

U.S. Department of Transportation
Amendment 1 to Notice of Funding Opportunity Number MA-PID-22-001

“2022 Port Infrastructure Development Program Grants”

Amendment 1 issued May 6, 2022

The purpose of this amendment is to edit the Notice of Funding Opportunity to reflect additional funding and associated requirements per the Consolidated Appropriations Act, 2022, and to make clerical amendments. Accordingly, the Notice of Funding Opportunity is hereby amended.

The application due date remains unchanged as May 16, 2022 at 11:59 pm Eastern Daylight Time through www.Grants.gov.

Except as provided herein, all terms and conditions remain unchanged and in full force and effect.

This amendment revises the text of the NOFO in the sections identified below.

- Deleted text is shown in ~~striketrough~~.
- Added text is both **underlined and bolded**.

If a section or paragraph is not listed below, no text changes apply to that section or paragraph as a result of this amendment.

SUMMARY, full section

This notice solicits applications for Port Infrastructure Development Program (PIDP) grants. Funds for the Fiscal Year (FY) 2022 PIDP grant program will be awarded on a competitive basis to make grants for projects for coastal seaports, inland river ports, and Great Lakes ports. This notice announces the availability of ~~\$450million~~ **\$684,310,000** in funding for grants under this program and establishes selection criteria and application requirements. All PIDP grant recipients must meet all applicable Federal requirements, including domestic content requirements. **This notice is amended on May 6, 2022 to reflect additional funding made available under the Consolidated Appropriations Act, 2022 and associated requirements.**

SECTION A.2, Program Overview, paragraph 1

The PIDP was amended under Section 3513 of the National Defense Authorization Act for Fiscal Year 2022 (Pub. L. 117-81, December 27, 2021) (“NDAA”), and is now codified at 46 U.S.C. 54301. The statute authorizes DOT to establish a port and intermodal improvement program to improve the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports. The Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021) (“Bipartisan Infrastructure Law” or “BIL”) appropriated \$450 million to the PIDP for FY 2022 to make discretionary grants for eligible PIDP projects. **On March 15, 2022, the Consolidated Appropriations Act, 2022 (Pub. L. 117-103, “FY 2022 Appropriations Act”) appropriated an additional \$234,310,000 for the FY 2022 PIDP grant program. Therefore, a total of \$684,310,000 in funding is now available for the FY 2022 PIDP grant program.** This Notice of Funding Opportunity (“NOFO”) solicits applications for projects to be funded under the PIDP grant program, **and includes the funding appropriated by the BIL in addition to the funding appropriated for the PIDP grant program under the FY 2022 Appropriations Act.** It includes the funding appropriated by the BIL, and may include any additional funding appropriated in FY 2022 for PIDP under the annual appropriations act. If the annual appropriations act for FY 2022 increases funding for PIDP and/or significantly alters requirements for PIDP funds, DOT will amend this notice with guidance on any changes and additional requirements. The amended NOFO will be posted on Grants.gov, the PIDP website (<https://www.maritime.dot.gov/PIDPgrants>), and in the Federal Register. **Applicants should note that the two funding streams (BIL funding and FY 2022 Appropriations Act funding) have slightly different funding restrictions and requirements that may affect the competitiveness of an application. These differences are summarized below and further described in Sections B and C of this notice.**

SECTION A.3, Changes from the FY 2021 NOFO, paragraphs 1 and 5

The FY 2022 PIDP NOFO contains new program information and includes new program requirements based on provisions specified in 46 U.S.C. 54301, as amended by the NDAA, ~~and the BIL,~~ **and the FY 2022 Appropriations Act.**

Applicants who are planning to re-apply using materials prepared for prior competitions should ensure that their FY 2022 application fully addresses the criteria and considerations described in this notice and that all relevant information is up to date. **Applicants should carefully consider the differing restrictions for the two different pools of funding, which are further described in Sections B and C.**

