



Port Infrastructure Grant Workshop for Inland Waterway and Great Lakes Ports

Port Infrastructure Development Program Administration

November 20-21, 2024
Chicago, IL

Wednesday

1:30 PM Central – What Makes a Good Application (part 1)

- Safety, Efficiency, or Reliability
- Resilience
- Cost Effectiveness/Economic Vitality
- Project Readiness
- Six Statutory Determinations

2:15 PM Central – What Makes a Good Application (part 2)

- Climate change and sustainability
- Equity and Justice⁴⁰
- Workforce, Job Quality, and Wealth Creation

Thursday

8:45 AM Central – What Should I Expect? (part 1)

- MARAD Org Charts
- Debrief, how to prepare, why, and what is it?

9:45 AM – What Should I Expect? (part 2)

- Domestic preference
- Performance reporting

Everything in this presentation is based on the Fiscal Year 2024 Port Infrastructure Development Program cycle.

Everything is subject to change for Fiscal Year 2025.

The Fiscal Year 2025 Notice of Funding Opportunity (NOFO) will be published by December 30, 2024.

The Fiscal Year 2025 NOFO will also likely be amended when/if a Fiscal Year 2025 annual appropriation is made by congress. That amendment may, or may not, make substantive changes to the program criteria.

Project eligibility: Projects that fit in one of these categories and improve the safety, efficiency, or reliability of the movement of goods

1. The loading and unloading of goods at a port
2. The movement of goods into, out of, around, or within a port
3. The construction of operational improvements, including projects to improve port resilience
4. The implementation of environmental and emissions mitigation measures
5. The installation of infrastructure that supports seafood and seafood-related businesses

Regardless of the eligible project submitted in the application, ALL projects must address the primary statutory requirement of improving the safety, efficiency, or reliability of the movement of goods. Even emissions reductions projects.

Development phase activities (planning projects) should support the eventual development of construction projects that satisfy the same requirement.

Improvements in Safety, Efficiency, **OR** Reliability

Demonstrated through one or more of the following:

1. Safety Improvements

- Protects those **in the port** from safety risks.
- Reduces fatalities and/or serious injuries related to port operations.
- Incorporates specific safety improvements part of a documented risk reduction mitigation strategy and that have port-wide impact.

2. Efficiency Benefits;

- Whether and how the project improves cargo throughput at a port.

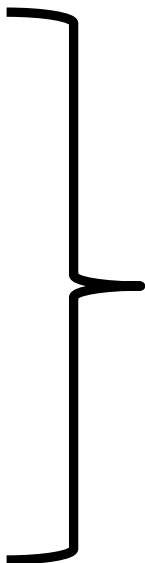
3. Reliability Improvements

- Whether and how the project incorporates reliability enhancements that improve the dependability of cargo operations.

Improvements in Safety, Efficiency, or Reliability

Applications should:

- Detail current safety, efficiency, or reliability issues, and
- Describe how specific elements of the project will improve applicable port performance measures such as:
 - Reduced vessel dwell times
 - Improved truck turn times
 - Cargo dwell times
 - Increased capacity or throughput
 - Reduced vehicle crashes
 - Lives saved
 - Reduced workplace injuries,
 - Fuel efficiency
 - Energy efficiency
 - Greenhouse gas emissions reductions



Performance measurement reporting will be required after project completion.

If the project has multiple independent components, the applicant should include sufficient information to describe the impact of each component on the overall project.

Rubric for Assessing Improvements in Safety (example from NOFO)

Non-Responsive	Low	Medium	High
<p>Application did not address the Safety criterion OR project negatively affects safety</p>	<p>Application contains safety information that does not satisfactorily address this criterion or relates to safety benefits that are external to the port</p>	<p>Project has one or more of the following safety benefits, but safety may not be a primary project purpose or the project's safety benefits do not meet the description of a "High" rating:</p> <ul style="list-style-type: none"> - Protects workers from safety risks - Incorporates safety improvements that are part of a documented risk reduction plan - Reduces fatalities and/or serious injuries related to port operations 	<p>Safety is a primary project purpose AND the project has clear, direct, data-driven (for capital projects) and significant benefits that target a documented safety problem by doing one or more of the following:</p> <ul style="list-style-type: none"> - Incorporates specific safety improvements that a part of a documented risk reduction mitigation strategy and that have port-wide impact - Protects individuals inside the port from safety risks - Reduces fatalities and/or serious injuries related to port operations

