#### Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Program FAST Act § 6004, 23 U.S.C. 503(c)(4)

#### **Frequently Asked Questions**

#### Q1. Is this a new program?

A1. The ATCMTD program is authorized under 23 U.S.C. 503(c)(4), as established by section 6004 of the Fixing America's Surface Transportation (FAST) Act in December 2015. This is year five of the program.

#### Q2. What is the purpose of the ATCMTD program?

A2. The ATCMTD program is intended to provide funding to eligible entities to develop model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment. (23 U.S.C. 503(c)(4)(A)).

### Q3. Was there other outreach or information on the ATCMTD program beyond these FAQs?

A3. An informational webinar (and presentation) about the ATCMTD program will be scheduled during the solicitation period and a recording will be made available.

#### Q4. Will the ATCMTD program continue beyond this solicitation?

A4. Yes, a maximum of \$60 million will be available for ATCMTD grant awards for each of the federal fiscal years 2016-2020.

#### Q5. Who is an eligible entity?

A5. Eligible entities include: State or local governments, transit agencies, metropolitan planning organizations (MPOs) representing a population of over 200,000, other political subdivisions of a State or local government (such as publicly-owned toll or port authorities), or a multijurisdictional group or consortia of research institutions or academic institutions. (23 U.S.C. 503(c)(4)(N)). FHWA encourages applicants for funding under this program to partner with the private sector or public agencies, including multimodal and multijurisdictional entities, research institutions, organizations representing transportation and technology leaders, or other transportation stakeholders.

#### Q6. Does an ATCMTD award need to be used within a single year?

A6. No. While ATCMTD award funds must be obligated by the end of the third fiscal year after the year for which the funds are authorized (e.g., FY 2020 funds must be obligated by September 30, 2023), once obligated, they can be expended until proposal objectives are carried out

consistent with FHWA requirements for managing inactive obligations. FHWA recommends that an applicant include in its submission an estimated schedule of expenditure.

#### Q7. How many grants will the Department award per year?

A7. Each year, the Department anticipates awarding grants to at least 5 but not more than 10 eligible entities. (23 U.S.C. 503(c)(4)(D)).

#### Q8. How much funding is available per grant?

A8. A grant award in a fiscal year to a single grant recipient may not exceed 20 percent of that year's total ATCMTD funding (i.e., maximum award of \$12 million per year). Federal funding may not exceed 50% of project costs. (23 U.S.C. 503(c)(4)(J)-(K)).

#### Q9. Can the match be non-monetary?

A9. Yes, provided that the non-monetary match complies with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in <u>2 CFR</u> <u>Part 200</u>, including <u>section 200.306 of Part 200</u> on Cost Sharing or matching.

### Q10. Can a proposal include multi-year phases and request funding (up to \$12 million per phase) in future years as well?

A10. Yes, but each phase would need to have independent utility to be considered, and phases in future years would need to recompete in future solicitations. An award in year one of a multi-year phased plan does not guarantee funding for all phases.

#### Q11. Can other Federal funds be used in conjunction with the proposal?

A11. Other Federal funds using the appropriate matching share and eligibility requirements may be leveraged for the deployment but cannot be considered as part of the match for the ATCMTD funds, unless otherwise supported by statute.

## Q12. If there is not a sufficient amount of qualified proposals, what happens to the unused funds authorized for the ATCMTD program?

A12. If, by August 1 of each fiscal year, the Secretary determines that there are not enough qualified grant applications for the fiscal year, the Secretary must transfer the excess funding to the programs that served as the original sources of funding for the ATCMTD program (the Highway Research and Development Program under 23 U.S.C. 503(b), the Technology and Innovation Deployment Program under 23 U.S.C. 503(c), and the Intelligent Transportation Systems Program under 23 U.S.C. 512-519). (23 U.S.C. 503(c)(4)(M)).