SECTION B.1, Amount Available, full section

~~As provided for in the BIL,~~ DOT intends to award up to \$450 million **\$684,310,000** on a competitive basis for projects that improve facilities within, or

outside of and directly related to operations of or an intermodal connection to, coastal seaports, inland river ports, and Great Lakes ports. **This amount includes up to \$450 million, as provided for in the BIL, and up to \$234,310,000, as provided for in the FY 2022 Appropriations Act. Applicants should note that the two funding streams (BIL and FY 2022 Appropriations Act funding) have slightly different restrictions and requirements that may affect competitiveness of certain funding requests.** This notice will be amended if additional amounts become available for this program under the annual appropriations act for FY 2022. Additionally, 46 U.S.C. 54301(a)(7), as amended by the NDAA, directs that not less than 25% of the appropriated funds ~~(\$112.5 million) shall be for projects meeting certain requirements described in this NOFO for “small projects at small ports.”~~ The Maritime Administration (MARAD) will retain up to two percent (~~\$13,686,200~~~~\$9 million~~) of the funds appropriated for necessary costs of grant administration as permitted under 46 U.S.C. 54301(a)(11). If MARAD does not receive sufficient qualified applications, it will award less than the amount available.

In addition to the FY 2022 PIDP funds, unobligated prior year PIDP funds may be made available and awarded under this solicitation to eligible projects. If this solicitation does not result in the award and obligation of all available funds, DOT may publish additional solicitations.

SECTION B.2, Award Size, full section

For funding awarded under the BIL, there is no minimum award size. **For all projects funded under the FY 2022 Appropriations Act, the minimum PIDP award size is \$1 million. Therefore, funding requests below the FY 2022 Appropriations Act minimum will only be considered for funding from the BIL; they will not be eligible to compete for the full amount of funding available.** Except as limited by the amount of available funding and ~~statutory~~ restrictions on funding identified in Section B.3., there is no maximum award size.

SECTION B.3, Restrictions on Funding, full section

The BIL, **the FY 2022 Appropriations Act,** and 46 U.S.C. 54301 impose several restrictions on awards under this notice:

- Not more than 25 percent of the available funds (~~\$112.5 million~~) can be awarded for projects in any one State.
- **For funding awarded under the FY 2022 Appropriations Act, at least \$209,310,000 is reserved for grants to coastal seaports or Great Lakes ports as defined in Section A.4.**
- Twenty-five percent of the available funds (~~\$11.25 million~~) is reserved for small projects at small ports awarded under 46 U.S.C. 54301(b), which are defined in Section A.4. of this notice, ~~and no single grant award under 46 U.S.C. 54301(b) may be more than 10 percent (\$11.25 million) of this~~

~~amount.~~ Of the reserved amount, not more than 10 percent (~~\$17,107,750~~\$11.25 million) may be used to make grants for development phase activities under 46 U.S.C. 54301(b)(3)(A)(ii)(III).

- Not more than 10 percent (~~\$51,323,250~~\$33.75 million) of the funds not reserved for small projects at small ports may be awarded for development phase activities for large projects (as defined in Section A.4. of this notice) that do not result in construction.

~~If any of these statutory requirements are changed by the annual appropriations act for FY 2022, DOT will amend this notice.~~

Additionally, to maximize flexibility for applicants and optimize the number of grants that can be awarded, MARAD will limit any single award to a small project at a small port to not more than \$11.25 million under both the BIL and FY 2022 Appropriations Act funding.

SECTION C.3.b.(2), Determinations: The project is cost effective, full section

(2) The project is cost effective. DOT will determine a project is cost effective if it finds that the project's benefit-cost ratio is equal to or greater than one. Refer to Section D.2.h. for what to include in the application and to Section E.1.a. for how DOT will make this determination. This requirement does not apply to awards for small projects at small ports (i.e., awards made under 46 U.S.C. 54301(b)). **This requirement also does not apply to projects located in noncontiguous States or U.S. territories awarded funding under the FY 2022 Appropriations Act.**

SECTION C.3.d, Application Limit, full section

Each eligible applicant may submit no more than one application. If an applicant submits multiple applications, only the last one received by DOT will be considered. **Unrelated project components should not be bundled in a single application for the purpose of adhering to the limit.**

