant with 2 CFR part 200 and RCE requirements.

Commuter Rail Projects

- Commuter rail passenger transportation projects are eligible, but commuter rail authorities are not.
- Selected projects must be transferred to FTA to administer.



Key Program Definitions

Grade Separation or Closure

- An underpass or overpass to eliminate level crossings between railroad and highway users at an existing highway-rail or pathway-rail grade crossing.
- The closing of a highway-rail grade crossing to vehicular or pedestrian traffic.

Improvement Project

- A project related to an existing highway or pathway-rail crossing including:
 - installation, repair, or improvement of crossings, grade separations, railroad crossing signals, gates, bells, audible warning devices and related technologies;
 - highway traffic signalization, lighting, crossing approach signage, and roadway improvements such as medians or other barriers;
 - pathway improvements such as bollards; railroad crossing panels and surfaces; and other safety engineering improvements, or highway-rail programs to reduce risk.



Railroad Crossing Elimination – Eligible Applicants

ELIGIBLE APPLICANTS

- States, including the District of Columbia, Puerto Rico, and other U.S. territories and possessions.
- Political subdivision of a State.
- Federally recognized Indian Tribe.
- A unit of local government or a group of local governments.
- A public port authority.
- A metropolitan planning organization.
- A group of the entities described above.



Railroad Crossing Elimination – Eligible Projects

ELIGIBLE PROJECT CRITERIA

- Grade separation or closure including through-use of a bridge, embankment, tunnel or combination thereof.
- Track relocation.
- Improvement or installation of protective devices, signals, signs, or other measures to improve safety, provided that such activities are related to a separation, or relocation project.
- Other means to improve the safety and mobility of people and goods at highway-rail grade crossings (including technological solutions).
- A group of related projects, described above, that would collectively improve the mobility of people and goods.
- The planning, environmental review, and design of an eligible project type.

Evaluation and Selection Criteria

EVALUATION CRITERIA

Technical Merit:

- Quality of statement of work and application materials
- readiness and completion of prerequisites
- applicant past performance, technical capacity, and financial contributions
- private-sector participation
- qualifications and experience of key personnel and organizations
- consistency with planning documents

Project Benefits:

- improvements to safety at highway-rail or pathway rail grade crossings
- proposals to grade separate, eliminate, or close one or more highway-rail/pathway rail grade crossings
- improvements to the mobility of both people and goods
- reductions in emissions, protects the environment and provides community benefits
- improvements to access emergency services
- improvements to access communities; economic benefits
- contracting incentives to employ local labor, to the extent permissible under Federal law



Railroad Crossing Elimination – Selection Criteria

DEPARTMENTAL GOALS

Safety

- Applicants are strongly encouraged to submit safety justifications for a project that relies on standardized, objective safety metrics and data, if available, including data from sources such as: GradeDec.Net; National Risk Index; safety metrics found in Appendix D of 49 C.F.R. Part 222; the FRA crossing incident dashboard (FRA Safety Data & Reporting | dot.gov); or other relevant safety data or metrics.
- Equitable Economic Strength and Improving Core Assets
- Equity and Barriers to Opportunity
- Climate Change and Sustainability
- Transformation of Our Nation's Transportation Infrastructure

Program Preference

• Grade separations, closing crossings through track relocation, and corridor-wide grade crossing improvements

FRA Buy America

FRA Buy America includes new requirements enacted by the Build America, Buy America (BABA) Act

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https://railroads.dot.gov/legislation-regulations/buyamerica/buy-america



For FRA-funded Projects - the steel, iron, construction materials, and manufactured goods used in the project must be produced in the United States



FRA Buy America applies to materials purchased with FRA funds and with non-Federal funds



Consider FRA Buy America requirements in project planning, design, and budget

X

Include FRA Buy America requirements in all procurement documents and obtain any necessary certifications to document compliance



Waivers are granted only in limited circumstances and can result in significant delay



NOFO Overview and How to Apply



What is a NOFO

KEY PARTS OF A NOFO

A Notice of Funding Opportunity (NOFO):

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



What information is in a NOFO?

