

## NOTICE OF FUNDING OPPORTUNITY EXECUTIVE SUMMARY

- **Federal Agency Name:** Economic Development Administration (EDA or the Agency), U.S. Department of Commerce (DOC).
- **Federal Funding Opportunity Title:** FY 2021 American Rescue Plan Act Build Back Better Regional Challenge Notice of Funding Opportunity (NOFO) (ARPA BBBRC NOFO).
- **Announcement Type and Date:** ARPA BBBRC NOFO publishing EDA’s application submission requirements and application review procedures under EDA’s Economic Adjustment Assistance program, as authorized by sections 209 and 703 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3121 *et seq.*) (PWEDA). **Effective date:** July 22, 2021.
- **Funding Opportunity Number:** EDA-HDQ-ARPBBB-2021-2006976
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.307, Economic Adjustment Assistance
- **Dates:** This is a two-phase competition. The deadline for Phase 1 Concept Proposals is **11:59 p.m. Eastern Time on October 19, 2021**. For Phase 1 finalists selected to proceed to Phase 2, the deadline for Full Applications is **11:59 p.m. Eastern Time on March 15, 2022**. Applications received after this deadline will not be reviewed or considered. See section E of this ARPA BBBRC NOFO regarding EDA’s review process for each competition phase.

EDA may amend or cancel the ARPA BBBRC NOFO at any time. All changes will be communicated via Grants.gov.

- **Eligible Applicants:** Pursuant to section 3(4)(A) of PWEDA (42 U.S.C. § 3122(4)(A)) and 13 C.F.R. § 300.3 (Eligible Recipient), eligible applicants under this NOFO include a(n):
  - (i) District Organization of an EDA-designated Economic Development District (EDD);
  - (ii) Indian Tribe or a consortium of Indian Tribes; (iii) State, county, city, or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions; (iv) institution of higher education or a consortium of institutions of higher education; or (v) public or private non-profit organization or association acting in cooperation with officials of a general purpose political subdivision of a State.

Under this NOFO, EDA is not authorized to provide grants or cooperative agreements to individuals or to for-profit entities. Requests from such entities will not be considered for funding.

- **Funding Opportunity Description:** Subject to the availability of funds, awards made under this NOFO will transform regional economies through a collection of complementary, aligned construction and non-construction projects organized under a singular vision and designed to grow new industries and scale existing ones.

FULL ANNOUNCEMENT TEXT

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Notice of Funding Opportunity

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## **A. Program Description**

### **1. Overview and Program Information**

#### **a. Overview**

EDA's mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. Through this American Rescue Plan Act Build Back Better Regional Challenge Notice of Funding Opportunity (ARPA BBBRC NOFO), EDA aims to assist communities and regions impacted by the coronavirus pandemic. The pandemic has caused, and continues to cause, economic injury to U.S. communities and regions in devastating and unprecedented ways. This ARPA BBBRC NOFO is designed as a two-phase competition to (1) help regions develop transformational economic development strategies and (2) fund the implementation of those strategies that will create and grow regional growth clusters. Such efforts will help regional economies recover from the pandemic and build economic diversity and resiliency to mitigate impacts of future economic disasters as well as benefit regional workforces and residents through creation of high-quality jobs, increased wages, and revitalized communities.

For the purposes of this NOFO:

- “Regional growth cluster” is defined as several entities working together to grow a regional economy through the growth of an existing and/or creation of a new regional industry or industries. Regional growth clusters may align interconnected projects across state lines and/or across urban, suburban and rural communities, but they are concentrated in a bounded geography relative to the needs and conditions of the region that ensures maximum collaboration and impact.
- “Coalition” is defined as a group of eligible entities (see section C.1) that come together to apply to this ARPA BBBRC NOFO. At minimum, the coalition should include a lead institution and all entities that will submit applications for component projects in Phase 2 of this NOFO.
- “Partner” is defined as an entity that is not part of the official coalition applying to receive ARPA funding but who is committed to partnering with that coalition to make the regional growth cluster successful. Partner(s) could include, but are not limited to, employers and community-based organization and should be broadly representative of the economic and social characteristics of the region.

This ARPA BBBRC NOFO is designed to support clusters in transforming their regional economy through groups of complementary, aligned construction and non-construction projects. The projects should be organized under a singular vision to support industry growth across the region. Interested regions should form regional coalitions, in coordination with private sector partners and other partners, that share a common vision for how significant investment from EDA could catalyze wage growth, increased economic growth, the creation of a new industry, and/or the scaling or growth of existing industries in their region. The identified projects should foster economic growth and competitiveness through job creation, capacity building, and attracting private investment.

This ARPA BBBRC NOFO will be administered in two phases:

- In Phase 1, EDA will provide technical assistance grants to approximately 50-60 coalitions (through an eligible entity that serves as a lead institution). These coalitions will be considered “finalists” and the grants will be used by the finalists to prepare more detailed applications for transformational projects that benefit their respective geographic regions and are aligned around a holistic approach to building, strengthening, or scaling a strategic industry or industries.
- In Phase 2, EDA will select 20-30 of the finalist coalitions to receive \$25-75 million (and potentially up to \$100 million) each to fund the collection of projects they identified. The projects will be funded through grants to coalition members.

While geographic diversity is encouraged, the applicant’s footprint should be designed and bounded in a way that ensures maximum collaboration and impact. The target region could correspond closely to statistical labor market areas such as metropolitan and micropolitan statistical areas, or to an industry that may be geographically dispersed but has unusually strong connectivity due to an established coalition of local government, industry, labor, and academic leaders. Regional growth clusters might reflect a hub and spoke model, anchored around a “hub” such as a city, business park, port, educational or research institution, or technology center, and complemented by significant investment strategies in multiple “spokes” that represent demographic and geographic diversity. Coalitions should clearly articulate how the chosen geographic footprint presents potential for globally competitive industries and a purposeful approach to ambitious yet actionable economic transformation, leading to quality jobs,<sup>1</sup> long-term economic competitiveness, and creates stronger urban-rural linkages or stronger rural regional growth clusters. Regardless of the geographic and economic characteristics of the regions, it must be clear how the proposed projects will address economic distress, both historical challenges and those created by the global pandemic.

Although supported by several distinct projects, each regional growth cluster should be interconnected and work to drive competitiveness at a transformational scale, and be linked to a long-term strategic planning developed with community involvement. Examples of illustrative regional growth clusters include:

- Establishing an artificial intelligence (AI) corridor by funding: (1) planning and feasibility studies to develop critical, modern infrastructure for the corridor; (2) roads and modernized utilities to grow local industrial parks; (3) entrepreneurship and commercialization programs to capitalize on AI innovations; (4) workforce training programs with wrap-around services to support growing technology companies; (5) rural manufacturing supply chain planning to integrate more local manufacturers into the cluster and coordinated skilling efforts for their workforce as they adopt new technologies; (6) a rural energy biomass project; and (7) upgrades to a manufacturing facility owned by an eligible entity to ensure global readiness and competitiveness. Such

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<sup>1</sup> A “quality job” is defined as a job that exceeds the local prevailing wage for an industry in the region, includes basic benefits (e.g., paid leave, health insurance, retirement/savings plan) and/or is unionized and helps the employee develop the skills and experiences necessary to advance along a career path.

a cluster might include a significant commitment from a leading university to build a new AI program or supply locally-generated technology for commercialization.

- Scaling an agriculture-technology cluster in rural coal counties by funding: (1) unmanned aerial vehicle (UAV) technology commercialization and entrepreneurship support programming in a downtown university center; (2) the expansion of STEM and agriculture oriented workforce training centers in rural community colleges; (3) water irrigation infrastructure to increase crop resiliency and water usage efficiency across a region; (4) statewide supply chain planning to address seasonal inefficiencies due to crop cycles and build on local and regional food systems or increase national and international reach; and (5) a multi-county revolving loan fund to provide gap financing for agriculture-technology-centered small businesses. Such a cluster might include significant commitments from industry to procure and support technologies commercialized from the state university and partner with farmers to test new technologies and practices.
- Growing a blue economy cluster (e.g., the sustainable use of ocean and coastal resources for economic growth, improved livelihoods, and jobs while preserving the health of ocean and coastal ecosystems) in a multi-county region that crosses State lines by funding: (1) long-term strategic planning related to supply chain resiliency through expansion and co-locating downstream suppliers; (2) key infrastructure investments like roads, sewer, water, and broadband to facilitate development of industrial parks and ports for blue economy parts suppliers and manufacturers; (3) critical workforce infrastructure at local community colleges to ensure a skilled and prepared workforce; (4) integrated and advanced workforce plans and strategies to link up related sectors; and (5) R&D and commercialization related to key industries. Such a cluster might also have employment commitments for the newly trained workforce from local start-up or expanding companies, and leverage other state and local blue economy infrastructure investments.
- An area historically reliant on the automotive industry wants to create a climate-friendly electric vehicle cluster by funding: (1) a new battery and lightweight composite materials research program and associated facilities at a local university; (2) a new non-profit workforce training center that focuses on the skills required by regional battery and automotive manufacturers; (3) an entrepreneurial center that focuses on commercializing new automotive technologies at start-up firms; and (4) programmatic support for a technology seed fund managed by a local CDFI.

EDA also expects to fund a few regional growth clusters, using at least 10% of the funding available under this NOFO, that support communities negatively impacted by the downturn in the coal economy and that are transitioning away from coal.

#### **b. Key Elements of a Successful Regional Growth Cluster**

A strong regional growth cluster will need to have a strong strategy for each of four key elements:

1. **Regional Assets** – A strong regional growth cluster will identify, make use of, enhance, and/or create regional assets that will support the regional growth cluster’s competitiveness. Regional assets include, but are not limited to, basic infrastructure (e.g., broadband), existing competitive advantages (e.g., access to the ocean, research universities, complementary capabilities among firms in a supply chain, unique

recreational landscapes), newly proposed projects to catalyze economic growth (e.g., a new training facility, a new facility at a local community college), and diverse communities and geographies (e.g., diversity, links between urban, suburban, and rural areas). The application materials must discuss how the regional growth cluster will build upon and enhance existing assets and develop new regional assets.

2. **Industry Leadership** – A strong regional growth cluster will demonstrate strong alignment with existing or prospective industry needs and strong leadership from the private sector, aligned to the coalition’s vision. This could include employer commitments to job creation in the region, expected private sector investments, and the coalition’s private sector engagement strategy.
3. **Sustainability** – A strong regional growth cluster will have a plan to maintain or improve the cluster’s economic growth and shared prosperity in the years following the ARPA awards.
4. **Equity** – A strong regional growth cluster will ensure that the proposed projects’ and broader cluster’s benefits are shared across all affected communities, both urban and rural, and provides benefits to existing residents. Although not required, EDA encourages efforts to reach historically excluded populations, racial minorities, and women.

Applicants will communicate their strategies across these four key elements as part of both the Phase 1 and Phase 2 applications (see section D.2 for more details) and applications will be evaluated on the strength of those plans (see section E).

### c. Coordinated Projects to Set Clusters Up for Success

Coalitions should propose 3-8 tightly aligned projects that aim to collectively address the following outputs and outcomes, among others as appropriate, considering each proposed project’s regional, sectoral, and economic contexts.

Coalitions should focus on developing a long-term, transformational vision and execution plan for a region’s industry. The plan should work to integrate cluster development efforts across a diverse array of communities and stakeholders, for example: state and local government, labor and community-based organizations, industry, academia, research institutions, philanthropy, and non-profits; and the plan should build technical assistance and coordination capacity to align and support key coalition members and cluster partners throughout project development and execution. The plan should include both near-term actions that can be accomplished in the first year and a longer-term strategy to drive durable change.