SECTION D.2.a, Introductory Information, full section

Each application should include a cover page with information about the project included in the following chart:

Field Name	Guidance
Name of applicant	
Is the applicant applying as a lead applicant with	If yes, identify by name each of the private

Field Name	Guidance
any private entity partners or joint applicants?	entities or joint applicants providing funding for the project.
What is the project name?	
Project description	Provide a brief (no more than 100 words) description of the project that focuses on what the project consists of. For example: “This project will fund construction of a new wharf at the X Terminal, renovate the uplands adjacent to the wharf, construct a 100,000 SF-refrigerated warehouse, and install approximately 20,000 LF of track to connect the new facilities to the port’s rail switch yard.”
Is this a planning project?	Yes or No.
Is this a project at a coastal, Great Lakes, or inland river port?	Specify coastal, Great Lakes, or inland river port.
<u>Is this application for a small project at a small port?</u>	<u>Yes or No. See the definition of a small project at a small port in Section A.4. of the NOFO.</u>
<u>Is this project located in a noncontiguous State or U.S. territory?</u>	<u>Yes or No. If yes, name the State or U.S. territory.</u>
GIS Coordinates (in Latitude and Longitude format)	Provide the GIS coordinates of the approximate geographic center of the project.
Is this project in an urban or rural area?	Use the guidance in Section A.4. of the NOFO to answer this question.
Project Zip Code	Identify the zip code that corresponds to the GIS coordinates identified above.
Is the project located in a Historically Disadvantaged Community or a Community Development Zone? (A CDZ is a Choice Neighborhood, Empowerment Zone, Opportunity Zone, or Promise Zone.)	Answer yes only if the project is wholly or partially in a zone. Identify the type of zone in which the project is located.
Has the same project been previously submitted for PIDP funding?	Identify the program and year of the prior submission (such as “PIDP FY 2021”).
Is the applicant applying for other discretionary grant programs in 2022 for the same work or related scopes of work?	If so, identify the program, amount of funding requested and scope (such as RAISE FY 2022, \$25 million, components 1 and 2 of this PIDP project).
Has the applicant previously received TIGER, BUILD, RAISE, FASTLANE, INFRA or PIDP funding?	Identify the program and year of the prior submission (such as “INFRA FY 2021”).
PIDP Grant Amount Requested	Enter the total amount of PIDP grant funds

Field Name	Guidance
	requested.
Total Future Eligible Project costs	Enter the total amount of Future Eligible Project costs. This amount excludes previously incurred expenses. See Section C of the NOFO.
Total Project Cost	In general, Total Project Cost will be equal to the Total Future Eligible Project Cost. (If there are previously incurred expenses, Total Project Cost should be the sum of the previously incurred expenses and the Total Future Eligible Project Costs).
Total Federal Funding	Enter the amount of Federal funding from ALL sources that will be used for this project. (Include the amount of PIDP grant funding requested).
Total Non-Federal Funding	Enter the amount of funds committed to the project from non-Federal sources.
Will RRIF or TIFIA funds be used as part of the project financing?	Indicate whether RRIF or TIFIA funding will be used for the project. If so, indicate the amount of funds that will be used.

SECTION D.2.d., Grant Funds, Sources, and Uses of Project Funds, first paragraph

This section of the application should include a table with the PIDP project budget and a corresponding description of the budget so that reviewers can understand how grant funds and non-Federal funds are being used to complete the project. The budget should also include information about the degree of design completion on which the cost was estimated. The discussion should also indicate when the cost data in the budget was compiled and how it was sourced. **Applicants should carefully consider the differing funding restrictions for the BIL funding and the FY 2022 Appropriations Act funding, which could affect competitiveness and are further described in Sections B and C. If the budget presented in the application shows a grant request less than \$1 million, the application will be competing for only the BIL funding.** Except for a project seeking funding under 46 U.S.C. 54301(b), the budget should not include any previously incurred expenses that have or will be incurred prior to grant award announcement.

