

**Reduction of Truck Emissions at Port Facilities (RTEPF) Grant Program
Bipartisan Infrastructure Law Section 11402**

Frequently Asked Questions

Program Overview

Q1. Is this a new program?

A1. Yes. The Reduction of Truck Emissions at Port Facilities (RTEPF) Grant Program is a new program established in Section 11402 of the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act, Pub. L. 117-58 (Nov. 15, 2021).

Q2. What is the purpose of the RTEPF Grant Program?

A2. The RTEPF Grant Program is intended to coordinate and provide funding to test, evaluate, and deploy projects that reduce port-related emissions from idling trucks, including through the advancement of port electrification and improvements in efficiency, focusing on port operations, including heavy-duty commercial vehicles, and other related projects (see also BIL Section 11402(a)).

Q3. Does the RTEPF Grant Program replace previous Federal Highway Administration (FHWA) or U.S. Department of Transportation (DOT) grant programs?

A3. No. The RTEPF Grant Program is a new Federal grant program established by the BIL and does not replace a previous FHWA or DOT grant program.

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

A4. An informational Webinar and presentation about the RTEPF Grant Program will be scheduled during the solicitation period and a recording will be made available.

Program Timeline

Q5. Will the RTEPF Grant Program continue beyond this solicitation?

A5. Yes. The RTEPF program is authorized through Fiscal Year (FY) 2026. A maximum of \$80 million in Federal funding will be available for RTEPF Grant Program awards each Federal FY 2022 to 2026 (see also Notice of Funding Opportunity (NOFO) Section A.2).

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

A6. The FHWA anticipates annual RTEPF Grant Program application solicitations for competitive selections each Federal fiscal year through 2026. This solicitation combines the annual solicitations for FY 2022 and FY 2023.

Program Eligibility/Applications

Q7. Who is an eligible entity?

A7. Eligible applicants for RTEPF Grant Program funds are entities that 1) have authority over, operate, or utilize port facilities and/or intermodal port transfer facilities, 2) have authority over areas within or adjacent to ports and intermodal port transfer facilities, or 3) will test and/or evaluate technologies that reduce truck emissions at port facilities and/or intermodal port transfer facilities (see also NOFO Section C.1).

As appropriate, 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. Multiple eligible entities that submit a joint application should identify a lead applicant as the primary point of contact and recipient for purposes of financial administration of the project. Joint applications should include a description of the roles and responsibilities of each applicant and should be signed by each applicant. For both individual applications and joint applications, it is strongly encouraged the applicant responsible for financial administration of the project be familiar with the requirements associated with managing Federal assistance projects.

Q8. Can private entities apply for RTEPF Grant Program funding?

A8. Yes. Private entities that meet the eligibility requirements described in A7 may apply for and receive funding from the RTEPF Grant Program (see NOFO Section C.1). Private sector applicants are encouraged to partner with a State department of transportation or other organization that has extensive experience managing federally funded grants. Private entities that directly apply for RTEPF Grant Program funding must comply with cost sharing or matching requirements in Section C.2 of the NOFO and the procurement standards in 2 CFR 200.318 through 2 CFR 200.327.

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

A9. Entities proposing to test and/or evaluate technologies that reduce truck emissions at port facilities and/or intermodal port transfer facilities may apply to receive RTEPF Grant Program funding.

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

A10. Funds awarded under the RTEPF Grant Program may be used to coordinate and provide funding to test, evaluate, and deploy projects that reduce port-related emissions from idling trucks, including through the advancement of port electrification and improvements in

efficiency, focusing on port operations, including heavy-duty commercial vehicles, and other related projects. The RTEPF Grant Program goal can be achieved through, though are not restricted to, one or more of the following means (see also NOFO Section A.4, Program Goal):

- i. Promoting development of port-related infrastructure that reduces emissions from port-related truck idling, including the electrification of port operations, which can include truck parking electrification;
- ii. Promoting development of on-truck technologies that reduce emissions from port-related truck idling;
- iii. Promoting use of zero or low emissions powertrains or fuels on trucks;
- iv. Reducing truck congestion within or adjacent to ports, which can include promoting enhanced rail intermodal connections at ports; and
- v. Other improvements that reduce port-related emissions from idling trucks, including through the advancement of port electrification and improvements in efficiency focusing on port operations, including heavy-duty commercial vehicles, and other related projects.

Q11. Are projects that are outside port property but impact ports eligible?

A11. Yes, subject to other requirements in the NOFO. Eligible project locations for deployment projects using RTEPF Grant Program funds include areas within or adjacent to ports and intermodal port transfer facilities. Testing and evaluation projects can be conducted anywhere but must be focused on reducing truck emissions within ports and/or intermodal port transfer facilities (see also NOFO Section C.3, Eligible Project Locations).

Q12. Are new or improved intermodal rail connection projects eligible?