Rubric for Assessing Improvements in Efficiency (example from NOFO)

Non-Responsive	Low	Medium	High
<p>Application did not address the Efficiency criterion OR project negatively affects efficiency</p>	<p>Application contains efficiency information that does not satisfactorily address this criterion or relates to efficiency benefits that are external to the port</p>	<p>Project has one or more of the following efficiency benefits even though efficiency may not be a primary project purpose or the project's efficiency benefits do not meet the standard of a "High" rating:</p> <ul style="list-style-type: none"> - Results in an improvement likely to increase cargo throughput - Makes improvements that enhance the speed of cargo operations 	<p>Efficiency is a primary project purpose AND the project has clear, direct, data-driven (for capital projects) efficiency benefits by accomplishing one or more of the following:</p> <ul style="list-style-type: none"> - Results in a documented increase in cargo throughput by meeting an existing, well-defined need for additional throughput capacity - Generates changes in port operations that increase the types of cargo that can be moved through the port with documentation of likely increases in new cargo volumes

Rubric for Assessing Improvements in Reliability (example from NOFO)

Non-Responsive	Low	Medium	High
<p>Application did not address the Reliability criterion OR project negatively affects reliability</p>	<p>Application contains reliability information that does not satisfactorily address this criterion or relates to reliability improvements that are external to the port</p>	<p>Project has one or more of the following reliability benefits even though reliability may not be a primary purpose or the project's reliability benefits do not meet the standard of a "High" rating:</p> <ul style="list-style-type: none"> - Results in enhancements that are likely to improve the dependability of cargo operations - Remedies infrastructure deficiencies that have an adverse impact on port operations 	<p>Reliability is a primary project purpose AND the project has clear, direct, data-driven (for capital projects) reliability benefits by accomplishing one or more of the following:</p> <ul style="list-style-type: none"> - Results in enhancements that generate well-documented improvements in the dependability of cargo operations - Remedies infrastructure deficiencies that are identified in a capital investment plan and that have a demonstrated impact on cargo operations

Port Resilience

Port resilience: The ability to anticipate, prepare for, adapt to, withstand, respond to, and recover from operational disruptions and sustain critical operations at ports, including disruptions caused by:

- **Natural or climate-related hazards** (such as extreme temperatures, extreme rainfall, sea level change, Great Lakes and river water level changes, flooding, earthquakes, landslides, extreme storms [hurricanes, cyclones, typhoons, northeasters, etc.], storm surge, tsunami inundation, tornadoes, high wind events, wildfire, volcanic activity, or other extreme weather events).
- **Human-made disruptions** such as dredging and sediment management, terrorism, cyberattacks, disruptions to Position, Navigation, and Timing (PNT) data via the Global Positioning System (GPS) whether intentional or unintentional, public health emergencies.
- **Supply chain** shortages/bottlenecks.

Port Resilience

- Applicants should identify specifically how the project will improve port resilience with respect to a natural or human-induced physical event or trend or physical impact that may cause: loss of life, injury, or other health impacts; damage and loss to property, infrastructure, or livelihoods; and the ability of the port to sustain its role in the local, regional, or national supply chain.
- Applicants are encouraged to align project elements with: established State, local, or regional Comprehensive Plans; Climate Action Plans; Resilience Assessment Tools; or other planning, policy, or engineering tools that incorporate resilience concepts and mitigation techniques.
- The DOT Climate Action Plan may serve as a useful resource for applicants in developing the port resilience section of the application, but the preference is for applicants to utilize State, local, or regional resilience assessment and mitigation resources where possible and describe any alignment with the DOT Climate Action Plan.