KEY PARTS OF A NOFO

- Program Summary
- Key Dates
- Required Documents
- Addresses
- FRA Contact Information

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



Where Do I Start?

Check the FRA Competitive Discretionary Grant Programs webpage

https://railroads.dot.gov/grants-loans/competitive-discretionary-grant-programs/competitive-• discretionary-grant-programs

	Department of Transp deral Railroad	oortation Administration			Search	Q	
About FRA	Railroad Safety	Rail Network Development	Research & Development	Legislation & Regulations	Grants & Loans	FRA eLibrary	
<u>Home</u> / <u>Grant</u>	<u>s & Loans</u> / <u>Competi</u>	tive Discretionary Grant Pro	<u>grams</u>				
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Where is the FY22 RCE Program NOFO?



Notice of Funding Opportunity for the Railroad Crossing Elimination Program

Notice

- 1

A Notice by the Federal Railroad Administration on 07/06/2022

PUBLISHED DOCUMENT DOCUMENT DETAILS i AGENCY: Printed version: PDF Federal Railroad Administration (FRA), Department of Transportation (DOT) **Publication Date:** 07/06/2022 ACTION: Agencies: Notice of funding opportunity. Federal Railroad Administration SUMMARY: Applications for funding under this solicitation are due no later This notice details the application requirements and procedures to obtain grant than 5:00 p.m. ET, October 4, Ū 2022. Applications that are funding for eligible projects under the Railroad Crossing Elimination Program for Fiscal Year 2022. This notice solicits applications for the Railroad Crossing 5:00 p.m. ET, on October 4. Elimination Program funds made available by the Infrastructure Investment and 2022 will not be considered for funding. See Section D of this Jobs Act. The opportunity described in this notice is made available $\left|\right>$ notice for additional information Assistance Listings Number 20.327, "Railroad Crossing Elimination." on the application process. P Document Type: DATES: Notice P Applications for funding under this solicitation are due no later than 5:00 p.m. **Document Citation:** 87 FR 40335 ET, October 4, 2022. Applications that are incomplete or received after 5:00 p.m. Page: ET, on October 4, 2022 will not be considered for funding. See Section D of this 40335-40346 (12 pages) notice for additional information on the application process. Document Number

Where Do I Find "How to Apply" Information?

Search Grants tab on Grants.gov:

SEARCH GRANTS						9
BASIC SEARCH CRITERIA: Keyword(s):	SORT BY: Posted Date (I	Descending) VIpdate Sort DATE	_	earch Tips Export		ave Search » e Date Range
CFDA: 20.327	1 - 1 OF 1 MATCHING R	RESULTS:				
OPPORTUNITY STATUS:	Opportunity Number	Opportunity Title	Agency	Opportunity Status	Posted Date ↓	Close Date
Forecasted (0)	FR-RCE-22-001	FY22 Railroad Crossing Elimination Grant Program	DOT-FRA	Posted	07/12/2022	10/04/2022
 ✓ Posted (1) □ Closed (0) □ Archived (0) 						
		Click the Opportunity Number to see the Synopsis				



What is the Synopsis?

Summary information about the grant opportunity in Grants.gov:

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KEY STEPS

- Obtain a Unique Entity Identifier (UEI)
- Register early in the Federal government's System for Award Management (SAM)

 NOTE: SAM registration can take up to 2 weeks (longer if you do not have an Employer Identification Number)
- For Grants.gov, complete an **Authorized Organization Representative** profile and create a username and password
- Submit an application addressing all requirements outlined in the NOFO



What Do I Include in My Application?

REQUIRED DOCUMENTS

- Project Narrative
- Statement of Work
- Environmental Compliance (NEPA) Documentation
 - Note: The Applicant may include a draft document that will require development, review, and approval by FRA, or an existing completed NEPA document approved by FRA or another Federal agency that covers the proposed project scope
- Draft Use/Ownership Agreement (*if applicable*)
 - Note: FRA requires a written agreement exist between the applicant and the railroad regarding use and ownership consistent with 49 U.S.C. 22905(c)(1) for projects using rights-of-way owned by a railroad that is not the applicant



What Forms are Required?