#### Q13. What types of projects are eligible for ATCMTD grants?

A13. Funds awarded under the ATCMTD program may be used to deploy diverse technologies that improve the efficiency, safety, or state of good repair of surface transportation systems, including intelligent transportation systems. These include:

- i. advanced traveler information systems;
- ii. advanced transportation management technologies;
- iii. infrastructure maintenance, monitoring, and condition assessment;
- iv. advanced public transportation systems;
- v. transportation system performance data collection, analysis, and dissemination systems;
- vi. advanced safety systems, including vehicle-to-vehicle and vehicle-to-infrastructure communications, technologies associated with autonomous vehicles, and other collision avoidance technologies, including systems using cellular technology;
- vii. integration of intelligent transportation systems with the Smart Grid and other energy distribution and charging systems;
- viii. electronic pricing and payment systems; or
- ix. advanced mobility and access technologies, such as dynamic ridesharing and information systems to support human services for elderly and disabled individuals.

(23 U.S.C. 503(c)(4)(E)).

## Q14. Do the focus areas of interest that are listed in the ATCMTD program Notice of Funding Opportunity (NOFO) have priority over other types of technology deployments?

A14. No. Applications that propose technology deployments in the interest areas identified in the NOFO will not receive any special priority consideration. The Department has identified these focus areas only to promote their deployment for this NOFO. All applications conforming to the statutory eligibilities will be reviewed according to the "Application Review Information" in Section E of the NOFO.

### Q15. How should proprietary or business sensitive information be noted in any response to the NOFO?

A15. Write either "confidential" or "business sensitive" in a visible location on the relevant section of the application. This will provide FHWA with a clear request not to release the information on that page or section of the application without prior notice and coordination with your business. Please note that FHWA is required to comply with the Freedom of Information Act when responding to public requests for information. See <u>49 C.F.R. Part 7</u>.

#### Q16. Can an eligible entity submit multiple applications?

A16. There is no limit on the number of applications that may be submitted by an eligible entity, as long as each application addresses the requirements of the NOFO, such as non-Federal match and key personnel. However, the maximum amount awarded annually to a single recipient is

limited to \$12 million, and 23 U.S.C. 503(c)(4)(D)(ii) requires, to the extent practicable, that grant recipients represent diverse geographic areas of the United States, including urban and rural areas.

## Q17. Does the ATCMTD program NOFO provide any changes to the competitive solicitation requirements for applicants, such as requirements related to partnerships with the private sector?

A17. Specific acquisition requirements, including requirements for competition, depend on the type of funding awardee. If the applicant/awardee is a State, please see <u>2 CFR 200.317</u>, which states that when procuring property or services under a Federal award, a State must follow the same policies and procedures it uses for procurements from its non-Federal funds. All other applicants must comply with <u>2 CFR 200.318 through 2 CFR 200.326</u>; specifically, sections <u>2</u> <u>CFR 200.319</u> and <u>2 CFR 200.320</u> provide detailed information on competition requirements.

#### Q18. How does an entity get a Dun and Bradstreet number?

A18. Entities must register at https://fedgov.dnb.com/webform.

#### Q19. Are universities eligible to apply?

A19. Any eligible entities that can register with Grants.gov may submit an application for the ATCMTD program; however, as noted in the NOFO and related to consortia of research institutions or academic institutions:

Typically, a consortium is a meaningful arrangement with all members involved in planning the overall direction of the group's activities and participating in most aspects of the group; the consortium is a long-term relationship intended to last the full life of the grant. Any application submitted by a sole research or academic institution and that is not part of a consortium will not be considered for selection. [emphasis added]

## Q20. Will there be debrief sessions for applicants not selected for an ATCMTD grant to improve their application in future years?

A20. Debriefs are not required by <u>2 CFR 200</u>. However, upon request, FHWA typically does provide a courtesy debrief to go over strengths and weaknesses of an application with an applicant. Requests for debriefs should be sent to <u>ATCMTD@dot.gov</u>.