In addition, clusters should consider how projects can support economically disadvantaged communities and how both the projects and long-term strategy can advance equity, including the use of quantitative and qualitative data to measure and track outcomes and performance management.

Clusters should increase regional innovation and entrepreneurship capacity. Projects may aim to convert ideas, research, or prototypes into viable products and services that can be brought to market by new or existing businesses in a financially manageable and rapid manner and aim to develop entrepreneurs within the region who can experiment with and can create businesses and high-quality jobs from those innovations through, for example, innovation centers or technology commercialization projects.

In addition, clusters should foster and grow a workforce for industry and build infrastructure for growth. Some projects may focus on developing and executing training programs and support services that strengthen or build the region's talent pool, emphasize in-demand skills, connect workers with quality jobs, and develop accessible career pathways for all residents within the region. This may include teaching foundational principles as well as applied knowledge, applicable to more than one employer as much as practicable, as well as supporting wrap-around services such as transportation, child care or career counseling in training programs. Other projects may build the infrastructure that enables the regional growth cluster to thrive, creating the conditions for businesses to grow and expand. This may include physical or non-physical infrastructure owned by an eligible entity that responds to and anticipates the facilities and systems required for the regional growth cluster to start, expand, or diversify.

All projects across should be coordinated such that the result is more than the sum of their parts and ideally together catalyze private sector investment and tangible outcomes for the region's economy (e.g., wage growth, GDP growth).

#### **d. Eligible Activities**

Through this program, EDA can provide funding to support a wide range of non-construction and construction activities. This includes construction activities for eligible entities such as water and sewer system improvements, industrial parks, shipping and logistics facilities, business incubators and accelerators, brownfield redevelopment, technology-based facilities, food aggregation, processing and distribution centers, wet labs, multi-tenant manufacturing facilities, science and research parks, transportation enhancements, and telecommunications infrastructure (e.g., broadband) and development facilities. This also includes non-construction activities such as design and engineering, technical assistance, economic recovery strategy development, entrepreneurial support, demand-driven workforce training, new academic curricula, market feasibility studies, and the capitalization of revolving loan funds (RLFs).

Note that if a particular project is part of a regional growth cluster proposal and otherwise would have been eligible for inclusion in another EDA ARPA NOFO (for example, if the project supports an indigenous community or is focused on workforce training or travel/tourism), applicants are encouraged to include that project as part of a regional growth cluster under this ARPA BBBRC NOFO. However, if a project is submitted as part of a regional growth cluster under this NOFO, it cannot be a successful applicant under another NOFO until EDA makes a determination on the regional growth cluster application. If an applicant has inadvertently applied to the incorrect NOFO, or if a BBBRC Concept Proposal or a given component project is not selected, EDA in its discretion may move one or more of the proposed projects to another NOFO under which it is eligible.

In EDA's experience with post-disaster recovery, the most effective rebuilding efforts are based on long-term regional development or redevelopment strategies that leverage Federal funding in coordination with state, local, and private sector resources. For this reason, EDA encourages the submission of applications based on long-term, regionally oriented, coordinated, and collaborative economic development or redevelopment strategies that foster economic growth and resilience.



It is important that investments support the economic recovery through strong employment opportunities for workers, including but not limited to opportunities for workforce development, rehiring of laid off workers, and creating and retaining union jobs and well-paying jobs with good benefits. Moreover, it is important that investments in infrastructure and construction projects be carried out in ways that produce high-quality infrastructure, avert disruptive and costly delays, and promote efficiency. EDA understands the importance of promoting workforce development and encourages recipients to ensure that construction projects use strong labor standards, including project labor agreements and community benefit agreements that offer wages at or above the prevailing rate and include local hire provisions to promote effective and efficient delivery of high-quality infrastructure projects, as well as the economic recovery. Using these practices in construction projects may help to ensure a reliable supply of skilled labor that would minimize disruptions, such as those associated with labor disputes or workplace injuries.

Prospective applicants should note that section C sets out eligibility criteria for applications, and only applications meeting the eligibility criteria will be considered. EDA will evaluate and select applications according to the evaluation criteria set forth in section E. EDA may alter or cancel the ARPA BBBRC NOFO at any time. All changes will be communicated via Grants.gov.

#### **e. Assistance to Coal Communities**

EDA expects at least \$100 million of the funds under this NOFO to go to communities negatively impacted by changes in the coal economy. Like other communities across the country, the coronavirus pandemic exacerbated preexisting economic distress and highlighted the need for implementation projects and activities in these communities,<sup>2</sup> such as those that:

- Will produce multiple economic and workforce development outcomes, such as promoting regional economic growth and diversification, new job creation, and re-employment opportunities for displaced coal economy workers; and
- Are specifically identified under local and regional economic development plans that have been collaboratively produced by diverse local and regional stakeholders.

“Coal economy” is a term that reflects the complete supply chain of coal-reliant industries.<sup>3</sup> This includes, but is not limited to: coal mining, coal-fired power plants, along with related transportation, logistics, and supply chain manufacturing. Applicants should submit information as part of their application demonstrating that the project is in or directly benefits a coal community (discussed below in section D.2). Examples of the types of acceptable data that applicants can use to demonstrate the negative impacts of local and/or regional coal industry

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<sup>2</sup> In general, EDA will consider applications for projects in communities and regions where the primary coal economy contraction “event” (e.g., closure of a coal mine or a coal-fired power plant, closure of various coal economy supply chain businesses, etc.) took place within 15 years of the application submission date. Note, this timeframe is a range during which projects will generally be eligible; applicants may propose projects outside this timeframe, but should take special care to demonstrate that the primary coal economy contraction “event” continues to tangibly impact the community.

<sup>3</sup> Examples of supply chain industries include, but are not necessarily limited to, manufacturers of mining equipment and parts for coal-fired power plants and transportation companies that carry coal.

contractions include (and are not limited to) economic indicators, labor market analyses, official announcements made by local and regional industries and firms, demographic, and industry data.

#### **f. Phase 1: Concept Proposals**

In Phase 1 of the BBBRC, eligible applicants should form regional coalitions and collaborate to develop a Concept Proposal that outlines a vision for the development or expansion of a new or existing regional industry or industries as well as a collection of 3–8 potential projects designed to support that vision. The Concept Proposal must articulate the coalition’s proposed vision and possible outcomes for the cluster; articulate how the proposed cluster will meet the four key elements of a successful cluster discussed above (Regional Assets, Industry Leadership, Sustainability, and Equity); identify the lead institution, coalition members, and additional existing or potential cluster partners (including letters of support); and include a proposal for how the technical assistance award funds will be spent along with the identification of any prospective matching funds for Phase 2. See section D.2.a of this NOFO for more detailed information on the requirements for a Concept Proposal.

EDA will review Concept Proposals consistent with the evaluation criteria in section E.1.a of this NOFO. From the Concept Proposals received, EDA anticipates selecting approximately 50–60 regional growth cluster finalists. The lead institution for each of the finalists will receive a technical assistance grant of up to \$500,000 to further develop individual component projects necessary to support the regional growth cluster, in collaboration with other coalition members and cluster partners. The deliverables for this technical assistance award include submittal of a Full Application for Phase 2 of this competition and continued development of component projects either into Phase 2 if selected to proceed or to mature the projects for future funding opportunities at EDA or other agencies. Eligible uses of the technical assistance award funds include development of environmental and engineering information, if applicable.<sup>4</sup> The lead institution and other appropriate eligible applicants within the Phase 1 coalition will then be eligible to submit a Full Application for Phase 2, including proposals for individual component projects to support the regional growth cluster. See section D.2.a of this NOFO for more detailed information on the requirements for Concept Proposals. EDA staff members are available to provide applicants with technical assistance regarding application requirements.

#### **g. Phase 2: Full Applications**

As noted above, selected finalists under Phase 1 should submit a Full Application for Phase 2, which will include an Overarching Narrative and applications for individual component projects necessary to support the regional growth cluster. See section D.2.b of this NOFO for more detailed information on the requirements for a Full Application. Full Applications will be evaluated using the evaluation criteria in section E.1.b EDA anticipates that approximately 20–30 of the finalists will be selected for full funding of individual construction and non-

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<sup>4</sup> Note that pursuant to sec. 213 of PWEDA (42 U.S.C. § 3153) and 13 C.F.R. § 302.10(a), EDA funds cannot be used to pay attorney or consultant fees in connection with obtaining a grant or contract under PWEDA, which includes filling out the standard government-wide (Form SF-424 family) or EDA (Form ED-900 family) application forms or expediting an application made to EDA.

construction component projects to support their identified regional growth cluster. Coalitions that are not selected for funding in Phase 2 may be eligible for funding under other EDA programs or other federal agencies.

EDA, at its discretion, may award individual grants or cooperative agreements for component projects to various eligible applicants identified as coalition members. Alternatively, EDA may award the lead institution a grant or cooperative agreement and permit the lead institution to sub-award funds among various coalition members to implement component projects.<sup>5</sup> EDA at its discretion may fund all or only some of the originally proposed component projects depending on the viability and feasibility of those components and the availability of funds.

#### **h. Ineligible Projects under this NOFO**

Some projects are generally ineligible for EDA funding under this NOFO, including projects that directly improve facilities or improvements owned by a for-profit entity, projects that are primarily residential in nature, projects to create community amenities (e.g., swimming pools, zoos, recreational centers), projects that support general governmental or public safety functions (e.g., buildings to house municipal government, firehouses, public safety equipment), and requests for funding to supplement operating budgets or replace lost revenue (including lost tax revenue). In addition, EDA will not fund projects that are primarily directed at public health responses to the coronavirus pandemic (e.g., testing or vaccination centers, increased hospital capacity, acquisition of personal protective equipment (PPE) for general government use or public distribution) because there are other ARPA funds dedicated to these efforts; however, incidental public health costs may be included in project budgets (e.g., the cost of PPE for personnel providing technical assistance, larger spaces to accommodate social distancing, increased travel costs to accommodate pandemic safety measures). Applicants who are unsure whether their proposed project is eligible under this NOFO should consult the appropriate EDA Regional Office Point of Contact (POC) listed in section G.

Funds may not be used, directly or indirectly as an offset for other funds, to support or oppose collective bargaining.

#### **i. CEDS Alignment**

Each individual component project funded under this NOFO must be consistent with the region's current CEDS or an equivalent EDA-accepted regional economic development strategy that meets EDA's CEDS or strategy requirements. The lead institution should include in the Phase 2 Overarching Narrative (see Section D.2.b.i) a discussion of how the collection of proposed component projects will support the economic development needs and objectives outlined in the CEDS or equivalent strategy and provide a copy of this planning document, either by attaching the document to the application or providing a web link for the document. Because of the regional footprint of the projects anticipated by this NOFO, applicants may need to show alignment with multiple CEDS or regional or statewide equivalents. In addition, applicants

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<sup>5</sup> To the extent that a lead institution may sub-award any of these funds, the lead institution is responsible as a pass-through as defined in 2 C.F.R. § 200.332.

should indicate if other Federal funds have been secured or requested to support any portion of the project for which an EDA investment is proposed. Applicants should describe how the EDA investment will complement, leverage, or otherwise align with other public and private investments to accomplish the planned deliverables and outcomes. Where other Federal funding may be involved in the project, the applicant should provide the Federal program name and contact information with the application in order to facilitate interagency coordination, identify opportunities to leverage and complement aligned investments, and avoid duplication of resources.

