DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Railroad Safety State Participation Grants

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of funding opportunity.

SUMMARY: This Notice of Funding Opportunity (NOFO or notice) details the application requirements and procedures for obtaining grant funding for eligible activities under the Railroad Safety State Participation Pilot Grant program. The opportunities described in this notice are available under Catalog of Federal Domestic Assistance (CFDA) number 20.301, "Rail Safety Grants."

DATES: Applications for funding under this notice are due no later than 5:00 p.m. Eastern Daylight Time (EDT), on Monday, March 6, 2017. See Section 4 of this notice for additional information regarding the application process.

ADDRESSES: Applications for funding must be submitted via www.GrantSolutions.gov. For any required or supporting application materials that an applicant is unable to submit via www.GrantSolutions.gov, the applicant may submit an original and two copies to Matthew Lorah, Office of Financial Management, Federal Railroad Administration, 1200 New Jersey Ave., SE, W36-462, Washington, DC 20590. However, due to delays caused by enhanced screening of mail delivered via the U.S. Postal Service, applicants are advised to use other means of document conveyance, such as courier service, to ensure timely delivery. Courier service should include the room number in the address.

FOR FURTHER INFORMATION CONTACT: For further information regarding this notice, please contact Mel Strong, Office of Safety, Federal Railroad Administration, 61 Forsyth St, SW, Room 16T20, Atlanta, GA 76109; Email: melvin.strong@dot.gov; Phone: (404) 562-3800.

SUPPLEMENTARY INFORMATION:

Notice to applicants: FRA recommends that applicants read this notice in its entirety prior to preparing application materials. There are several administrative requirements described herein that applicants must comply with to submit an application. FRA has established a web page for grant notices, at www.fra.dot.gov/Page/P0021, that contains required application materials and additional guidance for topics referenced in this notice.

Additionally, applicants should note that the required narrative component of the application package may not exceed 25 pages in length.

Table of Contents:

SECTION 1: PROGRAM DESCRIPTION

1.1 Background

States are authorized to work in partnership with FRA to enforce Federal railroad safety laws and regulations (49 U.S.C. § 20105). The Congressional intent was to establish national uniformity of railroad safety laws, rules, regulations, orders, and standards. A State may adopt new — or continue in force — any existing State rail safety laws, regulations or orders until preempted by a Federal law, regulation or order covering the same subject matter (49 U.S.C. § 20106).

FRA is authorized to certify State inspectors to conduct investigative and surveillance activities to assure that the application and interpretation of Federal railroad safety rules, regulations, orders, and standards reflect the same national uniformity.

States that enter into a Federal Railroad Safety Program State Participation Agreement with FRA are delegated certain specified authority (defined in 49 CFR Part 212) with respect to investigative and surveillance activities. The delegation is effective only to the extent it is carried out by and through personnel recognized by the State and FRA as qualified to perform the particular investigative functions to which they are assigned.

FRA has worked with States to design training programs that lead to inspector qualification, which is known as "certification." Certification of State inspectors to independently apply and enforce Federal railroad safety regulations in a manner that is identical to FRA inspectors requires extensive field and classroom training. FRA's Technical Training Standards Division (TTSD) has developed on-the-job training (OJT) guides and classroom curricula tailored to the five specific technical inspection disciplines: track, motive power and equipment, operating practices, hazardous materials, and signal and train control.

The TTSD manages the technical training for FRA's Office of Railroad Safety and serves approximately 600 Federal and participating State railroad safety inspectors and specialists in the

five technical disciplines. To provide this training, TTSD designs, develops, and delivers specialized internal courses, and administers contract training from external sources as necessary. The course development process involves an evaluation of inspector core competencies and related characteristics in order to integrate essential skills training into course delivery.