A12. Yes. Projects that reduce port-related emissions from idling trucks, including new or improved intermodal rail connections, are eligible projects. Applicants interested in applying for intermodal rail-related projects should keep in mind only \$80 million per year in Federal funding is allocated to the RTEPF Grant Program (see also NOFO Section A.4, Program Goal).

Q13. Can maintenance and operation costs be included in the RTEPF Grant Program application?

A13. In many cases, no. However, operational improvement costs that are eligible for Federal-aid assistance under Chapter 1, Section 101(a)(19) of Title 23 U.S.C. may be proposed to receive Federal funding in an application (see also NOFO Section D.2 Volume 1.b.6).

Q14. Should applicants notify FHWA of their intent to submit an RTEPF Grant Program application?

A14. Applicants interested in applying are encouraged to email RTEPF@dot.gov no later than 30 days prior to the submission deadline with applicant name, port name, State in which project is located, approximate total project cost, amount of the RTEPF Grant Program funding request,

and a two-to three-sentence project description. This early notification of an applicant's interest in and intent to submit an application in response to this opportunity is not a requirement for submission of that application. The FHWA seeks this early notification of interest to inform its allocation of resources for application evaluations and to facilitate timely and efficient awards (see also NOFO Section D.4.a).

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.

Q16. Can an eligible applicant apply simultaneously both for RTEPF Grant Program funding and other Federal grant(s), such as grants from DOT's Infrastructure for Rebuilding America (INFRA) or Rebuilding American Infrastructure with Sustainability and Equity (RAISE) programs, port-related Maritime Administration (MARAD) grants, or emissions reduction-related Environmental Protection Agency grants?

A16. Yes. There is no restriction on submitting applications to multiple Federal funding opportunities, assuming all applicable program requirements are addressed. Please also refer to section D.2 Volume 2.d of the NOFO, which states the following:

“Project budgets should show how different funding sources will share in each activity and present those data in dollars and percentages. The budget should identify other Federal funds the applicant is applying for or has been awarded, if any, that the applicant intends to use. Funding sources should be grouped into three categories: non-Federal, RTEPF Grant Program, and other Federal with specific amounts from each funding source.”

Q17. Are letters of support required in RTEPF Grant Program applications?

A17. No. There is no requirement for letters of support or endorsements from any entity in RTEPF Grant Program applications. However, letters of support may be considered during FHWA's technical review in assessing the proposed deployment's readiness and likelihood of success.

Please note letters of support or endorsements are separate from letters of commitment from organizations that will provide a portion of the cost-share and identify the source of those funds (e.g., general treasury funds, revolving loan fund, capital budget, in-kind labor, in-kind equipment, etc.). Such letters of commitment are required (see also NOFO Section D.2 Volume 2 Budget Application, Section III).

Q18. Do all team members need to be identified in the RTEPF Grant Program application, or can applicants go through their procurement process for selecting engineers, planners, etc., after an award?

A18. No, not all team members need to be identified in the application. As described in the NOFO Technical Application staffing description, key personnel need to be identified in the

application. A maximum of five people can be designated as “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. However, a complete budget application is required, and an estimate of these costs is required in the application (see also NOFO Section D.2 Volume 1 Technical Application part d.1 and NOFO Section D.2 Volume 2 Budget Application).

Q19. How should proprietary or business sensitive information be noted in any response to the NOFO?

A19. 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 FHWA receives a Freedom of Information Act (FOIA) request for the information that the applicant has marked in accordance with this section, FHWA will follow the procedures described in its FOIA regulations at 49 CFR 7.29. Only information that is in the separate document, marked in accordance with this section, and ultimately determined to be confidential under § 7.29 will be exempt from disclosure under FOIA. (see also 49 C.F.R. Part 7 and NOFO Section D.7.C)

Q20. How does an entity get a System for Award Management Unique Entity Identifier (SAM UEI)? What are the requirements related to obtaining a SAM UEI?

A20. 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. Applicants must now 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 into SAM.gov to obtain a SAM UEI. These processes can take several weeks to complete so should be started well before the application deadline. (see also NOFO Section D.3)

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.

Q21. 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 contract or

agreement that was terminated for default within the past 5 years. Does this apply only to contracts and agreements directly with the Federal Government?

A21. No, the question is not limited to only contracts and agreements directly with the Federal Government. The RTEPF Grant Program applications are to list all terminations of public transactions (with Federal, State, and local government) made against the prime 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 prime applicant where the prime applicant was the performing organization. If there are none, the application may indicate “N/A” or “none” as applicable (see also NOFO Section D.2 Volume 2 Budget Application part e.6).

Q22. Will there be debrief sessions for applicants not selected for RTEPF Grant Program funding to improve their application in future years?

A22. Upon request, FHWA may provide a courtesy debrief to go over strengths and weaknesses of an application with an applicant. Requests for debriefs should be sent to RTEPF@dot.gov (see also NOFO Section H.2).

Program Funding/Matching

Q23. How many grants will FHWA award per year?