## **2. EDA Investment Priorities**

All projects considered for EDA funding under this ARPA BBBRC NOFO must be consistent with EDA's Recovery and Resilience Investment Priority. Applicants also may demonstrate that a project is consistent with any of EDA's other Investment Priorities and may be considered more competitive as a result. EDA's Investment Priorities are located at <https://www.eda.gov/about/investment-priorities/>. The priorities may be updated from time to time. Any future revisions will be reflected on EDA's website on January 15, April 15, July 15, or October 15 of each year.

## **3. Statutory Authorities for EDA's Programs**

The statutory authority for this program is section 209 of the Public Works and Economic Development Act of 1965 (PWEDA) (42 U.S.C. § 3149). The statutory authorization of supplemental appropriations for economic disaster recovery activities is section 703 of PWEDA (42 U.S.C. § 3233). Additional programmatic authority is provided by the American Rescue Plan Act of 2021 (Pub. L. 117-2).

Applicant eligibility and program requirements are set forth in EDA's regulations (codified at 13 C.F.R. Chapter III), and all applicants must address these requirements. EDA's regulations are accessible at the Electronic Code of Federal Regulations website at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>. Under "Browse," select "Title 13 – Business Credit and Assistance", then "Go", then "300-399".

## **4. What Is Resilience?**

In terms of economic development, resilience is broadly defined as the ability of a community or region to anticipate, withstand, and bounce back from various disruptions to its economic base. These disruptions can be caused by a variety of things, including a downturn in the national or local economy as a result of the pandemic. Enhancing resilience in the face of the pandemic, especially in light of the on-going impacts of natural disasters and climate change, is a multi-dimensional effort emphasizing engagement and support from all aspects of the community, including economic development practitioners. Some examples include efforts to broaden the industrial base or local sectoral specialization with diversification initiatives (e.g., moving away from a local or regional economy overly dependent on one industry or employer that might be susceptible to downturns caused by the outsized effects of climate change on areas already hard-hit by the pandemic); enhance business retention and expansion programs to strengthen existing high-growth sectors and industries, development and construction of high-performance and resilient infrastructure and buildings (e.g., broadband, energy, flexible and natural infrastructure,

safe development practices, business incubators) to mitigate future risk and vulnerability; comprehensive planning efforts that involve extensive engagement from the community to define and implement a collective vision for economic recovery; reducing the environmental impact of a cluster; and helping firms in a cluster adopt practices that allow more flexible responses to changes in demands and supply (e.g., smart manufacturing, additive manufacturing, workforce trained in problem-solving and able to do a variety of jobs demanded by the current and future job markets). The development and adoption of new technologies play vital roles in strengthening economic resilience: deploying technologies (e.g., through more robust broadband networks) enables resilience in the face of natural disasters made worse by the pandemic and changing climate, and nurturing technology ecosystems supports dynamic, diverse economies that better withstand acute disruptions.

Resilience (within the context of economic development) should include methods and measures to mitigate the potential for future economic injury, promote a faster “up-time” for economic anchors (e.g., key businesses and/or industries), and strengthen local and regional capacity to troubleshoot and address vulnerabilities within the regional economy. As noted above, to be competitive under this ARPA BBBRC NOFO, application submissions must explicitly incorporate resilience principles. Additional information about this subject is available at <https://www.eda.gov/ceds/content/economic-resilience.htm>.

## **B. Federal Award Information**

### **1. What Funding Is Available Under this Announcement?**

Under the American Rescue Plan Act of 2021 (Public Law 117-2), Congress provided EDA with \$3,000,000,000, to remain available until September 30, 2022, to “prevent, prepare for, and respond to coronavirus and for necessary expenses for responding to economic injury as a result of coronavirus.” Of the \$3 billion in appropriated funds, this NOFO specifically allocates \$1,000,000,000 for regional growth cluster development, with \$100,000,000 of those funds going to communities negatively impacted by the downturn in the coal economy, supporting transitioning away from coal.

If an applicant is awarded funding, neither DOC nor EDA is under any obligation to provide any future funding in connection with that award or to make any future award(s). Amendments or renewals of an award to increase funding or to extend the period of performance are at the sole discretion of DOC and EDA.

Publication of this announcement does not obligate DOC or EDA to award any specific grant or cooperative agreement or to obligate all or any part of available funds. The granting of any award is subject to the availability of funds at the time of award as well as to DOC priorities at the time of award. Neither DOC nor EDA will be held responsible for application preparation costs.

EDA anticipates up to \$30,000,000 in total being awarded in Phase 1, in technical assistance grants of up to \$500,000 each. In Phase 2, EDA anticipates funding regional growth clusters with component projects that collectively cost between approximately \$25,000,000 and \$75,000,000, though EDA will consider regional growth clusters above and below these amounts depending on the strength of the application and quality of the individual component projects. EDA

anticipates that the cost of individual non-construction and construction component projects within regional growth clusters will range from approximately \$750,000 to \$25,000,000, or more if the cluster or project warrants it.

Depending on demand under this NOFO, EDA may exercise its discretion to adjust the total amount available under this NOFO and other American Rescue Plan Act NOFOs to ensure funds are used to maximum effect or to adjust to unforeseen changes in recovery efforts.

## **2. What Type of Funding Instrument Will Be Used to Make Awards? How Long Will a Project's Period of Performance Be?**

*Funding Instrument:* Subject to the availability of funds, EDA may award grants or cooperative agreements to eligible applicants. EDA will award a cooperative agreement on a case-by-case basis if substantial agency involvement is required. For a cooperative agreement, the nature of EDA's "substantial involvement" (to be included in the terms and conditions of the award) will generally be collaboration between EDA and the recipient on the scope of work, including administering sub-awards to other coalition members. However, other possible examples of EDA's "substantial involvement" may include, but are not limited to: (i) authority to halt immediately an activity if detailed performance specifications are not met; (ii) stipulation that the recipient must meet or adhere to specific procedural requirements before subsequent stages of a project may continue; and (iii) operational involvement and monitoring during the project to ensure compliance with statutory requirements.

*Period of Performance:* Under this program, the project period of performance depends on the nature of the project for which the grant or cooperative agreement is awarded. Typically, non-construction projects, including Phase 1 technical assistance grants and non-construction components in Phase 2, may range in duration from 12 to 24 months, but given the current on-going economic conditions, EDA expects some projects may require a period of performance of up to 48 months. Implementation grants involving construction of project facilities and infrastructure generally are expected to range from 12 to 48 months. EDA will work closely with award recipients to accommodate their projected timelines within reason and allowances of regulations and grant policies. EDA expects that all projects will proceed efficiently and expeditiously, and EDA encourages applicants to clearly document how quickly they will be able to start and complete the proposed project scope of work. **All American Rescue Plan Act Funds must be expended by September 30, 2027, and therefore no grant periods of performance may be extended beyond that date.**

## **C. Eligibility Information**

### **1. Eligible Applicants**

Eligible applicants for investment assistance as a lead institution or a coalition member include a(n):

- a. District Organization;
- b. Indian Tribe or a consortium of Indian Tribes;

- c. State, county, city, or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions;
- d. Institution of higher education or a consortium of institutions of higher education; or
- e. Public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State.<sup>6</sup>

## **2. Applicable Disaster Declaration and Responsiveness to the Coronavirus Pandemic**

EDA has determined that economic injury from the coronavirus pandemic constitutes a “Special Need,” and eligibility may be established on that basis without reference to the other economic distress criteria. This determination of nationwide eligibility for these funds is consistent with the March 13, 2020 emergency declaration for the coronavirus disease 2019 (COVID-19) pandemic pursuant to the Stafford Act for all states, tribes, territories, local governments, and the District of Columbia (<https://www.fema.gov/disasters/coronavirus/disaster-declarations#>).

EDA has further determined that due to the pervasive nature of the economic impacts of the coronavirus pandemic, any construction or non-construction project that would address those impacts by creating or retaining jobs, or increasing the economic diversity or resiliency of a region, is eligible for funding. For example, an infrastructure project that creates new jobs in a region is responsive to the requirement that the funds be spent to respond to “economic injury as a result of coronavirus.”

## **3. Cost Sharing or Matching**

### **a. EDA Investment Rate**

Phase 1 technical assistance grants (as described in section A.1) will be awarded at a 100% federal grant rate for a maximum amount of \$500,000.

For component projects awarded under Phase 2, EDA generally expects to fund at least 80% and up to 100% of eligible project costs, given the extent of the economic impact and in accordance with the agency’s statutory authority under section 703 of PWEDA (42 U.S.C. § 3233). In determining whether to fund an individual component project of a regional growth cluster at a Federal share above 80%, EDA will consider on a case-by-case basis whether the circumstances of the coalition member constructing the individual component warrant a Federal share in excess of 80%, including whether the applicant coalition member has exhausted its effective taxing or borrowing capacity, the extent of the economic impact of the coronavirus pandemic on the region, or whether the region meets other thresholds for elevated need based on the relative economic distress of the region. Additionally, EDA may establish a maximum investment rate of up to 100% for projects of Indian Tribes within a regional growth cluster. Any portion of the costs for the EDA scope of work funded below 100% must be borne by the recipients or provided to the recipients by a third party as a contribution for the purposes of and subject to the terms of the award.

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<sup>6</sup> See section 3 of PWEDA (42 U.S.C. § 3122) and 13 C.F.R. § 300.3.

## **b. Documentation of Cost Sharing or Matching**

The applicant must document that required matching share will: (i) be committed to the project for the period of performance, (ii) be available as needed, and (iii) not be conditioned or encumbered in any way that may preclude its use consistent with the requirements of EDA investment assistance.<sup>7</sup> In order to meet these requirements, applicants must submit for each source of the matching share a commitment letter or equivalent document signed by an authorized representative of the organization providing the matching funds.

Additional documentation may be requested by EDA in order to substantiate the availability of the matching funds. For example, if bonds are contemplated as match, counsel opinion of the applicant's bonding authority and eligibility of the bonds for use as match, along with full disclosure of the type of bonds and the schedule of the applicant's intended bond issue, are required. Please contact the appropriate EDA Regional Office Point of Contact (POC) listed in section G of this NOFO with questions regarding EDA's matching share requirements.

Documented in-kind contributions may provide the required non-Federal Share, if any, of the total project cost, but they must be eligible project costs and meet applicable Federal cost principles and uniform administrative requirements. Examples of in-kind contributions can include space, equipment, services, or forgiveness or assumptions of debt.<sup>8</sup> Funds from other Federal financial assistance awards may be considered matching share funds only if authorized by statute, which may be determined by EDA's reasonable interpretation of the statute.<sup>9</sup>

Applicants are *strongly encouraged* to work with the appropriate POC listed in section G of this NOFO to determine how in-kind contributions may be utilized to satisfy the matching share requirement for their application.

## **D. Application Submission Information**

**All submissions under this ARPA BBBRC NOFO are subject to the below review process.**

To be considered for funding under Phase 1, an applicant **must submit a complete Phase 1 Concept Proposal and additional required documentation.** To be considered for funding under Phase 2, the proposed project **must support a Concept Proposal selected as a finalist under Phase 1, and the applicant for that project must be a member of the Coalition associated with that Concept Proposal. All Phase 2 projects must be part of a Phase 2 Full Application.** Requirements for Phase 1 Concept Proposals and Phase 2 Full Applications are detailed in section D.2 of this NOFO.

With respect to Phase 1, Concept Proposals must be submitted by 11:59 p.m. Eastern Time on October 19, 2021. EDA anticipates expeditiously reviewing **complete** Concept Proposals and awarding technical assistance grants by December 8, 2021. With respect to Phase 2,

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<sup>7</sup> See 13 C.F.R. § 301.5.

