

**CITY OF MONROE
PUBLIC ENTERPRISE COMMITTEE
300 W. CROWELL STREET, MONROE, NC 28112
MONDAY, JULY 3, 2023 - 3:00 PM
AGENDA
www.monroenc.org**

1. Public Enterprise Committee Meeting Minutes of June 6, 2023
2. Outside City Customer Water Service Request by Fairley Drake for 1025 Village Lake Drive
3. Wastewater Treatment Plant Expansion Phase 1 - Engineering Services Contract
4. Safe Streets and Roads for All (SS4A) Grant Application

**Public Enterprise Committee Minutes
June 6, 2023
City Hall Conference Room
4:00 p.m.**

Members Present: Council Member Freddie Gordon (Chair), Council Member Julie Thompson, Council Member James Kerr

Staff: Mark Watson, Lisa Strickland, Richard Long, Robert Miller, Sarah McAllister, Cathy Nance

Guest: Brice Dimitruk

Council Member Freddie Gordon called the June 6, 2023 Public Enterprise Committee meeting to order at 4:00 p.m.

Item #1: Adoption of Minutes of the Meeting

Recommendation:

Council Member Thompson made a motion that the Minutes of the April 3, 2023 Public Enterprise Committee be approved.

Motion:

Adopt April 3, 2023 PEC Meeting Minutes

Motion made by:

Council Member Julie Thompson

Second:

Committee Member James Kerr

Voting:

In Favor – Council Member Freddie Gordon, Council Member James Kerr and Council Member Julie Thompson

Opposed – None

Action:

Motion adopted

Item #2. Award of Purchase of (2) two AA55-ESR Bucket Trucks

Recommendation:

Staff requests the Public Enterprise Committee approve sending this request to City Council for approval to award the purchase of (2) two AA55-ESR Bucket trucks to Altec Industries, Inc. in the amount of \$680,928 through Sourcewell's Cooperative Purchasing program. Staff requests that this item be placed on the City Council consent agenda to authorize the City Manager to execute the necessary documents.

Presentation and Discussion:

Robert Miller said that Energy Services has worked with Sourcewell, a purchasing cooperative that collectively bids specified vehicles and equipment providing competitive pricing as well as meeting

guidelines of the state. The cost is \$340,464 per bucket truck. The total will be \$680,928. These funds are currently available in the budget. This has been in the capital budget for this fiscal year. We are asking that the Public Enterprise Committee approve sending this to City Council for approval. Staff requests this item be placed on the City Council consent agenda, and authorize the City Manager to execute the necessary documents.

Motion: Approve request, and send to Council for Consent
Motion made by: Council Member Julie Thompson
Second: Council Member James Kerr
Voting: **In Favor** – Council Member Freddie Gordon, Council Member Julie Thompson, Council Member James Kerr
Opposed – None
Action: Motion is approved

Item # 3: Award of Purchase of one AT48M Bucket Truck

Recommendation:
Staff requests the Public Enterprise Committee approve sending this request to City Council for approval to award the purchase of an AT48M Bucket truck to Altec Industries, Inc. for \$241,768 through Sourcewell's Cooperative Purchasing program. Staff requests that this item be placed on the City Council consent agenda to authorize the City Manager to execute the necessary documents.

Presentation and Discussion:
Robert Miller said, again, that Energy Services has worked with Sourcewell, a purchasing cooperative that collectively bids specified vehicles and equipment providing competitive pricing as well as meeting guidelines of the state. Altec Industries, Inc. has provided a quote to the City for the AT48M bucket truck in the amount of \$241,768. These funds are currently available in the budget.

Motion: Approve request, and send to Council for Consent
Motion made by: Council Member Julie Thompson
Second: Council Member James Kerr
Voting: **In Favor** – Council Member Freddie Gordon, Council Member Julie Thompson, Council Member James Kerr
Opposed – None
Action: Motion is approved

Item #4. Adopt Resolution R-2303-39 for Natural Gas Hedging Transactions

Recommendation:
Staff recommends that the Public Enterprise Committee approve sending Resolution R-2023-39 to City Council for approval. Staff requests that this item be placed on the City Council consent agenda.

Presentation and Discussion:
Robert Miller gave a detailed presentation on natural gas purchasing and natural gas hedging transactions that are referenced in the Resolution.

Motion: Approve request, and send to Council for Consent
Motion made by: Council Member Julie Thompson
Second: Council Member James Kerr
Voting: **In Favor** – Council Member Freddie Gordon, Council Member Julie Thompson,
Council Member James Kerr
Opposed – None
Action: Motion is approved

Item #5. Rocky River Business Park Request for Variance

Recommendation:

Staff recommends that the Public Enterprise Committee approve sending the request for a deviation for the sidewalk requirement to City Council for approval. Staff requests that this item be placed on the City Council consent agenda.

Presentation and Discussion:

Sarah McAllister said that the Rocky River Business Park is requesting a variance for the sidewalk requirement that is part of the City's Detail Manual. An eight-foot wide sidewalk was required along Rocky River Road for any new development. The reasons for requesting the exemption is that the portion will be in the floodplain along the property and it will be difficult to install. There is no nearby sidewalk so staff is not necessarily opposed to it. They have not asked for any other deviations from the Detail Manual.

Motion: Approve request, and send to Council for Consent
Motion made by: Council Member James Kerr
Second: Council Member Julie Thompson
Voting: **In Favor** – Council Member Freddie Gordon, Council Member Julie Thompson,
Council Member James Kerr
Opposed – None
Action: Motion is approved

Item #6. Update on NCDOT Project U-6031

Recommendation:

Informational only. No recommendation required.

Presentation and Discussion:

Sarah McAllister said the project originally extended the improvements along Charlotte Avenue through the intersection with Seymour Street and down to Patton Avenue. However, Staff was contacted recently by NCDOT and informed that due to budget constraints, the project would now terminate at Seymour Street. The cost to go to Patton Avenue as originally planned would be north of \$3.3 million. If the City wanted to pursue this extension of the project with City funds, staff said that the City does have Powell Bill reserve funds, but this cost estimate would leave no cushion for other projects planned.

Item 7. Other

Sarah McAllister said the City's Erosion Control program was audited in April and we were one of five who did not have any findings.

There being no other business, Council Member Freddie Gordon asked if there was a motion to adjourn.

Recommendation: Adjourn meeting at 4:45 p.m.

Motion: Adjourn Public Enterprise Committee meeting

Motion made by: Council Member Julie Thompson

Second: Council Member James Kerr

Voting: **In Favor** – Council Member Freddie Gordon, Council Member Julie Thompson,
Council Member James Kerr

Opposed – None

Action: Motion is approved

There being no further business, the meeting adjourned at 4:45 p.m.

Freddie Gordon, Chair

Next Meeting – July 3, 2023 at 3:00 p.m.



STAFF REPORT

TO: Public Enterprise Committee
VIA: Mark Watson, City Manager
DATE: July 3, 2023
FROM: Scott Clark, Water Resources Director
SUBJECT: Outside City Service Requests

SUMMARY STATEMENT

Public Enterprise Committee (PEC) is requested to consider an outside City service request as described below.

REVIEW

Water Resources (WR) Department Staff has received a request for outside City services as shown on the attached exhibit (3 pages) and as follows:

1. Fairley Drake is requesting water service for a new single family home at 1025 Village Lake Dr. In speaking with the Planning Department they did not feel this lot was a good candidate to require voluntary annexation.

All outside City service requests require both City Council approval, and Union County Board of Commissioner (UCBC) approval pursuant to City Ordinances and the Water and Sewer Master Agreement with Union County. The UCBC approved this request at their June 5th, 2023 meeting.

As a matter of policy, outside city water and sewer customers pay double tap fees and double monthly customer base charges on their City accounts.

RECOMMENDATION

It is the recommendation of WR Staff that Public Enterprise Committee take the following action:

1. Recommend to City Council that they approve the request for outside City water service to 1025 Village Lake Dr.

William C. Hancock

From: Crystal Panico <crystal.panico@unioncountync.gov>
Sent: Monday, June 12, 2023 9:22 AM
To: William C. Hancock
Subject: RE: Out-of-City Service Approval Request - 1025 Village Lake Dr.

Good morning Cole,

The Board of County Commissioners approved the City's request to serve outside city limits for 1025 Village Lake Dr last week as part of their consent agenda.

If you have any questions or need anything else, please let me know.

Thank you.

Crystal Outlaw Panico, PE

New Development Program Manager | Engineering

T 704.296.4239

crystal.panico@unioncountync.gov
unioncountync.gov

E-mail correspondence to and from this sender may be subject to the North Carolina Public Records law and may be disclosed to third parties. If you are not the intended recipient of this e-mail, please contact the sender immediately.

From: Crystal Panico
Sent: Friday, May 12, 2023 4:44 PM
To: 'William C. Hancock' <whancock@monroenc.org>
Cc: Amy Cook <acook@monroenc.org>; Fairley Drake <fairley.drake@yahoo.com>; Rich Riser <rriser@monroenc.org>
Subject: RE: Out-of-City Service Approval Request - 1025 Village Lake Dr.

Thanks Cole!

This request has been submitted for consideration as part of the June 5th BOCC agenda.

Have a great weekend.

Crystal Outlaw Panico, PE

New Development Program Manager | Engineering

T 704.296.4239

crystal.panico@unioncountync.gov
unioncountync.gov

E-mail correspondence to and from this sender may be subject to the North Carolina Public Records law and may be disclosed to third parties. If you are not the intended recipient of this e-mail, please contact the sender immediately.

From: William C. Hancock <whancock@monroenc.org>
Sent: Thursday, May 11, 2023 11:22 AM
To: Crystal Panico <crystal.panico@unioncountync.gov>

Applicant Name: <u>Fairley Drake</u>	
Email address: <u>Fairley.drake@yahoo.com</u>	Phone number: <u>704-221-2891</u>
Property Address: <u>1025 Village Lake Dr Monroe NC 28110</u>	
Tax Map Parcel Number <u>09102005D</u>	Parcel Size (Acres) <u>2 acres</u>

☒ **Water Service**

Request for Water Service is being submitted for the following reason(s).

☒ **New Construction**

☐ **Existing Well Failure.** Provide brief description: _____

☐ **Sewer Service**

Request for Sewer Service is being submitted for the following reason(s).

☐ **New Construction**

☐ **Existing Septic System Failure**

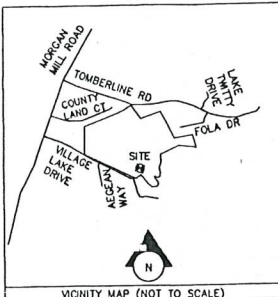
Out of City Limits - Water and Sewer Service Terms and Conditions

- All requests are subject to Union County Commission and City of Monroe Council approval.
- The Property Owner shall comply with the City of Monroe Water and/or Sewer Ordinances.
- An evaluation of voluntary annexation will be conducted.
- Property Owner shall pay the appropriate tap and capacity fees for outside City customers based on the prevailing fee schedule and will be required to set up an account with the City of Monroe Customer Service Department.
- Property Owner shall acquire all necessary offsite easements if required to connect to the City's water distribution and/or sewer collection system. A copy of the recorded private easement(s) shall be provided to the City of Monroe Water Resources Department.
- Upon payment of fees and completion of the water and/or sewer tap, billing shall begin immediately.
- Water services shall be per the City of Monroe Specifications and shall have remote radio read technology.
- Property Owner shall notify the City of Monroe prior to making the connection to the sewer tap to schedule an onsite inspection of the installation. Only one (1) property parcel shall be connected to the sewer tap.
- Property Owner agrees that the sewer tap shall be maintained by the City of Monroe at the Property Owner's expense.
- If a private grinder pump and sewer forcemain is required, the Property Owner shall install #12 gage coated plastic copper wire taped to the service lateral from the connection to the sewer tap to the house connection.
- Property Owner shall assume ownership and maintenance responsibility for the service forcemain and the sewer pump and all other plumbing past the sewer tap.
- Property Owner shall agree to pay a monthly flat rate sewer bill if water service is from a private well.
- Property Owner agrees that if the property is ever sold that he/she shall provide the new owner a copy of this Service Request/Terms and Conditions and shall fully explain the conditions, responsibilities and precise location of the private water service and/or sewer lateral or forcemain if a private pump is installed.
- Depending upon schedules for the Union County Commissioners meetings and Monroe City Council meetings, the total timeframe for service approval can take as long as 3-5 months.

I hereby certify that the information provided is, to the best of my knowledge, correct and complete. I understand that I must adhere to the City of Monroe's Out of City Limits – Water and Sewer Service Terms and Conditions as outlined above. I also understand that any approval may be revoked and penalties imposed under the City's ordinance if this certification is not complete and true or for failure to comply with the Terms and Conditions.

Fairley Drake
 Applicant's Signature

5-9-23
 Date



NORTH CAROLINA, UNION COUNTY
I, Sharon R. Brown, the undersigned, a Notary Public of Union County, North Carolina, aforesaid certify that Donnie L. Taylor & Martha N. Taylor personally appeared before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official seal this 23rd day of February, 2023.
My commission expires: 10/27/27 Sharon R. Brown Notary Public

SHARON R. BROWN
NOTARY PUBLIC
Union County
North Carolina
My Commission Expires October 27, 2027

REMAINING PORTION OF:
N/F
DONNIE L. TAYLOR & WIFE, MARTHA N.
DB 8640 PG 624
#09-102-005A
53.97 ACRES ±

Certificate of Approval
I hereby certify that the recombination survey shown on this plat is in all respects in compliance with the Town of Unionville Land Use Ordinance, and that therefore this plat has been approved by the Town of Unionville Land Use Administrator, subject to its being recorded in the Office of the Union County Register of Deeds within ninety days of the date below.
2-24-2023 Date
Donnie L. Taylor Land Use Administrator

REMAINING PORTION OF:
N/F
DONNIE L. TAYLOR & WIFE, MARTHA N.
DB 8640 PG 624
#09-102-005A
53.97 ACRES ±

NORTH CAROLINA, UNION COUNTY
I, Jeffery S. Gordon, certify that this plat was drawn under my supervision from an actual survey made under my supervision (said descriptions recorded in Deed Book 8640, Page 624) that the boundaries not surveyed are clearly indicated as drawn from information found in Book Page 624 that the ratio of precision as calculated is 1:10,000 and that this plat was prepared in accordance with G.S. 47-30 as amended.
I also certify that this survey creates a subdivision of land within the Town of Unionville, that is regulated by the Town of Unionville Land Use Ordinance, that regulates the subdivision of parcels of land.
Witness my original signature, registration number and seal this 9th day of December, A.D., 2022.
Seal or Stamp
Jeffery S. Gordon
Professional Land Surveyor
L-3751
Registration Number

REMAINING PORTION OF:
N/F
DONNIE L. TAYLOR & WIFE, MARTHA N.
DB 8640 PG 624
#09-102-005A
53.97 ACRES ±

CERTIFICATE OF OWNERSHIP AND DEDICATION
I (We) hereby certify that I (We) am/are the owner(s) of the property described hereon, which property is located within the subdivision jurisdiction of Town of Unionville, that I (We) hereby freely adopt this plan of subdivision and hereby establish all lots, with minimum building setback lines, and dedicate to public use all areas shown on this plat as streets, alleys, walks, parks, open space, and easements, except those specifically indicated as private, and that I (We) will maintain all such areas until the offer of dedication is accepted by the appropriate public authority. All property shown on this plat as dedicated for a public use shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by Planning Board in the public interest.
2-23-23 Date Donnie L. Taylor Owner
2-23-23 Date Martha N. Taylor Owner
Date Owner

All lots within the Minor Subdivision Plat for Donnie Taylor and wife, Martha, to the best of my knowledge, lie within the Lake Twitty Protected Watershed, as designated by the North Carolina Division of Environmental Management.

2-24-2023 Date
Donnie L. Taylor Land Use Administrator

REMAINING PORTION OF:
N/F
DONNIE L. TAYLOR & WIFE, MARTHA N.
DB 8640 PG 624
#09-102-005A
53.97 ACRES ±

3/4-inch Water Service

Approx. location of Watermain

- NOTES:
1. TAX I.D. #09-102-005C
 2. AREA CALCULATED BY COORDINATES.
 3. NO NCMS MONUMENT FOUND WITHIN 200'
 4. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC MEASUREMENTS
 5. #5 REBAR SET AT ALL NEW LOT CORNERS, EXCEPT IN THE CENTERLINE OF THE BRANCH OFF OF LAKE TWITTY, & IN ALL INGRESS/EGRESS EASEMENTS, (COMPUTED POINTS ONLY).
 6. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM UNION COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY
 7. PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS AND OR RIGHTS OF WAY, EITHER RECORD OR IMPLIED.
 8. ONE (1) NEW LOT TO BE CUT OUT OF ONE (1) EXISTING LOT, ON THIS PLAT.
 9. THIS PROPERTY IS NOT SUBJECT TO A FEMA SPECIAL FLOOD HAZARD ZONE AS PER FIRM, MAP NO. 3710545600J PANEL 5456, EFFECTIVE DATE: OCTOBER 16, 2008.
 10. CURRENT ZONING: RA-40 (UNIONVILLE)
- SETBACKS:
FRONT - 40'
REAR - 40'
SIDE - 15'

NO.	DATE	DESCRIPTION	BY
1	2-22-23	Revised Ownership Information	JSG

Jeffery S. Gordon Surveying
1394-B WALKUP AVENUE
Monroe, N.C. 28110
(704) 283-9726

MINOR SUBDIVISION PLAT FOR:
DONNIE TAYLOR AND WIFE MARTHA
Property of: Donnie L. Taylor & Martha N.
Legal Ref: DB 8640 PG 624
Unionville, Monroe Township, Union County, NC

Scale: 1" = 30' Date: 9 December 2022
Surveyed by: Jeffery S. Gordon, NCPLS, L-3751
DWG. FILE: TOMBERLINERD1172-UNION-SUBDIVISION.DWG



STAFF REPORT

TO: Public Enterprise Committee

VIA: William M. Watson, City Manager

DATE: July 3, 2023

FROM: Scott E. Clark, Director of Water Resources

PREPARED BY: Richard Riser, Water Resources Engineering Manager

SUBJECT: Wastewater Treatment Plant Expansion Phase 1 - Engineering Services

SUMMARY STATEMENT

The PEC is requested to consider an engineering services contract for the Wastewater Treatment Plant Expansion Phase 1 project and consider a budget ordinance to provide additional funding for this purpose.

REVIEW

On June 14, 2022, City Council adopted the Annual Balanced Budget for Fiscal Year 2022-2023. The adopted budget included \$4,000,000 in funding for the WWTP expansion design. The design for the expansion is ready to begin. The total design, permitting and construction time frame for the WWTP expansion project is anticipated to run into the middle of 2028. Staff provided request for qualification packages to 8 consulting firms, received qualifications packages from 3 of those 8 and selected Hazen and Sawyer as the preferred qualified engineering firm.

Staff has negotiated with Hazen and Sawyer to perform the required engineering services. The total not-to-exceed cost ceiling limit has been established as \$5,870,755.00. Staff feels this is reasonable based upon the anticipated cost of the project and the complexity of the design.

Funding in the amount of \$4,000,000 for this design for the contract was adopted in the FY2022-2023 budget. Additional funding in the amount of \$1,870,755 is requested to be appropriated via budget amendment BO-2023-07 from the Water/Sewer Capital Project Reserve Fund.

RECOMMENDATION

It is the recommendation of Staff that Public Enterprise Committee take the following action:

Staff recommends approval to City Council of Budget Ordinance BO-2023-07 and forward to City Council for consideration on the July 18, 2023 Strategic agenda.

Staff recommends the award of a contract for the WWTP expansion to Hazen and Sawyer, authorization for the City Manager to execute the necessary agreements and recommends forwarding to City Council for consideration on the July 18, 2023 Strategic agenda.

Attachments:

City of Monroe Budget Ordinance BO-2023-07
Contract for Engineering Services for the Wastewater Treatment Plant Expansion
Phase 1 – Engineering Services

**CONTRACT FOR ENGINEERING SERVICES
FOR THE
WASTEWATER TREATMENT PLANT (WWTP) EXPANSION PHASE 1 –
ENGINEERING SERVICES**

This Contract is made and entered into as of the ____ day of _____, 20____, by the City of Monroe (“City”) and Hazen and Sawyer (“Contractor”), () a corporation, () a professional corporation, () a professional association, () a limited partnership, () a sole proprietorship, or () a general partnership; organized and existing under the laws of the State of _____.

Section 1. **Background and Purpose.** This agreement allows the Contractor to provide professional engineering services related to design/permitting and construction administration of a 3.0 million gallons per day treatment expansion to the City of Monroe WWTP.

Section 2. **Services and Scope to be Performed.** The Contractor shall provide personnel and equipment as required to complete the design and permitting process of the proposed WWTP expansion, perform construction administration services and aid in WWTP expansion commissioning and certification of operation as defined in Attachment A, Scope of Services.

In this contract, “Work” means the services that the Contractor is required to perform pursuant to this contract and all of the Contractor’s duties to the City that arise out of this contract. Any amendments, corrections, or change orders by either party must be made in writing signed in the same manner as the original. (This form may be used for amendments and change orders.) The City reserves the right to refuse payment for any work outside that authorized herein or pursuant to a duly approved amendment or change order.

Section 3. **Complete Work without Extra Cost.** Unless otherwise provided, the Contractor shall obtain and provide, without additional cost to the City, all labor, materials, equipment, transportation, facilities, services, permits, and licenses necessary to perform the Work.

Section 4. **Compensation.** The City shall pay the Contractor for the Work as follows: Total compensation shall be a not to exceed value of \$5,870,755.00. Payment shall be based upon the percent of completion of a particular task outlined in Attachment A. The City shall not be obligated to pay the Contractor any payments, fees, expenses, or compensation other than those authorized by this section.

Section 5. **Contractor's Billings to City.** The Contractor shall submit an original invoice to the Accounting Division at the City of Monroe. The Contractor can expect payment within 30 days.