Technical training is mission critical and based on organizational needs and is, therefore, considered mandatory. TTSD performs various types of analyses to determine organizational needs, including feedback from headquarters, the regions, and the inspectors. Each year, the TTSD develops a catalog of courses and a training calendar of formal classroom and/or field training. Most of these courses are delivered at the Transportation Technology Center (TTC) in Pueblo, Colorado. The facility is on 52 square miles of land leased by FRA from the State of Colorado. The TTC has played an important part in research, development, and testing of rail infrastructure and equipment. The equipment, railroad facilities, and training devices at TTC facilitate hands-on learning for FRA and State inspectors.

The TTSD also develops, implements, and monitors formal OJT programs for new safety inspectors and inspector trainees. OJT manuals for each discipline identify specific tasks that must be performed by inspectors during training, and specifies the proficiency level that must be attained for qualification or certification. The eight FRA regional offices are responsible for implementing the OJT program.

Currently, FRA directly reimburses travel costs to state employees for attendance at FRA-sponsored training pursuant to the annual State Railroad Safety Technical Training Funding Agreement between FRA and each individual participating state. State inspector travel is arranged by FRA under invitational travel rules as provided in 41 CFR Parts 301-11, and

Chapter 301, Federal Travel Regulations. States have hired more inspectors in recent years in response to the increased volumes of crude oil moving by rail and railroad accidents involving crude oil. Greater numbers of state inspectors have led to more annual State training trips, increasing the demands on FRA's travel support personnel. Directly funding State inspector travel through FRA and the Federal travel system creates costly inefficiencies and delays in planning travel and resolving travel issues. More states are participating in the State Participation Program and there are more State inspectors who require training. The inefficiencies of the current system are compromising the effectiveness of the State Participation Program. To address these concerns, and provide scalable and flexible support to our State Participation Program partners, FRA proposes to fund state inspector training and travel, and other allowable State Participation Program expenses, by implementing a pilot grant program that will enable States in FRA's State Participation Program to directly procure training travel and program laptop computers for State inspectors. Through the Railroad Safety State Participation Pilot Grant program (Pilot Grant Program), FRA will provide funding assistance to provide essential training travel and laptop computers to enhance the effectiveness of securing technical training and improve the safety of rail infrastructure. Specifically, the Pilot Grant Program will fund state inspector training and travel expenses to attend approved FRA technical training. The Pilot Grant Program will also allow for the purchase of laptop computers, including software, that are required for inspector reporting and data analysis.

FRA proposes to fund the Pilot Grant Program though funding provided in the fiscal year 2017 appropriations act for the DOT/FRA. As of the publication date of this notice, FRA has received fiscal year 2017 appropriations through April 28, 2017, via the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act (Pub. L. No. 114-223, 9/29/2016) and Further

Continuing and Security Assistance Appropriations Act, 2017 (Pub. L. No. 114-254, 12/10/2016).

As a result, the award of any grants under this program is dependent on the availability of

appropriations, which are not available as of the date of this notice.

1.2 Program Overview

This notice contains the requirements and procedures applicants must follow to secure

funding under the Pilot Grant Program. This notice will make $255,000 in discretionary funding

available for approved expenses in connection with FRA technical training for State inspectors

and the purchase of laptop computers and software, subject to the availability of appropriations

as discussed in section 1.1.

1.3 Legislative Authority

Funding for this notice will be made available through the fiscal year 2017 appropriations

act for the DOT/FRA.

SECTION 2: FEDERAL AWARD INFORMATION

The maximum funding authorized under this NOFO is $255,000. FRA anticipates

awarding multiple projects for the funding made available in this notice, and is not

predetermining any minimum or maximum dollar amounts for awards. However, given the

limited amount of funding currently available, FRA may choose to make project selections for

less than the total amount requested in the application.

SECTION 3: ELIGIBILITY INFORMATION

This section of the notice provides the requirements for submitting an eligible grant

application. Applications that do not meet the requirements in this section may be considered

ineligible for funding.