<sup>8</sup> See section 204(b) of PWEDA (42 U.S.C. § 3144) and the definition of "In-Kind Contribution" at 13 C.F.R. § 300.3.

<sup>9</sup> See the definition of "Local Share or Matching Share" at 13 C.F.R. § 300.3. See also 2 C.F.R. § 200.306.



Full Applications must be submitted by 11:59 p.m. Eastern Time on March 15, 2022; however, applications for Phase 2 projects may be submitted as soon as the application is ready. EDA anticipates expeditiously reviewing **complete** Full Applications and making Phase 2 award announcements no later than September 2022. EDA may seek additional information or documentation from the applicant to clarify information presented in the Concept Proposal or Full Application. EDA also may, in its sole discretion, continue review of any application with minor defects or errors, while the applicant supplies the missing information. Please see section E of this ARPA BBBRC NOFO for more information on EDA’s review and selection process.

EDA strongly encourages applicants to consult with the appropriate POC listed in section G to discuss whether their project is in alignment with EDA’s Investment Priorities as well as EDA’s eligibility requirements, cost-sharing requirements, property standards, and other requirements outlined in this ARPA BBBRC NOFO. This consultation is limited to clarification of technical matters involving their proposed project, project alignment with EDA’s mission and EDA’s Investment Priorities, and all other relevant and publicly available information relating to general technical matters.

### **1. Address to Request Application Package**

An electronic version of the application for this ARPA BBBRC NOFO may be obtained at Grants.gov using Funding Opportunity Number “**EDA-HDQ-ARPBBB-2021-2006976**”. To accommodate applicants’ accessibility requirements, a paper version of the application may be obtained by contacting the appropriate POC listed in section G of this NOFO. Please see section I below for instructions on submitting an application through grants.gov.

All applicants must apply through grants.gov unless they request and receive authorization to submit a paper application package by contacting the appropriate POC listed in section G.

### **2. Content and Form of Phase 1 Concept Proposals and Phase 2 Full Applications**

#### **a. What is required for a complete Phase 1 Concept Proposal?**

Consistent with section A.1.f, a complete Phase 1 Concept Proposal will include seven main elements:

1. A maximum 5-page (12-point font, 1-inch margins) narrative that:

- Describes the coalition’s vision for the regional growth cluster,
- Details the economic opportunity presented by the regional growth cluster in relation to the target industry or industries. Applicants are encouraged to include quantitative measures when available,
- Defines the coalition members that comprise the regional growth cluster and describes their role and commitment to economic growth in the region,
- Describes 3-8 potential component projects EDA could fund to support the cluster,
- Lists preliminary proposed specific metrics of success for proposed projects (e.g., anticipated job creation and/or wage growth, anticipated regional GDP growth, reduced unemployment, workers placed in quality jobs, demographic breakdown of populations benefiting from investments,

- Identifies the accessibility of matching funds for Phase 2 and any other complementary investments (e.g., other Federal funding expected, private sector investments, philanthropic investments),
- Describes any barriers to implementation as well as strategies to mitigate, and
- Includes a general timeline for implementation, including completion of any construction.

If more than 5 pages of program narrative is submitted, only the first 5 pages will be reviewed.

2. An appendix for each of the four key elements, as follows:

i. *Regional Assets*: A list of regional assets critical to the success of the regional growth cluster, with a brief description (2-5 sentences) for each, including how it will support the cluster. If assets listed are managed by an entity that is not a coalition member, we strongly recommend including a letter of support from that entity. In drafting this section, applicants are reminded to review EDA's non-relocation policy in section H.6 of this NOFO.

ii. *Industry Leadership*: A list of the partner employers critical to the success of the regional growth cluster. For each, describe the engagement the coalition has had with the employer and local labor associations in the three months prior to submitting the application, any commitments received from the employer (e.g., hiring commitments, financial investments), and the specific role the coalition expects the employer to play in the cluster. If possible, include a letter of support from the employer(s) and labor unions. In addition to the list of employer partners, provide up to a 1-page narrative that describes the cluster's private sector engagement strategy.

iii. *Sustainability*: A succinct draft plan (no more than 2 pages) detailing the coalition's proposed plan for the sustainability of the regional growth cluster in the years beyond ARP funding.

iv. *Equity*: A succinct draft plan (no more than 2 pages) for sharing the benefits of the cluster equitably across all affected communities, both urban and rural, including efforts to reach historically excluded populations, racial minorities, and women. Include specific outreach strategies and letters of support from any community or other groups that will support implementation. Letters of support should articulate the role the groups played in developing the plan.

3. A clear identification of the key coalition member that will serve as the lead institution and identification of a Regional Economic Competitiveness Officer, or strategy to hire said individual within that lead institution, whose duties include:

- Serves as the central coordinator of new and existing resources to the benefit of regional competitiveness,
- Convenes public, private, academic, and civic leaders around bottom-up competitiveness,
- Establishes a coordinated line of communication between regional growth clusters and EDA that accelerates collaboration and support, and

- Ensures technical assistance awards provided by EDA and any partners are absorbed effectively within communities.

4. Documentation evidencing that each coalition member has read the application and is committed to executing its component(s) of the regional growth cluster. In most scenarios, at least one key coalition member will be a unit of local or state government.

5. Additional letters of support from cluster partners, not already included in the Industry Leadership and Equity appendices described in 2. above. If the coalition does not include at least one unit of local or state government, the applicant must include at least one letter of support from a unit of local or state government.

6. A budget narrative describing how the lead institution would utilize the technical assistance award.

7. The following application forms submitted by the lead institution, which will receive the Phase 1 technical assistance grant, if selected:

- SF-424 reflecting the \$500,000 technical assistance award.
- SF-424A reflecting the \$500,000 technical assistance award.
- CD-511.
- SF-LLL, if applicable.
- If the lead institution is a non-profit organization that is not an institution of higher education: a copy of the institution's articles of incorporation, bylaws, and a current certificate of good standing.

The preferred electronic file format for attachments is Adobe PDF; however, EDA will accept electronic files in Microsoft Word, Microsoft PowerPoint, or Microsoft Excel formats. EDA will not accept paper, facsimile or email transmissions of applications except as described below in section D.3.b. Please refer to important information on submitting your application provided in section D.3.

All documentation and data submitted should be current and applicable as of the date submitted. Applicants are encouraged to contact the appropriate POC for technical assistance before submitting an application. EDA staff members are available to provide applicants with technical assistance regarding application requirements. Additionally, EDA may contact the applicant to clarify application materials received.

**b. What is required for a complete Phase 2 Full Application?<sup>10</sup>**

As noted above, selected finalists under Phase 1 are highly encouraged to submit an application for Phase 2. A Full Application for Phase 2 consists of the following:

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<sup>10</sup> In the event of discrepancies between instructions provided in any of the forms and this ARPA BBBRC NOFO, the requirements for complete applications as stated in this ARPA BBBRC NOFO will control.

1. An Overarching Narrative for the regional growth cluster’s proposal, submitted by the Phase 1 Applicant. For more detailed information on the requirements for the Overarching Narrative, see section D.2.b.i below.

2. 3-8 Component Applications, submitted by a combination of the Phase 1 Lead Applicant and members of the region’s established coalition. EDA encourages coalitions to consult with the POC listed in section G of this NOFO to determine the best lead applicant for each Component Application. The narrative and tables in section D.2.b.ii describe the EDA and Federal grant assistance forms and other documentation required for a Phase 2 Component Application. EDA will require a complete set of forms and documents for each component project within the Full Application. For example, if the proposed regional growth cluster is proposing three component projects – 1. a strategic plan, 2. a wastewater and road project, and 3. a new building to house advanced workforce training – EDA would in general expect three sets of application forms – each appropriate to an application for the given component project. The tables may serve as a checklist for applicants in preparing their submissions and are organized by the various construction and non-construction project types that might comprise a regional growth cluster.

If a regional growth cluster is chosen as a Phase 2 awardee, the funds will cover all (or almost all) of the costs of the projects contained in Component Applications. While the Overarching Narrative is not a component project and is not funded separately, all 3–8 Component Applications will be considered holistically in the context of the Overarching Narrative. For more details on competition criteria, please see section E.1.b.

Finally, EDA may request a particular component project not be included in the Full Application or be re-scoped to fit within budget and timing constraints. **Note that all component projects must be complete by September 30, 2027 and that this deadline cannot be extended.**

#### **i. Overarching Narrative**

A Phase 2 Overarching Narrative will include two elements:

1. A maximum 10-page (12-point font, 1-inch margins) narrative that has the following sections:
  - A succinct synopsis (~2 pages) of the coalition’s vision for regional economic development, the initiatives and partners needed to achieve that vision, and the outcomes expected from achieving that vision, while addressing the four key elements (Regional Assets, Industry Leadership, Sustainability, and Equity) throughout. The synopsis should include:
    - Description of the regional growth cluster;
    - The coalition members and additional partners that comprise the regional growth cluster;
    - The component projects being submitted in coordination with the Overarching Narrative to complete the Full Application, and how those component projects contribute to the overall success of the regional growth cluster;
    - A concise description of how the collection of proposed component projects will support the economic development needs and objectives outlined in regional CEDS or equivalent strategy(ies). Because of the regional footprint of the projects

anticipated, applicants may need to show alignment with multiple CEDS or regional or statewide equivalents;

- A summary of any additional, complementary initiatives planned by the coalition, outside of the component projects they are requesting EDA fund (e.g., philanthropic commitments, legislative or regulatory changes);
  - Specific metrics of success expected from implementing the proposed projects and complementary initiatives (e.g., reduction in unemployment, anticipated job creation and/or wage growth with associated demographics, anticipated regional GDP growth); and
  - A general timeline for implementation, including completion of any construction.
- A description (~1 page) of the project's location and region, including a definition of its primary service area by county or counties. Counties should be identified by both name and 5-digit FIPS codes. See <https://www.census.gov/geographies/reference-files.2019.html>. The description of the region should include identification of the communities served and a description of the target participants served and stakeholders engaged. The description should also include the identification of assets in the region critical to the success of the regional growth cluster. The locations and regions should directly correspond to Questions 14 and 16 of Form SF-424 as submitted in each constituent component project. If applicable, also provide information demonstrating that the project is in or directly benefits a coal community.
  - A detailed overview (~1 page) that provides more detail on the expected participation from private sector entities, including any commitments (including investment and hiring commitments). Also include any commitments or investments from philanthropy.
  - A detailed plan (~1 page) on how the coalition will ensure the regional growth cluster will be sustainable after the period of the funded award.
  - A detailed plan (~1 page) on how the coalition will engage community-based organizations and/or labor unions, and how the project will incorporate strong labor standards and economic benefits for local residents, including project labor agreements and community benefit agreements, that offer wages at or above the prevailing rate and include local hire provisions. EDA recognizes that proposed clusters with large non-construction component projects may not have as much detail to provide in this section.
  - A detailed plan (~1 page) on how the coalition will ensure the benefits of the cluster are equitably shared across all affected communities, both urban and rural, including efforts to reach historically excluded populations, racial minorities, and women.
  - A detailed overview (~1 page) of the outcomes expected from the joint impact of the component projects and any complementary work planned by the coalition. Outline evidence- and data-based anticipated goals, including outputs and outcomes.
  - An overview (~1 page) of the work conducted by the coalition between the Phase 1 award and the Phase 2 application submittal, including any new information or risks mitigated. Include a detailed list (~1 page) of any changes to the vision or proposal since the Phase 1 Concept Proposal was submitted, including any new commitments or investments secured (even if referenced in other parts of the application). EDA expects proposals may evolve in the months between Phase 1 Concept Proposal submission and Phase 2 Full Application submission, and this section gives the applicant an opportunity to highlight those changes and share the lessons learned that informed the changes.