SECTION D.2.e.(2)(a), Large Projects, paragraph 1

(a) Large Projects. For large projects (as defined in Section A.4.), this criterion will measure the quantified benefits against the costs of the project. Among otherwise comparable applications, DOT will prioritize projects that maximize net benefits. **This section does not apply to projects located in noncontiguous States or U.S. territories awarded funding under the FY 2022 Appropriations Act. However, to be eligible to compete for the full amount of funding available under both BIL and the FY 2022 Appropriations Act, an applicant with a project in a noncontiguous State or U.S. territory must submit information as required under this section.**

SECTION D.2.e.(2)(b), Small Projects at Small Ports, Paragraph 1

(b) Small Projects at Small Ports. For small projects at small ports (as defined in Section A.4.), this criterion will assess the project’s impact on (1) the economic advantage of the port, (2) the contribution to freight transportation at, around, and through the port, and (3) overcoming the competitive disadvantage of the port. Applications for funding for small projects at small ports are not required to submit a benefit-cost analysis. **This section applies to projects located in noncontiguous States or U.S. territories that meet the definition of a small project at a small port, regardless of whether the project is funded under the BIL or FY 2022 Appropriations Act.**

SECTION D.2.h, Section VII: Determinations, Project Determination 2

<p>2. The project is cost effective.</p>	<p>Please highlight the results of the benefit-cost analysis, as well as the analyses of independent project components, if applicable.</p> <p>The Department will base its determination on the ratio of project benefits to project costs as assessed according to the Economic Vitality criterion.</p> <p>Note: This determination is not applicable to small projects at small ports. <u>This determination is also not applicable to projects located in noncontiguous States or U.S. territories</u></p>
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	<u>awarded funding under the FY 2022 Appropriations Act.</u>
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SECTION E.1.a.(2)(a), Large Projects, full section

(a) Large Projects. DOT will consider the costs and benefits of large projects (as defined in Section A.4.) seeking PIDP funding. To the extent possible, DOT will rely on quantitative, data-supported analyses to assess how well a project addresses this criterion, including an assessment of the project’s estimated benefit-cost ratio and net benefits based on the applicant-supplied BCA described in Section D.2.e.(2). Reviewers will consider, as part of their analysis, the project’s positive contribution to port resilience.

Based on DOT’s assessment, DOT will group projects into ranges based on their estimated benefit-cost ratios (BCR) and assign a level of confidence associated with each project’s assigned BCR rating. DOT will use these ranges for BCR: less than 1.0; 1.0–1.5; 1.5–3.0; and greater than 3.0. Numbers over 1 indicate that the project’s benefits exceed its costs. The Secretary will consider the net benefits of the funds awarded when selecting projects **for funding under the BIL and when selecting projects other than those located in noncontiguous States or U.S. territories for funding under the FY 2022 Appropriations Act.** Net benefits are calculated by comparing a proposed project’s benefits with the full cost of developing, constructing, operating, and maintaining the project. Projects with higher net benefits (that is, higher BCR ratings as determined by DOT reviewers) will be more competitive than ones with lower net benefits. In addition to these quantitative ranges, DOT will assess the level of confidence associated with each project’s assigned BCR ratings as either “high,” “medium,” or “low.” “High” indicates a relatively high degree of confidence in the assigned rating; “medium” indicates a moderate degree of confidence in the assigned rating; and “low” indicates a relatively low degree of confidence in the assigned rating. Confidence ratings may be used to help prioritize projects for the follow-up described in Section E.2.c. of this notice.

For applications seeking funding for large projects located in noncontiguous States or U.S. territories, DOT will evaluate any materials an applicant submits as described in Section D.2.e.(2)(a) of this notice. Based on that assessment, DOT will consider whether the project can be considered for funding under both the BIL and the FY 2022 Appropriations Act.