REQUIRED FORMS

• SF424 (Application for Federal Assistance)

Either: SF 424A or 424C – Budget info for Non-Construction OR Construction
 Either: SF 424B or 424D – Assurances for Non-Construction OR for
 Construction

- FRA's Additional Assurances and Certifications (FRA F 30)
- FRA's Applicant Financial Capability Questionnaire (FRA F 251)
- SF LLL: Disclosure of Lobbying Activities (only required if reportable Lobbying activities exist)



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

-Additional Information	
Agency Name:	DOT - Federal Railroad Administration
Description:	The purpose of the RCE Program is to provide funding for highway-rail and pathway-rail grade crossing improvement projects that focus on improving the safety and mobility of people and goods.
Link to Additional Information:	FY22 Railroad Crossing Elimination Grant Program
Grantor Contact Information:	If you have difficulty accessing the full announcement electronically, please contact:
	Grants.gov Contact Center Phone Number: 1-800-518-4726
	Hours of operation are 24 hours a day, 7 days a week. The contact center is closed on federal holidays. support@grants.gov
	Grants.gov Customer Support



Application Review and Selection Process

1. Intake and Eligibility

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



3. Selection

Final funding decisions are made by taking into account the evaluation and selection criteria outlined in the NOFO

2. Evaluation

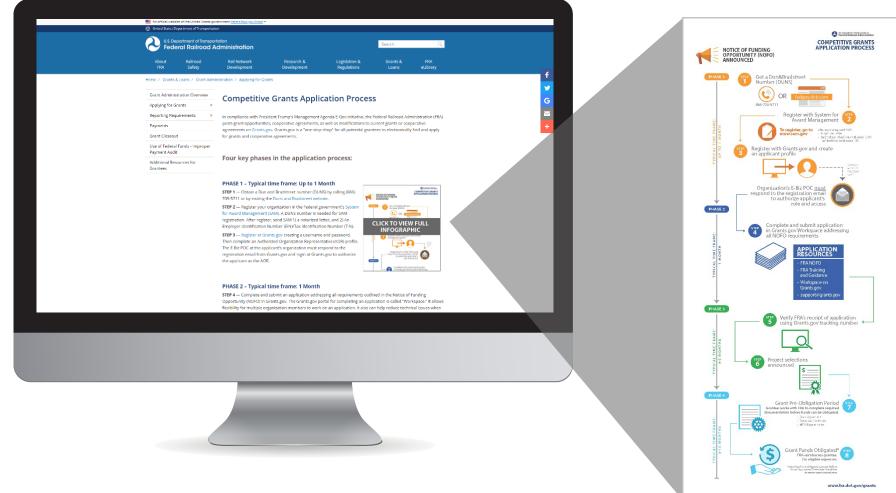
Each complete and eligible application is evaluated by a panel of DOT subject matter experts using criteria outlined in the NOFO

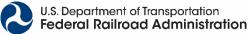
4. Announcement FRA press release announces selections approximately 4 to 5 months following application due date



Grant Application Process

FRA's Competitive Grants Application Process webpage





Best Practices



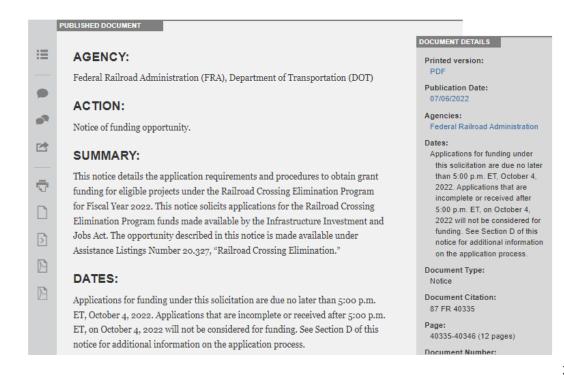
Best Practices and Helpful Hints

- Read the Notice of Funding Opportunity (NOFO) completely and carefully to understand the criteria for eligibility and selection, and what information each application must include
- ☑ FRA has identified several focus areas where applications that are not selected often demonstrate deficiencies:
 - Project Narrative
 - \circ Statement of Work
 - Environmental Readiness