Section 6. **Insurance.** Contractor shall maintain insurance policies at all times with minimum limits as follows:

COVERAGE	MINIMUM LIMITS
Workers' Compensation	Statutory Limits
Employers' Liability	\$500,000
General Liability	\$1,000,000 per occurrence/\$2,000,000 aggregate
Automobile Liability	\$1,000,000
Professional Liability (E & O)	\$1,000,000 per occurrence/\$2,000,000 aggregate

Contractor shall provide the City with a Certificate of Insurance for review prior to the issuance of any contract or Purchase Order. This should be an ACORD form (example attached). All Certificates of Insurance will require thirty (30) days written notice by the insurer or contractor's agent in the event of cancellation, reduction or other modifications of coverage. In addition to the notice requirement above, Contractor shall provide the City with immediate written notice of cancellation, reduction, or other modification of coverage of insurance. Upon failure of the Contractor to provide such notice, Contractor assumes sole responsibility for all losses incurred by the City for which insurance would have provided coverage. The insurance certificate shall be for the initial contract period of one (1) year and shall be renewed by the contractor for each subsequent renewal period of the contract.

The City shall be named as an additional insured and it is required that coverage be placed with "A" rated insurance companies acceptable to the City. Statement should read "City of Monroe is to be added as an additional insured as evidenced by an endorsement attached to this certificate." Failure to maintain the required insurance in force may be cause for contract termination. In the event that the contractor fails to maintain and keep in force the insurance herein required, the City has the right to cancel and terminate the contract without notice.

Contractor shall provide proof that a Drug-Free Workplace Program is in place and that drivers meet DOT/CDL licensing requirements.

Section 7. **Performance of Work by City.** If the Contractor fails to perform the Work in accordance with the schedule referred to in Section 2 above, the City may, in its discretion, in order to bring the project closer to schedule, perform or cause to be performed some or all of the Work, and doing so

shall not waive any of the City's rights and remedies. Before doing so, the City shall give the Contractor reasonable notice of its intention. The Contractor shall reimburse the City for all costs incurred by the City in exercising its right to perform or cause to be performed some or all of the Work pursuant to this section.

Section 8. **Attachments.** The following attachments are made a part of this contract and incorporated herein by reference:

Attachment A: Hazen and Sawyer Proposal containing 11 pages(s).

Attachment B: Certificate of Insurance containing _____ page(s).

In case of conflict between an attachment and the text of this contract excluding the attachment, the text of this contract shall control. Any attachment which materially alters the standard terms contained herein must be reviewed pursuant to the City's Contract Review Procedure.

Section 9. **Notice.**

- a. All notices and other communications required or permitted by this contract shall be in writing and shall be given either by personal delivery, fax, or certified United States mail, return receipt requested, addressed as follows:

To the City:

(By hand delivery, overnight delivery services, or other methods requiring a physical address):

Richard Riser, P.E.
City of Monroe
300 West Crowell Street
Monroe, NC 28112
rriser@monroenc.org
704-282-4646

(By United States Postal Service):

City of Monroe
P.O. Box 69
Monroe, NC 28111-0069

To the Contractor:

Michael Parker, P.E.
Hazen and Sawyer
9101 Southern Pine Blvd.,
Suite 250
Charlotte, NC 28273
mparker@hazenandsawyer.com
704-357-3150

- b. Change of Address, Date Notice Deemed Given: A change of address, fax number, or person to receive notice may be made by either party by notice given to the other party. Any notice or other communication under this contract shall be deemed given at the time of actual delivery, if it is personally delivered or sent by fax. If the notice or other communication is sent by US Mail, it shall be deemed given upon the third calendar day following the day on which such notice or other communication is deposited with the US Postal Service or upon actual delivery, whichever first occurs.

Section 10. **Indemnification.** To the maximum extent allowed by law, unless otherwise prohibited under applicable limitations in Chapter 22B-1 of the North Carolina General Statutes, the Contractor shall defend, indemnify, and save harmless the City of Monroe, its agents, officers, and employees, from and against all charges that arise in any manner from, in connection with, or out of this contract as a result of the acts or omissions of the Contractor or subcontractors or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable except for damage or injury caused by the negligence of the City its agents, officers, or employees. In performing its duties under this section, the Contractor shall at its sole expense defend the City of Monroe, its agents, officers, and employees with legal counsel reasonably acceptable to City. As used in this subsection – “Charges” means claims, judgments, costs, damages, losses, demands, liabilities, duties, obligations, fines, penalties, royalties, settlements, expenses, interest, reasonable attorney’s fees, and amounts for alleged violations of sedimentation pollution, erosion control, pollution, or other environmental laws, regulations, ordinances, rules, or orders. Nothing in this section shall affect any warranties in favor of the City that are otherwise provided in or arise out of this contract. This section is in addition to and shall be construed separately from any other indemnification provisions that may be in this contract. This section shall remain in force despite termination of this contract (whether by expiration of the term or otherwise) and termination of the services of the Contractor under this contract.

Section 11. **E-Verify Requirement.** The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if the Contractor utilizes a subcontractor, the Contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

Section 12. **Miscellaneous.**

- a. Choice of Law and Forum. This contract shall be deemed made in Union County, North Carolina. This contract shall be governed by and construed in accordance with the law of North Carolina. The

exclusive forum and venue for all actions arising out of this contract shall be the appropriate division of the North Carolina General Court of Justice, in Union County. Such actions shall neither be commenced in nor removed to federal court. This section shall not apply to subsequent actions to enforce a judgment entered in actions heard pursuant to this section.

- b. Waiver. No action or failure to act by the City shall constitute a waiver of any of its rights or remedies that arise out this contract, nor shall such action or failure to act constitute approval of or acquiescence in a breach thereunder, except as may be specifically agreed in writing.
- c. Performance of Government Functions. Nothing contained in this contract shall be deemed or construed so as to in any way estop, limit, or impair the City from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.
- d. Severability. If any provision of this contract shall be unenforceable, the remainder of this contract shall be enforceable to the extent permitted by law.
- e. Assignment, Successors and Assigns. Without the City's written consent, the Contractor shall not assign (which includes to delegate) any of its rights (including the right to payment) or duties that arise out this contract. Unless the City otherwise agrees in writing, the Contractor and all assigns shall be subject to all of the City's defenses and shall be liable for all of the Contractor's duties that arise out of this contract and all of the City's claims that arise out of this contract. Without granting the Contractor the right to assign, it is agreed that the duties of the Contractor that arise out of this contract shall be binding upon it and its heirs, personal representatives, successors, and assigns.
- f. Compliance with Law. In performing all of the Work, the Contractor shall comply with all applicable law.
- g. City Policy. THE CITY OPPOSES DISCRIMINATION ON THE BASIS OF RACE AND SEX AND URGES ALL OF ITS CONTRACTORS TO PROVIDE A FAIR OPPORTUNITY FOR MINORITIES AND WOMEN TO PARTICIPATE IN THEIR WORK FORCE AND AS SUBCONTRACTORS AND VENDORS UNDER CITY CONTRACTS.

- h. EEO Provisions. During the performance of this Contract the Contractor agrees as follows:
 - (1) The Contractor shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The Contractor shall take affirmative action to insure that applicants are employed and that employees are treated equally during employment, without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The Contractor shall post in conspicuous places available to employees and applicants for employment, notices setting forth these EEO provisions;
 - (2) The Contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap.
- i. No Third Party Right Created. This contract is intended for the benefit of the City and the Contractor and not any other person.
- j. Principles of Interpretation. In this contract, unless the context requires otherwise, the singular includes the plural and the plural the singular. The pronouns “it” and “its” include the masculine and feminine. Reference to statutes or regulations include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation. References to contracts and agreements shall be deemed to include all amendments to them. The word “person” includes natural persons, firms, companies associations, partnerships, trusts, corporations, governmental agencies and units, and any other legal entities.
- k. Modifications, Entire Agreement. A modification of this contract is not valid unless signed by both parties and otherwise in accordance with requirements of law. Further, a modification is not enforceable against the City unless the City Manager or other duly authorized official signs it for the City. This contract contains the entire agreement between the parties pertaining to the subject matter of this contract. With respect to that subject matter, there are no promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this contract.

IN WITNESS WHEREOF, the City of Monroe and the Contractor have caused this contract to be executed under seal by their respective duly authorized agents or officers.

CITY OF MONROE

CONTRACTOR:
Hazen and Sawyer

BY: _____
 () _____, Department Head
 () William Mark Watson, City Manager

BY: _____
☐ President, ☐ CEO,
☐ Partner, ☐ Owner
☐ Other: _____

ATTEST:

Secretary

(CORPORATE SEAL)

This Instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Officer: _____ DATE: _____
Lisa Strickland

Attachment A – Hazen and Sawyer Proposal

Scope of Services
City of Monroe, NC
Monroe WWTP
Expansion to 13.4 MGD

Design and Bid Phase Services

SCOPE OF WORK

The purpose of this agreement is for Hazen and Sawyer (Hazen) to provide professional engineering services (i.e., detailed design, permitting, and bidding) associated with a 3-mgd plant expansion at the City of Monroe's (City) Wastewater Treatment Plant (Monroe WWTP). The project will expand the existing plant's capacity from 10.4 to 13.4 mgd and will allow flexibility for long-term expansion to 24 mgd.

Speculative final effluent permit limits for a proposed flow of 15.4 mgd were provided by the North Carolina Department of Environmental Quality (NCDEQ). **Table 1** summarizes the speculative discharge limits for all flow conditions between 10.4 and 15.4 mgd.

Table 1: Speculative Discharge Limits

Parameter	Monthly Average	Weekly Average
Flow, mgd	15.4	---
BOD ₅ , mg/L	5.0	7.5
Total Suspended Solids	24.3	36.4
NH ₃ -N, mg/L Summer	1.0	3.0
NH ₃ -N, mg/L Winter	1.8	5.4
Dissolved Oxygen	Daily Average >= 6.0	
Fecal Coliform (Geometric Mean), #/100 mL	200	400

Nutrient limits are not anticipated within the next five years. NCDEQ stated in a letter to the City dated December 17, 2021 that a site-specific water quality model will be required to confirm there is assimilative capacity in the Rocky River for a design flow greater than 15.4 mgd. NCDEQ typically allows one to two permit cycles (i.e., five to ten years) for design, permitting, and construction to accommodate proposed nutrient limits.

However, this expansion project includes a new 3-mgd, parallel, independent, 3-stage, biological nutrient removal (BNR) train to yield an effluent total nitrogen and total phosphorus concentration of no more than 13 mg/L and 0.7 mg/L, respectively. The existing 10.4-mgd liquid treatment train will not be upgraded to remove nutrients.

A Preliminary Engineering Report previously prepared by Hazen (dated June 2022) will serve as the basis of design for the 3-mgd plant expansion project. Major components of the expansion project to be designed by Hazen include:

- Installation of two (2) new pumps with variable frequency drives in the existing Influent Pump Station No. 2, each with a minimum capacity of 4.4 mgd. Each pump will be sized to convey flow to the new elevated preliminary treatment facility.
- As a bid alternate, Hazen will design a new Influent Pump Station No. 3, initially designed to convey a peak flow of 9 mgd to the new elevated preliminary treatment facility, but capable of expansion to provide a firm pumping capacity of 54 mgd.
- A new elevated preliminary treatment facility consisting of one (1) fine screen (i.e., “perforated plate” style) and associated washer compactor, one (1) manual bypass channel, and one (1) settling plate (i.e., “Headcell” style) grit tank with associated grit pump and grit cyclone / classifier. Fine screen and grit tank will be sized to accommodate a flow of 18 mgd and 24 mgd, respectively.
- Two, new 3-stage BNR basins, each sized for 21.6-hour hydraulic residence time and a volume of approximately 1.35 MG. The basins will be designed for conversion to 5-stage BNR basins when effluent limits dictate. Mixers will be installed in the anaerobic and anoxic zones of each BNR basin, and nitrified recycle pumps will be installed in each aeration basin to transfer nitrified mixed liquor from the end of the aerobic zone to the anoxic zone.
- New blowers (number and size determined during detailed design) will be provided to provide an initial process airflow of 1,870 scfm. Multiplier blowers will be provided for redundancy. Blowers will be housed in skin-tight acoustical enclosures suitable for outdoor service.
- Two, (2) new, 140-ft diameter secondary clarifiers, each with a submersible duplex RAS pump station and associated flow control and meter vault. Each RAS pump will be sized to convey approximately 3 mgd (to be confirmed during detailed design) of RAS to the new BNR basins. Solids will be wasted from the common RAS header to the existing aerobic digesters via a flow control and meter vault.
- New alkalinity storage and feed facility initially consisting of one (1) storage tank and one (1) duty and one (1) standby feed pump.
- New disc filters for tertiary filtration initially consisting of two (2) filters, each sized for 9 mgd.
- New ultraviolet disinfection facility initially consisting of two (2) channels, to provide a total capacity of 9 mgd.
- Retrofit of existing Sludge Storage / Digester No. 4 with fine bubble membrane diffusers and two (2) positive displacement blowers for process air and mixing. Each blower will be sized to provide 15 scfm per 1,000-ft³ of tank volume. Blowers will be housed in skin-tight acoustical enclosures suitable for outdoor service.
- Relocation of the existing belt filter press (BFP) and installation of a new 2.0-meter BFP under a new structural steel canopy

The following task items will be completed by Hazen and their subconsultants for this project. The scope of tasks outlined below shall include all incidentals required to provide the complete task described, including but not limited to overall management of the design work, project planning, budget and schedule oversight, administration of City agreement, arrangement / management of all meetings and communication as needed with various project stakeholders.

Task 1 – Project Management

Subtask 1.1 Project Management – Hazen will manage monthly the efforts of its project team members and subconsultants by assigning manpower, delegate responsibilities, review work progress, monitor budget and schedule, and direct the progress of the work.

Subtask 1.2 Review Meetings / Workshops – Hazen will participate in a project kick-off meeting and will conduct ½-day project workshops at 30%, 60%, and 90% design completion milestones. Monthly in-person / virtual coordination meetings (14 total) are also anticipated to maintain the project schedule and to obtain input and review from City staff pertaining to: equipment preferences; manufacturers to be named in the individual equipment, electrical, and instrumentation and control specifications; materials of construction; and, functionality. Minutes from all meetings will be recorded and distributed to all participants to document key design decisions and impact to cost of construction.

Subtask 1.3 Quality Assurance / Quality Control – Hazen will conduct an internal technical / constructability review at the 30%, 60%, and 90% completion milestones. Technical Review Committee members and a Construction Field Engineer will provide a review of the design to date including:

- Specified manufacturers of major equipment items
- Design calculations
- Construction cost estimate
- I/O listing and functional control descriptions
- Construction phasing
- Inter-discipline review to ensure coordination and completeness
- Front-end documents and technical specifications

Task 2 – Engineering Alternatives Analysis

North Carolina Department of Environmental Quality (NCDEQ) requires all new and expanding wastewater treatment plant discharges to prepare an Engineering Alternatives Analysis (EAA) in accordance with 15A NCAC 2H.0105(c)(2). Hazen will prepare the EAA.

The EAA shall contain the following minimum information:

- Applicant name, address, and contact information
- Description of origin, type, and flow of waste stream and rationale for projected flow volume
- Summary of the available waste treatment disposal alternatives and associated costs, and the recommended alternative. Alternatives to be evaluated include:
 - No Action Alternative
 - Connection to Existing Wastewater System(s) Alternative
 - Land Application Alternative
 - Wastewater Reuse Alternative

- Direct Discharge to Surface Water Alternative
- Narrative description of the proposed treatment works including type and arrangement of major components
- Location map of proposed facility
- Scale location plan showing proposed facility and proposed point of discharge
- Statement to demonstrate financial qualification and substantial previous compliance with federal and state laws, regulations, and rules for the protection of the environment

Task. 3 – Major NPDES Permit Modification

Hazen will prepare the NPDES permit application package for the major permit modification request. Submittal package will include cover letter, EPA NPDES Form 2A, and all associated attachments (i.e., process flow diagram, narrative, USGS maps, and biosolids management plan). Data collection efforts will be coordinated with plant staff to include most recent plant data (i.e., influent and effluent monitoring reports, toxicity tests, and priority pollutant scans).

Task 4 – Detailed Design

Subtask 4.1 Develop Detailed Drawings – Hazen will prepare detailed drawings suitable for regulatory review and approval, and for competitive bidding by a General Construction Contractor. **Table 2** below summarizes the estimated number of detailed drawings and total drawings by discipline that will be prepared by Hazen.

Table 2: Estimated Number of Detailed and Total Drawings

Design Discipline	Estimated No. of Drawings
General / Demolition	10
Civil / Site	65
Process / Mechanical	90
Structural	90
Architectural	45
HVAC / Plumbing	25
Electrical	85
Instrumentation and Control	15
Detailed Drawings	425
Miscellaneous Standard Details	55
Total Drawings	480

Hazen will employ local specialty subconsultants for the following services:

- Froehling & Robertson – Geotechnical Investigation
- Avioimage – Aerial Mapping

- Lawrence Associates – Field Survey
- Sweetwater – Subsurface Utility Locates
- Clemson Engineering Hydraulics – Influent Pump Station Physical Modeling

Revit and interactive 3D models of the new facilities will be developed by Hazen to facilitate review, enhance visualization, and coordinate with future plant expansions / upgrades.

Subtask 4.2 Develop Technical Specifications – Technical specifications will be prepared in CSI Division 50 format for all aspects of the work such that the project results in a complete, working facility. Where possible, Hazen shall identify two or more equipment manufacturers capable of providing suitable equipment and / or materials.

Related work to be performed by Hazen under this task includes:

- **Maintenance of Plant Operations (MOPO) during Construction** – Hazen will develop a detailed plan for maintenance of plant operations during construction including consideration of maintaining permit compliance while sequencing new facilities into service and demolishing existing facilities, as necessary. Hazen will conduct a workshop with City staff to ensure that the proposed plan fully addresses the City's concerns, maintenance of access to existing facilities, and other constraints vital to project success.
- **Functional Control Descriptions** – Hazen will develop either functional control descriptions or process and instrumentation diagrams (P&IDs) describing / illustrating the required operation, monitoring, and control of the new facilities. New and / or modified graphic display screens depicting the Work will be described by Hazen and incorporated into the plant SCADA system during construction by the General Contractor's Control Systems Integrator.
- **Opinion of Cost** – Hazen will develop and maintain a detailed cost estimate throughout the design of the work. Formal opinions of probable cost shall be provided at the 30%, 60%, and 90% design completion milestones. Hazen will provide periodic updates to the City regarding bid opening results from other projects in the region. Hazen will promptly identify any cost impacts resulting from design decisions made by the City and communicate such impacts to the City.

Subtask 4.3 Develop Front-End Bidding Requirements – Hazen will prepare bidding requirements utilizing EJCDC standard front-end documents and Hazen's standard general requirements.

Task 5 – Regulatory Coordination

Subtask 5.1 Regulatory Coordination – Hazen will identify, prepare, and submit permit packages as delineated below to the applicable regulatory agencies for review and approval. Where necessary, Hazen will discuss the proposed project with the applicable regulatory agencies to fully define the permit requirements and to identify the major permitting issues that must be resolved. A permitting strategy will be developed to address the major issues identified and to facilitate the permit acquisition process. Applications for the required permits and approvals will be prepared for submittal

to the respective agencies. The City will reimburse Hazen for all application fees associated with the permitting process. It is anticipated that the following permits, as a minimum, will be required:

- USACE 404 Permit and NCDEQ 401 Water Quality Certification
- NCDEQ Soil & Erosion Control Permit
- NCDEQ Authorization-to-Construct Permit
- City Building Code Permit

Task 6 - Bid Phase Services

Subtask 6.1 Bidding Assistance – Hazen will assist the City with preparing an advertisement for bid and for identifying and contacting potential General Contractors that may be capable and available to conduct the construction. Hazen will be responsible for distribution of Contract Documents and any addenda to all potential bidders, vendors, and plan rooms. A list of planholders will be provided to the City on a regular basis throughout the bid process.

Subtask 6.2 Attend Pre-Bid Meeting – Hazen will attend a pre-bid meeting to describe the project and the requirements of the Contract Documents to interested bidders and respond to questions concerning the project requirements.

Subtask 6.3 Bid Document Interpretation – During the bid period, Hazen will be available to answer questions concerning the requirements of the Contract Documents. If required, Hazen will develop such addenda as may be deemed necessary to clarify or modify the requirements of the Contract Documents to clearly communicate the intent of the work.

Subtask 6.4 Attend Bid Opening – Hazen will attend the bid opening and prepare a tabulation of all bids received. Hazen will analyze all bids received and prepare and certify a bid tabulation. Hazen will prepare and submit a recommendation for award.

Subtask 6.5 Prepare Official Notices – Upon approval of contract award, Hazen will issue the official “Notice of Award” to the successful bidder and prepare construction contracts for execution by City staff and the successful bidder. Hazen will also issue the official “Notice to Proceed.”

Subtask 6.6 Conform Bid Documents – Hazen will incorporate all modifications to the Contract Documents resulting from the issuance of addenda during the bid period, and issue conformed plans and specifications (a total of 10 sets) to the City and the awarded General Contractor. Digital copies of the conformed drawings and specification shall also be provided to the City.

Task 7 – Wastewater Staffing Projections

Subtask 7.1 Conduct Staffing Analysis – Hazen will provide a wastewater treatment plant staffing analysis to assist the City with financial planning of needed personnel (specifically operators, mechanics, and laboratory personnel) as the plant expands from its current capacity of 10.4 mgd to its expected buildout capacity of 24 mgd. The staffing analysis will be conducted using two primary tools – the American Water Works Association (AWWA) Utility Benchmarking and Performance Management for Water and Wastewater and the Northeast Interstate Water Pollution Control Commission (NEIWPCC) Northeast Guide for Estimating Staffing for Publicly and Privately Owned Wastewater Treatment Plants.