#### Q21. What does a competitive non-Federal match look like?

A21. The NOFO states that cost will be considered in the award decision. Volume 2 (budget application) will be analyzed to assess cost reasonableness and conformance to applicable cost principles. Applicants must provide the required matching funds, and supporting detail for these funds. Funding availability will also be considered in the award decision. This evaluation factor will not be rated, but will be considered in the award selection. Therefore, only the minimum

50% match as required by 23 U.S.C. 503(c)(4)(J) is needed for this NOFO.

#### Q22. Will solicitations for the ATCMTD program be continuous or annual?

A22. There will be annual solicitations for ATCMTD program applications for competitive selections each fiscal year through 2020.

#### Q23. Should we provide DOT with our plan to submit an ATCMTD application?

A23. Yes. Applicants interested in applying are encouraged to email <u>ATCMTD@dot.gov</u> no later than the due date stated in the NOFO, with applicant name, State in which project is located, approximate total project cost, amount of the ATCMTD grant request, and a two- to three-sentence project description. While not required, DOT seeks this early notification of interest to inform its allocation of resources for application evaluations and to facilitate timely and efficient awards. Please note though that official applications must be submitted via Grants.gov – official applications sent by email will not be considered.

#### Q24. Will selected ATCMTD applicants have to enter grant agreements?

A24. Yes. ATCMTD recipients will be required to execute a grant agreement whether the funds are issued directly through a cooperative agreement with FHWA or through an allocation of funds to a State.

## Q25. Will there be a promotion of using open standards so that implemented systems can be implemented more easily in other urban areas?

A25. Portability of the proposed deployment is included in the technical merit review, so the use of open data and other open standards may increase the ability to widely implement successful ATCMTD deployments. In general, Federal procurements encourage open standards, and for Federally-funded ITS projects, conformance with ITS architecture and standards is addressed at 23 CFR 940.11.

#### Q26. When will ATCMTD selections be made?

A26. 23 U.S.C. 503(c)(4)(D)(i) requires that DOT make ATCMTD awards every fiscal year, and the Federal fiscal year ends on September 30. DOT seeks to make its selections earlier than this deadline.

#### Q27. What is the role of an MPO in the ATCMTD program?

A27. MPOs serving populations greater than 200,000 are eligible entities and may submit applications for the ATCMTD program. There is no other specified role for MPOs regarding the ATCMTD program. In general, MPOs may be valuable resources when dealing with multiple public agencies in a metropolitan area for services such as communication, facilitation, convening, or other various roles as appropriate for individual metropolitan areas.

## Q28. How soon after ATCMTD grant awards are announced do you expect an entity to implement its proposal?

A28. The time period for fully deploying ATCMTD projects after they are awarded will depend on what technologies are proposed, how complex the deployments may be, or how broadly the technologies may be implemented. The NOFO suggests a time period (or "period of performance") of two to four years. Time periods much longer than this may affect the utility or portability of the deployments.

## Q29. Will DOT conduct independent evaluations or provide guidance or other support for local evaluations?

A29. DOT intends to conduct independent evaluations of the ATCMTD deployments but also encourages local evaluation. Guidelines for evaluating ITS – which are also applicable to evaluating technology deployments – are available at: <u>http://www.its.dot.gov/evaluation/eguide.htm</u>.

## Q30. Can an eligible applicant apply simultaneously both for an ATCMTD grant and another Federal grant, such as DOT's INFRA or BUILD programs?

A30. Yes. There is no restriction on submitting applications to multiple Federal funding opportunities, assuming all applicable program requirements are addressed.

#### Q31. Does the ATCMTD program replace previous DOT grant programs?

A31. No. The ATCMTD program is a Federal grant program established by the FAST Act, and while it includes similar goals and objectives as other Federal programs, it is not a replacement for any other program.

## Q32. Is ATCMTD funding available for projects beyond vehicle-to-vehicle (V2V) or vehicle-to-infrastructure (V2I)?

A32. Yes. Funds awarded under the ATCMTD program may be used to deploy technologies that improve the efficiency, safety, or state of good repair of surface transportation systems, and are not limited only to connected vehicle technologies.