3.1. Applicant Eligibility

The following entities, which have volunteered to participate in this pilot project and have a Federal Railroad Safety Program State Participation Agreement with FRA, are the only eligible applicants for all activities permitted under this notice:

- Alabama Public Service Commission

- Arizona Corporation Commission

- Maine Department of Transportation

- Mississippi Department of Transportation

- New Mexico Public Regulation Commission

- New York Department of Transportation

- Ohio Public Utilities Commission

- Oregon Department of Transportation

- Pennsylvania Public Utility Commission

- Virginia Corporation Commission.

3.2 Project Eligibility

Eligible training, travel, grant management administration, and laptop computer and software costs must support implementation of the State Railroad Safety Participation Program and proper certification of state inspectors in accordance with 49 U.S.C. § 20105 and 49 CFR Part 212.

3.2.1 Training

1. Eligible personnel: May consist of one of the following inspector categories, as approved by FRA

a. Certified Inspector - Inspector candidate who has completed the assigned training curriculum and has been certified by a FRA regional discipline specialist.

b. Journeyman Inspector - Inspector candidate who is experienced in railroad operations and meets the discipline specific inspector requirements.

c. Apprentice Inspector - An inspector candidate that has less than the discipline specific inspector requirements, including discipline specific and/or railroad experience.

d. Developmental Inspector - Candidate that has no railroad experience and no discipline specific background, or less than adequate experience in either area.

e. State Program Manager - State Program Managers who attend conferences and training.

2. Eligible training

a. TTSD Training Classes – Classes assigned by TTSD to develop certified inspectors in each FRA discipline.

b. Developmental training classes (i.e. Johnson Community College) – Classes for Developmental Inspector candidates without adequate railroad experience.

c. FRA regional training conference – Annual conferences to train all inspectors on new regulations, enforcement, and techniques for each FRA discipline.

d. Claims collection conferences – Annual conference where FRA and railroad attorneys discuss settlement of civil penalties for violations written by state and federal inspectors.

e. FRA biennial inspector training – Biennial conferences to train all inspectors on new regulations, enforcement, and techniques.

f. Out-of-State OJT – Out of State travel that is necessary for inspector candidates to complete their OJT.

3.2.2 Travel

Eligible travel activities for:

1. Training

   a. TTSD training classes

   b. Developmental training classes (i.e. Johnson Community College)

   c. FRA regional training conference

   d. Claims collection conference

   e. FRA biennial inspector training

   f. Out-of-State OJT

2. Conferences

   a. Association of State Rail Safety Managers (ASRSM) annual and executive committee meetings

   b. FRA Railroad Safety Advisory Committee

3. Eligible Personnel

   a. Certified Inspector

   b. Journeyman Inspector

   c. Apprentice Inspector

   d. Developmental Inspector

   e. State Program Manager

f. ASRSM Member and Alternate Member

3.2.3 Eligible Equipment

Equipment necessary for inspectors to compile and submit inspection reports, which includes the following.

1. Laptop computers for inspectors

2. Software for inspectors' computers

3.2.4 Grant Administration

Costs associated with managing and administering a Federal grant program (Limited to 3% of the total grant award), which may include, but not limited to.

1. Processing required grant reports

2. Purchasing computer equipment under grant agreement

3. Processing travel and registrations

4. Invoice processing to FRA

5. Processing vender invoices

3.3 Cost Eligibility

Project Costs. Any grant awarded under the Pilot Grant Program will be a reimbursable grant. Unless otherwise approved by FRA, grantees must first disburse funds to cover eligible costs and then seek reimbursement from FRA.

SECTION 4: APPLICATION AND SUBMISSION INFORMATION

4.1 Submission Dates and Times

Complete applications must be submitted to www.GrantSolutions.gov no later than 5:00 p.m. EDT on Monday, March 6, 2017. Applicants are strongly encouraged to apply early to ensure that all materials are received before the application deadline.

4.2 Application Content

Applicants should read this section carefully and must submit all required information.

4.2.1 Project Narrative.

This section describes the minimum content required in the Project Narrative component of grant applications (FRA also recommends the Project Narrative generally adhere to the following outline). These requirements must be satisfied through a narrative statement submitted by the applicant, and may be supported by other materials, as appropriate. The Project Narrative may not exceed 25 pages in length (including any appendices).