Subtask 7.2 Prepare Technical Memorandum / Conduct Workshop – Upon completion of the wastewater staffing analysis, Hazen will summarize the results and recommendations in a technical memorandum (TM). The draft TM will be submitted to the City for review and a workshop scheduled to present the TM and to receive City comments. Hazen will develop a PowerPoint presentation to facilitate discussion. City review comments will then be incorporated into the finalized TM.

CITY'S RESPONSIBILITIES

The City shall provide Hazen with the following:

- Authorize the Hazen to proceed in writing.
- Give thorough consideration to all documents, permit applications, submittal packages developed by Hazen and inform Hazen of any required changes and / or decisions
- Provide Hazen access to the Monroe WWTP
- Provide Hazen with all available data (e.g., influent and effluent data, toxicity tests, priority pollutant scans) and previous reports by others pertaining to population / flow projections

BASIS OF COMPENSATION

The work to be performed for providing professional engineering services associated with designing, permitting, and bidding the Monroe WWTP Expansion project will be billed on a categorical hourly rate basis with a total not-to-exceed (NTE) cost ceiling fee limit of **\$5,870,755**. **Table 3** provides a fee summary by task. **Table 4** delineates the agreed upon categorical hourly rates by employee classification. **Table 5** summarizes the key Hazen team members dedicated to work on this project.

Funds can be transferred from one cost ceiling task to another with the approval of the City as long as the total NTE cost ceiling fee limit is not exceeded. However, an amendment will be required to increase the total NTE cost ceiling fee limit.

Table 3 below provides a fee summary for Hazen's services, the services of any subconsultants, and project reimbursable costs. Appropriate amounts have been incorporated in the fees to account for labor, overhead, and profit. Project expenses for travel and reproduction will be billed to the City at cost. Subconsultants employed by Hazen will be billed to the City at cost times a mark-up of 5%.

Table 3: Fee Summary

Task	Subtask Description	Hazen Fee	Subconsultant Fee	Expenses	Total NTE Fee
1	Project Management	\$220,230	\$0	\$8,210	\$228,440
2	Engineering Alternative Analysis	\$104,690	\$0	\$660	\$105,350
3	Major NPDES Permit Modification	\$42,050	\$0	\$660	\$42,710
4	Detailed Design	\$4,978,705	\$262,500	\$9,320	\$5,250,525
5	Regulatory Coordination	\$149,540	\$0	\$10,890	\$160,430
6	Bid Phase Services	\$47,250	\$7,350	\$7,580	\$62,180
7	Wastewater Staffing Projections	\$21,120	\$0	\$0	\$21,120
	Total Not-to-Exceed Fee	\$5,563,585	\$269,850	\$37,320	\$5,870,755

Work outside the Scope of Services as requested by the City will be performed by Hazen on an hourly rate basis per **Table 4** below unless a lump sum fee negotiation is desired.

TABLE 4: 2023 – 2024 Categorical Hourly Billing Rates

Employee Classification	Billing Rates
Vice President	\$290
Associate Vice President	\$275
Senior Associate	\$245
Associate	\$200
Senior Principal Engineer	\$180
Principal Engineer	\$160
Engineer	\$140
Assistant Engineer	\$125
Senior Principal Designer	\$170
Principal Designer	\$150
Designer	\$120
Administrative	\$85

Table 5 below lists the Key Hazen Project Team members dedicated to the 3-mgd expansion project.

Table 5: Key Hazen Project Team

Role	Hazen Staff Member
Project Director	Jim Struve, PE
Technical Advisor	Dave Baar, PE
Project Manager	Mike Parker, PE

Process Engineer	Joe Rohrbacher, PE
NPDES Permitting Engineer	Mary Sadler, PE
Assistant Project Manager	Lucas Bennett, PE
Lead Civil Engineer	Matt Buswell, PE
Lead Structural Engineer	Colby Whiteley, PE
Lead Electrical Engineer	Nate Siebach, PE
Constructability Engineer	Brandon Moretz, PE
Lead Architect	Bill Russell, AIA
Lead HVAC Engineer	Danny Reagan, PE
Lead Biosolids Engineer	Ruth Borgmann, PE
Lead Revit Designer	Steven Gruber
Project Engineer	Anthony Young
Project Engineer	Jacob Smith
Designer	Greg Floyd
Designer	Wayne Maxwell

SCHEDULE

Table 6 below summarizes the tentative major milestones from design through award of the construction contract.

TABLE 6: Schedule

Milestone Description	Tentative Date
Design NTP	Aug 2023
30% Design Workshop	Feb 2024
Submit Staffing Projections TM	Apr 2024
60% Design Workshop	Jun 2024
Submit Design Package for Regulatory Review	Sep 2024
90% Design Workshop	Dec 2024
Submit Design Package to City	Jan 2025
Finalize Design / Advertise Project	Feb 2025
Bid Opening	Mar 2025
Award Contract	Apr 2025

City of Monroe Monroe Wastewater Treatment Plant 3 MGD WWTP Expansion Design and Bid Phase Services Projected Manhours and Associated Fee																					
Task No.	Description	VP (Hrs) \$290.00 Prj Dir Struve	AVP (Hrs) \$275.00 Tech Advisor Baar	AVP (Hrs) \$275.00 Prj Mgr Parker	Prin Eng (Hrs) \$160.00 Asst Prj Mgr Bennett	AVP (Hrs) \$275.00 Process Rorhbacher	AVP (Hrs) \$275.00 EAA / Struct / Arch Sadler / Phillips / Russell	Sr Assoc (Hrs) \$245.00 Elect / I&C / HVAC Atkinson / Cao / Reagan	Sr Assoc (Hrs) \$245.00 CMAR / Constructability Moretz	Sr Assoc (Hrs) \$245.00 Process / Civil / Struct Borgmann / Buswell / Whiteley	Assoc (Hrs) \$200.00 Prj Eng Nash / Alcorn	Sr Prin Eng (Hrs) \$180.00 Prj Eng Siebach / Connor	Prin Eng (Hrs) \$160.00 Prj Eng McNicol / Kemak	Eng (Hrs) \$140.00 Prj Eng Young / Smith	Asst Eng (Hrs) \$125.00 Prj Eng Wood / Varelas	Sr Pri CAD (Hrs) \$170.00 Designer Karmanocky / Rogers	Pri CAD (Hrs) \$150.00 Designer Maxwell / Floyd	CAD (Hrs) \$120.00 Designer Barnes / Ixcajo / Mvutu	Admin (Hrs) \$85.00 Admin DiBlasi / Ellerson	Total Labor Hrs	Total Labor Fee
1	Project Management																				
1.1	Submit Invoices / Update Schedule	18		90																108	\$29,970
1.2	Conduct Kick-Off Meeting	4	4	4	12	4							8		4					40	\$8,160
1.2	Conduct 30% Workshop	4	4	8	12	4			4		4	4	8			4				56	\$11,940
1.2	Conduct 60% Workshop	4	4	8	12	4			4		4	4	8		4	4				60	\$12,440
1.2	Conduct 90% Workshop	4	4	8	12	4			4		4	4	8		4	4				60	\$12,440
1.2	Conduct Monthly Coordination Meetings	28		56	112	28		14		14		28	28			28				336	\$70,280
1.3	Provide 30% QAQC Review	4	24	8	8		24	24					8							100	\$25,000
1.3	Provide 60% QAQC Review	4	24	8	8		24	24					8							100	\$25,000
1.3	Provide 90% QAQC Review	4	24	8	8		24	24					8							100	\$25,000
	Subtotal	74	88	198	184	44	72	86	12	14	12	40	84	0	12	40	0	0	0	960	\$220,230
	Task No. 1 Expenses																				
	Mileage for Meetings									18 Meetings at 60 Miles per Trip											\$650
	Mileage for Meetings									12 Meetings at 300 Miles per Trip											\$2,160
	Misc Reimburseable Expenses									18 Meetings at \$300 per Trip											\$5,400
	Subtotal																				\$8,210
2	Engineering Alternatives Analysis																				
2.1	Compile / Collect Data			4	4		16							32						56	\$10,620
2.1	Perform Population / Flow Projections			4	4		60							80						148	\$29,440
2.1	Evaluate Alternative 1 - No Action			2	2		4							8						16	\$3,090
2.1	Evaluate Alternative 2 - Connect to Existing Wastewater System	2		2	2		12							24						42	\$8,110
2.1	Evaluate Alternative 3 - Land Application Disposal			2	2		12							24						40	\$7,530
2.1	Evlauate Alternative 4 - Reuse Wastewater			2	2		12							24						40	\$7,530
2.1	Evaluate Alternative 5 - Direct Discharge to Surface Water			2	2		16							32						52	\$9,750
2.1	Provide Economic Analysis of Alternatives	2		4	4		24							36						70	\$13,960
2.1	Draft Report	2		2	2		12							24				16		58	\$10,030
2.1	Finalize Report	2		2	2		4							8				8		26	\$4,630
	Subtotal	8	0	26	26	0	172	0	0	0	0	0	0	292	0	0	0	24	0	548	\$104,690
	Task No. 2 Expenses																				
	Mileage for Meetings									2 Meetings at 300 Miles per Trip											\$360
	Misc Reimburseable Expenses									2 Meetings at \$150 per Trip											\$300
	Subtotal																				\$660
3	Major NPDES Permit Modification																				
3.1	Compile / Collect Data			4	4		16							60						84	\$14,540
3.1	Complete Basic Application Information	1		2	2		8							16						29	\$5,600
3.1	Input and Analysis of DMR Data						12							24						36	\$6,660
3.1	Prepare Draft Package			2	2		16							24			8	8		60	\$10,790
3.1	Submit Final Package	1		2	2		4							8			4	4		25	\$4,460
	Subtotal	2	0	10	10	0	56	0	0	0	0	0	0	132	0	0	12	12	0	234	\$42,050
	Task No. 3 Expenses																				
	Mileage for Meetings									2 Meetings at 300 Miles per Trip											\$360
	Misc Reimburseable Expenses									2 Meetings at \$150 per Trip											\$300
	Subtotal																				\$660
4	Detailed Design																				
4.1	Develop General / Demolition Dwgs	2		5	5											14	14			40	\$7,235
4.1	Develop Civil / Site Dwgs	80	80	140	200					440			480	265	265	160	980	160		3,250	\$563,925
4.1	Develop Process / Mechanical Dwgs	140	360	360	480	290		60		290	680		680	680	680	1,800	575	575		7,650	\$1,367,150
4.1	Develop Structural Dwgs	80	120	160	180		630			630	420	1,200	680	570	1,200	400	1,210	400		7,200	\$1,283,900
4.1	Develop Architectural Dwgs	40	30	90	100		300	225		340	340				160	200	200		2,025	\$433,525	
4.1	Develop HVAC Dwgs	12	18	30	40			440									210		750	\$162,380	
4.1	Develop Electrical Dwgs	40	80	100	120			450				770		770	770	380		770	4,250	\$690,200	
4.1	Develop Instrumentation and Control Dwgs	12	18	40	60			360							200	60			750	\$152,430	
4.1	Develop Misc Standard Detail Drawigs	12		20	20											84	84		220	\$39,060	
4.1	Develop Virtual Reality Model	12	16	12	8						24					180			252	\$47,860	
4.2	Develop Technical Specifications	8	16	40	80		16	16		16	80	80		80					80	512	\$91,160
4.2	Develop Detailed Cost Estimate	12	16	40	60		16	16		16	80	40		80					376	\$75,120	
4.3	Develop Bidding Requirements	12		20	40						40			40					40	192	\$32,380
4.3	Develop General Requirements	12		20	40						40			40					40	192	\$32,380
	Subtotal	474	754	1,077	1,433	290	962	1,507	60	1,732	1,704	2,090	1,160	2,525	3,275	3,278	3,273	1,905	160	27,659	\$4,978,705
	Task No. 4 Subconsultants																				
	Froehling & Robertson - Geotechnical																				\$70,000
	Avioimage - Aerial Mapping																				\$50,000
	Lawrence Associates - Surveying																				\$30,000
	Sweetwater - Utility Locates																				\$10,000
	Clemson Engineering Hydraulics - Physical Modeling of IPS #3																				\$90,000
	Subtotal																				\$250,000
	5% Markup																				\$12,500
	Task No. 4 Expenses																				
	Mileage for Site Visits									24 Site Visits at 60 Miles per Trip											\$860
	Mileage for Site Visits									12 Site Visits at 300 Miles per Trip											\$2,160
	Misc Reimburseable Expenses									24 Site visits at \$7											

5	Regulatory Coordination																				
5.1	USACE 404 Permit / NCDEQ 401 Water Quality Certification	4		4		4					40			16		16			84	\$14,500	
5.1	NCDEQ Soil & Erosion Control Permit	4		16		20				100		80			40				340	\$64,460	
5.1	NCDEQ Authorization-to-Construct Permit	8		16		20		80					80			80			284	\$56,720	
5.1	Monroe Building Code Permit	4		4		8				16		16	16				8		72	\$13,860	
Subtotal		20	0	40	52	0	80	0	0	116	0	136	96	0	96	40	96	8	0	780	\$149,540
Task No. 5 Expenses																					
Mileage for Meetings / Site Visits		8 Meetings / Site Visits at 60 Miles per Trip																			\$290
Misc Reimburseable Expenses		8 Meetings / Site visits at \$75 per Trip																			\$600
Permitting Fees																					\$7,500
Reproduction Expenses		Regulatory Review Sets (Plans and Specifications) - 5 Sets at \$500 per Set																			\$2,500
Subtotal																					\$10,890
6	Bid Phase Services																				
6.1	Bidding Assistance			2	2							8							12	\$2,150	
6.2	Attend Pre-Bid Meeting	6		4	4							6							20	\$4,440	
6.3	Bid Document Interpretation	8		16	24		8			8	8	8			8	8		8	112	\$22,040	
6.4	Attend Bid Opening			4	4							4							12	\$2,380	
6.4	Tabulate Bids			4	4							8							16	\$3,020	
6.4	Provide Award Recommendation			2	2														4	\$870	
6.5	Prepare Official Notices			2	2														4	\$870	
6.6	Conform Bid Documents	2		4	8					8		8	8			12	12		62	\$11,480	
Subtotal		16	0	38	50	0	0	8	0	16	8	16	42	0	0	20	20	0	8	242	\$47,250
Task No. 6 Subconsultants																					
Froehling & Robertson - Bidding Assistance																					\$3,500
Lawrence Associates - Bidding Assistance																					\$3,500
Subtotal																					\$7,000
5% Markup																					\$350
Task No. 6 Expenses																					
Mileage for Meetings		2 Meetings at 60 Miles per Trip																			\$80
Reproduction Expenses		Conformed Contract Documents (Plans and Specifications) - 15 Sets at \$500 per Set																			\$7,500
Subtotal																					\$7,580
7	Wastewater Staffing Projections																				
7.1	Conduct Staffing Analysis	1		2		16				24									43	\$10,040	
7.2	Prepare Technical Memorandum	1		2		8				16								8	35	\$6,920	
7.2	Conduct Workshop	4		4		4				4									16	\$4,160	
Subtotal		6	0	8	0	0	28	0	0	0	44	0	0	0	0	0	0	0	8	94	\$21,120
GRAND TOTAL		600	842	1,397	1,755	334	1,370	1,601	72	1,878	1,768	2,282	1,382	2,949	3,383	3,378	3,401	1,949	176	30,517	\$5,870,755
Percentage of Total Hours		2.0%	2.8%	4.6%	5.8%	1.1%	4.5%	5.2%	0.2%	6.2%	5.8%	7.5%	4.5%	9.7%	11.1%	11.1%	11.1%	6.4%	0.6%	100.0%	
Monthly Percentage (18 months for design to advertise)		21.8%	30.6%	50.8%	63.8%	12.1%	49.8%	58.2%	2.6%	68.2%	64.2%	82.9%	50.2%	107.2%	122.9%	122.7%	123.6%	70.8%	6.4%	1108.9%	
																				Hazen Fee	\$5,563,585
																				Subconsultants Fee	\$269,850
																				Expenses	\$37,320
																				Total	\$5,870,755
Hourly Billing Rate by Classification		(\$/hr)																			
Vice President (Struve)		290																			
Associate Vice President (Baar, Parker , Rohrbacher,Phillips, Russell)		275																			
Senior Associate (Atkinson, Moretz, Buswell, Whiteley, Borgmann)		245																			
Associate (Nash, Alcorn)		200																			
Sr Principal Engineer (Siebach, Connor, Monahan)		180																			
Principal Engineer (McNicol, Bennett, Kemak)		160																			
Engineer (Young, Smith)		140																			
Assistant Engineer (Wood, Varelas)		125																			
Sr Principal CAD Designer (Karmanocky, Rogers)		170																			
Principal CAD Designer (Maxwell, Floyd)		150																			
CAD Designer (Barnes, Ixcajo, Mvutu)		120																			
Administrative (Ellerson, DiBlasi)		85																			
Estimated Construction Cost		\$80,000,000																			
Design and Bidding Fee Summary																					
Parameter		Fee	% Const	% Total Fee																	
Hazen Fee		\$5,563,585	6.95%	94.77%																	
Subconsultants Fee		\$269,850	0.34%	4.60%																	
Expenses		\$37,320	0.05%	0.64%																	
TOTAL		\$5,870,755	7.34%	100.00%																	
Task		Hazen	Subconsultants	Expenses	Total																
Project Management		\$220,230	\$0	\$8,210	\$228,440																
Conduct Engineering Alternatives Analysis		\$104,690	\$0	\$660	\$105,350																
Prepare Major NPDES Permit Modification Package		\$42,050	\$0	\$660	\$42,710																
Detailed Design		\$4,978,705	\$262,500	\$9,320	\$5,250,525																
Regulatory Coordination		\$149,540	\$0	\$10,890	\$160,430																
Bid Phase Services		\$47,250	\$7,350	\$7,580	\$62,180																
Wastewater Staffing Projections		\$21,120	\$0	\$0	\$21,120																
Totals		\$5,563,585	\$269,850	\$37,320	\$5,870,755																

Attachment B – Certificate of Insurance

CAPITAL PROJECT BUDGET ORDINANCE
Wastewater Treatment Plant Expansion Phase 1 – Engineering Services
BO-2023-07

WHEREAS, the City desires to provide reliable, quality wastewater service to the citizens of Monroe; and

WHEREAS, it is imperative to effectively maintain and operate the City WWTP and related regulatory compliance to support current and future economic development; and

WHEREAS, a detailed Preliminary Engineering Report has identified a need for increased capacity to the Wastewater Treatment Plant; and

WHEREAS, the estimated total project design cost is \$5,870,755; and

WHEREAS, funding in the amount of \$4,000,000 was previously budgeted; and

WHEREAS, it is recommended that \$1,870,755 in additional funding be transferred from the Capital Reserve Fund to fund this design services contract; and

NOW, THEREFORE, BE IT ORDAINED that the City Council hereby provides additional funding for the Wastewater Treatment Plant Expansion Phase 1 – Engineering Services contract (SR2301) funding as follows:

Water & Sewer Capital Reserve Fund:

Revenues:

Appropriation of Fund Balance	\$ 1,870,755
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Expenses:

Transfer to Water & Sewer Capital Project Fund	\$ 1,870,755
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Water & Sewer Capital Project Fund:

Revenues Capital Project SR2301:

Transfer from Capital Reserve Fund Proceeds	\$ 1,870,755
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Expenditures Capital Project SR2301:

Engineering Services	\$ 1,870,755
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Adopted this 18th day of July, 2023.