If more than 10 pages of program narrative is submitted, only the first 10 pages will be reviewed.

2. Updated documentation evidencing that each coalition member has read the Overarching Narrative and is committed to executing the component(s) of the regional growth cluster for which that coalition member is responsible.

3. Updated letters of support from key partners, if applicable. Partners who submit additional information in Phase 2 letters of support (e.g., highlighting the benefits from the coalition-building they participated in since providing their Phase 1 letters, identifying any new commitments they are making) may make a Complete Application more compelling.

While the Overarching Narrative should be submitted by the same lead applicant that submitted the Phase 1 Concept Proposal, EDA expects that the Overarching Narrative will represent the joint vision of the coalition.

## **ii. Component Applications**

All relevant forms must be signed electronically by the applicant's Authorized Organizational Representative (AOR); please see section I.1.b of this NOFO for information on AOR requirements. The preferred electronic file format for attachments is Adobe PDF; however, EDA will accept electronic files in Microsoft Word or Microsoft Excel formats. EDA will not accept paper, facsimile, or email transmissions of applications except as described below in section D.3.b. Please refer to important information on submitting your application provided in section D.3.

EDA staff members are available to provide applicants with technical assistance regarding application requirements. Additionally, EDA may contact the applicant to clarify application materials received.

The following narrative and table provide a list of documents required for a complete application based on the type of EDA assistance requested: construction, design and engineering (without a construction component), non-construction, and RLF.<sup>11</sup>

**Each Component Application that is part of the Full Application must include the following materials:**

1. **One Form SF-424** (Application for Federal Assistance).
2. **One Form ED-900A** (Additional EDA Assurances for Construction or Non-Construction Investments).

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<sup>11</sup> EDA may temporarily waive certain application requirements if the applicant demonstrates that it cannot meet a requirement in a timely fashion because of the impact of the disaster. Applicants are advised to reach out to their appropriate POC for more information on this temporary waiver. See 13 C.F.R. § 302.2 (“When non-statutory EDA administrative or procedural conditions for Investment Assistance awards under PWEDA cannot be met by an Eligible Applicant as a result of a disaster, EDA may waive such conditions”).

3. **One Form CD-511** (Certification Regarding Lobbying).
4. **One Form SF-LLL** (Disclosure of Lobbying Activities), if applicable. Form SF-LLL is only required if the applicant has retained a registered lobbyist in conjunction with the proposed project.
5. **Non-Profit Documentation**, if applicable: If a component applicant is a non-profit organization that is not an institution of higher education, a copy of the applicant's articles of incorporation, bylaws, and a current certificate of good standing.

**In addition to these forms, each Component Application must include one project narrative:**

The Project Narrative should address all activities that will be undertaken to complete the individual component project within the regional growth cluster and briefly summarize how the component supports the overall regional growth cluster's goals, referring back to the Overarching Narrative. The Project Narrative may not exceed **6 single-sided, 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins**. If more than 6 pages of Project Narrative is submitted, only the first 6 pages will be reviewed. Applicants are strongly encouraged to provide a clear and concise narrative that includes a compelling justification for the component project and articulates a clearly defined regional need tied to the applicable industry or industries, how the proposed component project will uniquely meet this need, and the expected outcome(s) that will result from the proposed component project. A competitive application will contain the following elements in the Project Narrative:

**Section 1: Program Description and Scope of Work**

**Section 1a:** An executive summary that includes the project component title, identifies the name of the lead institution for the project and, if applicable, the applicant implementing the component project, and provides a project summary of no more than 250 words.

**Section 1b:** A scope of work of no more than one page linked to the project's purpose and key milestones, including deliverables.

**Section 2: Regional Industry Assets and Needs**

**Section 2a:** A description of the component project's location and region. The locations and regions should directly correspond to Questions 14 and 16 of Form SF-424 and align with the information provided in the Overarching Narrative. If the applicant expects impacts beyond the noted region, the applicant should note the region of expected impact. Additionally, applicants must identify their proposed primary service area(s) by county or counties. Counties should be identified by both name and 5-digit FIPS codes. See <https://www.census.gov/geographies/reference-files.2019.html>.

**Section 2b:** A brief description of how the proposed project supports the industry and links to the local CEDS, as described in the Overarching Narrative.

**Section 3: Proposed Solution**

Describe how the solution will fulfill the needs described in Section 2 of the Project Narrative. Describe the solution in detail. Explain how feasible the solution is. Explain how the project will accelerate industry growth by creating virtuous cycles of innovation and entrepreneurship, increasing employment, and attracting private investment. Explain how the proposed project would meet EDA’s Recovery and Resilience investment priority, which all American Rescue Plan Act projects are expected to meet. You may also explain in this space how the proposed projects will meet any of EDA’s other investment priorities.

#### Section 4: Partners and Program Outreach

Section 4a: Describe any former, current, or future partnerships/working relationships with public and/or private entities at the national, state, regional, and/or local level that will be working on this project. Provide a brief description of each entity and specific detail on the roles and responsibilities of these collaborators including effectiveness of past collaboration efforts.

Section 4b: Outline how outreach will be conducted for new and diverse stakeholders and program participants. How will this project promote diversity, equity, and inclusion in the region?

#### Section 5: Measurable Goals and Impacts

Provide details on what data will be collected and expected outcomes. Outline evidence- and data-based anticipated goals, including outputs and outcomes. Expected outcomes should be discussed in terms of the SMART framework—specific, measurable, attainable, relevant and timebound—and the application should speak to why and how these goals were selected.

#### Section 6: Sustainability Plan

Provide a sustainability plan for post-federal award, including anticipated challenges, potential barriers, a forecast of post-award period operations, and a specific plan to become self-sustaining once grant funds have been expended. This plan should also explain the steps that you will take to ensure that the economic benefits of the project will be shared by all communities in the project region, including any underserved communities. Your explanation should address the communities affected, barriers those communities may face in accessing benefits of the project, contemplated outreach efforts, and other planned steps to address identified barriers, as appropriate.

#### **For each component project, the following budget and supplemental materials:**

Applications for **construction assistance** components (including applications for design and engineering with construction activities) must include:

1. **One Form SF-424C** (Budget Information—Construction Programs) per project.
2. **One Budget Narrative** per project that clearly identifies and justifies how funds in each line item of the budget (Form SF-424C) will be used to support the proposed project. The Budget Narrative should specifically address each budget line item (including both the Federal Share and matching non-Federal Share), and the



narrative total should match the total project costs listed in both the SF-424 question 18 line g and SF-424C (“Total Project Costs”). This includes describing any other Federal funds that have been secured or requested to support the project (see section A.1). The Budget Narrative should include itemized valuations of any in-kind matching funds. The non-Federal Share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal Share; however, if the applicant’s Budget Narrative proposes otherwise, applicants must also include information that clearly indicates what project elements the matching share funds will support and explain why deviation from paying out at the same general rate is required for the project to be implemented. \*Please note: In lieu of a separate Budget Narrative, this information may be included in the Preliminary Engineering Report as required by section C of the ED-900C.

3. **One Form SF-424D** (Assurances—Construction Programs) from each co-applicant, as applicable.
4. **One Form ED-900B** (Beneficiary Information Form) from each beneficiary of the proposed project, as applicable.
5. **One Form ED-900C** (EDA Application Supplement for Construction Programs) and accompanying supporting documentation, e.g., Preliminary Engineering Report.
6. **One Form ED-900E** (Calculation of Estimated Relocation and Land Acquisition Expenses).
7. **Documentation of Matching Share** for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable.
8. **Environmental Documentation** that will enable EDA to comply with its NEPA responsibilities. A narrative outline that details required components may be accessed in EDA’s website at: <https://eda.gov/files/programs/eda-programs/Environmental-Narrative-Template-and-Application-Certification-Clause.docx>. The documentation should reflect whether the component project is categorically excludable or should be a draft environmental assessment or environmental impact statement, as funded by the technical assistance award. Applicants should consult with the appropriate regional Environmental Officer listed in section G of this NOFO to ensure the appropriate documentation is prepared.
9. **One Applicant’s Certification Clause** (see Appendix A to the environmental narrative noted above) completed separately and signed by each co-applicant, as applicable.
10. **Map of project site.**

Applications for **non-construction assistance** must include:

1. **One Form SF-424A** (Budget Information—Non-Construction Programs).
2. **One Budget Narrative** that clearly identifies and justifies how funds in each line item of the budget (Form SF-424A) will be used to support the proposed project. The Budget Narrative should specifically address each budget line item (including both the Federal Share and matching non-Federal Share), and the narrative total should match the total project costs listed in both the SF-424 question 18 line g and SF-424A (“Totals”). This includes describing any other Federal funds that have been secured or requested to support the project (see section A.1). The Budget Narrative should include itemized valuations of any in-kind matching funds. The non-Federal Share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal Share; however, if the applicant’s Budget Narrative proposes otherwise, applicants must also include information that clearly indicates what project elements the matching share funds will support and explain why deviation from paying out at the same general rate is required for the project to be implemented.
3. **Documentation of Matching Share** for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable.

Applications for **RLF assistance** must include:

1. **One Form SF-424A** (Budget Information—Non-Construction Programs).
2. **One Budget Narrative** that clearly identifies and justifies how funds in each line item of the budget (Form SF-424A) will be used to support the proposed project. The Budget Narrative should specifically address each budget line item (including both the Federal Share and matching non-Federal Share), and the narrative total should match the total project costs listed in both the SF-424 question 18 line g and SF-424A (“Totals”). This includes describing any other Federal funds that have been secured or requested to support the project (see section A.1). The Budget Narrative should include itemized valuations of any in-kind matching funds. The non-Federal Share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal Share; however, if the applicant’s Budget Narrative proposes otherwise, applicants must also include information that clearly indicates what project elements the matching share funds will support and explain why deviation from paying out at the same general rate is required for the project to be implemented.
3. **One Form ED-900A** (Additional EDA Assurances for Construction or Non-Construction Investments) from each co-applicant, as applicable.
4. **One Form ED-900F** (Supplement for Revolving Loan Fund Applications).

5. **Documentation of Matching Share** for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable.
6. **A draft RLF plan** that addresses all components required by EDA's regulation at 13 C.F.R. § 307.9.

In addition, **an application to support a business incubator component**, technology or other type of incubator or accelerator, regardless of the type of assistance being requested (i.e., construction or non-construction) must also include:

- i. A feasibility study establishing the market demand for the specific start-up companies proposed for incubation (technology, general business, bio-tech, manufacturing, etc.), presence of necessary resources, and community support for the incubator;
- ii. Documentation with detailed demonstration that the applicant has the financial capacity to operate the incubator facility (if applicable) and reach a positive cash flow within a reasonable period of time, which EDA generally expects to be three years; *and*
- iii. A management plan for operation of the incubator that, *at a minimum*, includes a/an:
  - (a) *Tenant/client selection policy* that includes a description of the types of businesses sought, any established selection criteria, and metrics on businesses that will continue to be tracked after they leave the incubator;
  - (b) *Tenant lease or license agreement* (if applicable) that enumerates the shared services to be provided; delineates the incubator's business assistance policy, including the provision of management, technical, and training assistance, and the incubator's graduation policy; and establishes periodic access to the tenant's business records to permit assessment of the financial and operational viability of the tenant's business;
  - (c) *Business assistance policy* that outlines the various types of assistance that the incubator will provide to start-up firms, including how the incubator will support tenants/clients with access to capital needed to grow their businesses successfully;
  - (d) *Staffing plan* that details the talent and resources that will be dedicated to supporting the start-up companies accepted into the incubator;
  - (e) *Tenant graduation policy* that is documented as a provision of the tenant lease or license agreement (if applicable) with clear requirements for tenant graduation from the facility or services of the incubator; and
  - (f) *Incubator performance plan* that includes how the incubator will track the success of incubator tenants/clients, specifically identifying what performance measurement data the incubator proposes to collect from tenants/clients and for what period of time during and after the service period the data will be collected. This should also include members of any oversight or policy board for the incubator that will be responsible for setting performance goals of the incubator,

selecting or approving selections of staff, establishing and reviewing policy, and monitoring performance.

