

Frequently Asked Questions (FAQ)

Advanced Transportation Technologies and Innovative Mobility Deployment (ATTIMD) Program 23 United States Code (U.S.C.) 503(c)(4)

Also known as

Advanced Transportation Technology and Innovation (ATTAIN) Program

Except for the statutes and regulations cited, the contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide information to the public regarding existing requirements under the law or agency policies. For any conflicting information between the FAQs and the notice of funding opportunity (NOFO), the NOFO will take precedence.

Q1. Is this a new program?

A1. No, this is an existing program, established in the FAST Act and amended by the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act, Pub. L. 117-58 (Nov. 15, 2021). The Federal Highway Administration (FHWA) previously issued six NOFOs for this program, previously named the Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Grant Program, before the BIL renamed the program to the ATTIMD/ATTAIN Program under 23 U.S.C. 503(c)(4) as well as making a few other changes. The FHWA issued a NOFO for FY2022 for the ATTIMD/ATTAIN Program after amendment by BIL.

Q2. What is the purpose of the ATTAIN Program?

A2. The ATTAIN Program is intended to provide funding to eligible entities to deploy, install, and operate advanced transportation technologies to improve safety, mobility, efficiency, system performance, intermodal connectivity, and infrastructure return on investment. (23 U.S.C. 503(c)(4)(A)).

Q3. Is there other outreach or information on the ATTAIN Program beyond these FAQs?

A3. An informational Webinar (and presentation) about the ATTAIN Program will be scheduled during the solicitation period and a recording will be made available.

Q4. Who is an eligible entity?

A4. An eligible entity means a State or local government, a transit agency, a metropolitan planning organization (MPO), other political subdivisions of a State or local government (such as publicly owned toll or port authorities), or a multijurisdictional group or consortia of research institutions or academic institutions. (23 U.S.C. 503(c)(4)(N)). An eligible entity shall include

in its application a plan for partnering with the private sector or public agencies, including multimodal and multijurisdictional entities, research institutions, organizations representing transportation and technology leaders, or other transportation stakeholders. 23 U.S.C. 503(c)(4)(C)(ii)(IV).

Q5. Does an ATTAIN award need to be used within a single year?

A5. No. The ATTAIN award funds are contract authority and must be obligated by the end of the third Fiscal Year (FY) after the year for which the funds are authorized (e.g., FY 2022 funds must be obligated by September 30, 2025). (23 U.S.C. 118(b)). Obligation will occur via the execution of a Cooperative Agreement or allocation to a State department of transportation, as applicable. Once obligated, funds are available to be expended until proposal objectives are carried out, consistent with FHWA requirements for managing inactive obligations. The FHWA recommends that an applicant include in its submission an estimated schedule of expenditure.

Q6. How many grants will the Department award per year?

A6. For each year funding is made available (i.e., FY 2023 and FY 2024), the Department anticipates awarding grants to at least 5 but not more than 10 eligible entities. (23 U.S.C. 503(c)(4)(D)(i)).

Q7. How much funding is available per award?

A7. A cooperative agreement award in an FY to a single recipient may not exceed 20 percent of that year's total ATTAIN funding (i.e., maximum award of \$12 million per a fiscal year's available funding). Federal funding may not exceed 80 percent of project costs. (23 U.S.C. 503(c)(4)(J)-(K)).

Q8. Is there a rural set-aside?

A8. Yes, not less than 20 percent of the amounts available under this program shall be reserved for projects serving rural areas. (23 U.S.C. 503(c)(4)(D)(ii)(II)).

Q9. Can the match be non-monetary?

A9. Yes, provided that the non-monetary match complies with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in 2 CFR part 200, including section 200.306 on cost sharing or matching.

Q10. Can an application include multi-year phases and request funding for future years as well?

A10. Yes, but each phase should have independent utility, and unfunded phases for future-year activities would need to re compete in future solicitations and be selected in future awards in order to receive additional funding in subsequent FYs. An award in year one of a multiyear phased plan does not guarantee funding for all phases.