Marion L. Holloway Jr., Mayor

Attest:

Bridgette H. Robinson, City Clerk

Monroe Wastewater Treatment Plant



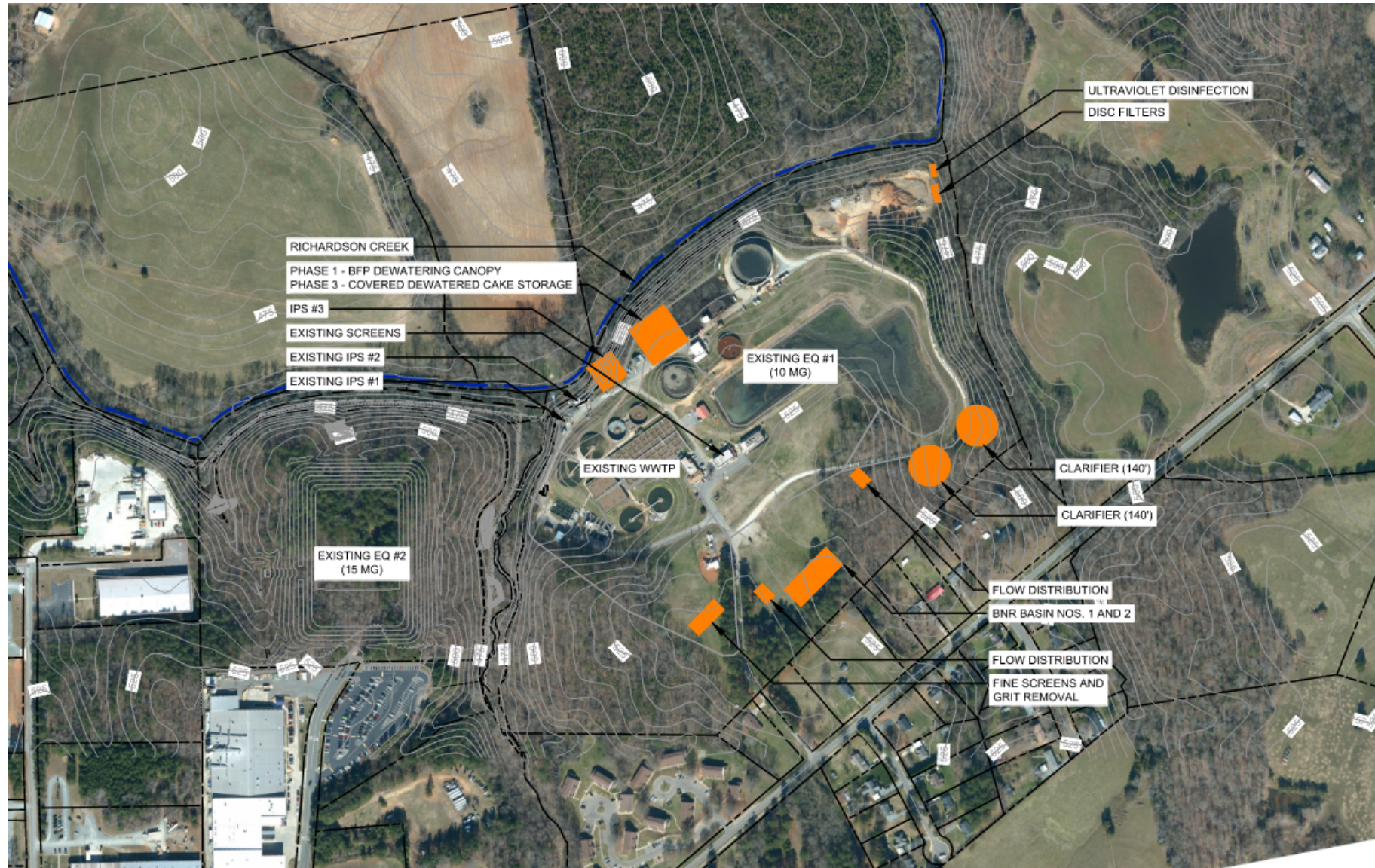
Existing Monroe WWTP



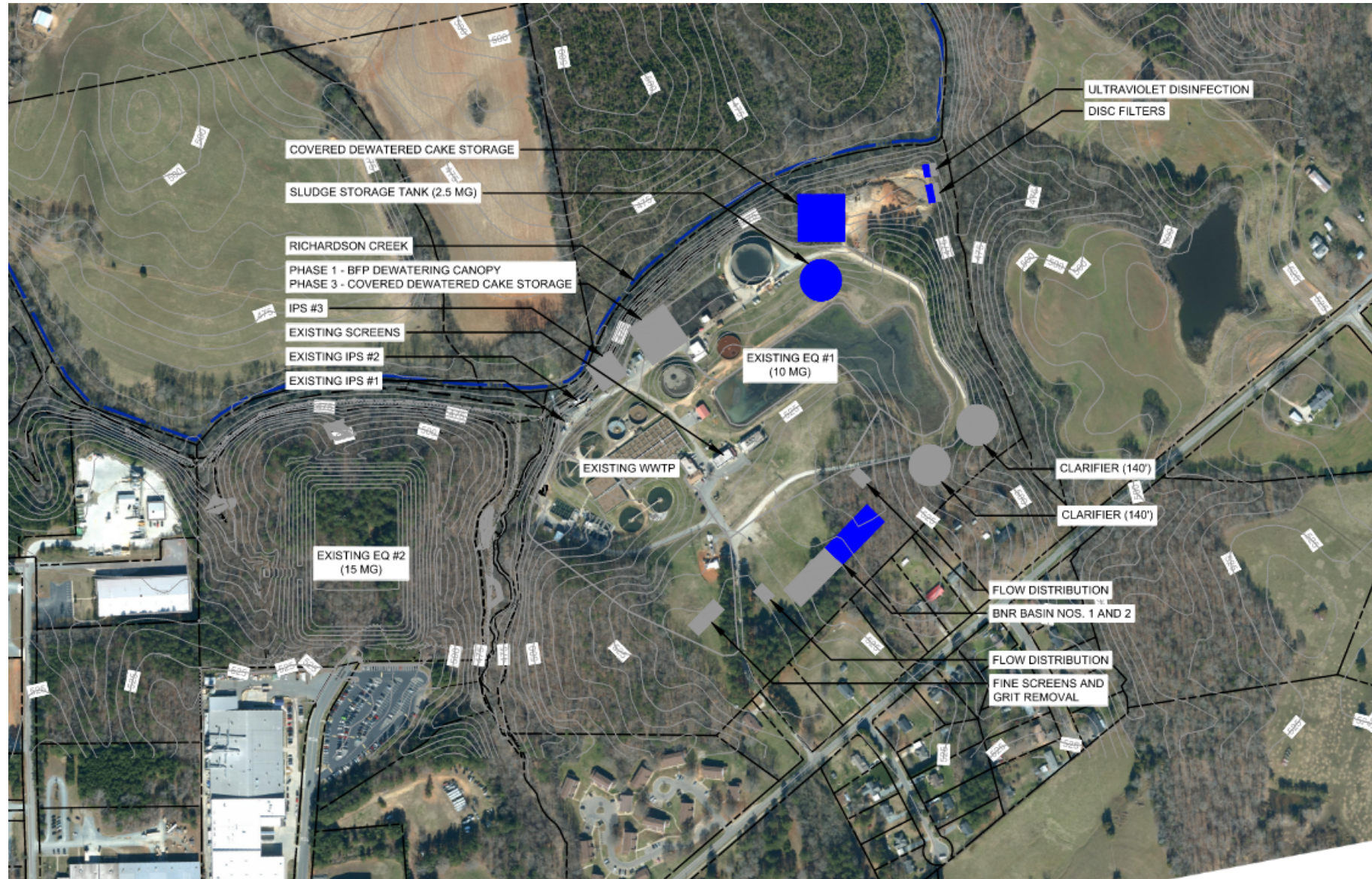
Plant Expansion – General Areas



3 mgd Expansion



6 mgd Expansion

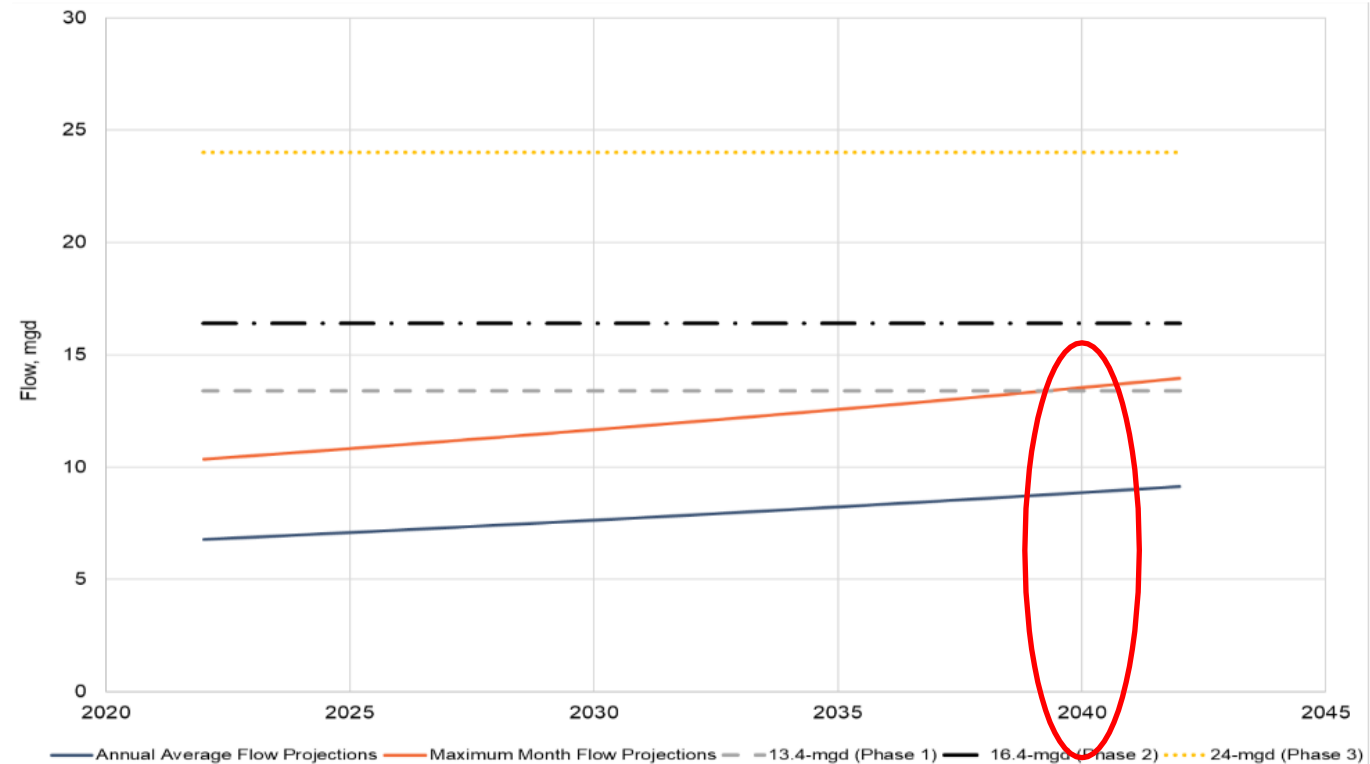


Plant Buildout (24 mgd)



Population Considerations

- 2000 / 2010 / 2020 Census Data:
Demonstrates ~1.5% annual growth
- Monroe WWTP also accepts flow from
Union County
- Current maximum month average flow rate
at WWTP is approximately 10 mgd
- Additional 3 mgd capacity provided with
initial expansion extends capacity to year
~2040
- 3 mgd expansion equivalent to adding
9,000 – 10,000 homes (within service area
of Monroe and Union County)

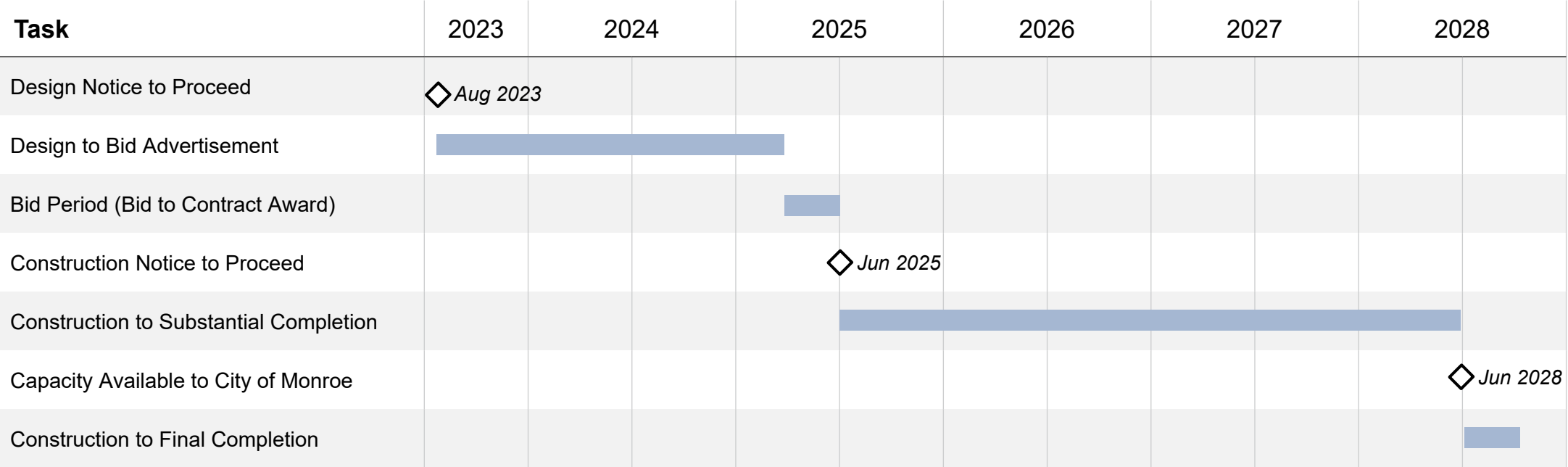


Cost Estimate – Initial Expansion Project

Influent Pumping Area	\$20,000,000
Preliminary Treatment Area	\$6,000,000
Secondary Treatment Area	22,100,000
Tertiary Treatment Area	\$7,300,000
Solids Handling Area	\$4,000,000
Standby Power / Main Switchgear	\$2,500,000
Site Work	\$7,500,000
Yard Piping	\$7,500,000
Electrical	\$4,700,000
Instrumentation & Controls	\$1,600,000
Contractor OH&P, Insurance, and Bonds	\$15,000,000
Total Estimated Construction Cost (Rounded)	\$99,000,000

Project Schedule

◆ Milestones



Cost and Schedule Considerations

- Construction market has experienced continuous price escalation since 2020
- Equipment manufacturing and delivery timelines have contributed to delays in project schedules
- Equipment delays have been most pronounced with major electrical equipment, although this now finally appears to be easing based on most recent project information
- Construction costs are not expected to decrease with any easing of inflation, i.e. previous cost escalations are expected to be 'baked in' to market
- Availability of contractors (general and electrical) needs to be monitored to understand project bid climate ahead of advertisement for bids



STAFF REPORT

TO: Public Enterprise Committee

VIA: Mark Watson, City Manager

DATE: July 3, 2023

FROM: Sarah McAllister, P.E., Engineering Director

PREPARED BY: Sarah McAllister, P.E., Engineering Director

SUBJECT: Safe Streets and Roads for All (SS4A) Grant Opportunity

SUMMARY STATEMENT

Staff requests approval to apply for a Safe Streets and Roads for All (SS4A) grant.

REVIEW

Staff has an opportunity to apply for a Safe Streets and Roads for All (SS4A) grant that would be used to develop a comprehensive safety action plan focused on improving roadway safety for all users by reducing and eliminating serious injury and fatal crashes. The Federal share of a SS4A grant may not exceed 80 percent. Recipients are required to contribute a local matching share of no less than 20% of eligible activity costs. The deadline to apply is July 10th, 2023.

RECOMMENDATION

Staff recommends the Public Enterprise Committee approve the submission of the grant application.

Attachment:
Notice of Funding Opportunity (NOFO) – FY 23 Safe
Streets and Roads for All

DEPARTMENT OF TRANSPORTATION**Office of the Secretary of Transportation****DOT-OST-2023-0048****USDOT FY23 Safe Streets and Roads for All Funding**

AGENCY: Office of the Secretary of Transportation, U.S. Department of Transportation (DOT or the Department)

ACTION: Notice of Funding Opportunity (NOFO), Assistance Listing # 20.939

SUMMARY: The purpose of this notice is to solicit applications for Safe Streets and Roads for All (SS4A) grants. Funds for the fiscal year (FY) 2023 SS4A grant program are to be awarded on a competitive basis to support planning, infrastructure, behavioral, and operational initiatives to prevent death and serious injury on roads and streets involving all roadway users, including pedestrians; bicyclists; public transportation, personal conveyance, and micromobility users; motorists; and commercial vehicle operators.¹

DATES: Applications must be submitted by 5:00 PM EDT on Monday, July 10, 2023. Late applications will not be accepted.

ADDRESSES: Applications must be submitted via Valid Eval, an online submission proposal system used by USDOT, at https://usg.valideval.com/teams/usdot_ss4a_2023_implementation/signup for Implementation Grant applicants, and https://usg.valideval.com/teams/usdot_ss4a_2023_planning_demo/signup for Planning and Demonstration Grants. Customer support for Valid Eval can be reached at support@valideval.com.

FOR FURTHER CONTACT INFORMATION: Please contact the SS4A grant program staff via email at SS4A@dot.gov, or call Paul Teicher at 202-366-4114. A telecommunications device for the deaf (TDD) is available at 202-366-3993. In addition, DOT will regularly post answers to questions and requests for clarifications, as well as schedule information regarding webinars providing additional guidance, on DOT's website at <https://www.transportation.gov/grants/SS4A>. The deadline to submit technical questions is June 16, 2023. The NOFO is listed under opportunity number DOT-SS4A-FY23-01 at [grants.gov](https://www.transportation.gov/grants).

SUPPLEMENTARY INFORMATION: Each section of this notice contains information and instructions relevant to the application process for SS4A grants, and all applicants should read this notice in its entirety so that they have the information they need to submit eligible and competitive applications.

Section	Content
N/A	Summary Information
A	Program Description
B	Federal Award Information
C	Eligibility Information
D	Application and Submission Information
E	Application Review Information
F	Federal Award Administration Information
G	Federal Awarding Agency Contacts

¹The term "pedestrians" is inclusive of all users of the pedestrian infrastructure, including persons with disabilities.

Section	Content
H	Other Information

Section A (Program Description) describes the Department’s goals and purpose in making awards, and Section E (Application Review Information) describes how the Department will select from eligible applications. To support applicants through the process, the Department will provide technical assistance and resources at <https://www.transportation.gov/grants/SS4A>.

DEFINITIONS

Term	Definition
Applicant’s Jurisdiction(s)	The U.S. Census tract/tracts where the applicant operates or performs their safety responsibilities. If an applicant is seeking funding for multiple jurisdictions, all of the relevant Census tracts for the jurisdictions covered by the application should be included.
Complete Streets	Standards or policies that ensure the safe and adequate accommodation of all users of the transportation system, including pedestrians, bicyclists, personal conveyance and micromobility users, public transportation users, children, older individuals, individuals with disabilities, motorists, and freight vehicles. ²
Comprehensive Safety Action Plan	A comprehensive safety action plan (referred to as an Action Plan) is aimed at preventing roadway fatalities and serious injuries in a locality or region or on Tribal land. This can be either a plan developed with a Planning and Demonstration Grant, or a previously developed plan that is substantially similar and meets the eligibility requirements (e.g., a Vision Zero plan or similar plan). See Table 1 for a detailed description.
Equity	The consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, Indigenous and Native Americans, Asian Americans and Pacific Islanders, and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.
High-Injury Network	Identifies the highest concentrations of traffic crashes resulting in serious injuries and fatalities within a given roadway network or jurisdiction.

² The definition is based on the “Moving to a Complete Streets Design Model: A Report to Congress on Opportunities and Challenges,” <https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-03/Complete%20Streets%20Report%20to%20Congress.pdf>. Also see <https://highways.dot.gov/complete-streets>.

Term	Definition
Micromobility	Any small, low-speed, human- or electric-powered transportation device, including bicycles, scooters, electric-assist bicycles, electric scooters (e-scooters), and other small, lightweight, wheeled conveyances. ³
Personal Conveyance	A personal conveyance is a device, other than a transport device, used by a pedestrian for personal mobility assistance or recreation. These devices can be motorized or human powered, but not propelled by pedaling (e.g., a wheelchair). ⁴
Political Subdivision of a State	A unit of government created under the authority of State law. This includes cities, towns, counties, special districts, certain transit agencies, and similar units of local government. A transit district, authority, or public benefit corporation is eligible if it was created under State law, including transit authorities operated by political subdivisions of a State.
Rural	For the purposes of this NOFO, jurisdictions outside an Urban Area (UA) or located within Urban Areas with populations fewer than 200,000 will be considered rural. Lists of UAs are available on the U.S. Census Bureau website at https://www2.census.gov/geo/docs/reference/ua/2020_Census_ua_list_all.xlsx .
Safe System Approach	A guiding principle to address the safety of all road users. It involves a paradigm shift to improve safety culture, increase collaboration across all safety stakeholders, and refocus transportation system design and operation on anticipating human mistakes and lessening impact forces to reduce crash severity and save lives. ^{5,6}

³ Source: FHWA, Public Roads Magazine, Spring 2021, “Micromobility: A Travel Innovation.” Publication Number: FHWA-HRT-21-003

⁴ <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813251>, see page 127 for the full definition as defined in the 2020 FARS/CRSS Coding and Validation Manual.

⁵ See: <https://www.transportation.gov/NRSS/SafeSystem>

⁶ Safety culture can be defined as the shared values, actions, and behaviors that demonstrate a commitment to safety over competing goals and demands.

Term	Definition
Underserved Community	An underserved community as defined for this NOFO is consistent with the Office of Management and Budget (OMB) and DOT definitions of a disadvantaged community designation, which includes any Tribal land; any territory or possession of the United States; or U.S. Census tracts identified in one of the following tools (may only select one option to identify underserved communities): • The interim USDOT Equitable Transportation Community Explorer (ETCE) https://experience.arcgis.com/experience/0920984aa80a4362b8778d779b090723/page/Applicant-Explorer/ • Any subsequent iterations of the ETCE released during the NOFO period; or • The Climate and Economic Justice Screening Tool (CEJST) to identify disadvantaged communities https://screeningtool.geoplatform.gov/ Funds to underserved communities are spent in, and provide benefits to, underserved communities.

A. Program Description

1. Overview

Section 24112 of the Infrastructure Investment and Jobs Act (Pub. L. 117–58, November 15, 2021; also referred to as the “Bipartisan Infrastructure Law” or “BIL”) authorized and appropriated \$1 billion to be awarded by the Department of Transportation for FY 2023 for the SS4A grant program. This NOFO solicits applications for activities to be funded under the SS4A grant program. The FY 2023 funding will be implemented, as appropriate and consistent with law, in alignment with the priorities in Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64355).

The purpose of SS4A grants is to improve roadway safety by significantly reducing or eliminating roadway fatalities and serious injuries through safety action plan development and refinement and implementation focused on all users, including pedestrians, bicyclists, public transportation users, motorists, personal conveyance and micromobility users, and commercial vehicle operators. The program provides funding to develop the tools to help strengthen a community’s approach to roadway safety and save lives and is designed to meet the needs of diverse local, Tribal, and regional communities that differ dramatically in size, location, and experience administering Federal funding.