Any applicant that proposes a project to support an incubator is *strongly encouraged* to contact the appropriate POC listed in section G to clarify technical matters involving their proposed project.

**c. Environmental and Historic Preservation Requirements**

All applicants for EDA construction assistance (including design and engineering assistance) are required to provide adequate environmental information. Each application will be reviewed by EDA for compliance with the National Environmental Policy Act (NEPA) of 1969, as amended. During the NEPA review process, applicants may be instructed to contact the designated State and/or Tribal Historic Preservation Officer (SHPO/THPO), provide approvals from other governmental agencies, or provide more detailed environmental information. EDA, after compliance with requirements for consultation with Federally-recognized Indian Tribes, may require applicants to participate in Tribal consultation, as necessary. The implementing regulations of NEPA require EDA to provide public notice of the availability of project-specific environmental documents, such as environmental impact statements, environmental assessments, findings of no significant impact, and records of decision, to the affected public. For further guidance and information, please contact the appropriate Regional Environmental Officer listed in section G. Applicants will be notified of any changes to these requirements via Grants.gov.

**d. Copy of Negotiated Indirect Cost Rate Agreement (if applicable)**

As noted in EDA's Standard Terms and Conditions for Construction Projects (Construction ST&Cs), indirect costs are generally not applicable to construction awards.

If indirect costs are included in the budget for non-construction projects, the applicant must include documentation to support the indirect cost rate it is using (unless claiming the 10 percent de minimis indirect cost rate, discussed below). For most applicants, this will entail the submission of a copy of its current, approved and negotiated indirect cost rate agreement (NICRA). The maximum dollar amount of allocable indirect costs for which EDA will reimburse a recipient shall be the lesser of the (i) line-item amount for the Federal Share of indirect costs contained in the EDA approved budget for the award, or (ii) Federal Share of the total allocable indirect costs of the award based on either (a) the indirect cost rate approved by EDA (or applicable cognizant Federal agency), provided that the cost rate is current at the time the costs were incurred and provided that the rate is approved on or before the award end date, or (b) other acceptable documentation as indicated below.

If the applicant does not have a current or pending NICRA, it may propose indirect costs in its budget; however, the applicant must prepare and submit an allocation plan and rate proposal for approval within 90 days from the award start date (unless claiming the 10 percent de minimis indirect cost rate, discussed below). See 2 C.F.R. part 200 Apps. III, IV, V, VI, VII for guidance. The allocation plan and the rate proposal shall be submitted to EDA's Office of Regional Affairs (or applicable cognizant Federal agency). If the applicant chooses to pursue this option, it should include a statement in its Budget Narrative that it does not have a current or pending NICRA and

will submit an allocation plan and rate proposal to EDA or the applicant's cognizant Federal agency for approval.

In accordance with 2 CFR § 200.414(f), an applicant that does not have a current negotiated (including provisional) rate, may elect to charge a de minimis rate of 10 percent of modified total direct costs (unless the applicant is a state or local unit of government that receives less than \$35 million in direct federal funding per year, discussed below). No documentation is required to justify the 10 percent de minimis indirect cost rate; however, an applicant electing to charge a de minimis rate of 10 percent must include a statement in its Budget Narrative that it does not have a current negotiated (including provisional) rate and is electing to charge the de minimis rate.

Note that if the applicant is a State or local unit of government that receives less than \$35,000,000 in direct Federal funding per year it may submit any of the following:

- i. A Certificate of Indirect Costs from the Department of the Interior (DOI) or EDA;
- ii. Acknowledgment received from EDA and Certificate of Indirect Costs in the form prescribed at 2 C.F.R. pt. 200, app. VII;
- iii. Cost Allocation Plan approved by a Federal agency (note that cost allocation plans or indirect cost rates approved by state agencies are not acceptable); or
- iv. NICRA.

#### **e. Unique Entity Identifier and System for Award Management (SAM)**

To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act of 2006, applicants are required to: (i) be registered in SAM before submitting an application; (ii) provide a valid unique entity identifier in the application; (iii) make certain certifications (see also section H.5 of this NOFO), and (iv) continue to maintain an active SAM registration with current information at all times during which they have an active federal award or an application or plan under consideration by a federal awarding agency. **Lead institutions do not need to be registered in SAM by the Concept Proposal deadline, but their SAM registration must be complete before EDA may make a Phase 1 Technical Assistance award.** EDA may not make a federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the EDA is ready to make an award, EDA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant. Recipients will be subject to reporting requirements, as identified in OMB guidance published at 2 C.F.R. parts 25 and 170.

### **3. Submission Dates and Times**

This is a two-phase competition. The deadline for Phase 1 Concept Proposals is **11:59 p.m. Eastern Time on October 19, 2021.** For Phase 1 finalists, the deadline for Full Applications submitted under Phase 2 is **11:59 p.m. Eastern Time on March 15, 2022.** Applications received after this deadline will not be reviewed or considered. See section E of this ARPA BBBRC NOFO regarding EDA's review process.

**All American Rescue Plan Act Funds must be expended by September 30, 2027, and therefore no grant periods of performance may be extended beyond that date.** EDA may cancel or withdraw the ARPA BBBRC NOFO at any time.

**a. Electronic Submission.**

**Phase 1 Concept Proposals will be accepted through Grants.gov.** EDA will not accept paper, facsimile, or email transmissions of applications except as provided below.

Once a Concept Proposal application is submitted, it undergoes a validation process through Grants.gov during which the application may be accepted or rejected by the system. Please be advised that the validation process may take 24 to 48 hours to complete. Applications that contain errors will be rejected by Grants.gov and will not be forwarded to EDA for review. The applicant must correct any errors before Grants.gov will accept and validate the application.

**Phase 2 Full Applications** will be accepted through Grants.gov through a web address provided by EDA to entities selected during Phase 1.

**Please see section I of this ARPA BBBRC NOFO for more detailed instructions and information on the requirements for submitting applications electronically via Grants.gov.**

**b. Alternatives to Electronic Submission.**

If an applicant is unable to submit a Concept Proposal or Full Application electronically for reasons beyond the control of the applicant, EDA, in its sole discretion, may **pre-approve in writing** submission via an alternate method (e.g., email).

**4. Intergovernmental Review**

Applications submitted under this ARPA BBBRC NOFO are subject to the requirements of Executive Order (EO) 12372, “Intergovernmental Review of Federal Programs,” if a State has adopted a process under EO 12372 to review and coordinate proposed Federal financial assistance and direct Federal development (commonly referred to as the “single point of contact review process”). All applicants whose primary service areas fall within one or more such States must give State and local governments a reasonable opportunity to review and comment on the proposed Project, including review and comment from area-wide planning organizations in metropolitan areas.<sup>12</sup> To find out more about a State’s process under EO 12372, applicants may contact their State’s Single Point of Contact (SPOC). Names and addresses of some States’ SPOCs are listed at <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>. Question 19 of Form SF-424 allows applicants to demonstrate compliance with EO 12372.

An applicant seeking funding for a construction project or RLF grant that is not a State, Indian Tribe, or general purpose local governmental authority must afford the appropriate general purpose local governmental authority in the project region a minimum of 15 days to review and

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<sup>12</sup> As provided for in 15 C.F.R. part 13.

comment on the proposed project, and provide with its application a statement of its efforts to seek comments and either (i) a copy of the comments received and a statement of any actions to address those comments or (ii) a statement that no comments were received.

## **5. Pre-award Costs**

In general, EDA will not reimburse pre-award project costs under this NOFO, as it is expected that most of these costs will be covered by the \$500,000 technical assistance grant awarded after Phase 1. Under no circumstances will EDA or DOC be held responsible for application preparation expenditures, which are distinguished from pre-award project costs.

## **6. Other Submission Requirements**

After EDA reviews a Concept Proposal or Full Application, EDA may contact the applicant to request any necessary additional documentation to clarify or substantiate submitted materials, depending on the type of project proposed. Examples of additional documentation may include, but are not limited to, title verification, documentation of the value of in-kind contributions, evidence all funding is available and committed to the project, or documentation required for environmental or legal compliance. This additional documentation will be required to ensure the proposed project complies with all applicable rules and regulations prior to EDA's issuance of an award. EDA will provide applicants a reasonable amount of time to provide any additional documentation. Failure to provide complete and accurate supporting documentation in a timely manner when requested by EDA may result in the denial of an application.

EDA may, at its discretion, make alter or cancel this ARPA BBBRC NOFO. All changes will be communicated on Grants.gov.

## **E. Concept Proposal and Application Review Information**

Throughout the review and selection process, EDA reserves the right to seek clarification in writing from applicants whose Concept Proposal or Full Application packages are being reviewed. This may include reaching out to applicants and proposing they seek funding under a different EDA program or other Federal financial assistance program under which they may be more competitively assessed. EDA may additionally ask applicants to clarify application materials, objectives, and work plans, or modify budgets or other specifics necessary to comply with Federal requirements. For each review phase, Phase 1 Concept Proposal and Phase 2 Full Application, EDA will screen submitted materials to verify that all required forms are complete, and all required documentation is included. Concept Proposals and Full Applications that do not contain all elements listed in section D.2 will not be reviewed.

As discussed further in the sections below, the review and selection process will have two phases.

### **1. Review and Selection Process**

#### **a. Phase 1 Concept Proposal Review**

All complete Concept Proposals will be reviewed by at least three individuals and scored against the below criteria. EDA anticipates funding \$500,000 technical assistance awards to the lead

institutions identified in the top approximately 50-60 highest scoring Concept Proposals after application of selection factors described in section E.2 below.

The number of points that can be earned for each category of criteria is listed below, with 180 points the maximum total that can be earned.

- 1) **Overall Concept and Anticipated Outcomes (20 points)** – Strength of the proposed component projects, their alignment to support cluster-based economic development and EDA Investment Priorities, related outcomes (e.g., relative regional wage, jobs, and GDP growth), and the evidence-base to support those anticipated outcomes.
- 2) **Regional Assets (20 points)** – Strength of the proposed plan to utilize existing and develop new assets to support the region’s economic competitiveness.
- 3) **Industry Leadership (20 points)** – Strength of the cluster’s potential for industry leadership, including private sector led development strategies that support innovation and workforce development for global competitiveness and high-quality jobs.
- 4) **Sustainability (20 points)** – Potential of the cluster’s plan for sustainability/durability, including the extent to which the project shows support or commitment from regional stakeholders (private, public, and non-profit entities, etc.) and is aligned with and integrated into other public or private investments currently ongoing or planned for the community and region.
- 5) **Equity (20 points)** – The extent to which the application articulates a plan for sharing the project’s benefits across all affected communities, and how resident and community leadership will be engaged throughout the project’s duration. Although not required, EDA encourages efforts to reach historically excluded populations, racial minorities, and women. These strategies should create the connectivity and conditions for growth where it may not exist, such as in rural and underserved communities.
- 6) **Feasibility (20 points)** – Potential of the articulated vision to drive change in the identified region and the likelihood that individual project components will be complete by September 30, 2027 within budget.
- 7) **Capacity (20 points)** – Strength of the coalition identified to support the growth of an industry or industries and the applicants’ organizational capacity, including its financial and management capacity; its experience and capacity in managing large federal grants and subawards; and ability to meet stated metrics.
- 8) **Distress (20 points)** – The degree of historic economic distress experienced in the project region, including the economic impact of the coronavirus pandemic, as measured by local employment and regional GDP.
- 9) **Regional Investment (20 points)** – Availability and commitment of local government, philanthropy, and industry investment to support the growth of a region, i.e. the amount of local leverage that will augment the federal award.