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

A11. Other Federal funds using the appropriate matching share and eligibility requirements may be leveraged for the deployment but cannot be considered as part of the match for the ATTAIN funds, unless otherwise authorized by statute. (2 CFR 200.306(b)(5)).

Q12. What types of projects are eligible for ATTAIN grants?

A12. Funds awarded under the ATTAIN Program may be used to deploy advanced transportation and congestion management technologies. These include:

- i. Advanced traveler information systems;
- ii. Advanced transportation management technologies;
- iii. Advanced transportation technologies to improve emergency evacuation and response by Federal, State, and local authorities;
- iv. Infrastructure maintenance, monitoring, and condition assessment;
- v. Advanced public transportation systems;
- vi. Transportation system performance data collection, analysis, and dissemination systems;
- vii. Advanced safety systems, including vehicle-to-vehicle and vehicle-to-infrastructure communications, technologies associated with automated vehicles, and other collision avoidance technologies, including systems using cellular technology;
- viii. Integration of intelligent transportation systems with the Smart Grid and other energy distribution and charging systems;
- ix. Integrated corridor management systems;
- x. Advanced parking reservation or variable pricing systems;
- xi. Electronic pricing, toll collection, and payment systems;
- xii. Technology that enhances high occupancy vehicle toll lanes, cordon pricing, or congestion pricing;
- xiii. Integration of transportation service payment systems;
- xiv. Advanced mobility access, and on-demand transportation service technologies, such as dynamic ridesharing and other shared-use mobility applications and information systems to support human services for elderly and disabled individuals;
- xv. Retrofitting dedicated short-range communications technology deployed as part of an existing pilot program to cellular vehicle-to-everything (C-V2X) technology, subject to the condition that the retrofitted technology operates only within the existing spectrum allocations for connected vehicle systems; or
- xvi. Advanced transportation technologies, in accordance with the research areas described in 49 U.S.C. 6503.

Q13. Do the Administration's Priorities and DOT Focus Areas that are listed in the ATTAIN Program NOFO have priority over other types of technology deployments?

A13. After completing the merit review, among projects of similar merit, FHWA may prioritize projects that address the Administration's Priorities and DOT Focus Areas, as detailed in Section A.4 of the NOFO. However, all applications conforming to the statutory eligibilities will be reviewed according to the "Application Review Information" in Section E of the NOFO.

Q14. How should proprietary or business sensitive information be noted in any response to the NOFO?

A14. Write either “confidential” or “business sensitive” in a visible location on the relevant section of the application. This will provide FHWA with a clear request not to release the information on that page or section of the application without prior notice and coordination with your business. Please note that FHWA is required to comply with the Freedom of Information Act when responding to public requests for information. See 49 CFR part 7.

Q15. Can an eligible entity submit multiple applications?

A15. There is no limit on the number of applications that may be submitted by an eligible entity, as long as each application addresses the requirements of the NOFO, such as non-Federal match and key personnel. However, the maximum amount awarded to a single recipient is limited to \$12 million per FY that funds have been made available, and 23 U.S.C. 503(c)(4)(D)(ii) requires, to the extent practicable, that grant recipients represent diverse geographic areas of the United States, including urban and rural areas.

Q16. Does the ATTAIN Program NOFO provide any changes to the competitive solicitation requirements for applicants, such as requirements related to partnerships with the private sector?

A16. Specific acquisition requirements, including requirements for competition, depend on the type of recipient. If the recipient is a State, please see 2 CFR 200.317, which states that when procuring property or services under a Federal award, a State must follow the same policies and procedures it uses for procurements from its non-Federal funds. Notwithstanding 2 CFR 200.317, sub-recipients of States shall follow such policies and procedures allowed by the State when procuring property and services under a Federal award. (2 CFR 1201.317). All other applicants must comply with 2 CFR 200.318 through 2 CFR 200.327; specifically, 2 CFR 200.319 and 2 CFR 200.320 provide detailed information on competition requirements.