## Q33. What types of metrics are sought in ATCMTD applications that include a technology that has already been deployed?

A33. The performance measures described in the NOFO for ATCMTD projects are not technology driven but system performance based. Measures may include reducing traffic-related crashes, congestion, and costs; or optimizing system efficiency or improving access to transportation services. Generally, DOT is seeking quantifiable safety, mobility, and environmental benefit projections from data-driven estimates of how the project will improve the region's transportation system efficiency and reduce traffic congestion.

## Q34. Can the costs of the installation of associated infrastructure for the deployment of new technology be included as part of the ATCMTD project application?

A34. Yes. ATCMTD project costs associated with the deployment of the proposed technologies should be included in the application and appropriately described under the "Funding Description" part of the application. This information will be used in the technical review to help determine the best technology deployments that align with the ATCMTD program and DOT's goals, and present the best investment of ATCMTD program funding.

#### Q35. May a consultant register for an account on Grants.gov on behalf of a State agency?

A35. Anyone can register at Grants.gov. The registration process includes identifying a specific point of contact that can be authorized as an Authorized Organization Representative for matters dealing with Grants.gov.

#### Q36. Is there a minimum ATCMTD grant amount?

A36. No. There is no statutory minimum grant amount; however, with a maximum number of awards per fiscal year (10) and a maximum amount per recipient (\$12M), the number of smaller awards may be limited.

#### Q37. Is there a requirement that an ATCMTD project be included in the Transportation Improvement Program (TIP) or Statewide Transportation Improvement Program (STIP)?

A37. No. There is no requirement for proposed projects to be included in any planning documents, but the status of project planning may be applicable in the technical review related to the readiness of the technology and the likelihood of successful deployment.

#### Q38. Are letters of support required in ATCMTD applications?

A38. No. There is no requirement for letters of support or endorsements from any entity in ATCMTD applications. Letters of support may, however, be applicable during DOT's technical review in assessing the proposed deployment's readiness and likelihood of success.

#### Q39. Can maintenance and operation costs be included in the ATCMTD application?

A39. Operation costs that are eligible under Federal-aid may be proposed for Federal participation in an application. Additionally, operations, maintenance, and other costs that are borne by non-Federal resources may be considered for the required non-Federal match.

## Q40. If a prospective ATCMTD grant applicant has already incurred costs for an ATCMTD-eligible project, can those funds be counted as non-Federal match?

A40. Generally, only funds expended during the period of performance of an agreement can be counted toward non-Federal match; however, please see <u>2 CFR 200.306 for more information on</u> cost sharing or matching. It is the applicant's responsibility to explain in its ATCMTD application how the cost share meets the requirements of this section.

## Q41. Are projects to upgrade existing advanced transportation technologies eligible for ATCMTD grants? (E.g., Upgrading an analog system to a digital system).

A41. Yes. DOT seeks the best technology deployments that align with the ATCMTD program and DOT goals, and that present the best investment of ATCMTD program funding, regardless of whether the technologies are being newly deployed or if the proposed technologies build on existing deployments.

#### Q42. Can an ATCMTD application include multiple project components?

A42. Yes. DOT encourages applicants in their applications to identify any project components that have independent utility and to detail separately the costs and requested ATCMTD funding for each component. If the application identifies one or more independent project components, the application should clearly identify how each independent component addresses the selection criteria and how it produces benefits on its own. The application should also describe how the full proposal, of which the independent component is a part, addresses the selection criteria.

## Q43. Do all team members need to be identified in the ATCMTD application, or can applicants go through their procurement process for selecting system designers, system installers, etc., after an award?

A43. No. As described in the Notice of Funding Opportunity (NOFO), a complete budget application is required. It is reasonable that if staff, subcontractors, or subawardees are not yet selected, these positions may be listed as "TBD" in the application. However, an estimate of these costs is required for the submission of a complete budget application.