## **b. Phase 2 Full Application Review**

For all regional growth cluster groups that submit a Full Application, the collective component projects will be evaluated by at least three reviewers who will make a group evaluation of the merits of each Full Application based on the extent to which the application meets the program-specific award and application requirements. While EDA will evaluate the portfolio of component projects within a regional growth cluster holistically, individual component projects within a proposed cluster may not get funded.<sup>13</sup> This group evaluation is known as an Investment Review Committee or IRC. EDA may, in its discretion, consult experts outside of EDA on the merits of proposed component projects to assist the IRC in its evaluation. Note that EDA at its discretion may fund all or only some of the originally proposed component projects depending on the viability and feasibility of those components and the availability of funds.

The IRC will use the following criteria in its review, with each criterion receiving equal weight:

- 1) **Regional Impact** – The extent to which the project is responsive to the needs of communities caused by the coronavirus pandemic, including long-term economic recovery, economic diversification, and resilience to future pandemics or other sudden and severe economic dislocations.
- 2) **Regional Assets** – Strength of the cluster’s anticipated assets (e.g., existing assets and proposed projects) to support the region’s economic competitiveness.
- 3) **Industry Leadership** – Strength of the cluster’s industry leadership, including private sector led development strategies that support innovation and workforce development for global competitiveness.
- 4) **Sustainability** – The project’s sustainability/durability, including the extent to which the project demonstrates support from regional stakeholders (private, public, and non-profit entities, community-based, etc.) and is aligned with and integrated into other public or private investments currently ongoing or planned for the community and region.
- 5) **Equity** – The extent to which the application articulates a plan for ensuring that the project’s benefits are shared across all affected communities, both urban and rural. Although not required, EDA encourages efforts to reach historically excluded populations, racial minorities, and women.
- 6) **Feasibility** – The feasibility of the collection of component projects.
- 7) **Distress** – The degree of economic distress experienced in the project region, including the economic impact of the coronavirus pandemic.

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<sup>13</sup> Individual component projects not funded as part of a regional growth cluster may be funded under another EDA NOFO.

- 8) **Regional Investment** – The availability and committed nature of proposed matching funds as well as the ability to leverage additional resources to benefit the project (e.g., philanthropic or corporate donations, etc.).
- 9) **Jobs and Economic Growth** – The project’s demonstrated ability to foster wage growth, job placement, job creation and economic growth in the regional economy, including whether the project will create union and well-paying jobs with good benefits.
- 10) **Labor Standards** -- Whether, and the extent to which, the applicant proposes to incorporate strong labor protections into the performance of the project.
- 11) **EDA Investment Priorities** – The extent to which the project aligns with EDA's Investment Priorities as outlined at: <https://eda.gov/about/investment-priorities/>, with preference given to projects that align with multiple investment priorities.

Based on its consideration of the above factors, the IRC will prepare recommendations for the Selection Review Committee and Grants Officer with respect to (1) which regional growth cluster groups should be funded and (2) within the regional growth cluster groups recommended for funding, which specific projects should be funded. The IRC will prepare a ranking or other categorization of applications (e.g., fund, don’t fund or carry forward) to assist the Selection Review Committee and Grants Officer in making funding decisions. EDA’s final decision on whether to fund a project is dependent upon the ability of the applicant to provide sufficient documentation of the project’s compliance with applicable rules and regulations.

### c. Due Diligence

If the IRC recommends an application for funding, the applicant still may have to complete certain due diligence requirements before EDA can make an award. After an application has been reviewed and evaluated by the IRC, EDA may request that the applicant submit additional documents and information to allow EDA to fully evaluate compliance with applicable rules and regulations.

For example, in the case of construction projects, such additional due diligence may include:

- i. Title verification (e.g., proof of project ownership);
- ii. Documentation of matching funds; and
- iii. Documentation required for environmental or legal compliance. This may include, but is not limited to: 404 Clean Water Act permits from the U.S. Army Corps of Engineers and accompanying environmental documentation (environmental assessment or environmental impact statement), Phase I and Phase II environmental assessments, state environmental assessment documentation (for compliance with state environmental statutes such as the Massachusetts Environmental Policy Act (MEPA) or the California Environmental Quality Act (CEQA)), archeological and biological surveys, and proof of coordination with resource agencies.

If the applicant provides the requested information and supporting documentation in a timely fashion and EDA determines the project is fully compliant with applicable rules and regulations,

the application will be forwarded to the Selection Review Committee for a final decision and award approval. Applicants that do not provide the additional information and supporting documentation in a timely fashion or who are deemed not to be in compliance with applicable rules and regulations will receive notification their application was not successful.

## **2. Selection Review Committee and Grants Officer's Decision**

Applications recommended by the Phase 1 Concept Proposal Review or the Phase 2 IRC, and also deemed fully compliant with applicable rules and regulations, will be forwarded for final selection review and approval by the Grants Officer. For the final selection review, EDA will convene a Selection Review Committee composed of at least three federal employees and chaired by the Grants Officer. The Selection Review Committee will select a portfolio of projects to fund based on the recommendations of the IRC and the selection factors listed below. The final portfolio may differ from the recommendations of the Phase 1 Concept Proposal Review or the Phase 2 IRC to ensure the selection factors below are adequately met:

- i. The extent to which the application meets the overall objectives of section 2 of PWEDA (42 U.S.C. § 3121);
- ii. The extent to which the project is resilient to future pandemics or other sudden and severe economic dislocations, as defined in section A.4 (e.g., closures of major local employers, climate change), and is integrated into the project scope of work;
- iii. To promote broad and equitable access to EDA assistance, the amount of EDA funding the applicant has received in the current or prior three federal fiscal years under any EDA Notice of Funding Opportunity;
- iv. The applicant's performance under previous Federal financial assistance awards, including whether the grantee submitted required performance reports and data;
- v. The availability of program funding;
- vi. Whether the regional growth cluster supports communities negatively impacted by the downturn in the coal economy;
- vii. The extent to which the project supports EDA's goals of geographic and regional balance in distribution of program funds, project types, organizational type (to include smaller and rural communities and organizations), industry type and the overall portfolio;
- viii. The extent to which the application articulates a plan for ensuring that the project's benefits are shared across all affected communities and the extent to which the application demonstrates the capacity to account for the unique needs of historically underserved areas and populations; and
- ix. The relative economic distress of the area.

The Selection Review Committee will prepare a final list of recommendations for funding and document the rationale for its selections. The Grants Officer will issue awards according to the Selection Review Committee's final recommendations, unless the Grants Officer determines that making a recommended award would be inconsistent with applicable laws and regulations or EDA's and DOC's published policies. If the Grants Officer determines that an award recommended by the Selection Review Committee cannot be made, the Grants Officer will

document the reasons why an award cannot be made and notify the Selection Review Committee, which may recommend an alternative award.

### **3. Federal Awardee Performance and Integrity Information System (FAPIIS) Review**

EDA, prior to making a Federal award with a total amount of Federal Share greater than the simplified acquisition threshold, is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS). See 41 U.S.C. § 2313.

Each applicant, at its option, may review information in the designated integrity and performance system accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. EDA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.206.

## **F. Federal Award Administration Information**

### **1. Federal Award Notification**

If an application is selected for funding the EDA Grants Officer will issue the award (Form CD-450), which is the authorizing financial assistance award document and includes Specific Award Conditions and, as applicable, the DOC Financial Assistance Standard Terms and Conditions (DOC ST&Cs), the EDA Revolving Loan Fund Financial Assistance Award Standard Terms and Conditions (RLF ST&Cs), or the EDA Standard Terms and Conditions for Construction Projects (Construction ST&Cs), as described in section F.3, below.

By signing Form CD-450, the applicant agrees to comply with all award provisions. EDA will provide Form CD-450 via the award package to the applicant's authorized representative. The applicant's representative must sign and return the Form CD-450 without modification within 30 calendar days of the date of EDA's signature on the form.

If an applicant is awarded funding, neither DOC nor EDA is under any obligation to provide any additional future funding in connection with that award or to make any future award(s). Amendment or renewal of an award to increase funding or to extend the period of performance is at the discretion of DOC and EDA.

EDA will notify unsuccessful applicants in writing to the applicant's authorized representative. EDA will retain unsuccessful applications in accordance with EDA's record retention schedule.

### **2. Administrative and National Policy Requirements**

Recipients of an EDA award will be bound by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) as set forth in 2 C.F.R. part 200.

### **3. DOC Financial Assistance Standard Terms and Conditions and EDA Standard Terms and Conditions for RLF and Construction Projects**

For all projects, EDA will apply the DOC ST&Cs applicable on the date of award. The DOC ST&Cs may be accessed at: <https://www.commerce.gov/oam/policy/financial-assistance-policy>.

For RLF awards, in addition to the DOC ST&Cs, EDA will apply the EDA RLF ST&Cs. The RLF ST&Cs may be accessed at: <https://www.eda.gov/tools/grantee-forms/>.

For construction awards, in addition to the DOC ST&Cs, EDA will apply the Construction ST&Cs. The Construction ST&Cs may be accessed at <https://www.eda.gov/tools/grantee-forms/>.

### **4. DOC Pre-Award Notification Requirements**

DOC will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements effective December 26, 2014, 79 Fed. Reg. 78,390. The Pre-Award Notice may be accessed at the Government Printing Office (GPO) website at <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

### **5. Reporting**

#### **a. Financial, Performance, and Impact Reports**

All recipients are required to submit financial, progress, and impact reports in accordance with the terms and conditions of the grant award, generally no less than semi-annually. All project progress and financial reports must be submitted to the applicable EDA program officer in an electronic format to be determined at the time of award.

#### **b. Federal Funding Accountability and Transparency Act of 2006**

The Federal Funding Accountability and Transparency Act of 2006 includes a requirement for awardees of applicable Federal grants to report information about first-tier subawards<sup>14</sup> and executive compensation under Federal assistance awards issued in FY 2011 or later. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at [www.FSRS.gov](http://www.FSRS.gov) on all subawards over \$30,000. Please see the OMB guidance published at 2 C.F.R. part 170.

#### **c. Government Performance and Results Act**

EDA will require additional data on activities, outputs, and actual impact of the funded investment, in part to fulfill the requirements of the Government Performance and Results Act (GPRA). EDA anticipates that recipients will be expected to track their engagement activities within the scope of work, with project beneficiaries, and other project stakeholders. EDA further anticipates recipients will be expected to collect data, using surveys of beneficiaries or clients if necessary, on the outputs and outcomes of their activities, such as the number of strategic plans

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<sup>14</sup> A first-tier subaward means an award provided by the recipient to a subrecipient for the subrecipient to carry out as part of a Federal award.

or economic development tools developed, the number of new business partnerships formed, or the range of new capabilities acquired. EDA plans to collect this information using Forms ED-915 (Public Works, Economic Adjustment Infrastructure and Revolving Loan Fund Investments) ED-916 (Semi-annual Program Outputs Questionnaire for EDA grantees), ED-917 (Annual Capacity Outcomes Questionnaire for EDA Grantees serving clients), and ED-918 (Annual Capacity Outcomes Questionnaire for EDA Grantees). For more information, please refer to <https://www.eda.gov/performance/gpra>. EDA also expects to engage with leading research institutions to perform third-party program evaluations, which will require cooperation between the grantee, organizations within their service area, and the evaluating institution.

