



## **ADCMS Questions & Answers**

### **Advanced Digital Construction Management Systems Grant Program Bipartisan Infrastructure Law, Section 13006**

#### **Frequently Asked Questions (FAQ)**

##### **Program Overview**

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

A1. Yes. The Advanced Digital Construction Management Systems (ADCMS) Grant Program is a new program designed to carry out the purposes of Section 13006 of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act, Pub. L. 117-58 (Nov. 15, 2021), and codified at 23 U.S.C. § 503(c)(5).

##### **Q2. What is the purpose of the ADCMS Grant Program?**

A2. The ADCMS Grant Program provides Federal funds to promote, implement, deploy, demonstrate, showcase, support, and document the application of advanced digital construction management systems, practices, performance, and benefits.

##### **Q3. Does the ADCMS Grant Program replace previous Federal Highway Administration (FHWA) or U.S. Department of Transportation (USDOT) grant programs?**

A3. No. The ADCMS Grant Program is a new Federal grant program and does not replace a previous FHWA or DOT grant program.

##### **Q4. Is there other outreach or information on the ADCMS Grant Program beyond these FAQs?**

A4. An informational webinar and presentation about the ADCMS Grant Program will be held on July 25 at 2:00 PM EDT, and a recording will be made available at <https://www.fhwa.dot.gov/construction/ADCMS/>.

##### **Program Timeline**

##### **Q5. Will the ADCMS Grant Program continue beyond this solicitation?**

A5. The ADCMS Program is authorized through Fiscal Year (FY) 2026. Up to \$17 million in Federal funding is expected to be available for ADCMS Grant Program awards each Federal FY 2022-2026. (See also Notice of Funding Opportunity [NOFO], Section A.2.)

**Q6. Will solicitations for the ADCMS Grant Program be continuous or annual?**

A6. The FHWA anticipates annual ADCMS Grant Program application solicitations for competitive selections each Federal fiscal year through 2026. For the first year, FY 2022 and 2023 annual solicitations are combined.

**Program Eligibility/Applications**

**Q7. Who is an eligible entity?**

A7. Eligible Applicants for ADCMS Grant Program funds are State departments of transportation (State DOTs), including the District of Columbia and the Commonwealth of Puerto Rico. (See also NOFO Section C.1.)

While State DOTs are the only eligible Applicants to receive funds, they are encouraged to work in partnership with other State DOTs, local governments, Tribes, and private industry in designing their proposed projects. For projects involving partnerships, the FHWA expects one State DOT to serve as the lead entity and to be the grant recipient.

**Q8. Can private entities apply for ADCMS Grant Program funding?**

A8. No.

**Q9. Are universities or other academic institutions eligible to apply?**

A9. No.

**Q10. What types of projects are eligible for ADCMS Program grants?**

A10. Funds are available for projects that will achieve one or more goals of the ADCMS Grant Program as described in Section A.4 of the NOFO. Eligible project activities may occur at any point during the project lifecycle (including through the design and engineering, construction, and operations phases).

**Q11. Should Applicants notify the FHWA of their intent to submit an ADCMS Grant Program application?**

A11. No. The FHWA is not seeking early notification of interest for this grant program.

**Q12. Can an eligible entity submit multiple applications?**

A12. Yes. Eligible Applicants may submit up to three applications per fiscal year. Note that the first round of applications combines funding for FY 2022 and 2023, so up to six applications may be submitted in this round. An application in which a State DOT serves as a partner to a

different State DOT that is the prime Applicant will not count against the limit of three applications per fiscal year. Applicants are eligible to receive one or more grants per award cycle. (See also NOFO Section C.3.)

**Q13. Can an eligible Applicant apply simultaneously both for ADCMS Grant Program funding and other Federal grant(s), such as grants from DOT's Infrastructure for Rebuilding America or Rebuilding American Infrastructure with Sustainability and Equity programs?**

A13. Yes. There is no restriction on submitting applications to multiple Federal funding opportunities, assuming all applicable program requirements are addressed. If an applicant is selected for award, then in accordance with 2 CFR 200.403, allowable costs for that award must not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period. Applications must include information about other DOT grant programs the Applicant is currently applying to or intends to apply to, in accordance with NOFO Section D.2.b.2.III.6.

**Q14. Are letters of support required in ADCMS Grant Program applications?**

A14. No. There is no requirement for letters of support or endorsements from any entity in ADCMS Grant Program applications. However, letters of support may be considered during the FHWA's technical review in assessing the proposed deployment's readiness and likelihood of success. These letters may be included in the "Additional Supporting Documentation." (See NOFO Section D.2.b.1.)

**Q15. Do all team members need to be identified in the ADCMS Grant Program application, or can Applicants go through their procurement process for selecting supporting consultants or organizations after an award?**

A15. No, not all team members need to be identified in the application. As described in the NOFO (see Section D.2.b.1.III), the Project Team Information section of the Volume 1 Technical Application should include detailed information about the proposed project team and a staffing plan, including the names and positions of key personnel. It is reasonable that staff, subcontractors, or sub-awardees not classified as key personnel and not yet selected may be listed as "TBD" in the application.