The Project Narrative must:

1. Include a title page that lists the following elements in either a table or formatted list: Project title; location (i.e., city, State, Congressional District); applicant organization name; name of any co-applicants; and amount of Federal funding requested.

2. Designate a point-of-contact for the applicant and provide his or her name and contact information, including a phone number, mailing address, and email address. The point-of-contact must be an employee of an eligible applicant organization.

3. Explain how the applicant meets the applicant eligibility criteria outlined in Section 3 of this notice.

Training:

Applicants must prioritize their funding requests into a tiered system. If grant amounts submitted by the eligible applicants exceed the available funding, FRA may award funds based on the applicant's prioritization tiers. The tiers are as follows:

<u>Primary</u>

- TTSD training classes for Apprentice Inspectors, Journeyman Inspectors, and Certified Inspectors

- Computer equipment, including laptops, software, and wireless communications services

- Out-of-State OJT for Apprentice and Journeyman Inspectors

- Grant management administrative costs (Limited to 3% of the total grant award)

- ASRSM member travel to annual and executive committee meetings

Secondary

- Inspector and manager travel to FRA regional training conferences

- Inspector and manager travel to FRA discipline-specific regional and national conferences

- FRA-approved training related travel for developmental inspectors (Training regimens must be developed by FRA TTSD discipline trainers. Training progress must be monitored by FRA regional discipline specialists.)

Tertiary

- ASRSM representative travel to meetings of FRA's RSAC

- FRA-approved Certified Inspector travel to regional FRA offices to attend claims collection conferences

The training section of the narrative must:

1. Provide proposed TTSD training activities, including a list of inspector(s) and their inspector level, program acquisitions, the TTSD course title and the training location, capturing the intended outcomes, and anticipated benefits that will result from the proposed training for each inspector.

2. Provide a description of requested training courses for each Developmental Inspector. This description must provide the name and address of the training vendor, the training delivery method (classroom, online, correspondence), the course title, a detailed description of the course, the training location, and the training cost. Training secured from private vendors must be approved for Developmental inspectors by TTSD prior to incurring the expenditure.

3. Provide any Out-of-State OJT proposed for Journeyman, Apprentice, or Developmental Inspectors. The description must include approximate dates, training location by state, duration of training, and description for the OJT activity, the name of the FRA discipline specialist that recommended or approved the proposed training for each inspector.

Travel:

The travel section of the narrative must:

1. Provide a table or formatted list of estimated travel costs for training, to include airfare, lodging, per diem, and other eligible costs per State travel guidelines (in accordance with 2 CFR 200.317), per inspector for each training course.

2. Provide a table or formatted list of estimated travel costs for conferences, to include airfare, lodging, per diem, and other eligible costs per State travel guidelines, per attendee for each eligible conference (see Section 3.2.2).

Equipment:

The equipment section of the narrative must provide a table or formatted list of computer equipment, eligible software, and associated cost per inspector. Please note States that currently use state-purchased computers may request to use grant funds to purchase

replacement computers in accordance with each state's regular computer replacement schedule. Computers may be equipped with the state agency's typical software configuration. Computers will be replaced in a manner consistent with the state agency's standard replacement schedule. States are responsible for providing satisfactory documentation to support the purchase of state computers, in accordance with state requirements, and ensuring that they are properly inventoried. FRA will have the right to reject reimbursement for any purchase that is not properly documented or which is determined to not be in accordance with state requirements or the Federal cost principles set forth in 2 C.F.R. section 200.400, et seq.

Grant Administration:

The grant administration section of the narrative must:

1. Provide a description of grant administration duties, personnel assigned to duties, estimated level of effort (time and cost). Please see Section 3.2.5 for a list of eligible grant administration activities.