Notice of Funding Opportunity for the Railroad Crossing Elimination Program

A Notice by the Federal Railroad Administration on 07/06/2022







Project Narrative Outline

- I. Cover Page
- II. Project Summary
- III. Project Funding
- IV. Applicant Eligibility
- V. Detailed Project Description
- VI. Project Location
- VII. Grade Crossing Information
- VIII. Evaluation & Selection Criteria
- IX. Safety Benefit
- X. Project Implementation & Management
- XI. Environmental Readiness



- Structure your project narrative in accordance with the outline specified in the NOFO
- ✓ Include all elements identified in the outline
- ✓ Follow the instructions for each element
- Adhere to 25-page limit

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Indicate if an application for the project has been submitted previously to another Federal grant program – include the program and year

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- Briefly describe the project in
 4 to 6 sentences, its anticipated benefits, and the transportation challenges the project will address
- Think of this section of the application as your elevator pitch for the project to the DOT Secretary and FRA Administrator

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J.S. Department of Transportation Federal Railroad Administration

- ✓ Only include eligible costs
- ✓ Specify each source of non-Federal match
- ✓ Provide details about in-kind match
- ✓ Indicate public- vs. private-sector match
- Describe the non-Federal funding arrangements
- Attach funding commitment letters
- ✓ Identify if the proposed match will not be available until a certain date or if funds must be spent by a deadline

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U.S. Department of Transportation Federal Railroad Administration

- Thoroughly discuss the transportation challenges and benefits
- ✓ Include data to support project benefits
- Describe how project components are related and will be sequenced
- ✓ Include photographs or diagrams
- ✓ Identify all host railroads, operators, and beneficiaries

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

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U.S. Department of Transportation Federal Railroad Administration

- ✓ Cite specific DOT National Grade Crossing Inventory information, including:
- Railroad that owns infrastructure
- Primary railroad operator
- DOT crossing inventory number
- Roadway at the crossing

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U.S. Department of Transportation Federal Railroad Administration

- ✓ Include a separate section in the project narrative focused on how the project meets each of the evaluation and selection criteria
- ☑ DO NOT rely solely on the contents of the "detailed project description" section to satisfy this requirement — it is OK to repeat key points in this section
- Quantify benefits whenever possible

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 Strongly encouraged to submit safety justifications for the project that rely on standardized, objective safety metrics and data

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- Highlight applicant's past experiences managing and overseeing similar projects, including FRA- or DOT-funded projects
- Describe expected arrangements for project contracting, contract oversight, change-order management, risk management, and conformance with Federal requirements for progress reporting

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U.S. Department of Transportation Federal Railroad Administration *For more information on the NEPA process, access FRA's recent webinar, *Introduction to NEPA and FRA's Categorical Exclusions Webinar*, on FRA's <u>Webinars webpage</u>.

- For FD/Construction Grant Application:
- If NEPA is complete: Provide copy of NEPA document or link.
- If NEPA is not started: Provide detailed project description and description of setting/land use, with visuals.
- If NEPA is underway: Provide current status, expected completion date, and type of document.

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U.S. Department of Transportation Federal Railroad Administration

*For more information on the NEPA process, access FRA's recent webinar, *Introduction* to NEPA and FRA's Categorical Exclusions Webinar, on FRA's <u>Webinars webpage</u>.

- For FD/Construction Grant Application:
- Identify any other environmental permits or approvals that may be needed.
- Provide current status, expected completion date, and/or copy of permit or approval.