**Q16. How should proprietary or business sensitive information be noted in any response to the NOFO, including applications?**

A16. If an Applicant submits information that the Applicant considers to be a trade secret or confidential commercial or financial information, the Applicant must provide that information in a separate document, which the Applicant may cross-reference from the application narrative or other portions of the application. For the separate document containing confidential information, the Applicant must do the following: (1) state on the cover of that document that it "Contains Confidential Business Information (CBI)"; (2) mark each page that

contains confidential information with “CBI”; (3) highlight or otherwise denote the confidential content on each page; and (4) at the end of the document, explain how disclosure of the confidential information would cause substantial competitive harm. The FHWA will protect confidential information complying with these requirements to the extent required under applicable law.

If the FHWA receives a Freedom of Information Act (FOIA) request for the information that the Applicant has marked in accordance with this section, the FHWA will follow the procedures described in its FOIA regulations at Title 49, Code of Federal Regulations (CFR), § 7.29. Only information that is in the separate document, marked in accordance with this section, and ultimately determined to be confidential under 49 CFR § 7.29 will be exempt from disclosure under FOIA. (See also 49 CFR Part 7 and NOFO Section H.1)

**Q17. Is there a requirement that an ADCMS Grant Program project be included in the Transportation Improvement Program or Statewide Transportation Improvement Program?**

A17. No. There is no requirement for proposed projects to be included in any planning documents. However, the status of project planning may be relevant in assessing the readiness of the proposed project and the likelihood of successful deployment. (See also NOFO Section E.1)

**Program Funding/Matching**

**Q18. How many grants will the FHWA award per year?**

A18. There is specific number of grants that can be awarded per year. The number of awards may be limited by the amount of available Federal funding. The FHWA anticipates awarding 5 to 10 ADCMS Program grants for each of FYs 2022-2026, subject to the availability of funds. (See also NOFO Section B.2)

**Q19. How much funding is available per grant? Is there a minimum or maximum ADCMS Grant Program award amount per project?**

A19. For each of FYs 2022-2026, FHWA has set a minimum Federal share per ADCMS Grant Program award at \$1,000,000 and a maximum Federal share per grant award at \$5,000,000. (See also NOFO Section B.2)

**Q20. Do ADCMS Grant Program funds need to be used within a single year?**

A20. No. The period of performance for each project that receives an ADCMS Grant Program award is anticipated to be 1 to 4 years. The period of performance will be defined in the grant award based on the details of the proposed project. (See also NOFO Section B.4.)

**Q21. Can other Federal funds be used in conjunction with ADCMS funds in performance of a proposed project?**

A21. Other Federal funds using their appropriate matching share and eligibility requirements may be leveraged for the selected project but cannot be considered as part of the required match for the ADCMS Grant Program funds, unless otherwise supported by statute. (See also 2 CFR § 200.306(b)(5) and NOFO Section C.2.)

**Q22. What “supporting detail” is necessary in the ADCMS Grant Program application package for proposed non-Federal matching funds? Do Applicants need to provide verification of the existence of such funds or simply reflect the match in a proposed budget?**

A22. The “supporting detail” for the non-Federal matching funds would include the Applicant’s description of the work areas or tasks where cost share would be applied, and how it would be funded. The Applicant shall provide evidence that funding has been identified for the project that will cover the 20 percent non-Federal cost-share requirement. Supporting detail for cost-share needs to be at the same level of detail as the supporting detail for the Federal share being requested. (See also 2 CFR Part § 200.306 on cost sharing and NOFO Section D.2.b.2 on the required Volume 2 Budget Application information.)

**Q23. If a prospective ADCMS Grant Program Applicant has already incurred costs for an ADCMS Grant Program-eligible project, can those funds be counted as non-Federal match?**

A23. No. Only costs incurred during the period of performance of an agreement can be counted toward the required non-Federal match. The FHWA will not consider costs incurred prior to award or funds expended or encumbered prior to award. Work performed prior to the start date of the period of performance is not an allowable source of non-Federal matching funds unless otherwise provided in statute or regulation. (See also 2 CFR § 200.458 and 23 CFR § 1.9(b) and NOFO Section F.1 and C.2.)

**Q24. Can the ADCMS Grant Program non-Federal match be non-monetary?**

A24. Yes, provided that the non-monetary match complies with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in 2 CFR Part 200, including 2 CFR § 200.306 on cost sharing or matching.

**Q25. Can a proposal include multi-year phases and apply for funding in future years as well?**

A25. Yes, but each phase would need to have independent utility to be considered, and phases in future years would need to recompete in future solicitations. An award in year one of a multi-year phased plan does not guarantee funding for all phases.

**Project Evaluations and Selections**

**Q26. Does the FHWA intend to release information about all Applicants or only about the selected awardees?**

A26. Following announcement of the awards, the FHWA intends to release publicly a list of all applications received, including the names of the Applicant organizations and funding amounts requested. (See also NOFO Section H.2.)

**Q27. Will selected ADCMS Grant Program Applicants have to enter grant agreements?**

A27. Yes, ADCMS Grant Program funds will be awarded upon the execution of a project agreement, which is a type of grant agreement for administration of funds to a State DOT using the DOT Payment System named Fiscal Management Information System. (See also NOFO Section B.3.)