Additional Application Elements:

Applicants must include the following documents in the application package:

- o SF-424 (Application for Federal Assistance);
- o SF-424A (Budget Information for Non-Construction Programs)
- o SF-424B (Assurances for Non-Construction Programs)
- o FRA's Additional Assurances and Certifications;
- o SF-LLL (Disclosure of Lobbying Activities).

Applicants must complete and submit all components of the application package to be considered for funding.

4.3 Submission Instructions

Applicants must submit all application materials through www.GrantSolutions.gov . For

any required or supporting application materials an applicant is unable to submit via

www.GrantSolutions.gov, an applicant may submit an original and two copies to Matthew

Lorah, Office of Financial Management, Federal Railroad Administration, 1200 New Jersey

Ave., SE, W36-462, Washington, DC 20590. Applicants are advised to use means of rapid

conveyance (such as courier service) as the application deadline approaches.

To apply for funding through Grants.gov, applicants must be properly registered.

Complete instructions on how to register and submit an application are at Grants.gov.

Registering with Grants.gov is a one-time process. However, it can take several weeks for first-

time registrants to receive confirmation and a user password. FRA recommends that applicants

start the registration process as early as possible to prevent delays that may preclude submitting

an application package by the application deadline. FRA will not accept applications after the

due date.

To apply for funding under this announcement and to apply for funding through

www.GrantSolutions.gov, all applicants must:

1. Acquire a Data Universal Numbering System (DUNS) Number. A DUNS number is

   required to apply for funding. The Office of Management and Budget (OMB) requires

   that all businesses and nonprofit applicants for Federal funds include a DUNS number in

   their applications for a new award or renewal of an existing award. A DUNS number is a

   unique nine-digit sequence recognized as the universal standard for identifying and

   keeping track of entities receiving Federal funds. The identifier is used for tracking

   purposes and to validate address and point of contact information for Federal assistance

applicants, recipients, and sub-recipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Applicants may obtain a DUNS number by calling 1-866-705-5711 or by applying online at http://www.dnb.com/us. Please note that if a Dun & Bradstreet (DUNS) number must be obtained or renewed, this may take a significant amount of time to complete.

2. Acquire or Renew Registration with the System for Award Management (SAM) Database. All applicants for Federal financial assistance must maintain current registrations in the SAM database. An applicant must be registered in SAM to successfully register in Grants.gov. The SAM database is the repository for standard information about Federal financial assistance applicants, recipients, and sub recipients. Organizations that have previously submitted applications via Grants.gov are already registered with SAM, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their SAM registration at least once per year to maintain an active status. Therefore, it is critical to check registration status well in advance of the application deadline. Information about SAM registration procedures is available at www.sam.gov. Please note that if a System of Award Management (SAM) registration must be obtained or renewed, this may take a significant amount of time to complete.

3. Search for the Funding Opportunity on www.GrantSolutions.gov. The CFDA number for this opportunity is 20.301, titled "Rail Safety Grants."

4. Submit an Application Addressing All of the Requirements Outlined in this Funding Availability Announcement. After submitting the application through GrantSolutions, a confirmation screen will appear on the applicant's computer screen. This screen will

confirm that the applicant has submitted an application and provide an application

number. If an applicant experiences difficulties at any point during this process, please

call the GrantSolutions Help Desk at 1.866.577.0771 or 202.401.5282, Monday-Friday

from 9:00 a.m. to 6:00 p.m., Eastern Standard Time,

5. Note: Please use generally accepted formats such as .pdf, .doc, .docx, .xls, .xlsx and .ppt,

when uploading attachments. While applicants may imbed picture files, such as .jpg, .gif,

and .bmp, in document files, applicants should not submit attachments in these formats.

Additionally, the following formats will not be accepted: .com, .bat, .exe, .vbs, .cfg, .dat,

.db, .dbf, .dll, .ini, .log, .ora, .sys, and .zip.

SECTION 5: APPLICATION REVIEW

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

1. Screen applications for completeness and eligibility;

2. Evaluate eligible applications (completed by technical panels applying the

   evaluation criteria); and

3. Select projects for funding (completed by the FRA Administrator applying

   additional selection criteria).