Q17. How does an entity get a System for Award Management (SAM) Unique Entity Identifier (UEI)?

A17. Effective April 4, 2022, the Data Universal Numbering System (DUNS) number is no longer a valid UEI for entities doing business with the Federal Government and was replaced by the SAM UEI. Please see the response to Question 49 below for more information.

Q18. What are the requirements related to obtaining the UEI?

A18. Applicants are to obtain and use a UEI created in SAM.gov in accordance with 2 CFR part 25. Active registrants in SAM.gov have had their SAM UEI automatically assigned, and it is currently viewable within SAM.gov; there is no action for registered entities to take at this time to obtain their SAM UEI. Other applicants should go to SAM.gov to obtain a SAM UEI. Please see <https://www.grants.gov/web/grants/applicants/applicant-faqs.html#UEI> for more information

on the transition from DUNS to SAM UEI, including what UEI to enter into the UEI field on grants.gov and on application package forms.

Q19. Are universities eligible to apply?

A19. Eligible entities are described in question #4 of this FAQ and Section C of the NOFO. As noted in the NOFO, regarding consortia of research institutions or academic institutions: Typically, a consortium is a meaningful arrangement with all members involved in planning the overall direction of the group's activities and participating in most aspects of the group; the consortium is a long-term relationship intended to last the full life of the grant. Any application submitted by a sole research or academic institution that is not part of a consortium will not be considered for selection. [emphasis added]

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

A20. Upon request, FHWA typically will provide a courtesy debrief to go over the strengths and weaknesses of an application with an applicant. Requests for debriefs should be sent to ATTAIN@dot.gov.

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

A21. The NOFO states that cost will be considered in the award decision. Volume 2 (budget application) will be analyzed to assess cost reasonableness and conformance to applicable cost principles. Applicants should identify the source(s) of funds that will be used to cover the 20 percent non-Federal cost sharing requirement. (See 23 U.S.C. 503(c)(4)(J)). Funding availability will also be considered in the award decision. This evaluation factor will not be rated but will be considered in the award selection.

Q22. Should we provide FHWA with our plan to submit an ATTAIN application?

A22. Applicants interested in applying are encouraged to email ATTAIN@dot.gov no later than the due date stated in the NOFO, with the applicant's name, State in which the project is located, approximate total project cost, amount of the ATTAIN grant request, and a two-to three-sentence project description. While not required, FHWA seeks this early notification of interest to inform its allocation of resources for application evaluations and to facilitate timely and efficient awards. Please note that official applications must be submitted via Grants.gov – applications sent by email will not be considered.

Q23. Will selected ATTAIN applicants have to enter grant agreements?

A23. Yes. The ATTAIN recipients will be required to execute a grant agreement whether the funds are issued directly through a cooperative agreement with FHWA or through an allocation of funds to a State. (See 2 CFR 200.201(a)).

Q24. Will the portability of proposed deployments be assessed, so that proposed systems can be implemented more easily in other urban areas?

A24. Portability of the proposed deployment is included in the technical merit review, so the use of open data and other open standards may increase the ability to widely implement successful ATTAIN deployments. All intelligent transportation systems (ITS) projects funded with highway trust funds shall be based on a system engineering analysis. (23 CFR 940.11).

Q25. When will ATTAIN selections be made?

A25. According to 23 U.S.C. 503(c)(4)(D)(i), FHWA must make ATTAIN awards every FY for which funding is made available, and the Federal FY ends on September 30. The FHWA seeks to make its selections earlier than this deadline.

Q26. What is the role of a metropolitan planning organization (MPO) in the ATTAIN Program?

A26. The MPOs are eligible entities and may submit applications for the ATTAIN Program. There is no other specified role for MPOs regarding the ATTAIN Program. In general, MPOs may be valuable resources when dealing with multiple public agencies in a metropolitan area for services such as communication, facilitation, convening, or other various roles as appropriate for individual metropolitan areas.