The FY 2023 NOFO incorporates lessons learned from the FY 2022 NOFO, and substantively differs in a few ways:

- Applications are submitted through Valid Eval instead of Grants.gov. The application structure for the key information table and other application submission details has been standardized through Valid Eval.
- Updated the definition of an underserved community, with different tools to determine whether a U.S. Census tract is an underserved community.
- Planning and Demonstration Grants replaced Action Plan Grants from FY 2022, with a number of substantive changes throughout the NOFO:
 - Section A further clarifies eligible planning and demonstration activities;
 - Section B.3 changed the expected minimum and maximum award range to \$100,000 to \$10 million;
 - Section B.4 has a longer expected period of performance under certain circumstances;

- Section C.3 has changed eligibility requirements and allows applicants currently developing a comprehensive safety action plan to request additional funding for planning and demonstration; and
- Section E has a revised selection criteria requirement for the “Additional Safety Context” narrative, which is now expected to be between 1 and 2 pages.
- Implementation Grants had the following substantive changes:
 - Section B.3 changed the expected minimum and maximum award range to \$2.5 million to \$25 million;
 - Section E selection criteria were refined, and a fifth selection criterion specifically for applicants who bundle planning and supplemental planning was added; and
 - Section E award selection considerations were expanded to include rural areas, whether the applicant is identified as a priority community within the Federal Thriving Communities Network, requests less than \$10 million, and selections that support diversity amongst the award recipients, in addition to project readiness and percent of funds to underserved communities.

2. Grant Options and Deliverables

The SS4A program provides funding for two main types of grants: **Planning and Demonstration Grants** for comprehensive safety action plans, including supplemental safety planning, and/or safety demonstration activities; and **Implementation Grants**. Planning and Demonstration Grants are used to develop, complete, or supplement a comprehensive safety action plan, as well as carry out demonstration activities that inform an Action Plan. Implementation Grants are used to implement strategies or projects that are consistent with an existing Action Plan and may also bundle funding requests for supplemental planning and demonstration activities that inform an Action Plan. To apply for an Implementation Grant, an eligible applicant must have a qualifying Action Plan; see Section C for what constitutes a qualifying Action Plan. Applicants for Implementation Grants can self-certify that they have one or more plans in place by June 2023 that together are substantially similar to and meet the eligibility requirements for an Action Plan.

i. Planning and Demonstration Grants

Planning and Demonstration Grants have three different types of activities:

- a) Develop an Action Plan;
- b) Conduct supplemental safety planning to enhance an Action Plan; and
- c) Carry out demonstration activities to inform the development of, or an update to, an Action Plan.

The three different types of activities under Planning and Demonstration Grants can either be bundled together into one application, or an applicant may choose to request funding for only one of the activities. Applicants may only apply for a single grant type, but both grant types have the option to include Planning and Demonstration projects under them. The development of, or updates to, an Action Plan must be the intended end result of each supplemental planning and demonstration activity. Further information on which activities can be bundled together are described in Section C.3.i.

a) Action Plan

An Action Plan is the foundation of the SS4A grant program. Grants for Action Plans provide Federal funds to eligible applicants to develop, complete, or enhance an Action Plan.

The primary deliverable is a publicly available Action Plan. For the purposes of the SS4A grant program, an Action Plan includes the components in Table 1. DOT considers the process of developing an Action Plan to be critical for success, and the components reflect a process-oriented set of activities.

Table 1: Action Plan Components

Component	Description
Leadership Commitment and Goal Setting	An official public commitment (e.g., resolution, policy, ordinance) by a high-ranking official and/or governing body (e.g., Mayor, City Council, Tribal Council, metropolitan planning organization [MPO], Policy Board) to an eventual goal of zero roadway fatalities and serious injuries. The commitment must include a goal and timeline for eliminating roadway fatalities and serious injuries achieved through one, or both, of the following: (1) the target date for achieving zero roadway fatalities and serious injuries, OR (2) an ambitious percentage reduction of roadway fatalities and serious injuries by a specific date with an eventual goal of eliminating roadway fatalities and serious injuries.
Planning Structure	A committee, task force, implementation group, or similar body charged with oversight of the Action Plan development, implementation, and monitoring.
Safety Analysis	Analysis of existing conditions and historical trends that provides a baseline level of crashes involving fatalities and serious injuries across a jurisdiction, locality, Tribe, or region. Includes an analysis of locations where there are crashes and the severity of the crashes, as well as contributing factors and crash types by relevant road users (motorists, pedestrians, transit users, etc.). Analysis of systemic and specific safety needs is also performed, as needed (e.g., high-risk road features, specific safety needs of relevant road users, public health approaches, analysis of the built environment, demographics, and structural issues). To the extent practical, the analysis should include all roadways within the jurisdiction, without regard for ownership. Based on the analysis performed, a geospatial identification of higher-risk locations is developed (a High-Injury Network or equivalent).
Engagement and Collaboration	Robust engagement with the public and relevant stakeholders, including the private sector and community groups, that allows for both community representation and feedback. Information received from engagement and collaboration is analyzed and incorporated into the Action Plan. Overlapping jurisdictions are included in the process. Plans and processes are coordinated and aligned with other governmental plans and planning processes to the extent practicable.
Equity Considerations	Plan development using inclusive and representative processes. Underserved communities are identified through data and other analyses in collaboration with appropriate partners. Analysis includes both population characteristics and initial equity impact assessments of the proposed projects and strategies.
Policy and Process Changes	Assessment of current policies, plans, guidelines, and/or standards (e.g., manuals) to identify opportunities to improve how processes prioritize transportation safety. The Action Plan discusses implementation through the adoption of revised or new policies, guidelines, and/or standards, as appropriate.

Component	Description
Strategy and Project Selections	Identification of a comprehensive set of projects and strategies—shaped by data, the best available evidence and noteworthy practices, and stakeholder input and equity considerations—that will address the safety problems described in the Action Plan. These strategies and countermeasures focus on a Safe System Approach and effective interventions and consider multidisciplinary activities. To the extent practicable, data limitations are identified and mitigated. Once identified, the projects and strategies are prioritized in a list that provides time ranges for when the strategies and countermeasures will be deployed (e.g., short-, mid-, and long-term timeframes). The list should include specific projects and strategies, or descriptions of programs of projects and strategies, and explains prioritization criteria used. The list should contain interventions focused on infrastructure, behavioral, and/or operational safety.
Progress and Transparency	Method to measure progress over time after an Action Plan is developed or updated, including outcome data. A means to ensure ongoing transparency is established with residents and other relevant stakeholders. The approach must include, at a minimum, annual public and accessible reporting on progress toward reducing roadway fatalities and serious injuries and public posting of the Action Plan online.

Applicants requesting funds to develop an Action Plan may also request funding for supplemental planning and demonstration activities subsequently described in Section A.2.i.b and A.2.i.c below. The goal of an Action Plan is to develop a holistic, well-defined strategy to prevent roadway fatalities and serious injuries in a locality, Tribe, or region. Further information on eligibility requirements is in Section C.

b) Supplemental Planning

Supplemental action plan activities support or enhance an existing Action Plan. To only fund supplemental Action Plan activities through the SS4A program, an applicant must have an existing Action Plan; have a plan that is substantially similar and meets the eligibility requirements for having an existing plan; or be in the process of completing an Action Plan described in Table 1. Examples of supplemental planning include:

- Topical safety sub-plans focused on topics such as speed management, vulnerable road users, accessibility for individuals with disabilities, Americans with Disabilities Act of 1990 (ADA) transition plans, health equity, safety-focused Intelligent Transportation System implementation, lighting, or other relevant safety topics
- Road safety audits
- Additional safety analysis and expanded data collection and evaluation using integrated data
- Targeted equity assessments
- Required supplemental planning as a condition to receiving an Implementation Grant award as described in Section A.2.ii:
 - Updating Action Plans finalized and last updated in 2020 or earlier
 - Broadening the road user focus to include all road users
 - Updating plan components laid out in Table 1 and missing in an eligible plan
- Follow-up stakeholder engagement and collaboration
- Reporting on the progress from Action Plan implementation for transparency
- Other roadway safety planning activities that enhance an Action Plan

The final deliverable for supplemental planning is a written product that connects to, and enhances, an Action Plan. Final products shall be made publicly available. Additional information on supplemental planning is located at <https://www.transportation.gov/grants/SS4A>.

c) *Demonstration Activities*

Demonstration activities inform an Action Plan by testing proposed project and strategy approaches to determine their potential benefits and future scope; demonstration activities are temporary. Demonstration activities must measure potential benefits through data collection and evaluation and inform an Action Plan's list of selected projects and strategies and their future implementation. To receive funds only for demonstration activities through the SS4A program, an applicant must have an existing Action Plan, have a plan that is substantially similar and meets the eligibility requirements for having an existing plan, or be in the process of completing an Action Plan described in Table 1. Demonstration activities could include:

- Feasibility studies using quick-build strategies that inform permanent projects in the future (e.g., use of paint and plastic delineator posts to experiment with impermanent roadway design changes, use of removable barriers to re-allocate roadway space).
- Various MUTCD Engineering Studies that further safety applications of the MUTCD (e.g., evaluating warrants for traffic signal installation, high-visibility crosswalk markings, bike lane treatments, etc.).
- Pilot programs for behavioral or operational activities that include at least one element of the Safe System Approach (e.g., test out a new education campaign's messaging at a small scale, trial changes to how Emergency Medical Services respond to crashes).
- Pilot programs that demonstrate safety benefits of technologies not yet adopted in the community (e.g., variable speed limits, technology for adaptive signal timing, adaptive lighting, Intelligent Transportation Systems, vehicle-to-infrastructure technology, etc.).⁷ Eligible technologies must be commercially available and at a prototype or advanced technological readiness level.⁸

Demonstration activities and pilot programs must inform Action Plans through small-scale tests with finite trial periods intended to gauge potential project and strategy effectiveness that will lead to project and strategy selection at a systemic level. The final deliverable is an assessment of the demonstration activities and an updated Action Plan that incorporates the information gathered from the demonstration activities into the Action Plan's list of projects or strategies and/or informs another part of the Action Plan. DOT intends to prioritize demonstration activities that are set up within 18 months (e.g., quick-builds on the roadway, pilot project established).

ii. *Implementation Grants*

Implementation Grants fund projects and strategies identified in an Action Plan that address roadway safety problems. Implementation Grants may also fund supplemental planning and demonstration activities as described in Section A.2.i, as well as planning, design, and development activities for projects and strategies identified in an Action Plan. DOT encourages Implementation Grant applicants to include supplemental planning and demonstration activities in their application. Applicants must have an existing Action Plan to apply for Implementation Grants or have an existing plan that is substantially similar and meets the eligibility requirements of an Action Plan. If applicants do not have an existing Action Plan, they should apply for Planning and Demonstration Grants and **NOT** Implementation Grants.

The Action Plan components may be contained within several plans. DOT requires applicants who have an Action Plan that is missing components required in Table 1 but still have a substantially similar plan based on the Self-Certification Eligibility Worksheet outlined in Section C to update an Action Plan to contain all components in a Comprehensive Safety Action Plan as outlined in Table 1. Updating an existing Plan to address missing components is a condition to receive Implementation Grant funding, and applicants applying for Implementation Grants can request to use SS4A supplemental planning funds to update an existing Action Plan to conform with all the components in Table 1. Additional information on eligibility requirements and eligible activities is in Section C below.

⁷ Eligible vehicle-to-infrastructure demonstrations use interoperable vehicle-to-infrastructure (V2X) communications capabilities using 4G LTE cellular V2X (C-V2X) technology in the 5.905 – 5.925 GHz spectrum frequency band to enable safety applications for public fleet vehicles.

⁸ The corresponding level would be "Development," level 7 Prototype demonstrated in operational environment. See <https://www.fhwa.dot.gov/publications/research/ear/17047/17047.pdf>.

3. SS4A Grant Priorities

This section discusses priorities specific to SS4A and those related to the Department's overall mission, which are reflected in the selection criteria and NOFO requirements. Successful grant applications will:

- Promote safety to prevent death and serious injuries on public roadways;
- Employ low-cost, high-impact strategies that can improve safety over a wide geographic area;
- Ensure equitable investment in the safety needs of underserved communities, which includes both underserved urban and rural communities;
- Incorporate evidence-based projects and strategies and adopt innovative technologies and strategies;
- Demonstrate engagement with a variety of public and private stakeholders; and
- Align with the Department's mission and Strategic Goals such as safety; climate change and sustainability; equity and Justice⁴⁰; and workforce development, job quality, and wealth creation.⁹

The Department seeks to award Planning and Demonstration Grants based on safety impact, equity, and other safety considerations. For Implementation Grants, DOT seeks to make awards to projects and strategies that save lives and reduce roadway fatalities and serious injuries; incorporate equity, engagement, and collaboration into how projects and strategies are executed; use effective practices and strategies; consider climate change, sustainability, and economic competitiveness in project and strategy implementation; and will be able to complete the full scope of funded projects and strategies within five years after the establishment of a grant agreement. Additional award consideration will be made for Implementation Grant applicants that have a high percentage of funds that benefit underserved communities, are in rural areas, request less than \$10 million in Federal funds, and/or support geographic diversity amongst the Implementation Grant award recipients. Section D provides more information on the specific measures an application should demonstrate to support these goals.

The SS4A grant program aligns with both Departmental and Biden-Harris Administration activities and priorities. The National Roadway Safety Strategy (NRSS, issued January 27, 2022) commits the Department to respond to the current crisis in roadway fatalities by "taking substantial, comprehensive action to significantly reduce serious and fatal injuries on the Nation's roadways," in pursuit of the goal of achieving zero roadway deaths through a Safe System Approach.¹⁰ DOT recognizes that zero is the only acceptable number of deaths on our roads, and SS4A program outcomes align with the NRSS and support the FY 2022-2026 DOT Strategic Plan safety performance goals such as a medium-term goal of a two-thirds reduction in roadway fatalities by 2040.¹¹ DOT also incentivizes communities to adopt and implement Complete Streets policies that prioritize the safety of all users in transportation network planning, design, construction, and operations, and encourages applicants to use a Complete Streets design model on roadways where adjacent land use suggests that trips could be served by varied modes.¹² For applicants seeking to use innovative technologies and strategies, the Department's Innovation Principles serve as a guide to ensure innovations reduce deaths and serious injuries while committing to the highest standards of safety across technologies.¹³

This NOFO aligns with and considers Departmental policy priorities that have a nexus to roadway safety and grant funding. Consistent with the Department's implementation of Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619), the Department seeks to fund applications that address equity and environmental justice, particularly for communities that have experienced decades of underinvestment and are most impacted by climate change, pollution, and environmental hazards.¹⁴ Additionally, DOT seeks to fund projects that reduce greenhouse gas emissions in the transportation sector, including those that improve safety for low- and zero-emission modes of travel. Applicants should also consider the incorporation of evidence-based

⁹ FY 2022-2026 USDOT Strategic Plan <https://www.transportation.gov/dot-strategic-plan>.

¹⁰ <https://www.transportation.gov/NRSS>.

¹¹ <https://www.transportation.gov/dot-strategic-plan>.

¹² More information on Complete Streets can be found at <https://highways.dot.gov/complete-streets>.

¹³ <https://www.transportation.gov/priorities/innovation/us-dot-innovation-principles>. Released January 6, 2022.

¹⁴ See the definition of an underserved community, which includes Census tracts identified in the OMB CEJST and DOT ETCE tools.

climate resilience measures and features; reduce the lifecycle greenhouse gas emissions from project materials; avoid adverse environmental impacts to air or water quality, wetlands, and endangered species; and address the disproportionate negative environmental impacts of transportation on disadvantaged communities.

Consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009), the Department seeks to award funds under the SS4A grant program that will create proportional impacts to all populations in a project area, remove transportation related disparities to all populations in a project area, and increase equitable access to project benefits. An important area for DOT's focus is the disproportionate, adverse safety impacts that affect certain groups on our roadways, particularly people walking, biking, and rolling in underserved communities. In accordance with the Americans with Disabilities Act of 1990 (ADA), awards focused on infrastructure and demonstration activities must ensure that newly constructed facilities in the public right-of-way are accessible to, and usable by, individuals with disabilities to the extent that it is not structurally impracticable to do so. The ADA also requires that, when an existing facility is altered, the altered facility be made accessible to and usable by individuals with disabilities to the maximum extent feasible (28 CFR 35.151[a] and 35.151[b]). See Section E of this NOFO for climate and equity-related selection criteria and Section F for related award administration requirements.

The Department intends to use the SS4A 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 and training and placement programs, especially registered apprenticeships, in project planning stages, consistent with Executive Order 14025, Worker Organizing and Empowerment (86 FR 22829), and Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64335). The Department also intends to use the SS4A program to support wealth creation, consistent with the Department's Equity Action Plan through the inclusion of local inclusive economic development and entrepreneurship such as the utilization of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned Businesses, or 8(a) firms.

B. Federal Award Information

1. Total Funding Available

The BIL established the SS4A program with \$5,000,000,000 in advanced appropriations in Division J, including \$1,000,000,000 for FY 2023. Additionally, DOT has \$177,213,000 in FY 2022 carryover funds set aside for Planning and Demonstration Grants as well as certain eligible safety planning and demonstrative activities that may be included under an Implementation Grant request. Therefore, this Notice makes available up to \$1,177,213,000 for FY 2023 grants under the SS4A program. Refer to Section D for greater detail on additional funding considerations and Section D.5 for funding restrictions.

2. Availability of Funds

Grant funding obligation occurs when a selected applicant and DOT enter into a written grant agreement after the applicant has satisfied applicable administrative requirements. Unless authorized by DOT in writing after DOT's announcement of FY 2023 SS4A grant awards, any costs incurred prior to DOT's obligation of funds for activities ("pre-award costs") are ineligible for reimbursement and may not be used as matching funds. All SS4A funds must be expended within five years after the grant agreement is executed and DOT obligates the funds.

3. Award Size and Anticipated Quantity

In FY 2023, DOT expects to award hundreds of Planning and Demonstration Grants and up to one hundred Implementation Grants. The Department reserves the right to make more, or fewer, awards. DOT reserves the discretion to alter minimum and maximum award sizes upon receiving the full pool of applications and assessing the needs of the program in relation to the SS4A grant priorities in Section A.3. Federal funding requests must be made in whole dollar amounts (no cents).

iii. Planning and Demonstration Grants

For Planning and Demonstration Grants, award amounts will be based on estimated costs, with an expected minimum of \$100,000 and an expected maximum of \$10,000,000 for all applicants. The Department expects larger award amounts for a metropolitan planning organization (MPO), an application comprised of a multijurisdictional group of entities that is regional in scope (e.g., a multijurisdictional group of counties, a council of governments and cities within the same region), or those who are conducting activities in a large geographic area. The Department will consider applications with funding requests under the expected minimum award amount. DOT reserves the right to make Planning and Demonstration Grant awards less than the total amount requested by the applicant.

An application that engages multiple jurisdictions in the same region is encouraged in order to ensure collaboration across multiple jurisdictions and leverage the expertise of agencies with established financial relationships with DOT and knowledge of Federal grant administration requirements. For applicants developing a new Action Plan, the application may propose the development of a single Action Plan covering all jurisdictions, several plans for individual jurisdictions, or a system to administer sub-awards to entities within its jurisdiction.

Of the total amount available, DOT anticipates that it will award at least \$250 million for demonstration activities that will inform the development of an Action Plan, as described in Section A.

iv. Implementation Grants

For Implementation Grants, DOT expects the minimum award will be \$2,500,000 and the maximum award will be \$25,000,000. DOT reserves the right to make Implementation Grant awards less than the total amount requested by the applicant.

4. Start Dates and Period of Performance

DOT expects to obligate SS4A award funding via a signed grant agreement between the Department and the recipient, as flexibly and expeditiously as possible, within 12 months after awards have been announced. Applicants who have never received Federal funding from DOT before are encouraged to partner with eligible applicants within the same region, such as an MPO, that have established financial relationships with DOT and knowledge of Federal grant administration requirements. While States are not eligible applicants and cannot be a co-applicant (which includes State Departments of Transportation and similar State-level entities), eligible applicants are encouraged to separately coordinate with States and other entities experienced with administering Federal grants, outside of the SS4A grant award process, to ensure effective administration of a grant award. The expected period of performance for Planning and Demonstration Grant agreements is between 12 months and 5 years, depending on the scope and extent of the grant activities. The period of performance for Planning and Demonstration Grant and Implementation Grant agreements may not exceed five years.

5. Data Collection Requirements

Under BIL, the Department shall post on a publicly available website best practices and lessons learned for preventing roadway fatalities and serious injuries pursuant to strategies or interventions implemented under SS4A. Additionally, DOT shall evaluate and incorporate, as appropriate, the effectiveness of strategies and interventions implemented under the SS4A grant program.¹⁵ The Department intends to measure safety outcomes through a combination of grant agreement activities and data collections, DOT data collections already underway, and program evaluations separate from the individual grant agreements in accordance with Section F.3.iii. The grant data-collection requirements reflect the need to build evidence of noteworthy strategies and what works. The Department expects to use the data and outcome information collected before and after evaluations. See Section F for more information about post-award reporting requirements.

¹⁵ BIL specifically cites *Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, Ninth Edition* or any successor document, but DOT also is to consider applied research focused on infrastructure and operational projects and strategies.

C. Eligibility Information

1. Eligible Applicants

Eligible applicants for SS4A grants are:

- (1) a metropolitan planning organization (MPO);
- (2) a political subdivision of a State or territory;
- (3) a federally recognized Tribal government; and
- (4) a multijurisdictional group of entities described in any of the aforementioned three types of entities.

A multijurisdictional group of entities described in (4) should identify a lead applicant as the primary point of contact. For the purposes of this NOFO, a **political subdivision of a State** under (2), above, is defined as a unit of government under the authority of State law. This includes cities, towns, counties, special districts, and similar units of local government. A transit district, authority, or public benefit corporation is eligible if it was created under State law, including transit authorities operated by political subdivisions of a State. States are not eligible applicants, but DOT encourages applicants to coordinate with State entities, as appropriate. Eligible MPOs, transit agencies, and multijurisdictional groups of entities with a regional scope are encouraged to support subdivisions of a State such as cities, towns, and counties with smaller populations within their region. The Department strongly encourages applications that involve multijurisdictional partnerships for Planning and Demonstration Grants and for applicants who have never received Federal funding and can apply with entities experienced in executing DOT grants.