#### Q44. Are toll credits allowable as part of the required non-Federal cost share?

A44. Yes. When the State is the lead in administering ATCMTD grant funds (i.e., the eligible entity applying), toll credits may be used for the non-Federal share for ATCMTD projects as allowed for Federal-aid projects under section 120(i) of title 23, United States Code (23 U.S.C. 120(i)), and, as applicable, the Federal Highway Administration's "Interim Guidance – Toll Credit for Non-Federal Share" (dated November 20, 2015) (available at http://www.fhwa.dot.gov/specialfunding/151120.cfm). However, the NOFO states that "Funding availability will also be considered in the award decision. This evaluation factor will not be rated, but will be considered in the [ATCMTD] award selection." Firm commitments of cash that indicate a complete funding package and demonstrate local support for a project are generally more competitive than other forms of cost sharing. If a State intends to use toll credits toward the non-Federal share, the amount of such credits should be specified in the State's FHWA Division Office at the time of application. States should refer to 23 U.S.C. 120(i) for detailed information on the terms governing the use of toll credits.

# Q45. In the NOFO, applicants are asked to list any contract or agreement that was terminated for convenience of the Government within the past 3 years, and any contractor agreement that was terminated for default within the past 5 years. Does this apply only to contracts and agreements with Federal clauses?

A45. No, the question is not limited to only contracts and agreements with Federal clauses. ATCMTD applications are to list all terminations made against the prime applicant. The question is <u>not</u> asking for terminations made by the prime applicant against vendors, but rather, is asking for any terminations made <u>against</u> the prime applicant where the prime applicant was the performing organization. If there are none, the application may indicate "N/A" or "none" as applicable.

## Q46. What "supporting detail" is necessary in the ATCMTD application package for proposed non-Federal matching funds? Do applicants need to provide some kind of verification of the existence of such funds or simply reflect the match in a proposed budget?

A46. The "supporting detail" for the non-Federal matching funds would include the applicant's description of where within the work areas or tasks of the application the cost share would be applied, and how it would be funded. The applicant does not have to demonstrate having the cost-share funds on-hand ready to go, but rather how the cost will be shared and where the resources will be coming from. For example, the applicant could state that it is going to fund part of the salaries, or that the Facilities and Administration (F&A) indirect rate would be waived or applied at a level lower than their approved indirect rate agreement. Supporting detail for cost-share needs to be at the same level of detail as the supporting detail for the Federal share being requested. Section 200.306 of title 2, Code of Federal Regulations (<u>2 CFR Part</u> 200.306) provides more information on "Cost sharing or matching."

## Q47. Can any of the Federal funding under the ATCMTD program award be used for developing an incentive program, such as for vehicle participation in a connected vehicle application?

A47. Yes. There is no prohibition on incentive programs. All costs proposed must be reasonable and allocable to the project proposed, as per the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* specified in <u>2 CFR Part 200</u>.

## **Q48.** Does FHWA intend to release the technical Volume 1 information for all applicants or only for the awardees?

A48. Per section D.9 of the NOFO, the FHWA intends to release publicly the names of all Applicants shortly after the application due date. The FHWA may release publicly all Volume 1 Technical Applications after award.

#### Q49. Can the purchase of autonomous vehicles be part of an ATCMTD project?

A.49. Yes, the purchase of autonomous vehicles could be part of an ATCMTD project. The application should describe the readiness for deployment of the proposed autonomous technologies as part of the deployment project. Note, ATCMTD project costs associated with the

deployment of the proposed technologies should be included in the application and appropriately described under the "Funding Description" part of the application. This information will be used in the technical review to help determine the best technology deployments that align with the ATCMTD program and DOT's goals, and present the best investment of ATCMTD program funding. Proposals should clearly address and explain if the proposed project will or may require exemption from the Federal Motor Vehicle Safety Standards, Federal Motor Carrier Safety Regulations, or any other regulation and, if so, your plan for applying for any necessary exemptions. Proposals should clearly address and explain if the proposed project will or may require a waiver under the Buy America Act.