Q27. How soon after ATTAIN grant awards are announced do you expect an entity to implement its proposal?

A27. The time period for fully deploying ATTAIN projects after they are awarded will depend on what technologies are proposed, how complex the deployments may be, or how broadly the technologies may be implemented. The NOFO suggests a time period (or “period of performance”) of 2 to 4 years. Time periods much longer than this may affect the utility or portability of the deployments.

Q28. Will FHWA conduct independent evaluations or provide guidance or other support for local evaluations?

A28. The FHWA intends to conduct independent evaluations of the ATTAIN deployments but also encourages local evaluation. Voluntary methods and techniques for evaluating ITS – which are also applicable to evaluating technology deployments – are available at: <https://ops.fhwa.dot.gov/publications/fhwahop19053/fhwahop19053.pdf>.

Q29. Can an eligible applicant apply simultaneously both for an ATTAIN grant and another Federal grant, such as DOT’s Infrastructure for Rebuilding America or Rebuilding American Infrastructure with Sustainability and Equity programs?

A29. Yes. There is no restriction on submitting applications to multiple Federal funding opportunities, assuming all applicable program requirements are addressed.

Q30. Is ATTAIN funding available for projects beyond vehicle-to-vehicle or vehicle-to-infrastructure?

A30. Yes. Funds awarded under the ATTAIN Program may be used to deploy technologies that improve the efficiency, safety, or state of good repair of surface transportation systems, and are not limited only to connected vehicle technologies.

Q31. What types of metrics are sought in ATTAIN applications that include a technology that has already been deployed?

A31. The performance measures described in the NOFO for ATTAIN projects are not technology driven but system performance based. Measures may include reducing traffic-related crashes, congestion, and costs; or optimizing system efficiency or improving access to transportation services. Generally, FHWA is seeking quantifiable safety, mobility, and environmental benefit projections from data-driven estimates of how the project will improve the region's transportation system efficiency and reduce traffic congestion.

Q32. Can the costs of the installation of associated infrastructure for the deployment of new technology be included as part of the ATTAIN project application?

A32. Yes. The ATTAIN project costs associated with the deployment of the proposed technologies should be included in the application and appropriately described under the "Funding Description" part of the application. This information will be used in the technical review to help determine the best technology deployments that align with the ATTAIN Program and DOT's goals and present the best investment of ATTAIN Program funding.

Q33. May a consultant register for an account on Grants.gov on behalf of a State agency?

A33. Anyone can register at Grants.gov. The registration process includes identifying a specific point of contact that can be authorized as an Authorized Organization Representative for matters dealing with Grants.gov.

Q34. Is there a minimum ATTAIN grant amount?

A34. No. There is no statutory minimum grant amount; however, with a maximum number of awards per FY (10) and a maximum amount per recipient per FY (\$12 million), the number of smaller awards may be limited.

Q35. Is there a requirement that an ATTAIN project be included in the Transportation Improvement Program or Statewide Transportation Improvement Program?

A35. Applicants should demonstrate that a project that is required to be included in the relevant State, metropolitan, and local planning documents has been or will be included in such documents. If the project is not included in a relevant planning document at the time the application is submitted, the applicant should submit a statement from the appropriate planning agency that actions are underway to include the project in the relevant planning document.

Applicants should provide Website links or other documentation supporting this consideration. Because projects have different schedules, the project start date for each grant will be specified in the project-specific agreements signed by FHWA and the grant recipients, will be based on critical path items that applicants identify in the application, and will be consistent with relevant State and local plans.

Q36. Are letters of support required in ATTAIN applications?

A36. No. There is no requirement for letters of support or endorsements from any entity in ATTAIN applications. Letters of support may, however, be considered during FHWA's technical review in assessing the proposed deployment's readiness and likelihood of success. However, letters of support from project partners that intend to provide any form of allowable cost share (see 2 CFR 200.306) may be considered as a form of evidence of funding availability for the project and evidence that the applicant has sufficient resources identified to cover the 20 percent non-Federal cost-share requirement. In addition, letters of commitment from project partners may also be considered during FHWA's evaluation of an applicant's proposed program/project management structure or organization. Depending on their contents, applications containing either or both forms of commitment may be evaluated more favorably than those lacking similar evidence of commitment to the project from proposed project partners.