An eligible applicant for an Implementation Grant must also meet at least one of these conditions:

- (1) have ownership and/or maintenance responsibilities over a roadway network;
- (2) have safety responsibilities that affect roadways; or
- (3) have agreement from the agency that has ownership and/or maintenance responsibilities for the roadway within the applicant's jurisdiction.

For the purposes of this NOFO, an applicant's jurisdiction is defined as the U.S. Census tracts where the applicant operates or performs their safety responsibilities.

2. Cost Sharing or Matching

The Federal share of a SS4A grant may not exceed 80 percent of total eligible activity costs. Recipients are required to contribute a local matching share of no less than 20 percent of eligible activity costs. Unless otherwise authorized by statute, all matching funds must be from non-Federal sources. Matching funds may include funding from the applicant, or other eligible non-Federal sources. In accordance with 2 CFR § 200.306, grant recipients may use in-kind or cash contributions toward local match requirements so long as those contributions meet the requirements under 2 CFR § 200.306(b). Any in-kind contributions used to fulfill the cost-share requirement for both Planning and Demonstration Grants and Implementation Grants must:

- Be in accordance with the cost principles in 2 CFR § 200 Subpart E;
- Include documented evidence of completion within the period of performance; and
- Support the execution of the eligible activities in Section C.4.

SS4A funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted. Grant agreements are expected to be administered on a reimbursement basis, and at the Department's discretion alternative funding arrangements may be established on a case-by-case basis.

3. Grant Eligibility Requirements

If an applicant is eligible for both a Planning and Demonstration Grant and an Implementation Grant, the applicant may only apply for a Planning and Demonstration Grant **or** an Implementation Grant, not both. An eligible applicant may only submit one application to the funding opportunity. Implementation Grant applicants may request funds to bundle supplemental planning and demonstration activities as described in Section A.2.i to update an Action Plan, with funds to implement projects and strategies. Planning and Demonstration Grant funding recipients are not precluded from applying for Implementation Grants in future funding rounds. SS4A award recipients from FY 2022 are eligible to apply in FY 2023.

i. Planning and Demonstration Grant Eligibility Requirements

Eligibility requirements are contingent on whether an applicant is requesting funds to develop a new Action Plan, conduct supplemental planning to update an existing Action Plan, and/or carry out demonstration activities to inform the development of or update to an Action Plan. Any applicant that meets the eligibility requirements may apply for a Planning and Demonstration Grant to develop an Action Plan. Applicants applying to develop an Action Plan may also bundle supplemental planning and demonstration activities into their funding request. Applicants with an existing Action Plan may also apply to update their Action Plan. The development of an Action Plan must include all relevant road users and be at a broad, systemic geographic level (e.g., the entire eligible applicant's jurisdiction, and cannot be for a few road segments within a jurisdiction).

If a higher-level jurisdiction (e.g., an MPO or county would be a higher-level jurisdiction for a city or town) has an existing plan in place, or is in the process of completing an Action Plan, an eligible applicant can apply for supplemental planning or demonstration activities without its own plan as long as: 1) the higher-level jurisdiction's Action Plan's geographic boundaries covers the eligible applicant's jurisdiction; 2) the proposed activities are coordinated with the high-level jurisdiction, and the application demonstrates such coordination; and 3) the activities will inform the Action Plan of the higher-level jurisdiction. Duplicative efforts (e.g., requesting funds to develop an Action Plan even though a higher-level jurisdiction already received an FY 2022 award that covers the same area, multiple applicants requesting to carry out the same types of demonstration activities in the same area) will be identified and assessed for merit within the context of other jurisdictions and their planning and demonstration activities. The Department encourages complementary but distinctive activities, including but not limited to demonstration activities that will help inform the development of an Action Plan in an FY 2022 award.

ii. Implementation Grant Eligibility Requirements

To apply for an Implementation Grant, the applicant must certify that they have an existing plan that is substantially similar to an Action Plan. The plan or plans must be uploaded as an attachment to the application or provided as web links to publicly available sites. Applicants should use the [Self-Certification Eligibility Worksheet](#) to determine eligibility.¹⁶ The existing plan must be focused, at least in part, on the roadway network within the applicant's jurisdiction. The components required for an existing plan to be substantially similar to an Action Plan may be found in multiple plans. State-level Action Plans (e.g., a Strategic Highway Safety Plan required in 23 U.S.C. § 148, State Highway Safety Plans required in 23 U.S.C. § 402, Commercial Vehicle Safety Plans required in 49 U.S.C. § 31102, etc.) as well as Public Transportation Agency Safety Plans in 49 U.S.C. § 5329 cannot be used as an established plan to apply for an Implementation Grant. If a higher-level jurisdiction (e.g., an MPO, county, etc.) has an existing plan in place that meets the plan eligibility requirements, an eligible applicant covered within the Action Plan's geographic boundaries could apply without its own plan as long as the other eligibility requirements are met.

Further, Implementation Grant applicants who meet any of the following conditions must update their Action Plan during the execution of a grant agreement to align with all the Comprehensive Safety Action Plan components in Table 1 as a condition to receiving SS4A funds:

- Self-Certification Eligibility Worksheet areas that include a “no” response;

¹⁶ <https://www.transportation.gov/grants/ss4a/self-certification-worksheet>.

- Safety focus in the qualifying Action Plan does not include all road users, including pedestrians, bicyclists, and motor vehicle safety; or
- Action Plans last updated more than three years ago (to apply in the first place, applicants must have a plan that was finalized and/or last updated between 2018 and June 2023)

Implementation Grant applicants are encouraged to request supplemental planning funding in their application to complete missing components of an existing plan but may choose to complete such activities without Federal funding.

4. Eligible Activities and Costs

i. Eligible Activities

Broadly, eligible activity costs must comply with the cost principles set forth in 2 CFR, Subpart E (i.e., 2 CFR § 200.403 and § 200.405). DOT reserves the right to make cost eligibility determinations on a case-by-case basis. Eligible activities for grant funding include the following three elements:

- A. Developing a comprehensive safety action plan or Action Plan (i.e., the activities in Table 1, as well as the supplemental planning and demonstration activities described in Section A.2);
- B. Conducting planning, design, and development activities for projects and strategies identified in an Action Plan; and
- C. Carrying out projects and strategies identified in an Action Plan.

For Implementation Grants, activities *must* include element (C) “carrying out projects and strategies identified in an Action Plan,” and *may* include element (B) “conducting planning, design, and development activities for projects and strategies identified in an Action Plan” and/or element (A) “supplemental planning or demonstration activities.” Projects and strategies identified in element (C) must be either infrastructure, behavioral, or operational activities identified in the Action Plan, and must be directly related to addressing the safety problem(s) identified in the application and Action Plan. Applicants may “bundle” different projects, strategies, supplemental planning, and/or demonstration activities into one Implementation Grant application, even if they address different safety problems or are located in different areas. Examples of eligible Implementation Grant activities are listed on the SS4A website located at <https://www.transportation.gov/grants/SS4A>. The following activities are **not** eligible for element (C) “projects and strategies” nor demonstration activity funding:

- Projects and strategies whose primary purpose is not roadway safety.
- Projects and strategies exclusively focused on non-roadway modes of transportation, including air, rail, marine, and pipeline. Roadway intersections with other modes of transportation (e.g., at-grade highway rail crossings, etc.) are eligible activities.
- Capital projects to construct new roadways used for motor vehicles. New roadway facilities exclusively for non-motorists (e.g., a shared use path) is an eligible activity if the primary purpose is safety related.
- Infrastructure projects primarily intended to expand capacity to improve Levels of Service for motorists on an existing roadway, such as the creation of additional lanes.
- Maintenance activities for an existing roadway primarily to maintain a state of good repair. However, roadway modifications on an existing roadway in support of specific safety-related projects identified in an Action Plan are eligible activities.
- Development or implementation of a public transportation agency safety plan (PTASP) required by 49 U.S.C. § 5329. However, a PTASP that identifies and addresses risks to pedestrians, bicyclists, personal conveyance and micromobility users, transit riders, and others may inform Action Plan development.

Projects, strategies, and demonstration activities must have equity—the consistent, fair, just, and impartial treatment of all people—at their foundation. This includes traffic enforcement strategies. As part of the Safe

System Approach adopted in the USDOT's National Roadway Safety Strategy, any activities related to compliance or enforcement efforts to make our roads safer should affirmatively improve equity outcomes as part of a comprehensive approach to achieve zero roadway fatalities and serious injuries. The SS4A program can be used to support safety projects and strategies that address serious safety violations of drivers (e.g., speeding, alcohol and drug-impaired driving, etc.), so long as the proposed strategies are data-driven and demonstrate a process in alignment with goals around community policing and in accordance with Federal civil rights laws and regulations.¹⁷ Funds may not be used, either directly or indirectly, to support or oppose union organizing.

ii. Project and Strategy Location

For Implementation Grants, applications must identify the problems to be addressed, the relevant geographic locations (e.g., corridors, intersections, etc.), and the projects and strategies they plan to implement based on their Action Plan or established plan. This should include specific intervention types, address common safety risk characteristics, and be located on the Action Plan's High-Injury Network to the extent practicable. To provide flexibility in the implementation of projects and strategies that involve systemic safety strategies or bundling of similar countermeasures, an applicant may wait to finalize site locations as part of executing the grant agreement, if necessary, upon approval of the Department, and as long as the identified site locations are primarily on the High-Injury Network and designs remain consistent with the intent of the award.

D. Application and Submission Information

1. Address to Request Application Package

All grant application materials can be accessed at grants.gov under opportunity number DOT-SS4A-FY23-01. Applicants must submit their applications via Valid Eval at https://usg.valideval.com/teams/usdot_ss4a_2023_implementation/signup for Implementation Grant applicants, and https://usg.valideval.com/teams/usdot_ss4a_2023_planning_demo/signup for Planning and Demonstration Grants under the Notice of Funding Opportunity Number cited herein. Potential applicants may also request paper copies of materials at:

Telephone: 202-366-4114
Mail: U.S. Department of Transportation
1200 New Jersey Avenue SE
W84-322
Washington, DC 20590

2. Content and Form of Application Submission

The Planning and Demonstration Grant, and the Implementation Grant, respectively, have different application submission and supporting document requirements.

i. Planning and Demonstration Grant Application Submissions

The application must include the following: Standard Forms (SF); Key Information Questions; Project Narrative and Summary Budget Narrative. This information must be submitted via Valid Eval at https://usg.valideval.com/teams/usdot_ss4a_2023_planning_demo/signup. More detailed information about each application material is provided below. The necessary file formats for each application component will be displayed on the Valid Eval intake site.

- **Standard forms:** All applicants must submit the following Standard Forms: Application for Federal Assistance (SF-424), Budget Information for Non-Construction Programs (SF-424A), Assurances for Non-Construction Programs (SF-424B), and Disclosure of Lobbying Activities (SF-LLL).

¹⁷ For one such example, see <https://cops.usdoj.gov/RIC/Publications/cops-p157-pub.pdf>.

- **Key Information Questions:** Below is a preview list of the questions that are asked on USDOT's automated proposal website at https://usg.valideval.com/teams/usdot_ss4a_2023_planning_demo/signup. After registering in the system, the applicant will be prompted to answer these questions on the website.

Table 2: Example Planning and Demonstration Application Key Information Table

Title	Instructions
Lead Applicant Name	This should be consistent with Q. 8.a. of the SF-424.
Lead Applicant Unique Entity Identifier (UEI)	See Section D.3 below for more information about obtaining a UEI from SAM.gov.
Eligible Entity Type	See Section C.1.
Do you have additional applicants as part of a multijurisdictional group of eligible entities?	List of additional applicants.
Total Applicant Jurisdiction Population	2020 U.S. Census American Community Survey.
Total Applicant Jurisdiction Applicant Census Tract(s)	List of all Census tracts covered by the jurisdiction.
Census Tract(s) of any pilot or demonstration projects (if applicable)	Census tracts where pilot or demonstration projects would take place.
Total Count Motor Vehicle-Involved Roadway Fatalities that includes the last five years of data made available in the Fatality Analysis Reporting System (FARS) during the NOFO period	From the Fatality Analysis Reporting System (FARS) for the applicant jurisdiction. Use 2016-2020 data; or if available, 2017-2021 data. NOTE: The 2021 FARS data is expected to be released early in the NOFO period.
Total Average Annual Fatality Rate (per 100,000 population)	The fatality rate calculated using the 5-year annual average from the total count of fatalities based on FARS data, divided by the population of the applicant's jurisdiction based on 2020 U.S. Census ACS population data.
Total Percent of Population in Underserved Communities Census Tract(s)	The population in underserved communities should be a percentage obtained by dividing the population living in Census tracts with an Underserved Community designation divided by the total population living in the jurisdiction.
Project Title	A concise, descriptive title for the project. This should be the same title used in the SF-424 form and the application narrative.
Application Type (select all that apply)	Develop a new Action Plan; Conduct Supplemental Planning to update an Action Plan; Demonstration Activities to inform development of an Action Plan.
Description of Supplemental Planning and Demonstration Activities (if relevant)	See Section A.2.i.
Total Federal Funding Request	Must be a whole number (no cents).
Total Local share/Match	Must be equal to, or greater than, 20% of total project cost.
Total Project Cost	Sum of Total Federal Funding Request and Total Local share/Match.

Title	Instructions
Regional Coordination	Questions on your application in relation to overlapping jurisdictions that received an award in FY 2022 or are applying for a grant in FY 2023.

- **Narrative:** In narrative form, the applicant must respond to the Planning and Demonstration Grant selection criteria described in Section E.1.i to affirm its alignment with SS4A safety considerations and address the criteria. The narrative must be no longer than 2 pages.

For applicants requesting funding for demonstration activities to inform an Action Plan: you must provide a brief schedule showing when the activities will be in place (e.g., hardware installed, when the pilot would begin, etc.), and the start/end dates of the work. If anticipated to be a schedule constraint, applicants should include in the narrative any potential timeline implications of meetings administration requirements in Section F such as domestic preference and any required waivers, the National Environmental Policy Act requirements, as well as any applicable permitting and approval timeframes.

- **Self-Certification Eligibility Worksheet:** If only applying for supplement planning and/or demonstration activities that will inform the update of an existing plan, applications must either demonstrate their existing plan is eligible by attaching the filled out [Self-Certification Eligibility Worksheet](#), or be in the process of developing a comprehensive safety action plan. If applying to develop a new Action Plan, applicants do not need to include the worksheet even if supplemental planning and/or demonstration activities are included.
- **Map:** The applicant must submit a map in a PDF format that shows the location of the jurisdiction and highlights the roadway network under the applicant's jurisdiction.
- **Budget:** Applicants are required to provide a brief budget summary and a high-level overview of estimated activity costs, as organized by all major cost elements. Funding sources should be grouped into two categories: Federal Funding share, and non-Federal share funds. The costs or value of in-kind match should also be provided. This budget shall not include any previously incurred expenses, or costs to be incurred before the time of award. DOT requires applicants use SF-424A to provide this information. Additionally, applicants must summarize the amount of funding going towards the three eligible activities for a Planning and Demonstration Grant (developing a new Action Plan, conducting supplemental planning to update an existing plan, and carrying out demonstration activities to inform the development or update of an Action Plan).

ii. Implementation Grant Application Submissions

The application must include the following: Standard Forms (SF); Key Information Questions; Project Narrative and Summary Budget Narrative. This information must be submitted via Valid Eval at https://usg.valideval.com/teams/usdot_ss4a_2023_implementation/signup. More detailed information about each application material is provided below. The necessary file formats for each application component will be displayed on the Valid Eval intake site.

- **Standard forms:** All applicants must submit the following Standard Forms: Application for Federal Assistance (SF-424), Budget Information for Construction Programs (SF-424C), Assurances for Construction Programs (SF-424D), and Disclosure of Lobbying Activities (SF-LLL).
- **Key Information Questions:** This is a preview list of the questions that are asked on USDOT's automated proposal website at https://usg.valideval.com/teams/usdot_ss4a_2023_implementation/signup. After registering in the system, the applicant will be prompted to answer these questions on the website.

Table 3: Example Implementation Grant Application Key Information Table

Title	Instructions
Lead Applicant Name	This should be consistent with Q. 8.a. of the SF-424.
Lead Applicant Unique Entity Identifier (UEI)	See Section D.3 below for more information about obtaining a UEI from SAM.gov. ¹⁸
Eligible Entity Type	See Section C.1.
Do you have additional applicants as part of a multijurisdictional group of eligible entities?	List of additional applicants.
Total Applicant Jurisdiction Population	2020 U.S. Census American Community Survey.
Total Applicant Jurisdiction Applicant Census Tract(s)	List of all Census tracts covered by the jurisdiction.
Total Applicant Jurisdiction Count of Motor Vehicle-Involved Roadway Fatalities that includes the last five years of data made available in FARS during the NOFO period	From the Fatality Analysis Reporting System (FARS) for the applicant jurisdiction. Use 2016-2020 data; or if available, 2017-2021 data. NOTE: The 2021 FARS data is expected to be released early in the NOFO period.
Total Jurisdiction Average Annual Fatality Rate (per 100,000 population)	The fatality rate calculated using the 5-year annual average from the total count of fatalities based on FARS data, divided by the population of the applicant's jurisdiction based on 2020 U.S. Census ACS population data.
Census Tract(s) of the project(s)	Census tract(s) where project(s) would take place.
Specific project location(s)	Names of corridors or intersections, latitude/longitude coordinates, or other description of project limits.
Percent of Population in Underserved Communities in the project area Census Tract(s)	The population in underserved communities should be a percentage obtained by dividing the population living in Census tracts with an Underserved Community designation divided by the total population living in the jurisdiction.
Project Area Fatalities 2017-2021	Count of fatalities in the project area(s). May use source other than FARS.
Project Area Serious Injuries 2017-2021 OR Project Area Injuries Severity Unknown 2017-2021	Count of serious injuries in the project area(s). Applicants without reliable serious injury data may use suspected serious injury figures. Please cite source.
Project Title	A concise, descriptive title for the project. This should be the same title used in the SF-424 form and the application narrative.
Project Goals	One sentence summary of the safety problem(s) this project will address.

¹⁸ <https://sam.gov/content/home>

Title	Instructions
Applicant roadway safety responsibility (select all that apply):	• Ownership and/or maintenance responsibilities over a roadway network; • Safety responsibilities that affect roadways; • Have an agreement from the agency that has ownership and/or maintenance responsibilities for the roadway within the applicant's jurisdiction
Primary project purpose (select one)	• Infrastructure Projects and Strategies • Behavioral Project and Strategies • Operational or Technology Projects and Strategies
Roadway users that this project will <u>significantly</u> benefit (check all that apply)	• Pedestrians • Bicyclists • Micromobility Users (e.g., scooters, etc.) • Transit Users • Commercial Motor Vehicles • Motorists • Emergency Medical Services • Other (please specify)
Does this project include major construction, minor construction, or both?	• Major construction projects • Minor construction projects • Neither major nor minor constructions projects
Does your project include Demonstration Activities?	See Section A.2.i.
Would you consider accepting funding for only demonstration activities and/or supplemental planning?	Yes, no, n/a.
Total Federal Funding Request	Must be a whole number (no cents).
Total Local share/Match	Must be equal to, or greater than, 20% of total project cost.
Total Project cost	Sum of Total Federal Funding Request and Total Local share/Match.
Total Federal Funds Allocated to Underserved Communities	Funds to be spent in Census tracts identified as underserved through the DOT Equitable Transportation Community Explorer tool.
Supplemental Planning Activities (A) Federal Funding Request	
Supplemental Planning Activities (A) Total Project Costs	
Planning, Design, and Development Activities for Projects/Strategies (B) Federal Funding Request	
Planning, Design, and Development Activities for Projects/Strategies (B) Total Project Costs	
Carrying Out Projects and Strategies (C) Federal Funding Request	

Title	Instructions
Carrying Out Projects and Strategies (C) Total Project Costs	
Existing Comprehensive Safety Action Plan (or equivalent)	Link to or attachment,

a) Narrative

The Department recommends that the narrative follows the outline below to address the program requirements and assist evaluators in locating relevant information. The narrative may not exceed 12 pages in length, excluding cover pages and the table of contents. The [Self-Certification Eligibility Worksheet](#) and Budget sections do not count towards the 12-page limit. Appendices may include documents supporting assertions or conclusions made in the 12-page narrative and also do not count towards the 12-page limit. If possible, website links to supporting documentation should be provided rather than copies of these supporting materials. If supporting documents are submitted, applicants should clearly identify within the narrative the relevance of each supporting document. Letters of support will only be considered if they are submitted with the application as one consolidated set of support letters in one supporting attachment.

I. Overview	See D.2.ii.a.I
II. Location	See D.2.ii.a.II
III. Response to Selection Criteria	See D.2.ii.a.III and Section E.1.ii
IV. Project Readiness	See D.2.ii.a.IV

I. Overview

This section should provide an introduction, describe the safety context, jurisdiction, and any high-level background information that would be useful to understand the rest of the application.

II. Location

This section of the application should describe the jurisdiction's location, the jurisdiction's High-Injury Network or equivalent geospatial identification (geographic or locational data using maps) of higher risk locations, and potential locations and corridors of the projects and strategies. Note that the applicant is not required to provide exact locations for each project or strategy; rather, the application should identify which geographic locations are under consideration for projects and strategies to be implemented and what analysis will be used in a final determination.

III. Response to Selection Criteria

This section should respond to the criteria for evaluation and selection in Section E.1.ii of this Notice and include a compelling narrative to highlight how the application aligns with criteria #1 Safety Impact; #2 Equity, Engagement, and Collaboration; #3 Effective Practices and Strategies; #4 Other DOT Strategic Goals; #5 Additional Safety Context (only if applying for supplemental planning and/or demonstration activities).

Note, criterion #1 Safety Impact assesses "implementation cost" information, which will be described in SF-424C, Budget of the narrative, and the Key Information Table. The Federal funding requested per person(s) killed or seriously injured from 2017-2021 in the Key Information Table should be itemized by separating different locations and/or different sets of proposed projects and strategies that address a similar safety problem and match the itemization in the Budget.