SECTION E.1.a.(2)(b), Small Projects at Small Ports, paragraph 2

Based on the reviewers’ assessments, DOT will group projects according to their impacts. A “high” impact project is one for which documentation submitted by the applicant indicates that the project will improve the economic advantage of the port, contribute to freight transportation at the port, and improve the competitive advantage of the port seeking funding. The project must also significantly improve

port resilience, as demonstrated through measurable improvements. A “medium” impact project is one for which documentation submitted by the applicant indicates will improve two of the factors identified above. The project must also have a positive impact on port resilience. A “low” impact project is one for which documentation submitted by the applicant indicates will improve only one of the factors identified above. Projects with higher impacts will be more competitive. An application will be evaluated as “non-responsive” if the reviewers determine that the project will not improve any of the factors ~~and~~ it does not have the potential to improve port resilience.

SECTION E.2.a., Review Process, Last paragraph

Based on the results of this additional review, the SRT assembles a List of Projects for Consideration for selection by the Secretary. A project must meet all six determinations **(unless the cost effectiveness determination at 46 U.S.C. 54301(a)(6)(A)(ii) is not required for a particular project)** to be included on the List of Projects for Consideration. The Secretary makes final selections based on the criteria described in Section E.1.

SECTION E.2.b, Determinations, full section

DOT must make the following determinations under 46 U.S.C. 54301(a)(6)(A) prior to award selection. Refer to Section D.2. for what to include in the application. First, DOT must determine that the project improves the safety, efficiency, or reliability of the movement of goods through a port or intermodal connection to a port. If the application demonstrates that the project will positively improve the movement of goods, the project will satisfy the determination listed under Section C.3.b. Second, DOT must determine that the project is cost effective. For applications that seek funding for projects under 46 U.S.C. 54301(a) and that DOT finds will have a BCR greater than or equal to 1.0, the project will satisfy the determination in Section C.3.b.(2). For applications that seek funding for projects under 46 U.S.C. 54301(b), the project will not be required to satisfy the determination in Section C.3.b.(2). **The determination in Section C.3.b.(2) will also not apply to projects in noncontiguous States and U.S. territories that are awarded funding under the FY 2022 Appropriations Act.** Third, DOT must determine that the applicant has the authority to carry out the project. If the narrative demonstrates that the applicant has the authority to carry out the project by providing citations of authority, or other supporting documentation with the application, the project will satisfy the determination outlined in Section C.3.b.(3). Fourth, DOT must determine that the applicant has sufficient funding to meet the matching requirements. In assessing the availability of the proposed non-Federal financial commitments, DOT will consider the degree to which financing sources are dedicated to the proposed purposes and are highly likely to be available within the proposed project schedule. If the application narrative and project budget demonstrate that the applicant has sufficient funding available to meet the matching requirements, the project will satisfy the determination outlined in Section C.3.b.(4). Fifth, DOT must determine that the

project will be completed without unreasonable delay. If the application narrative and project schedule demonstrate that the project is reasonably expected to begin construction no later than 18 months after the date of obligation of funds for the project (that is, the date of a grant agreement) and that it will be fully completed within five years of obligation, the project satisfies the determination outlined in Section C.3.b.(5). Sixth, DOT must determine that the project cannot be easily and efficiently completed without Federal funding or financial assistance. DOT will evaluate how well the narrative demonstrates that the project cannot be easily and efficiently completed without Federal funding or financial assistance available to the project sponsor. If applications sufficiently describe the impacts on the project of Federal funding or financial assistance being unavailable for the project, and show the project cannot be easily or efficiently completed without such assistance, the project will satisfy the determination outlined in Section C.3.b.(6).

SECTION F.2.a., Administrative Requirements, first paragraph

DOT will determine the period of performance for each award based on the specific project that was evaluated and selected. DOT will administer each PIDP grant pursuant to a grant agreement with the grant recipient. Amounts awarded as a grant under this notice **from the BIL** that are not expended by the grant recipient shall remain available to DOT until September 30, 2032 for use for grants under this program. **Funds awarded under the FY 2022 Appropriations Act remain available until expended for grants under this program.**

[end of Amendment]