Q37. Can maintenance and operation costs be included in the ATTAIN application?

A37. Operation costs that are eligible for FHWA assistance may be proposed for Federal participation in an application. In addition, operations, maintenance, and other costs that are borne by non-Federal entities may be considered for the required non-Federal match.

Q38. If a prospective ATTAIN grant applicant has already incurred costs for an ATTAIN-eligible project, can those funds be counted as a non-Federal match?

A38. Only funds expended during the period of performance of an agreement can be counted toward a non-Federal match. 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 2 CFR 200.458 and 23 CFR 1.9(b).

Q39. Are projects to upgrade existing advanced transportation technologies eligible for ATTAIN grants? (E.g., Upgrading an analog system to a digital system).

A39. Yes. The FHWA seeks the best technology deployments that align with the ATTAIN Program and FHWA goals, and that present the best investment of ATTAIN Program funding, regardless of whether the technologies are being newly deployed or if the proposed technologies build on existing deployments.

Q40. Can an ATTAIN application include multiple project components?

A40. Yes. The FHWA encourages applicants in their applications to identify any project components that have independent utility and to detail separately the costs and requested

ATTAIN funding for each component. If the application identifies one or more independent project components, the application should clearly identify how each independent component addresses the selection criteria and how it produces benefits on its own. The application should also describe how the full proposal, of which the independent component is a part, addresses the selection criteria.

Q41. Do all team members need to be identified in the ATTAIN application, or can applicants go through their procurement process for selecting system designers, system installers, etc., after an award?

A41. As described in the NOFO, a complete budget application is required. It is reasonable that if staff, subcontractors, or subawardees are not yet selected, these positions may be listed as “TBD” in the application. However, Section D of the NOFO (Volume 2 – Budget Application) requires an estimate of these costs as part of a complete budget application.

Q42. Are toll credits allowable as part of the required non-Federal cost share?

A42. Yes. When the State is the lead in administering ATTAIN grant funds (i.e., the eligible entity applying), toll credits may be used for the non-Federal share for ATTAIN projects as allowed for Federal-aid projects under 23 U.S.C. 120(i) and the authorities described in the Federal Highway Administration’s “Updated Toll Credit Guidance” (dated September 14, 2021) (available at:

https://www.fhwa.dot.gov/ipd/finance/tools_programs/federal_aid/matching_strategies/HOP-210910-001-HCF-001_Action%20Memo-Tol_Credit_for_NonFederal_Share_HCF.pdf).

However, Section E in the NOFO states that “Funding availability will also be considered in the award decision. This evaluation factor will not be rated but will be considered in the ATTAIN award selection.” If a State intends to use toll credits toward the non-Federal share, the amount of such credits should be specified in the State’s ATTAIN application and should be based on balances that have been approved by the State’s FHWA Division Office at the time of application. States should refer to 23 U.S.C. 120(i) for detailed information on the terms governing the use of toll credits.

Q43. In the NOFO, applicants are asked to list any contract or agreement that was terminated for convenience of the Government within the past 3 years, and any contractor agreement that was terminated for default within the past 5 years. Does this apply only to contracts and agreements with Federal clauses?

A43. No, the question is not limited to only contracts and agreements with Federal clauses. The ATTAIN applications are to list all terminations made against the applicant. The question is not asking for terminations made by the prime applicant against vendors, but rather, is asking for any terminations made against the applicant where the applicant was the performing organization. If there are none, the application may indicate “N/A” or “none” as applicable.

Q44. What “supporting detail” is necessary in the ATTAIN application package for proposed non-Federal matching funds? Do applicants need to provide some kind of verification of the existence of such funds or simply reflect the match in a proposed budget?