The applicant must respond to each of the four criteria 1-4 and respond to criterion #5 if applying for supplemental planning and/or demonstration activities. Applicants are not required to follow a specific narrative format, but the

structure should clearly identify the narrative associated with each selection criterion. To the extent practical, DOT encourages applicants to incorporate existing content from their Action Plan/established plan(s).

IV. Project Readiness

The applicant must provide information to demonstrate the applicant's ability to substantially execute and complete the full scope of work in the application proposal within five years of when the grant is executed, with a particular focus on design and construction, as well as environmental, permitting, and approval processes. Applicants should indicate if they will be seeking permission to use roadway design standards that are different from those generally applied by the State in which the project is located. As part of this portion of the narrative, the applicant must include a detailed activity schedule that identifies all major project and strategy milestones. Examples of such milestones include State and local planning approvals; start and completion of National Environmental Policy Act (NEPA) and other Federal environmental reviews and approvals including permitting; design completion; right of way acquisition; approval of plans, specifications, and estimates; procurement; State and local approvals; public involvement; partnership and implementation agreements; and construction. Environmental review documentation should describe in detail known project impacts, and possible mitigation for those impacts. When a project results in impacts, an award recipient must take steps to engage the public. At a minimum, the project readiness narrative and detailed project activity schedule must include the applicability and disposition of: NEPA and Federal environment reviews and approvals; utility relocation; and right-of-way acquisition. For additional guidance and resources, visit <https://www.transportation.gov/grants/SS4A>.

b) Self-Certification Eligibility Worksheet

Attach a completed [Self-Certification Eligibility Worksheet](#).

c) Budget

This section of the application should describe the budget for the SS4A proposal. Applicants are required to provide a brief budget summary and provide a high-level overview of estimated activity costs, as organized by all major cost elements. The budget shall provide itemized estimates of the costs by separating different locations and/or different sets of proposed projects and strategies that address a similar safety problem, and then providing additional details about those from the itemized list at the component level. This information should include capital costs for infrastructure safety improvements and costs associated with behavioral and operational safety projects and strategies. The section should also distinguish between the three eligible activity areas: (A) supplemental planning and demonstration activities in support of an existing Action Plan; (B) conducting planning, design, and development activities for projects and strategies identified in an Action Plan; and (C) carrying out projects and strategies identified in an Action Plan.

Funding sources should be grouped into two categories: SS4A funding Federal share, and non-Federal share funds. Estimated costs or value of in-kind matches should also be provided. The budget should show how each source of funds will be spent. This budget should not include any previously incurred expenses, or costs to be incurred before the time of award and obligation because these expenses are not eligible for reimbursement or cost-sharing. DOT requires applicants use form SF-424C, and the applicant must also provide the information in Table 4 below.

Table 4: Supplemental Estimated Budget

Activities	Federal Funding Request	Total Project Cost	Federal Funds to Underserved Communities
Itemized Estimated Costs of the (A) supplemental action plan activities			
Item #1	\$0.00	\$0.00	
Item #2	\$0.00	\$0.00	

Activities	Federal Funding Request	Total Project Cost	Federal Funds to Underserved Communities
Subtotal Budget for (A) supplemental action plan activities	\$0.00	\$0.00	\$0.00
Itemized Estimated Costs of the (B) planning, design, and development activities			
Location or Project #1	\$0.00	\$0.00	\$0.00
Individual Component for #1	\$0.00	\$0.00	
Individual Component for #1	\$0.00	\$0.00	
Location or Project #2	\$0.00	\$0.00	\$0.00
Individual Component for #2	\$0.00	\$0.00	
Individual Component for #2	\$0.00	\$0.00	
Subtotal Budget for (B) conducting planning, design, and development activities	\$0.00	\$0.00	\$0.00
Itemized Estimated Costs of the (C) proposed projects and strategies			
Location or Project #1	\$0.00	\$0.00	\$0.00
Individual Component for #1	\$0.00	\$0.00	
Individual Component for #1	\$0.00	\$0.00	
Location or Project #2	\$0.00	\$0.00	\$0.00
Individual Component for #2	\$0.00	\$0.00	
Individual Component for #2	\$0.00	\$0.00	
Subtotal Budget for (C) carrying out projects and strategies	\$0.00	\$0.00	\$0.00

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

Each applicant is required to: (i) be registered in SAM (<https://sam.gov/content/home>) before submitting its application; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. DOT may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time DOT is ready to make an award, DOT may

determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant.

4. Submission Dates and Times

Applications must be submitted by 5:00 PM EDT on Monday, July 10, 2023. Late applications will not be accepted.

5. Funding Restrictions

Per BIL requirements, not more than 15 percent of the \$1 billion in FY 2023 funds made available to carry out the SS4A program may be awarded to eligible applicants in a single State.¹⁹ In addition, 40 percent of the total funds made available in FY 2023 and all \$177 million of the funds carried over from FY 2022 must be awarded for developing an Action Plan, including supplemental planning to update an existing Action Plan, or demonstration activities to inform the development of or update an Action Plan (total \$577 million). Due in part to these restrictions, in FY 2022, nearly all the eligible applicants requesting funds for Action Plan development were awarded, while less than 20 percent of Implementation Grant applications were awarded.

6. Other Submission Requirements

The format of the Section D.2 application submission should be in PDF format, with font size no less than 12-point Times New Roman, margins a minimum of 1 inch on all sides, and include page numbers. The necessary file formats for each application component will be displayed on the Valid Eval intake site.

The complete application must be submitted via Valid Eval, an online submission proposal system used by USDOT at https://usg.valideval.com/teams/usdot_ss4a_2023_implementation/signup for Implementation Grant applicants, and https://usg.valideval.com/teams/usdot_ss4a_2023_planning_demo/signup for Planning and Demonstration Grant applicants.

E. Application Review Information

1. Selection Criteria

This section specifies the criteria DOT will use to evaluate and select applications for SS4A grant awards. The Department will review merit criteria for all complete applications from eligible applicants. Planning and Demonstration Grants, and Implementation Grants, respectively, each have their own set of application review and selection criteria.

i. Planning and Demonstration Grant Selection Criteria

For Planning and Demonstration Grants, the Department will use three evaluation criteria. The Department will evaluate quantitative data in two selection criteria areas: #1 Safety Impact; and #2 Equity. The Department will also assess the narrative for #3 Additional Safety Context. Costs will also be considered.

Selection Criterion #1: Safety Impact

The activities are in jurisdictions that will likely support a significant reduction or elimination of roadway fatalities and serious injuries involving various road users, including pedestrians, bicyclists, public transportation users, personal conveyance and micromobility users, motorists, and commercial operators, within the timeframe proposed by the applicant. The Department will assess safety impact using two quantitative ratings:

¹⁹ Funding for Tribal lands will be treated as their own State and will not count toward a State's 15% limit.

- The count of roadway fatalities from the most recent set of 5-year data²⁰ based on DOT's FARS data, an alternative traffic crash dataset, or a comparable data set with roadway fatality information.²¹
- The fatality rate, which is calculated using 5-year annual average from the total count of fatalities (based on FARS data or an alternative traffic crash dataset) divided by the 2020 population of the applicant's jurisdiction based on 2020 ACS population data from the U.S. Census. The rate should be normalized per 100,000 persons.

Selection Criterion #2: Equity

The activities will ensure equitable investment in the safety needs of underserved communities in preventing roadway fatalities and injuries, including rural communities. The Department will assess the equity criterion using one quantitative rating:

- The percentage of the population in the applicant's jurisdiction that resides in an Underserved Community Census tract.²² Population of a Census tract, either a tract that is Underserved Community or not, must be based on 2020 ACS population data from the U.S. Census.

Selection Criterion #3: Additional Safety Context

The applicant must address these considerations in narrative form. The Department will assess whether the applicant has: described the scope of work to be performed; the roadway safety issues that necessitate further Action Plan development, supplemental planning, and /or demonstration activities, as applicable; and how the funded activities will inform an Action Plan and support the identification of projects and strategies that will:

- Lead to a significant reduction or elimination of roadway fatalities and serious injuries involving various road users;
- Employ low-cost, high-impact strategies that can improve safety over a wider geographical area;
- Involve engaging with a variety of public and private stakeholders;
- Adopt innovative technologies to promote safety and equity; and
- Be evidence-based or build evidence around what works.

Applicants applying to carry out demonstration activities to inform the development of an Action Plan will also be assessed as to whether their approach to measuring the potential benefits of the demonstration activities through data collection and evaluation are described, and the extent to which the activities will be set up (e.g., quick builds on the roadway, pilot project established) within 18 months of executing a grant agreement.

Additional Consideration: Budget Costs

The Department will assess the extent to which the budget and costs to perform the activities required to execute the Planning and Demonstration Grant are reasonable, necessary, and allocable based on 2 CFR § 200.404 and 405, and the extent to which the application delineates the breakdown of Federal funds requested between developing an Action Plan, conducting supplemental planning to update an existing plan, and/or carrying out demonstration activities to inform the development or update of an Action Plan.

ii. Implementation Grant Selection Criteria

Implementation Grants have five merit criteria: #1 Safety Impact; #2 Equity, Engagement, and Collaboration; #3 Effective Practices and Strategies; #4 Other DOT Strategic Goals; and #5 Supplemental Planning and Demonstration Activities. DOT will only evaluate selection criterion #5 Supplemental Planning and Demonstration

²⁰ At the time of NOFO publication this would be 2016-2020 data; however, the 2021 data is expected to be released early in the NOFO period.

²¹ <https://cdan.dot.gov/query>

²² <https://experience.arcgis.com/experience/0920984aa80a4362b8778d779b090723/page/Applicant-Explorer/>

Activities for Implementation Grant applicants requesting funds to conduct supplemental planning and/or carry out demonstration activities. Two considerations will also be used in the selection process: Project Readiness, and Additional Considerations. The response to each criterion, to the extent practicable, should be aligned with the applicant's Action Plan. Below describes the specific content the applicant should respond to for each of these criteria.

Selection Criterion #1: Safety Impact

DOT will assess whether the proposal is likely to: significantly reduce or eliminate roadway fatalities and serious injuries; employ low-cost, high-impact strategies over a wide geographic area; and include evidence-based projects and strategies. Safety impact is the most important criterion and will be weighed more heavily in the review and selection process. The Department will assess the applicant's description of the safety problem, safety impact assessment, and costs as part of the Safety Impact criterion:

- Description of the safety problem. DOT will assess the extent to which:
 - The safety problem to be addressed is described, including historical trends, fatal and serious injury crash locations, contributing factors, and crash types by category of road user.
 - Crashes and/or crash risk are displayed in a High-Injury Network, hot spot analysis, or similar geospatial risk visualization.
 - Project and strategy locations are described in relation to the High-Injury Network and geospatial information.
 - Safety risk is summarized from risk models, hazard analysis, the identification of high-risk roadway features, road safety audits/assessments, near miss data, and/or other proactive safety analyses.
- Safety impact assessment. DOT will assess the extent to which projects and strategies:
 - Align with and comprehensively address the identified safety problems.
 - Are primarily on a High-Injury Network or address high-risk roadway features correlated with severe crash types.
 - Significantly reduce or eliminate roadway fatalities and serious injuries involving various road users.
 - Use low-cost, high-impact strategies and projects over a wide geographical area.
 - Use evidence-based, Proven Safety Countermeasures or other effective safety countermeasures to significantly improve existing roadways.²³
 - Use evidence-based Countermeasures that Work with four or five stars to address persistent behavioral safety issues and consider equity in their implementation.²⁴
 - Measure safety impact through models, studies, reports, proven noteworthy practices, Crash Modification Factors (CMF), and other information on project and strategy effectiveness.
 - Will have safety benefits that persist over time.²⁵
- Implementation Costs. DOT will assess the extent to which the projects and strategies:
 - Are itemized and summarized in a logical manner, including capital costs for infrastructure, behavioral, and operational safety improvements.

²³ <https://safety.fhwa.dot.gov/provencountermeasures/>

²⁴ https://www.nhtsa.gov/sites/nhtsa.gov/files/2021-09/Countermeasures-10th_080621_v5_tag.pdf

²⁵ <https://highways.dot.gov/safety/data-analysis-tools>

- Fund locations with past traffic fatalities and serious injuries and is expected to prevent fatalities and serious injuries per funds requested. Injuries will be weighted and combined with fatalities to assess this figure in relation to the Federal funding request.²⁶

Selection Criterion #2: Equity, Engagement, and Collaboration

This criterion supports the legislative requirements to assess the extent to which the application ensures the equitable investment in the safety needs of underserved communities and demonstrates engagement with a variety of public and private stakeholders. The response to this criterion should focus on equity, engagement, and collaboration in relation to the implementation of the projects and strategies. DOT will assess the extent to which projects and strategies:

- Ensure equitable investment in underserved communities in preventing roadway fatalities and serious injuries, including rural communities.
- Are designed to decrease existing disparities identified through equity analysis.
- Consider key population groups (e.g., people in underserved communities, children, seniors, Black, Latino, Indigenous and Native Americans, Asian Americans and Pacific Islanders, other persons of color, persons with disabilities, persons who live in rural areas, and persons otherwise adversely affected by persistent poverty or inequality) to ensure the impact to these groups is understood and addressed.
- Include equity analysis, both quantitative and qualitative, and stakeholder engagement in underserved communities as part of the development and implementation process.²⁷
- Include meaningful engagement with the public, including public involvement for underserved communities, community benefit agreements, and relevant stakeholders such as private sector and community groups, as part of implementation.
- Leverage partnerships within their jurisdiction, with other government entities, non-governmental organizations, the private sector, academic institutions, and/or other relevant stakeholders to achieve safety benefits while preventing unintended consequences for persons living in the jurisdiction.
- Inform representatives from areas impacted on implementation progress and meaningfully engage over time to evaluate the impact of projects and strategies on persons living in the jurisdiction.
- Align with the equity analysis performed as part of the development of an existing Action Plan.

Selection Criterion #3: Effective Practices and Strategies

DOT will assess the extent to which the applicant demonstrates how it applies policies, guidelines, standards, and practices to promote systemic safety improvements. DOT will assess the extent to which the projects and strategies reflect effective safety practices that:

- Demonstrate how updated policies, guidelines, and standards improve safety decision making.
- Are supported by an existing Complete Streets Policy that prioritizes safety in standard agency procedures and guidance, or other roadway safety policies that have eliminated barriers to prioritizing the safety of all users.
- Incorporate practices that promote efficiency within the planning and road management lifecycle (e.g., dig once, etc.).
- Consider the impacts of land use and the built environment to promote transportation efficient design.

²⁶ The weighting will use the Benefit Cost Analysis Guidance 2023 Update: <https://www.transportation.gov/sites/dot.gov/files/2023-01/Benefit%20Cost%20Analysis%20Guidance%202023%20Update.pdf>. One fatality equals 20.9 serious injuries, or 55.2 injured severity unknowns.

²⁷ See Table 1 under “Equity Considerations” for what equity analysis entails.

- Leverage a Safe System Approach that uses multiple activities and interventions to address safety problems.
- Encompass at least three of the five Safe System Approach elements in the National Roadway Safety Strategy (Safer People, Safer Roads, Safer Speeds, Safer Vehicles, and Post-Crash Care) to address the identified safety problem.
- Include a mix of infrastructure, behavioral, operational, and/or post-crash safety activities.
- Involve widely implemented improvements based on high-risk roadway features correlated with particularly severe crash types, including design features that reinforce appropriate motor vehicle speeds.
- Incorporate technologies that promote safety and/or equity.
- Improve safety for all road users along a roadway by providing accessible facilities (e.g., Public-Rights-of-Way Accessibility Guidelines [PROWAG]) and correcting barriers to individuals with disabilities.²⁸
- Improve multimodal networks for people outside of a motor vehicle, including people who are walking, biking, rolling, public transit users, and have disabilities.

Selection Criterion #4: Other DOT Strategic Goals

This program's focus on equity and safety is also advanced by considerations of how applications address climate and sustainability considerations, as well as whether applications support economic competitiveness. DOT will assess the extent to which the projects and strategies use safety strategies to support the Departmental strategic goals of climate change, sustainability, workforce, and economic competitiveness, and the extent to which the proposal is expected to:

Climate and Sustainability

- Reduce motor vehicle-related pollution such as air pollution and greenhouse gas emissions.
- Increase safety of lower-carbon travel modes such as public transit, micromobility and active transportation (e.g., people biking and walking).
- Improve multimodal transportation systems that incorporate affordable transportation options such as public transit, micromobility, and active transportation such as walking and biking to transit stops and stations.
- Reduce the lifecycle greenhouse gas emissions from the project materials such as the use of lower-carbon pavement and construction materials.
- Support fiscally responsible land use and transportation efficient design that reduces greenhouse gas emissions through land use and zoning reform, rural main street revitalization, growth management, and equitable transit-oriented development.
- Includes evidence-based climate resilience measures or features such as enhanced storm water management practices, upgrading infrastructure using the Federal Flood Risk Management Standard, and nature-based solutions that improve the built and/or natural environment.

Economic Competitiveness

- Lead to increased economic or business activity due to enhanced safety features for all road users.
- Increase mobility and expand connectivity for all road users to critical community services such as education and healthcare, jobs, and business opportunities, especially for people in underserved communities.
- Address the unique challenges rural and Tribal communities face related to mobility and economic development, including isolation and transportation cost burden.

²⁸ <https://www.access-board.gov/prowag/>

Workforce

- For skilled construction labor needed on the project, incorporate strong labor standards (e.g., wages and benefits at or above prevailing; use of project labor agreements, registered apprenticeship programs).
- For non-construction work on the project, commit to supporting training opportunities as part of the project, including pre-apprenticeship or apprenticeship readiness programs and youth service, with a description of how training and job opportunities on the project will lead into registered apprenticeship or good-paying jobs.
- Track and publish aggregate workforce data, including information on demonstrating that employment opportunities are available to historically underserved workers in the community.
- Include Local inclusive economic development and entrepreneurship such as utilization of Disadvantaged Business Enterprises, Minority-owned Businesses, Women-owned businesses, or 8(a) firms.

Selection Criterion #5: Supplemental Planning and Demonstration Activities

Implementation Grant applicants should only respond to this selection criterion if supplemental planning and/or demonstration activities are included in the application. DOT will assess whether the applicant has described the scope of supplemental planning or demonstration work to be performed; the roadway safety issues that necessitate further Action Plan development, including supplemental planning, and /or demonstration activities, as applicable; and how the funded activities will inform an Action Plan and support the identification of projects and strategies that will:

- Lead to a significant reduction or elimination of roadway fatalities and serious injuries involving various road users;
- Employ low-cost, high-impact strategies that can improve safety over a wider geographical area;
- Involve engaging with a variety of public and private stakeholders;
- Adopt innovative technologies to promote safety and equity; and
- Be evidence-based or build evidence around what works.

Applicants applying to carry out demonstration activities will also be assessed as to whether their approach to measuring the potential benefits of the demonstration activities through data collection and evaluation are described, and the extent to which the activities will be set up (e.g., quick builds on the roadway, pilot project established) within 18 months of executing a grant agreement.

Consideration: Project Readiness

Applications will be reviewed for Project Readiness, which will be a consideration for application selection. Project Readiness focuses on the extent to which the applicant will be able to substantially execute and complete the full scope of work in the Implementation Grant application within five (5) years of when the grant is executed. This includes information related to required design and construction standards, as well as environmental, permitting, and approval processes. DOT will evaluate the extent to which the application:

- Documents all applicable local, State, and Federal requirements.
- Includes information on activity schedule, required permits and approvals, the National Environmental Policy Act (NEPA) class of action and status, State Transportation Improvement Program (STIP) and Transportation Improvement Program (TIP) status (if applicable), public involvement, right-of-way acquisition plans, procurement schedules, multi-party agreements, utility relocation plans and risk and mitigation strategies, as appropriate.
- Is reasonably expected to begin any construction-related projects in a timely manner consistent with all applicable local, State, and Federal requirements.

Additional Considerations

The Department may consider the following when SS4A Implementation Grant awards:

- The percentage of Implementation Grant funds that will be spent in, and provide safety benefits to, locations in Census tracts designated as underserved communities as defined by this NOFO.²⁹
- Whether the applicant is in a rural area.
- Whether the applicant is identified as a priority community within the federal Thriving Communities Network.³⁰
- Whether the applicant would enhance the geographic diversity of Implementation Grant award recipients.
- Federal funding requests under \$10 million.

2. Review and Selection Process

This section addresses the BIL requirement to describe the methodology for evaluation in the NOFO, including how applications will be rated according to selection criteria and considerations, and how those criteria and considerations will be used to assign an overall rating. The SS4A grant program review and selection process consists of eligibility reviews, merit criteria review, and Senior Review. The Secretary makes the final selections.

Among well-rated applicants, the Secretary may prioritize applicants and jurisdictions that did not receive an SS4A grant in FY 2022 over applicants that did receive an FY 2022 award. The Secretary may also prioritize applications that will use demonstration activities or supplemental planning as part of the development of, or update to, an Action Plan.

i. Planning and Demonstration Grant Review and Selection Process

a) Overall Selection Process and Ratings

The process for the application review is described below:

Teams of Department and contractor support staff will review all applications to determine eligibility based on the eligibility information in Section C.

- Eligible Action Plan applications received by the deadline will be reviewed for their merit based on the selection criteria in Section E.1.i.
- If multiple applications are received from the same applicant, the last one submitted will be reviewed.
- Applications are rated numerically based on Merit Criteria #1 Safety Impact and #2 Equity Criteria.
- The #3 Additional Safety Context criterion narrative will be reviewed and assessed, and then receive a rating of “High,” “Medium,” “Low,” or “Not Qualified.” Applications that do not address the #3 Additional Safety Context are deemed “not qualified” and will not be considered for award.
- The Teams will note which of the three Planning and Demonstration Grant activities—develop a new Action Plan, conduct supplemental planning to update an existing plan, and carry out demonstration activities to inform the development or update of an Action Plan—are requested in an application.
- In order to ensure that final selections will meet the statutory requirement that no more than 15 percent of program funds may be awarded to eligible applicants in one State, applications will have their State location denoted. Awards to Federally recognized Tribal governments are not counted towards this 15 percent maximum.