5.1 Intake and Eligibility

FRA first will screen each application for eligibility (eligibility requirements are outlined

in Section 3 of this notice) and completeness (application documentation and submission

requirements are outlined in Section 4 of this notice). FRA-led technical panels of subject-matter

experts will evaluate all eligible and complete applications using the evaluation criteria outlined

in this section. The FRA Administrator then will select for funding the projects that are well-

aligned with one or more of the evaluation and selection criteria.

5.2 Evaluation Criteria

FRA intends to fund applications that accomplish required program training activities and ensure that inspectors are properly equipped for program reporting, data analyses, and communications. FRA will analyze each application for its completeness and benefits using the factors and sub-criteria identified below. FRA will also fund applications on the basis of where there is the greatest need, taking into consideration the region or location covered by the proposed project.

Completeness

1. The application is thorough and responsive to all of the requirements outlined in this Notice and submitted within required timeframe outlined in Section 4.1 of this notice.

Program Benefits

1. The application contains a satisfactory description of the benefit of accomplishing training tasks and equipping railroad safety inspectors. The applicant describes the expected safety benefit of the training, making a reasonable link between that benefit and the proposed activities. The applicant gives satisfactory assurances of proper project delivery and performance.

2. Other potential benefits, such as improved operational efficiencies, quicker inspector certification, or enhanced inspector developmental opportunities are described.

3. The application contains satisfactory assurances for the procurement of equipment for inspectors, consistent with State and Federal requirements.

SECTION 6: FEDERAL AWARD ADMINISTRATION

6.1 Federal Award Notice

Final project selections will be posted on FRA web sites.

6.2 Award Administration

Due to funding limitations, projects that are selected for funding may receive less than the amount originally requested. In those cases, applicants must be able to demonstrate that the proposed projects are still viable and can be completed with the amount awarded.

Federal Awardee Performance and Integrity Information System (FAPIIS) Review

Before making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold (see 2 CFR 200.88 Simplified Acquisition Threshold), FRA will review and consider any information about the applicant that is in the designated integrity and performance system accessible through the System for Award Management (SAM) (currently the Federal Awardee Performance and Integrity Information System (FAPIIS) (see 41 U.S.C. 2313). An applicant, at its option, may review information in the designated integrity and performance system accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM.

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

6.3 Administrative and National Requirements

Grantees and entities receiving funding from the grantee (sub-recipients and contractors), must comply with all applicable laws and regulations. A non-exclusive list of administrative and national policy requirements that grantees must follow include: 2 CFR Part 200; procurement standards; compliance with Federal civil rights laws and regulations; disadvantaged business

enterprises; debarment and suspension; drug-free workplace; FRA's and OMB's Assurances and Certifications; Americans with Disabilities Act; and labor standards, safety oversight, environmental protection, National Environmental Policy Act, environmental justice, and Buy American (41 U.S.C. 8302) provisions.

6.4 General Requirements

The applicant will be required to comply with all standard FRA reporting requirements, including quarterly progress reports, quarterly Federal financial reports, and interim and final performance reports, as well as all applicable auditing, monitoring and close out requirements. Reports may be submitted electronically.

The applicant must comply with all relevant requirements of 2 CFR Part 200.

SECTION 7: FEDERAL AWARDING AGENCY CONTACT

For further information regarding this Notice and the Railroad Safety State Participation Pilot Grant program, please contact Mel Strong, Office of Safety, Federal Railroad Administration, 61 Forsyth St, SW, Room 16T20, Atlanta, GA 76109; Email: melvin.strong@dot.gov; Phone: (404) 562-3800.

Authority: Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act (Pub. L. No. 114-223, 9/29/2016) and Further Continuing and Security Assistance Appropriations Act, 2017 (Pub. L. No. 114-254, 12/10/2016).

Issued in Washington, D.C. on January 18, 2017.

Rebecca Pennington

Chief Financial Officer