A23. There are no minimum or maximum number of grants that can awarded per year. The number of awards may be limited by the amount of available Federal funding.

Q24. How much funding is available per grant? Is there a minimum or maximum RTEPF Grant Program award amount per project?

A24. There is no minimum or maximum award amount size for RTEPF grants. Federal funding may not exceed 80 percent of project costs (see also BIL Section 11402(b)(2)).

Q25. Does a RTEPF Grant Program award need to be used within a single year?

A25. No. A RTEPF Grant Program award will define a period of performance during which funds will be used, likely between 1 and 4 years. The period of performance will depend on the details of the proposed project. (see also NOFO Section B.1 and B.4)

Q26. Can any of the Federal funding under the RTEPF Grant Program award be used for developing an incentive program, such as promoting truck carriers serving a port to utilize trucks that use zero or lower emissions fuels?

A26. Yes. There is no prohibition on incentive programs. However, all costs proposed must be necessary and reasonable, allocable to the project proposed, and allowable per the cost principles specified in 2 CFR Part 200, subpart E.

Q27. Can other Federal funds be used in conjunction with RTEPF funds in performance of a proposed project?

A27. Other Federal funds using the appropriate matching share and eligibility requirements may be leveraged for the selected project but cannot be considered as part of the match for the RTEPF Grant Program funds, unless otherwise supported by statute (see also 2 CFR 200.306(b)(5) and NOFO Section C.2).

Q28. What “supporting detail” is necessary in the RTEPF 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?

A28. 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. This must include letters of commitment from those organizations that will provide a portion of the cost-share that identify the source of those funds (e.g., general treasury funds, revolving loan fund, capital budget, in-kind labor, in-kind equipment, etc.). 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 needs to be at the same level of detail as the supporting detail for the Federal share being requested. The 2 CFR Part 200.306 provides more information on cost sharing or matching.

Q29. Are toll credits allowable as part of the required non-Federal cost share?

A29. Yes. When a State is the lead in administering RTEPF Grant Program funds (i.e., the eligible entity applying), toll credits may be used for the non-Federal share for RTEPF Grant Program projects as allowed for Federal-aid projects under 23 U.S.C. 120(i), and, as applicable, FHWA’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, 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 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 RTEPF Grant Program 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.

Q30. If a prospective RTEPF Grant Program applicant has already incurred costs for a RTEPF Grant Program-eligible project, can those funds be counted as non-Federal match?

A30. No. Only funds expended during the period of performance of an agreement can be counted toward 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 also 2 CFR 200.458 and 23 CFR 1.9(b)).

Q31. Can the RTEPF Grant Program non-Federal match be non-monetary?

A31. 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.

Q32. Can a proposal include multi-year phases and request funding in future years as well?

A32. 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 1 of a multi-year phased plan does not guarantee funding for all phases.

Project Evaluations and Selections

Q33. Will FHWA conduct independent evaluations?

A33. The FHWA intends to conduct independent evaluations of the RTEPF Grant Program proposed projects.

Q34. Does FHWA intend to release the technical Volume 1 information for all applicants or only for the awardees?

A34. The FHWA intends to release publicly the names of all applicants shortly after the awards are announced. 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 (see also NOFO Section D.7.C).

Q35. Will selected RTEPF Grant Program applicants have to enter grant agreements?

A35. Yes. The RTEPF Grant Program recipients will be required to execute a cost-reimbursable grant agreement regardless of the applying entity that will receive the funds (see also 2 CFR 200.201(a) and NOFO Section B.3).

Q36. How soon after RTEPF Grant Program awards are announced do you expect an entity to implement its proposal?

A36. The time period for implementing the RTEPF Grant Program project after award will depend on what technological or physical improvements are proposed, how complex the project may be, or how broadly the proposed improvements may be implemented. The NOFO suggests a time period (or “period of performance”) of 1 to 4 years (see also NOFO Section B.4).

Miscellaneous Questions

Q37. Is there a requirement that a RTEPF Grant Program project be included in the Transportation Improvement Program (TIP) or Statewide Transportation Improvement Program (STIP)?

A37. No. There is no requirement for proposed projects to be included in any planning documents, but the status of project planning may be applicable in the technical review related to the readiness of the proposed projects and the likelihood of successful deployment.

Q38. May a consultant register for an account on Grants.gov on behalf of a State agency?

A38. 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.

Q39. What is the role of a Metropolitan Planning Organization (MPO) in the RTEPF Grant Program?

A39. The MPOs that have authority over areas within or adjacent to ports and intermodal port transfer facilities are eligible entities and may submit applications for the RTEPF Grant Program. There is no other specified role for MPOs regarding the RTEPF Grant Program. In general, MPOs may be valuable resources for ports and intermodal port transfer facilities interested in applying for RTEPF Grant Program funding. The MPOs may also be helpful in dealing with multiple public agencies in a metropolitan area for services such as communication, facilitation, convening, or other roles as appropriate for individual metropolitan areas.