A44. The “supporting detail” for the non-Federal matching funds would include the applicant’s description of where within the work areas or tasks of the application the cost share would be applied, and how it would be funded. The applicant does not have to demonstrate having the cost-share funds on-hand ready to go, but rather how the cost will be shared and where the resources will be coming from. For example, the applicant could state that it is going to fund part of the salaries, or that the Facilities and Administration indirect rate would be waived or applied at a level lower than their approved indirect rate agreement. Supporting detail for cost-share should be at the same level of detail as the supporting detail for the Federal share being requested. See 2 CFR 200.306 for information on cost sharing or matching.

Q45. Can any of the Federal funding under the ATTAIN Program award be used for developing an incentive program, such as for vehicle participation in a connected vehicle application?

A45. Yes. There is no outright prohibition on incentive programs. However, all costs proposed must be reasonable, allocable to the project proposed, and allowable per the cost principles specified in 2 CFR part 200, subpart E.

Q46. Does FHWA intend to release the technical Volume 1 information for all applicants or only for the awardees?

A46. Per section D.7 of the NOFO, FHWA intends to release publicly the names of all applicants shortly after the application due date. The FHWA may release publicly all Volume 1 Technical Applications after award. Per the NOFO, any resumes included in Volume 1 applications will be omitted from any public release.

Q47. Can the purchase of automated vehicles be part of an ATTAIN project?

A47. Yes, the purchase of automated vehicles could be part of an ATTAIN project, as long as it meets program goals and objectives in the NOFO. Proposals should clearly address and explain if the proposed project will or may require exemption from the Federal Motor Vehicle Safety Standards, Federal Motor Carrier Safety Regulations, or any other regulation and, if so, your plan for applying for any necessary exemptions. Proposals should clearly address and explain if the proposed project will or may require a waiver under applicable Buy America requirements such as the provisions of 23 U.S.C. 313 and the Build America, Buy America Act (Pub. L. 117-58, div. G, Title IX, subtitle A, §§ 70901-70927). The application should describe the readiness for deployment of the proposed automated technologies as part of the deployment project. Note, that ATTAIN project costs associated with the deployment of the proposed technologies should be included in the application and appropriately described under the “Funding Description” part of the application. This information will be used in the technical review to help determine the best technology deployments that align with the ATTAIN Program and DOT’s goals and present the best investment of ATTAIN Program funding.

Q48. If an ATTAIN project award includes the implementation of a toll strategy such as congestion pricing, would it be eligible for deployment funding by ATTAIN?

A48. Projects that include the application of a toll strategy (e.g., congestion pricing, express lane, etc.) are eligible for deployment funding by ATTAIn. However, in order to impose a new toll on a Federal-aid highway under the ATTAIn Program, the public authority seeking to impose the toll must be authorized to do so under an applicable Federal toll program. These include authorities under 23 U.S.C. 129 (General Toll Program), 23 U.S.C. 166 (High Occupancy Vehicle/High Occupancy Toll Lanes) and the following two tolling pilot programs: Interstate System Reconstruction and Rehabilitation Pilot Program (ISRRPP), established in 1998 under Section 1216(b) of TEA-21 (Public Law 105-178), as amended (23 U.S.C. 129 note), and Value Pricing Pilot Program, established in 1991 under Section 1012(b) of ISTEA (Public Law 102-240), as amended (23 U.S.C 149 note).

Furthermore, the public authority may use toll revenues only for activities specified under the applicable tolling authority. The ISRRPP further restricts the usage of toll revenues. See 23 U.S.C. 129(a)(3)(A), 23 U.S.C. 166(c)(2), TEA-21, § 1216(b)(5)(A), ISTEA § 1012(b)(3)). All Federal toll programs contain additional criteria required for participation and should be discussed with the Federal-aid Division Office.

Q49. Is this a combination of funding for FYs 2023 and 2024?

A49. The funding available is up to \$60 million for each FYs 2023 and 2024. Each FY will be treated as a separate application opportunity.