Non-responsive	Low	Medium	High
<p>Application did not address how the project will advance the port's ability to withstand natural and climate-related hazards and human-caused emergencies OR Reviewers determined that the project will not improve either of those factors.</p>	<p>Reviewers determined that the project advances either the port's ability to withstand natural and climate-related hazards or human-caused emergencies.</p>	<p>Reviewers determined that the project advances either the port's ability to withstand natural and climate-related hazards or human-caused emergencies and that the project results in positive, quantifiable impacts on the supply chain; and, the project incorporates evidence-based climate resilience and adaptation features or includes a plan to monitor performance of climate resilience and adaptation measures.</p>	<p>Reviewers determined that the project advances both the port's ability to withstand natural and climate-related hazards and human-caused emergencies and that the project results in positive, quantifiable impacts on the supply chain; and, the project incorporates evidence-based climate resilience and adaptation features and includes a plan to monitor performance of climate resilience and adaptation measures.</p>

Large Projects

Cost Effectiveness = Benefit Cost Analysis (BCA) determines a Benefit Cost Ratio (BCR) of greater than one.

Assessment is based on applicant's BCA prepared in accordance with published USDOT Benefit Cost Analysis guidance for discretionary grants (as updated).

<https://www.transportation.gov/mission/office-secretary/office-policy/transportation-policy/benefit-cost-analysis-guidance>

Small Projects at Small Ports

Economic Vitality consists of three factors that are evaluated to address the project's impact on:

1. The economic advantage of the port
2. The contribution to freight transportation
3. Overcoming the competitive disadvantage of the port

Economic Vitality Rubric

Non-Responsive	Low	Medium	High
<p>Application did not address economic advantage, contribution to freight transportation, or competitive disadvantage OR Reviewers determined that the project will not improve any of the factors</p>	<p>Reviewers determined that the project addresses one of the following: improve economic advantage; contribute positively to freight transportation; or improve the competitive advantage of the port</p>	<p>Reviewers determined that the project addresses two of the following factors: improve economic advantage; contribute positively to freight transportation; or improve the competitive advantage of the port</p>	<p>Reviewers determined that the project addresses all of the following factors: improve economic advantage; contribute positively to freight transportation; and improve the competitive advantage of the port</p>

Project Readiness determinations consist of two assessment factors:

1. Technical Capacity
2. Environmental Risk

Technical Capacity – The applicant should provide information demonstrating its technical capacity to implement the project based on experience and understanding of Federal requirements.

Environmental Risk – The applicant should provide the information requested on the anticipated NEPA class of action and status, required approvals and permits, public involvement, and any right-of-way or property acquisition plans.

Technical Capacity Factors

- Experience
- Feasibility
- Budget
- Engineering
- Schedule
- Stakeholder Engagement
- Risk Assessment/Mitigation

Environmental Risk Factors

- Approvals/Permit Status
- Likely NEPA Category
- (No CEs for in-water work)
- Prior Environmental Reviews
- Stakeholder Engagement
- Environmental Mitigation Plans

Ratings will be assigned to each set of factors based on the information provided in the application and the reviewers' assessment of the accuracy of that information. Assigned ratings will be one of the following:

- Low Risk
- Moderate Risk
- High Risk

The final Project Readiness rating will be based on the **lowest** rating of the two elements (Technical Capacity or Environmental Risk).

Statutory Determinations (in addition to Merit Criteria)

1. The project improves the Safety, Efficiency, or Reliability of the movement of goods.
2. The project is cost effective (Large projects only)
3. Applicant has the authority to carry out the project
4. Applicant has sufficient funding to meet the matching requirements
5. Project will be completed without unreasonable delay
6. Project cannot be easily and efficiently completed without Federal funding

The NOFO will include a chart or table that includes each of these determinations and provide instructions on how to address each of them.

Please include in your application a chart or table in the same format that clearly describes your responses to each determination.

Break – pick up at 2:15 p.m.