✓ See FRA's Statements of Work webpage: <u>https://railroads.dot.gov/grants-loans/</u> <u>grant-administration/statements-work</u>

\blacksquare Use templates for the

- o SOW (Attachment 2)
- Schedule (Attachment 3)
- Budget (Attachment 4)
- Performance Measures (Attachment 5)

	Department of Transp deral Railroad	Administration			Search	Q,		
About FRA	Railroad Safety	Rail Network Development	Research & Development	Legislation & Regulations	Grants & Loans	FRA eLibrary		
rant Admin	istration Overview	Statemen	ts of Work					
Reporting Requirements		This section provides templates for developing a Statement of Work (SOW). In essence, the SOW is a description of the work that will be completed under the grant agreement. Drafting the SOW is a key step toward receiving a grant						
tatements o	of Work	award.		Ū	5	0.0		
Payments		These templates are intended to assist grantees in drafting an SOW for each application selected by FRA to receive funding. The development of an SOW should be a highly collaborative process between the grantee and FRA. As such,						
Grant Closed	ut	grantees will work w	vith FRA to create an approve	d SOW.				
Jse of Federal Funds - Improper Payment Audit		Please note: all deliverables listed in the SOW are subject to FRA approval and will require significant FRA input. Grantees should plan to work with FRA to ensure deliverables will meet all requirements.						
Additional Re Grantees	sources for	For helpful hints on drafting an SOW, please refer to the SOW Guidance link below. This document describes how FRA uses an SOW during the grant administration phase, key items to include when drafting an SOW, and formatting guidelines. Grantees should use this guidance as a reference when drafting an SOW, but should continue to work with FRA for further guidance.						
		If you have questions regarding how to begin drafting your SOW, please contact your FRA Regional or Project Manager.						
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Best Practices – Statement of Work

- ✓ Organize the scope of work into discrete and logically sequenced tasks
- \blacksquare Provide appropriate timing for tasks
- Identify the deliverables required to communicate progress and completion of tasks to FRA
- Check the budget to ensure numbers are consistent with cost information submitted in forms and other areas of the application

AT	TACHMENT 2	ATTACHMENT 3		
STATE	CMENT OF WORK	DELIVERABLES AND APPROVED PROJECT SCHEDULE [insert applicant/grantee name] [insert project name]		
[ins	pplicant/grantee name] sert project name] rogram name and fiscal year]			
I. AUTHORITY	0	I. DELIVERABLES AND APPROVED PROJECT SCHEDULE		
Authorization Funding Authority/Appropriation	E.g. 49 U.S.C. § 24407 For CRISI Program Insert eligibility citation (e.g. 49 U.S.C. 24407(c)(1) E.g. Contact authority in the FAST Act Sec. 1101(a)(5), Pub. L. 114-94 (December 4, 2015)	Instructions: The "Project Schedule and Deliverables" section outlines the Project Performance Periof Or the Agreement and provides a concise table listing all of the deliverables required for the applicable tasks covered under the Agreement and theirs due date to FRA. The Granue must list every deliverable required for each applicable well as any other deliverables FRA may require. Use the guidance below to develop this The deliverables to FRA's satisfaction to be authorized for finding reimbursement and these deliverables to FRA's satisfaction to be authorized for finding reimbursement and these deliverables to FRA's satisfaction to be authorized for finding reimbursement and		
	E.g. Consolidated Appropriations Act, 2018, Division L, Title I (Pub. L. 115-141 (March 23, 2018))	Project to be considered complete. Unless otherwise approved, requests for extensions of the Project Performance Period n submitted not later than 90 days before the end of the Project Performance Period, cons		
Notice of Funding Opportunity	[NOFO Title] for Fiscal Year 20XX, [Federal Register citation], [Month, date, year] [volume #] FR [publication date]	with Section 4(b) of Attachment 1.		
II. BACKGROUND		Deliverables		
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Performance as of /Insert

Performance After

Best Practices – Environmental Readiness



Environmental review is required for all FRA grant-funded projects, including:

- National Environmental Policy Act (NEPA)
- National Historic Preservation Act (NHPA) Section 106
- Section 4(f)
- Endangered Species Act (ESA) Section 7
- Environmental Justice
- Others, as applicable