²⁹ See the definition of an underserved community, which includes Census tracts identified in the OMB CEJST and DOT ETCE tools.

³⁰ Thriving Community Networks include the Rural Partner Network, Energy Communities, or DOT Thriving Communities Initiative

- The Teams will examine the locations of the applicants to identify if an applicant is requesting funds in a geographic area that received an Action Plan Grant in FY 2022, as well as any potential overlap in geographic boundaries in funding requests for FY 2023. DOT will assess the extent to which the application is duplicative of existing or proposed activities and reserves the right to request applicants with duplicative funding requests to consolidate their efforts as one multijurisdictional group prior to receiving an award. DOT may decline to fund duplicative applications irrespective of their individual merits.

b) Additional Safety Context Criterion Rating Methodology

For the #3 Additional Safety Context, the Department will assess the narrative’s alignment to the selection criterion, and will determine a rating of “high,” “medium,” “low,” or “non-responsive.”

	High	Medium	Low	Non-Responsive
Rating Scale	The application is very responsive to the criteria and is expected to advance safety planning. The narrative has clear descriptions of the work scope and the roadway safety problem to be addressed. The proposed approach will strongly inform an Action Plan. For demonstration activities only: The activities are likely to be put in place within 18 months. The narrative clearly describes how the activities will be measured and evaluated.	The application is responsive to the criteria and is performing safety planning activities. The narrative has descriptions of the work scope and the roadway safety problem to be addressed. The proposed approach will inform an Action Plan. For demonstration activities only: The activities have a possibility of being put in place within 18 months. The narrative describes how the activities will be measured and evaluated.	The application is minimally responsive to the criteria. The proposed approach is weakly tied to an Action Plan. For demonstration activities only: It is unclear if the activities will be put in place within 18 months. The narrative provides minimal detail on how the activities will be measured and evaluated.	The narrative indicates the proposal is counter to the criteria, does not contain sufficient information, or is not connected to an Action Plan. For demonstration activities only: No timeline schedule is provided. Detail on how the activities will be measured and evaluated are not included.

ii. Implementation Grant Review and Selection Process

a) Overall Selection Process and Ratings

Teams of Department and contractor support staff review all applications to determine whether they are eligible applicants based on the eligibility information in Section C. If multiple applications are received from the same applicant, the last one submitted will be reviewed. All eligible Implementation Grant applications received by the deadline will be reviewed and receive ratings for each of these criteria: #1 Safety Impact; #2 Equity, Engagement, and Collaboration; #3 Effective Practices and Strategies; #4 Other DOT Strategic Goals. Based on the criteria ratings, the Department will assign an overall application rating of “Highly Recommended,” “Recommended,” “Acceptable,” or “Not Recommended” as a result of evaluation team consensus discussion. The selection criteria are considered in numeric order of most to least important (e.g., criterion #1 Safety Impact will be considered most heavily, followed by #2 Equity, Engagement, and Collaboration as the second most important, etc.).

Implementation Grant applications that include supplemental planning or demonstration activities will also be reviewed for criterion #5 Additional Safety Context and quantitative Key Information Table information on fatality counts, fatality rate per 100,000 persons, and percentage of population in underserved communities, but it will not affect the overall Implementation Grant rating. Instead, DOT will use the information to determine whether the supplemental planning and/or demonstration activities should be funded as part of the overall project. DOT is more likely to fund, as part of an overall implementation project, supplemental planning and demonstration activities that rate well on criterion #5. Alternatively, DOT may award an Implementation Grant but exclude proposed supplemental planning or demonstration activities from the scope of the award if those activities were not rated well under criterion #5.

b) Safety Impact Criterion Rating Methodology

For the #1 Safety Impact criterion, the Department will assess three subcomponents, and for each determine a rating of “high,” “medium,” and “low,” or “non-responsive.” The three subcomponents are: the description of the safety problem; the safety impact assessment; and the implementation costs.

The sub-ratings will use the guidelines below:

	High	Medium	Low	Non-responsive
Description of the Safety Problem	The narrative and supporting information demonstrate the proposal is addressing a substantial safety problem. The narrative is well-articulated and is strongly supported by data and analysis. The narrative links the specific safety problem to relevant historical data at intervention locations and describes whether the locations are on their High-Injury Network or equivalent.	The narrative and supporting information demonstrate the proposal is addressing an existing safety problem. Narrative articulates the description, is generally supported by data and analysis. The narrative links the specific safety problem to relevant historical data and refers to the High-Injury Network or equivalent.	The narrative and supporting information demonstrate the proposal is addressing a safety problem more minor in scope. The narrative is not well-articulated, and the supporting data and analysis are limited. The narrative provides an overall connection between the safety problem and the jurisdiction’s historical data.	The narrative and supporting information do not address a safety problem.
Safety Impact	The projects and strategies have comprehensively addressed the safety problem. The projects and strategies proposed are highly effective, based on evidence, use a systemic approach, are mostly on a High-Injury Network, and have benefits that persist over time.	The projects and strategies address the safety problem. Most of the projects and strategies proposed are effective measures, based on evidence, use a systemic approach, are at least partially on a High-Injury Network, and have benefits that persist over time.	The projects and strategies address the safety problem to a limited degree. Some or none of the projects and strategies proposed are effective measures, based on evidence, use a systemic approach, or have benefits that persist over time.	The projects and strategies do not address the safety problem.

	High	Medium	Low	Non-responsive
Implementation Costs	The costs for the implementation of the projects and strategies are clearly articulated, well-summarized, and reasonable. The projects and strategies address locations that have many historical fatalities and serious injuries, and are expected to prevent a significant number of fatalities and serious injuries per funds requested.	The costs for the implementation of the projects and strategies are summarized and appear to be reasonable. The projects and strategies address locations that have some historical fatalities and serious injuries, and are expected to prevent some fatalities and serious injuries per funds requested.	The costs for the implementation of the projects and strategies are not well-articulated or missing key details, and it is uncertain whether the costs are reasonable. The projects and strategies address locations that have very few to no historical fatalities and serious injuries and may have minimal impact.	Cost information and/or fatality and serious injury information at the location level are not provided.

c) Other Criteria Rating Methodology

For the merit criteria #2 Equity, Engagement, and Collaboration, #3 Effective Practices and Strategies, and #4 Other DOT Strategic Goals, the Department will consider whether the application narrative is clear, direct, responsive to the selection criterion focus areas, logical, and includes specific details and examples, which will result in a rating of “high,” “medium,” “low,” or “non-responsive.”

	High	Medium	Low	Non-Responsive
Rating Scale	The application is substantively responsive to the criteria, with clear, direct, and logical narrative. Compelling, specific details, as well as quantified or illustrative examples, are provided.	The application is moderately responsive to the criteria, with mostly clear, direct, and logical narrative. Some details and examples are provided.	The application is minimally responsive to the criteria and is somewhat addressed in the narrative. General information is provided.	The narrative indicates the proposal is counter to the criteria or does not contain sufficient information.

All applications will receive a Project Readiness evaluation, as described below. The reviewers will use the application materials outlined in Section D to assess the applicant’s Project Readiness and will provide a rating of either “Likely” or “Unlikely.”

	Likely	Unlikely
Rating Scale	Based on the information provided in the application and the proposed scope of the projects and strategies, it is likely the applicant can complete all projects and strategies within a five-year time horizon. Application provides information on NEPA status, utility relocation, and right-of-way acquisition.	Based on the information provided in the application and the proposed scope of the projects and strategies, it is uncertain whether the applicant can complete all projects and strategies within a five-year time horizon. Application is missing information on NEPA status, and whether utility relocation and/or right-of-way acquisition is required.

Implementation Grant applications that include supplemental planning and/or demonstration activities will be assessed on the extent to which the narrative aligns with the selection criterion #5 Additional Safety Context and will be evaluated to determine a rating of “high,” “medium,” “low,” or “non-responsive.”

	High	Medium	Low	Non-Responsive
Rating Scale	The application is very responsive to the criteria and is expected to advance safety planning. The narrative has clear descriptions of the work scope and the roadway safety problem to be addressed. The proposed approach will strongly inform an Action Plan. For demonstration activities only: The activities are likely to be put in place within 18 months. The narrative clearly describes how the activities will be measured and evaluated.	The application is responsive to the criteria and is performing safety planning activities. The narrative has descriptions of the work scope and the roadway safety problem to be addressed. The proposed approach will inform an Action Plan. For demonstration activities only: The activities have a possibility of being put in place within 18 months. The narrative describes how the activities will be measured and evaluated.	The application is minimally responsive to the criteria. The proposed approach is weakly tied to an Action Plan. For demonstration activities only: It is unclear if the activities will be put in place within 18 months. The narrative provides minimal detail on how the activities will be measured and evaluated.	The narrative indicates the proposal is counter to the criteria, does not contain sufficient information, or is not connected to an Action Plan. For demonstration activities only: The narrative provides no timeline schedule or detail on how the activities will be measured and evaluated.

iii. Senior Review Team Phase

a) Planning and Demonstration Grant Senior Review Team Phase

For the Planning and Demonstration Grants, the Secretary will review the three quantitative criteria ratings as well as the rating from the Additional Safety Context and select projects that are most advantageous to the U.S. Government’s interest. The Secretary will consult with a Senior Review Team (SRT) to make the determinations.

b) Implementation Grant Senior Review Team Phase

Once every Implementation Grant application has been assigned an overall rating based on the methodology above, all “Highly Recommended” applications will be included in a list of Applications for Consideration. The SRT will also review all “Highly Recommended” applications that received an “Unlikely” project readiness rating, and either remove those applicants from the Applications for Consideration or recommend a reduced scope to remove components that reduced the project’s readiness, so that if awarded the applicant would be likely to complete the scope of work within five years of the grant agreement execution. The Secretary will consider the applications with a reduced scope due to the Unlikely project readiness in the same way as applications with a “Likely” rating.

Additionally, to ensure the funding awards align to the extent practicable to the program goal of equitable investment in the safety needs of underserved communities, the SRT may review “Recommended” applications and set a threshold based on the percentage of funds that will be spent in, and provide safety benefits to, locations

within underserved communities. Any “Recommended” applications at or above that threshold will be included in the proposed list of Applications for Consideration.

For applications that would not otherwise be included on the list of Applications for Consideration, the SRT may include applications with supplemental planning and demonstration activity funding that received a “High” rating for selection criterion #5 Additional Safety Context. The SRT may recommend the Secretary to fund a reduced scope of only the supplemental planning and demonstration activities for these applications.

For each grant type, the SRT will present the list of Applications for Consideration to the Secretary, either collectively or through a representative of the SRT. The SRT may advise the Secretary on any application on the list of Applications for Consideration, including options for reduced awards; the Secretary makes final selections. If an Implementation Grant application includes supplemental planning and demonstration activities, DOT may award just those activities as a standalone Planning and Demonstration Grant based on the rating received in selection criterion #5 Additional Safety Context. The Secretary’s final selections identify the applications that best address program requirements and are most worthy of funding.

3. Additional Information

Prior to entering into a grant agreement, each selected applicant will be subject to a risk assessment as required by 2 CFR § 200.206. The Department must 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]). An applicant may review information in FAPIIS and comment on any information about itself that a Federal awarding agency previously entered. The Department will consider comments by the applicant, in addition to the other information in FAPIIS, 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.

Because award recipients under this program may be first-time recipients of Federal funding, DOT is committed to implementing the program as flexibly as permitted by statute and to provide assistance to help award recipients through the process of securing a grant agreement and delivering both Planning and Demonstration Grant activities and Implementation Grant projects and strategies. Award recipients are encouraged to identify any needs for assistance in delivering the Implementation Grant projects and strategies so that DOT can provide directly, or through a third party, sufficient support and technical assistance to mitigate potential execution risks.

4. Anticipated Announcement and Federal Award Dates

The Department anticipates making two rounds of awards for this NOFO: one earlier round of awards only focused on applications requesting Planning and Demonstration Grants, and a later round of awards that will encompass Implementation Grants as well as Planning and Demonstration Grant applicants who did not receive funding in the earlier round. The earlier round is anticipated to be in October 2023, and the later round is anticipated to be in December 2023.

F. Federal Award Administration Information

1. Federal Award Notices

Following the evaluation outlined in Section E, the Secretary will announce awarded applications by posting a list of selected recipients at . The posting of the list of selected award recipients will not constitute an authorization to begin performance. Following the announcement, the Department will contact the point of contact listed in the SF-424 to initiate negotiation of a grant agreement unless the applicant notifies DOT of a changed contact via SS4A@dot.gov after July 10.

2. Administrative and National Policy Requirements

i. Climate Change and Environmental Justice

Each applicant selected for SS4A grant funding must demonstrate effort to consider climate change and environmental justice impacts as described in Section A. Projects that have not sufficiently considered climate change and environmental justice in their planning, as determined by the Department, will be required to do so before receiving funds, consistent with Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (86 FR 7619).

ii. Equity and Barriers to Opportunity

Each applicant selected for SS4A grant funding must demonstrate effort to improve equity and reduce barriers to opportunity as described in Section A. Projects that have not sufficiently considered equity and barriers to opportunity in their planning, as determined by the Department, will be required to do so before receiving funds, consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (86 FR 7009).

iii. Civil Rights and Title VI

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 § 21), the Americans with Disabilities Act of 1990 (ADA), 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 the applicable Operating Administrations' Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

iv. National Environmental Policy Act of 1969 (NEPA)

Funding recipients must comply with NEPA under 42 U.S.C. § 4321 et seq. and the Council on Environmental Quality's NEPA implementing regulations at 40 CFR §§ 1500-1508, where applicable.

v. 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), it is the policy of the executive branch to maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Infrastructure projects and demonstration activities are subject to the Build America, Buy America Act (Pub. L. No 117–58, div. G §§ 70901–70927) as clarified in OMB Memorandum M-22-11.³¹ The Department expects all recipients to comply with this requirement. Projects under this notice will be subject to the domestic preference requirements at § 70914 of the Build America, Buy America Act.

vi. Labor and Workforce

Each applicant selected for SS4A grant funding must demonstrate, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of high labor standards. To the extent that applicants have not sufficiently considered job quality and labor rights in their planning, as determined by the Department of Labor, the applicants will be required to do so before receiving funds, consistent with Executive Order 14025, Worker Organizing and Empowerment (86 FR 22829), and Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (86 FR 64335).

³¹ Pub. L. No. 117-58, division. G, Title IX, Subtitle A, 135 Stat. 429, 1298 (2021). For additional information on § 70914, see OMB-22-11. <https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-11.pdf>

vii. Federal Contract Compliance

As a condition of grant award and consistent with EO 11246, Equal Employment Opportunity (30 FR 12319, and as amended), all Federally assisted contractors are required to make good faith efforts to meet the goals of 6.9 percent of construction project hours being performed by women, in addition to goals that vary based on geography for construction work hours and for work being performed by people of color. Under Section 503 of the Rehabilitation Act and its implementing regulations, affirmative action obligations for certain contractors include an aspirational employment goal of 7 percent workers with disabilities.

The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) is charged with enforcing Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. OFCCP has a Mega Construction Project Program through which it engages with project sponsors as early as the design phase to help promote compliance with non-discrimination and affirmative action obligations. OFCCP will identify projects that receive an award under this notice and are required to participate in OFCCP's Mega Construction Project Program from a wide range of Federally- assisted projects over which OFCCP has jurisdiction and that have a project cost above \$35 million. DOT will require project sponsors with costs above \$35 million that receive awards under this funding opportunity to partner with OFCCP, if selected by OFCCP, as a condition of their DOT award.

viii. Critical Infrastructure Security and Resilience

It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against both physical and cyber threats. Each applicant selected for SS4A grant funding must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the activities. Award recipients that have not appropriately considered and addressed physical and cyber security and resilience in their planning, design, and oversight, as determined by the Department and the Department of Homeland Security, will be required to do so before receiving Implementation Grant funds for construction, consistent with Presidential Policy Directive 21, Critical Infrastructure Security and Resilience and the National Security Presidential Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems. Additionally, funding recipients must be in compliance with 2 CFR § 200.216 and the prohibition on certain telecommunications and video surveillance services or equipment.

ix. Other Administrative and Policy Requirements

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 CFR § 200 as adopted by the Department at 2 CFR § 1201. Additionally, as permitted under the requirements described above, applicable Federal laws, rules, and regulations of the relevant operating administration (e.g., the Federal Highway Administration, etc.) administering the activities will apply to the activities that receive SS4A grants, including planning requirements, Stakeholder Agreements, and other requirements under the Department's other highway and transit grant programs. DOT anticipates grant recipients to have varying levels of experience administering Federal funding agreements and complying with Federal requirements, and DOT will take a risk-based approach to SS4A program grant agreement administration to ensure compliance with all applicable laws and regulations.

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 the Department of Transportation; and applicable Federal financial assistance and contracting principles promulgated by the Office of Management and Budget. In complying with these requirements, recipients, in particular, must ensure 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 the Department determines that a recipient has failed to comply with applicable Federal requirements, the Department may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

3. Reporting

i. Progress Reporting on Grant Activity

Reporting responsibilities include quarterly program performance reports using the Performance Progress Report (SF-PPR) and quarterly financial status using the SF-425 (also known as the Federal Financial Report or SF-FFR).³²

Budget and recipient performance information will be gathered on a quarterly basis in a Performance Progress Report (SF-PPR). To fulfill the data collection requirements and in accordance with the USDOT Public Access Plan, award recipients must consider, budget for, and implement appropriate data management, for data and information outputs acquired or generated during the course of the grant.^{33, 34} Federally recognized Tribal governments receiving grants may request alternative data collection requirements during grant agreement formulation, as appropriate. Applicants are expected to account for data and performance reporting in their budget submission.

ii. Post Award Reporting Requirements/Reporting of Matters Related to Integrity and Performance

All award recipients shall submit a report by the end of the period of performance that describes:

- The costs of each eligible project and strategy carried out using the grant;
- The roadway safety outcomes and any additional benefits (e.g., increased walking, biking, or transit use without a commensurate increase in serious and fatal crashes, etc.) that each such project and strategy has generated, as—
 - Identified in the grant application; and
 - Measured by data, to the maximum extent practicable;
- The percent of funds spent in, and providing benefits to, underserved communities; and
- The lessons learned and any recommendations relating to future projects or strategies to prevent death and serious injury on roads and streets.

Implementation Grant recipients must also provide: geo-coordinate information identifying specific project location(s); crash data on serious injury and fatalities in the locations where projects and strategies are implemented on an annual basis and at the end of the period of performance, which are expected to include crash characteristics and contributing factor information associated with the safety problems being addressed; and quantitative and qualitative project benefits documented in a final report.

Award recipients carrying out demonstration activities must also measure potential benefits through data collection and evaluative activities and report to the Department how the demonstration activities informed an Action Plan's list of projects and strategies and future implementation.

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 during that period of time must maintain the currency of information reported in SAM 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 paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Pub. L. No. 110–417, as amended (41 U.S.C. § 2313). As required by section 3010 of Pub. L. No. 111–212, all information posted in the designated integrity and performance system on or after

³² <https://www.grants.gov/forms/post-award-reporting-forms.html>

³³ <https://doi.org/10.21949/1520559>

³⁴ United States. Department of Transportation. (2022) *DOT Public Access* [Home page]. <https://doi.org/10.21949/1503647>

April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available. Additionally, if applicable funding recipients must be in compliance with the audit requirements in 2 CFR § 200, Subpart F.

iii. Program Evaluation

As a condition of grant award, SS4A grant recipients may be required to participate in an evaluation undertaken by DOT, or another agency or partner. 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 grant recipients, or a benefit/cost analysis or assessment of return on investment. The Department may require applicants to collect data elements to aid the evaluation and/or use information available through other reporting. As a part of the evaluation, as a condition of award, grant recipients 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 or DOT staff.

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). 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).

G. Federal Awarding Agency Contacts

For further information concerning this notice, please contact the Office of the Secretary via email at SS4A@dot.gov. In addition, up to the application deadline, the Department will post answers to common questions and requests for clarifications on the Department’s website at <https://www.transportation.gov/grants/SS4A>. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact the Department directly, rather than through intermediaries or third parties, with questions. Department staff may also conduct briefings on the SS4A grant selection and award process upon request.

H. Other Information

1. Publication of Application Information

Following the completion of the selection process and announcement of awards, the Department intends to publish a list of all applications received along with the names of the applicant organizations and a few relevant data fields from the application. This includes unsuccessful applicants. The Department may share application information within the Department or with other Federal agencies if the Department determines that sharing is relevant to the respective program’s objectives.

2. Department Feedback on Applications

The Department will not review applications in advance, but Department staff are available for technical questions and assistance. DOT expects to hold “virtual-office hours” to further describe how to submit a complete application; for more information visit <https://www.transportation.gov/grants/SS4A>. The deadline to submit technical questions is June 16, 2023. The Department strives to provide as much information as possible to assist

applicants with the application process. Unsuccessful applicants may request a debrief up to 30 days after the selected funding recipients are publicly announced on <https://www.transportation.gov/grants/SS4A>. Program staff will address questions to SS4A@dot.gov throughout the application period.

3. Grant Application Resources

The Department will provide resources to help interested applicants understand the different DOT discretionary grant programs through webinars, frequently asked questions, and other materials provided such as the SS4A program website <https://www.transportation.gov/grants/SS4A>. Additional grant applications resources for this and other Departmental grant programs can be found on the DOT Navigator at www.transportation.gov/dot-navigator. User-friendly information and resources regarding DOT's discretionary grant programs relevant to rural applicants can be found on the Rural Opportunities to Use Transportation for Economic Success (ROUTES) website at www.transportation.gov/rural.