Selection Considerations are **Non-Statutory and Subject to Change**

Among projects of similar merit, MARAD **may** prioritize projects that align well with the following Departmental priorities (Selection Considerations):

- **Climate Change and Sustainability** - MARAD will consider the extent to which projects incorporate (or will incorporate) data-driven and evidence-based methods to demonstrate that the project will significantly reduce GHG emissions in the transportation sector.
- **Equity and Justice⁴⁰** - MARAD will consider the extent to which projects will create positive outcomes that will reduce, mitigate, or reverse how disadvantaged communities near the port are experiencing disadvantage.
- **Workforce, Job Quality, and Wealth Creation** - MARAD will consider the extent to which projects support the creation of good-paying jobs with the free and fair choice to join a union and the incorporation of strong labor standards and training and placement programs, especially registered apprenticeships.

Excerpted from recent RAISE Notice of Funding Opportunity

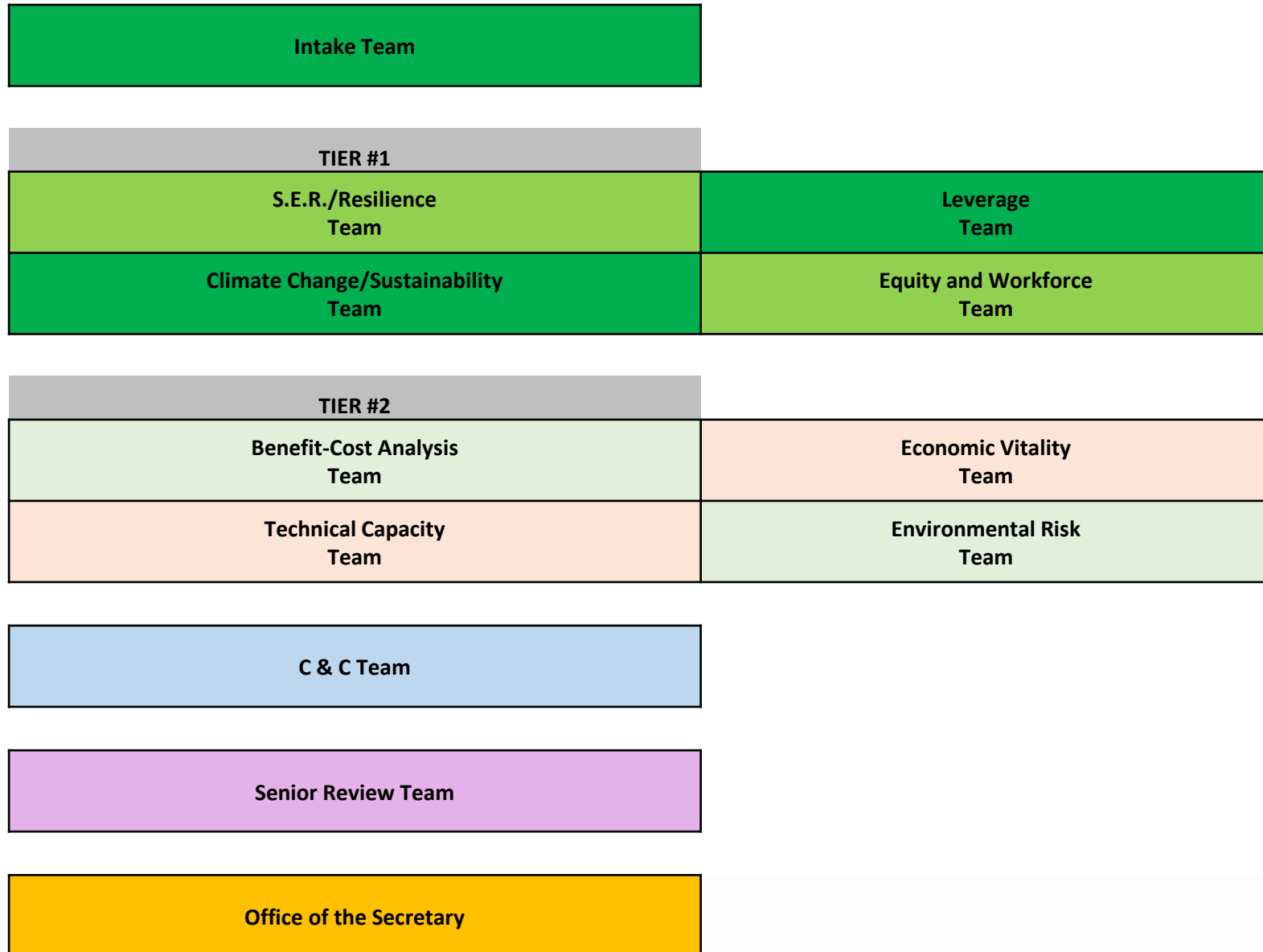
Climate Change and Environmental Justice – Each applicant selected for funding must demonstrate effort to consider climate change and environmental justice impacts as described in the Application Review Information section, consistent with ***Executive Order 14008, Tackling the Climate Crisis at Home and Abroad***. In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities in the Criteria section.