- FRA reviewers will determine environmental readiness based only on the information provided with the application.
- Provide as much known project information/documentation as possible in the grant application:
 - Project Description
 - \circ Location
 - $\,\circ\,$ Project planning done to date
 - Past/present environmental studies (e.g., NEPA documentation)
 - Past or anticipated public outreach or agency meetings
 - Anticipated environmental impacts
 - Anticipated local/state/federal permits and/or coordination/consultation



- Consider providing a draft categorical exclusion (CE) with your grant application
- If unable to complete a draft CE worksheet, FRA recommends, at a minimum, identifying the anticipated CE category that the project may fall under (FRA's CEs are found at 23 CFR 771.116)
- For certain proposals not requiring ground disturbance (e.g. training and research) simplified CE documentation may be considered



- If your project does not fit clearly within a CE category, an EA or EIS might be needed depending on potential for significant environmental impacts.
- FRA will make the final class of action determination. We can provide assistance to grantees on determining NEPA class of action – contact our experts at <u>FRAenvironment@dot.gov</u>



• FRA NEPA Procedures

https://railroads.dot.gov/rail-network-development/environment/fra-legislationregulations

• FRA's Categorical Exclusion Worksheet

https://railroads.dot.gov/elibrary/categorical-exclusion-worksheet-0

• FRA CE Companion Guide

https://railroads.dot.gov/elibrary/fra-categorical-exclusion-companion-guide

• U.S.DOT NEPA Resources

https://www.transportation.gov/policy/transportation-policy/environment



- Council on Environmental Quality Website <u>https://ceq.doe.gov</u>
- <u>A Citizen's Guide to the NEPA</u>
- AASHTO Center for Environmental Excellence Practitioner's Handbook

https://environment.transportation.org/resources/practitioners-handbooks/



• Section 106 Regulations (36 CFR Part 800)

https://www.govinfo.gov/content/pkg/CFR-2021-title36-vol3/pdf/CFR-2021-title36-vol3-part800.pdf

Section 106 Review Process

https://www.achp.gov/sites/default/files/2018-05/Section%20106%20Review%20Process.Handout.2017.jpg

• A Citizen's Guide to Section 106 Review

https://www.achp.gov/sites/default/files/documents/2019-04/CitizenGuide2015v4-spreads%20layout.pdf

• Section 106 and Infrastructure Projects

https://www.achp.gov/section-106-and-Infrastructure-Projects

Program Comment

https://railroads.dot.gov/rail-network-development/environment/final-section-106-program-comment-railrights-way



Additional Resources



FRA Blocked Crossing Portal

- Blocked crossings pose potential safety risks, specifically in locations where trains routinely hinder roadway and pedestrian movement for extended periods.
- To address this potential safety risk, FRA established the Blocked Crossing Portal in 2019.
- Portal requests specific information from users reporting blocked crossings— including date, time, location and duration that crossing is blocked.

- Report a Blocked Crossing: <u>http://www.fra.dot.gov/blockedcrossings</u>
- Provide Feedback on the Portal: <u>https://www.federalregister.gov/documents/2022/06/14/</u> <u>2022-12785/request-for-information-regarding-fras-</u> <u>public-blocked-crossing-portal</u>





Recap and Reminders



Recap and Reminders

- Always read the NOFO carefully
- Determine what a successful project looks like
- Ensure you submit all required documents
- Address all of the evaluation and selection criteria on which you will be rated
 - Be clear and direct in responding to criteria
 - Make your application easy to read and evaluate
 - Don't bury key points!





Recap and Reminders

- Verify funding and budget amounts for consistency!
 - Ensure amounts match in different parts of your application package (e.g., cover sheet, SOW, Project Narrative, SF-424)
 - Numbers in columns and rows should add up properly in budget tables
 - Only include project costs that are expected to be incurred after grant selection
- Name key partners, indicate in-place agreements, and include letters of support
- Have an objective "cold reader" i.e., an individual unfamiliar with the grant application — review your final document before submission



Grant Lifecycle and Approximate Time Frames



Contact Us

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> Railroad Safety: James Payne James.Payne@dot.gov

FRA Competitive Discretionary Grant Programs Webpage https://www.fra.dot.gov/grants