Racial Equity and Barriers to Opportunity – Each applicant selected for funding must demonstrate effort to improve racial equity and reduce barriers to opportunity as described in the Application Review Information section, consistent with. In the grant agreement, ***Executive Order 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*** applicants will be required to memorialize commitments they have made in their applications in one or more of the activities listed in the Criteria section.

Labor and Workforce – Each applicant selected for funding must demonstrate, to the full extent possible consistent with the law, an effort to create good-paying jobs with the free and fair choice to join a union and incorporation of strong labor standards as described in the Application Review Information section, consistent with ***Executive Order 14025, Worker Organizing and Empowerment, and Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act***. In the grant agreement, applicants will be required to memorialize commitments they have made in their applications in one or more of the activities listed in the Criteria section.

BREAK – Pick up at 8:45 a.m.

PIDP Review Process Org Chart



- No preparation necessary on the part of applicants
- Email requests to PIDPgrants@dot.gov
- Someone listed on the SF424 applicant must be in attendance
- Debriefs are scheduled for one hour
- We will review the PIDP cycle statistics
- We will cover all the evaluation criteria to the best of our ability
- Debriefs are verbal only, we will not share the review notes or record the debrief

BREAK – Pick up at 9:45 a.m.

MARAD will proceed with necessary BABA waivers if they are required to execute an otherwise good project that has been selected for an award. But there are no guarantees those waivers will be approved.

Some important considerations:

1. Everything is subject to change w/ the new administration (just as it has for the last two incoming administrations);
2. For now, gantry/ship to shore cranes are completely off limits due to cybersecurity issues identified by the current administration;
3. The waiver process may take a long time, is not guaranteed, and we will ask the selected recipient to provide quite a bit of documentation to support the request.
4. There is a new de-minimis allowance where: The total value of the non-compliant products is no more than the lesser of \$1M or 5% of the applicable costs of the project, or the total amount of Federal assistance applied to the project is below \$500,000.

<https://www.federalregister.gov/documents/2023/08/16/2023-17602/waiver-of-buy-america-requirements-for-de-minimis-costs-and-small-grants>

Domestic Preference requirements are under the purview of the Office of Management and Budget’s “Made in America Office.”

Decisions on waivers are not MARAD’s.

BABA Resource: <https://www.madeinamerica.gov/>



OFFICE OF MANAGEMENT AND BUDGET
MADE IN AMERICA OFFICE
WASHINGTON, D.C. 20502

What Is Build America, Buy America?

When Congress passed the Bipartisan Infrastructure Law—also known as the Infrastructure Investment and Jobs Act—it not only made a once-in-a-generation investment in our nation’s infrastructure, it also created a

57750 Federal Register / Vol. 88, No. 162 / Wednesday, August 23, 2023 / Rules and Regulations

OFFICE OF MANAGEMENT AND BUDGET
2 CFR Parts 184 and 200
Guidance for Grants and Agreements
AGENCY: Office of Federal Financial Management, Office of Management and Budget.
ACTION: Final rule; notification of final guidance.

manufacturing processes” in the case of construction materials.
 The new part 184 also includes guidance for determining the cost of components of manufactured products. The part 184 text uses a modified version of the “cost of components” test found in the Federal Acquisition Regulation (FAR) at 48 CFR 25.003, which is used for Federal procurement. Using this approach for determining the cost of components of manufactured

Order 14005, Ensuring the Future Is Made in All of America by All of America’s Workers (E.O. 14005), to “use terms and conditions of Federal financial assistance awards . . . to maximize the use of goods, products, and materials produced in, and services offered in, the [U.S.].”
 BABA requires OMB to issue guidance to the head of each Federal agency to “assist in applying new domestic content procurement

<https://www.maritime.dot.gov/sites/marad.dot.gov/files/2024-08/PIDP%202024%20Exhibits%20August%202%2C%202024.pdf>

SAMPLE BUY AMERICA AWARD TERM FOR MARAD GRANTS EXECUTED AFTER MAY 13, 2022—FOR REFERENCE ONLY

REQUIRED USE OF AMERICAN IRON, STEEL, MANUFACTURED PRODUCTS, AND CONSTRUCTION MATERIALS

This award term implements § 70914(a) of the Build America, Buy America Act, Pub. L. No. 117-58, div. G, tit. IX, subtit. A, 135 Stat. 429, 1298 (2021) and Office of Management and Budget (OMB) Memorandum M-22-11, “Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.”

Currently, performance reporting is required for a period of **three years after the completion of the project.**

Performance measures are not part of the PIDP application or review process, BUT...

Consideration of performance measurement early in the project development process may help inform the preparation of your PIDP application.

Performance metrics include (but are not limited to):

MODE	MEASURE	UNITS MEASURED	DESCRIPTION
Maritime	Cargo Dwell Time	Average Cargo Dwell Time (Hours per Ton or TEU)	Cargo dwell time is defined as the time between cargo arrival and departure (by vessel, truck, or rail).
Maritime	Vessel Turn Time	Average Vessel Turn Time (Hours)	The time between a vessel first reporting at the port to the time it departs, including berth waiting time and servicing time.
Maritime	Cargo Volume	Total Tons of Cargo Moved per Year (TEUs or Short Tons)	Cargo volume measures the movement of freight through the project study area. When applicable, report the total cargo volume and the volume disaggregated by type of freight (i.e. containers in TEU and bulk in tons) or type of intermodal transport (truck or rail).
Maritime	Cold-Ironing Time	Total Time Vessels are Connected to Shore Power (Hours)	Cold-ironing is defined as the total time all vessels are connected to shore power instead of idling.
Maritime	Reportable Events	Total Number of Reportable Events per Year	<p>A reportable event is defined as a safety or security event occurring in the project study area (terminal, berth, etc.) that results in one or more of the following conditions:</p> <ul style="list-style-type: none"> - A fatality confirmed within 30 days of the event - An injury requiring immediate medical attention away from the scene for one or more person - Property damage equal to or exceeding \$25,000 - Collisions involving vehicles or vessels - An evacuation for life safety reasons
Maritime	Truck Turn Time	Average Truck Turn Time (Minutes)	Amount of time from truck gate entry to truck gate exit.
Maritime	Vessel Calls	Total Vessel Calls per Year	Measures the number of vessels calling to the project study area. Must be reported in total and disaggregated by any of the following where applicable: vessel type (e.g. container, bulk, ro-ro, LNG), freight capacity, vessel length, or other.

- **Fiscal Year 2024 PIDP Award Announcements**
 - November 2024
- **Fiscal Year 2025 PIDP Notice of Funding Opportunity**
 - By December 30, 2024 (for \$450M IIJA funding)
 - Amendment for annual appropriation afterward
- **Fiscal Year 2025 PIDP Application Deadline**
 - April 2025 (tentative)
- **Fiscal Year 2025 PIDP Award Announcements**
 - October 2024 (tentative)

Questions regarding the Port Infrastructure Development Program can be emailed to PIDPgrants@dot.gov

Additional information can be found on our webpages at

<https://www.maritime.dot.gov/PIDPgrants>

<https://www.maritime.dot.gov/PIDP%20Grants/FAQs>

<https://www.maritime.dot.gov/grants/federal-grant-assistance/federal-grant-assistance>