## **G. Federal Awarding Agency Contacts**

For questions concerning this ARPA BBBRC NOFO, or more information about EDA programs, you may contact the appropriate EDA representative listed below. Updated contact information can be found on EDA's website at <https://www.eda.gov/contact>. EDA's website at <http://www.eda.gov> provides additional information on EDA and its programs.

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### **Atlanta Regional Office**

H. Philip Paradise, Jr., Regional Director  
401 West Peachtree Street, NW, Suite 1820, Atlanta, GA 30308-3510  
(404) 730-3002 Main Office  
(404) 730-3025 Fax

#### **Alabama**

Michael Mills  
mmills@eda.gov  
251-222-1834

#### **Florida**

Greg Vaday  
gvaday@eda.gov  
772-521-4371

#### **Georgia**

Jonathan Corso  
jcorso@eda.gov  
404-809-7094

#### **Kentucky**

Bertha Partin  
bpartin@eda.gov  
404-987-2887

#### **Mississippi**

Gil Patterson  
gpatterson2@eda.gov  
404-304-2319

#### **North Carolina**

Hillary Sherman  
hsherman@eda.gov  
828-707-2748

**South Carolina**

Robin Cooley  
rcooley@eda.gov  
404-987-7913

**Environmental Officers**

Keith Dyche  
kdyche@eda.gov  
404-973-7491

**Tennessee**

Lucas Blankenship  
lblankenship@eda.gov  
615-736-1423

Connie Tallman  
ctallman@eda.gov  
470-571-5678

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**Austin Regional Office**

Jorge Ayala, Regional Director  
903 San Jacinto, Suite 206, Austin, TX 78701  
(512) 381-8150 Main Office  
(512) 499-0478 Fax

**Arkansas**

April Campbell  
acampbell@eda.gov  
512-667-0496

**South and West Texas**

Robert Peche  
rpeche1@eda.gov  
512-568-7732

**Louisiana, East Texas**

Jason Wilson  
jwilson1@eda.gov  
512-420-7738

**Statewide Planning, State Travel  
Grants**

Apurva Naik  
anaik@eda.gov  
737-207-1415

**New Mexico, Texas Panhandle**

Trisha Korbass  
tkorbass@eda.gov  
720-626-1499

**Environmental Officer**

Corey Dunn  
cdunn@eda.gov  
512-381-8169

**Oklahoma, North Texas**

Stacey Webb  
swebb@eda.gov  
737-704-4707

## **Chicago Regional Office**

Susan Brehm, Regional Director  
230 South Dearborn Street, Suite 3280, Chicago, IL 60604-1512  
(312) 353-8143 Main Office  
(312) 353-8575 Fax

### **Illinois and Minnesota**

Darrin Fleener  
dfleener@eda.gov  
312-789-9753

### **Indiana**

James Winters  
jwinters@eda.gov  
312-789-9771

### **Michigan**

Lee Shirey  
lshirey@eda.gov  
312-789-9751

### **Ohio**

Ellen Heinz  
eheinz@eda.gov  
312-505-4953

### **Wisconsin**

Tom Baron  
tbaron@eda.gov  
312-789-9773

### **Environmental Officer**

Kyle Darton  
kdarton@eda.gov  
312-789-9752

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## **Denver Regional Office**

Angela Belden Martinez, Regional Director  
1244 Speer Boulevard, Suite 431, Denver, CO 80204  
(303) 844-4715 Main Office  
(303) 844-3968 Fax

### **Colorado, Utah**

Trent Thompson  
tthompson@eda.gov  
303-844-5452

### **Eastern Iowa, Eastern and Central Missouri**

Steve Castaner  
scastaner@eda.gov  
573-590-1194

### **Western Iowa, North Dakota, South Dakota**

Alex Smith  
asmith1@eda.gov  
720-402-7686

### **Kansas**

Dan Lara  
dlara@eda.gov  
913-225-4968



**Montana, Wyoming**

Kirk Keysor  
kkeysor@eda.gov  
406-599-9795

**Indigenous Communities**

Ali DeMersseman  
ademersseman@eda.gov  
720-237-6079

**Nebraska, Western Missouri**

Mark Werthmann  
mwerthmann@eda.gov  
913-894-1586

**Environmental Officer**

Jenny Benz  
jbenz@eda.gov  
303-844-5363

**Philadelphia Regional Office**

Linda Cruz-Carnall, Regional Director  
Robert N.C. Nix Federal Building  
900 Market Street, Room 602  
Philadelphia, PA 19107  
(215) 597-4603 Main Office  
(215) 597-1063 Fax

**Connecticut, Massachusetts,  
Rhode Island**

Debra Beavin  
dbeavin@eda.gov  
267-559-3385

**Pennsylvania**

Christopher Casper  
ccasper1@eda.gov  
215-597-1074

**Delaware, Maryland,  
Washington, DC**

Alma R. Plummer  
aplummer@eda.gov  
215-597-7538

**Puerto Rico, Virgin Islands**

Juan Bauza  
jbauza@eda.gov  
215-435-2212

**Maine, New Hampshire**

Alan Brigham  
abrigham@eda.gov  
215-316-2965

**Vermont**

Matt Suchodolski  
msuchodolski@eda.gov  
215-597-1242

**New Jersey, New York**

Edward Hummel  
ehummel@eda.gov  
215-316-2124

**Virginia**

Lauren Stuhldreher  
lstuhldreher@eda.gov  
215-764-0427

**West Virginia**  
Tracey Rowan  
trowan@eda.gov  
304-533-4497

**Environmental Officer**  
Megan Coll  
mcoll@eda.gov  
267-969-2937

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**Seattle Regional Office**

Maiea Sellers, Acting Regional Director  
Jackson Federal Building  
915 Second Avenue, Room 1890, Seattle, WA 98174-1001  
(206) 220-7660 Main Office  
(206) 220-7669 Fax

**Alaska**  
Shirley Kelly  
skelly2@eda.gov  
907-271-2272

**Arizona**  
Cynthia Ptak  
cptak@eda.gov  
206-888-3386

**California (Coastal and Northern)**  
Malinda Matson  
Mmatson1@eda.gov  
916-235-0088

**California (Southern), Nevada**  
Wilfred Marshall  
Wmarshall@eda.gov  
310-261-6005

**California (Central)**  
Asia King  
Aking2@eda.gov  
206-247-0991

**Hawaii, Guam, Northern Mariana  
Islands, American Samoa,  
Marshall Islands, Federated States  
of Micronesia, Palau**  
Herbert Thweatt  
hthweatt@eda.gov  
808-260-6641

**Idaho, Rural Nevada**  
Carleen Herring  
cherring@eda.gov  
206-798-7814

**Clark County Nevada**  
John Edmond  
jedmond@eda.gov  
206-888-3390

**Oregon**  
J. Wesley Cochran  
jcochran@eda.gov  
206-561-6646

**Washington**  
Laura Ives  
lives@eda.gov  
206-200-1951

**Environmental Officer**

Jim Jacobson

jjacobson@eda.gov

206-833-6035

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**H. Other Information**

**1. Right to Use Information**

The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by Department of Commerce employees, other Federal employees, and also by Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate conflict of interest and confidentiality agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with Department of Commerce and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

**2. Freedom of Information Act Disclosure**

EDA may publish any applications it receives, including any supporting documentation, on its website or through other means. Applicants are advised that any confidential commercial information that should not be disclosed must be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information.

In addition, Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. Sec. 552, are found at 15 C.F.R. Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this Notice of Funding Opportunity may be subject to requests for release under the Act. In the event that an application contains information or data that the applicant deems to be confidential commercial information that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. In accordance with 15 C.F.R. § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by applicants to the extent permitted by law.

### **3. Notice of Government-Wide Procurement Restriction**

The general rule for Federal financial assistance is that contractors that develop draft specifications, requirements, statements of work, invitations for bids or requests for proposals are prohibited from competing for the final procurement. For instance, a professional engineer or architect who prepared the Preliminary Engineering Report for an EDA application would be excluded from bidding on the same work under the award. Under 2 C.F.R §§ 200.319 and 200.317, only State recipients are expressly exempt from this prohibition. Local governments and Indian Tribes may also take advantage of the exemption in two narrow circumstances: (i) if they are required (by statute, for example) to follow the State's procurement rules in full and without exception; or (ii) if they are required to follow a specific State procurement rule that creates an explicit conflict with the prohibition in 2 C.F.R. § 200.319(a) (i.e., there is a statute that requires or permits the local government or Indian Tribe to award the final procurement to the same contractor that developed the draft specifications). Absent one of these two scenarios, the local government or Indian Tribe must comply with the prohibition. Applicants are encouraged to contact the appropriate POC listed in section G with any questions regarding application of this regulation.

### **4. Past Performance and Non-Compliance with Award Provisions**

Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding. Failure to comply with any or all of the provisions of an award may have a negative impact on future funding by DOC (or any of its operating units) and may be considered grounds for any or all of the following actions: (1) establishing an account receivable; (2) withholding payments to the recipient under any DOC award(s); (3) changing the method of payment from advance to reimbursement only; (4) imposing other specific award conditions; (5) suspending any active DOC award(s); and (6) terminating any active DOC award(s).

### **5. Certifications Required by Annual Appropriations Acts for Corporations and for Awards over \$5 Million**

As discussed in section D.2.e, all applicants are required to be registered in SAM before applying under this NOFO. SAM requires registering entities to certify compliance with all limitations imposed by annual appropriation acts. For corporations, this certification includes that the corporation:

(a) Was not convicted of a felony criminal violation under a Federal law within the preceding 24 months, unless a Federal agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government; and/or

(b) Does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless a Federal agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

For financial assistance awards in excess of \$5 million, this certification includes that the entity:

- (a) To the best of its knowledge and belief, has filed all Federal tax returns required during the three years preceding the certification;
- (b) Has not been convicted of a criminal offense under the Internal Revenue Code of 1986; and/or
- (c) Has not been notified, more than 90 days prior to certification, of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

## **6. EDA's Non-Relocation Policy**

**If an application is selected for award, the recipient will be required to adhere to a specific award condition relating to EDA's non-relocation policy as follows:**

In signing this award of financial assistance, Recipient(s) attests that EDA funding is not intended by the Recipient to assist its efforts to induce the relocation of existing jobs within the U.S. that are located outside of its jurisdiction to within its jurisdiction in competition with other U.S. jurisdictions for those same jobs. In the event that EDA determines that its assistance was used for those purposes, EDA retains the right to pursue appropriate enforcement action in accord with the Standard Terms and Conditions of the Award, including suspension of disbursements and termination of the award for convenience or material noncompliance, which may include the establishment of a debt requiring the Recipient to reimburse EDA.

For purposes of ensuring that EDA assistance will not be used to merely transfer jobs from one location in the United States to another, each applicant must inform EDA of all employers that constitute primary beneficiaries of the project assisted by EDA. EDA will consider an employer to be a "primary beneficiary" if: (i) the employer is specifically named in the application as benefitting from the project, and the applicant estimates that the employer will create or save 100 or more permanent jobs as a result of the investment assistance (if the jobs in question were originally located in a smaller community, EDA may extend this policy to the relocation of 50 or more jobs); or (ii) the employer is or will be located in an EDA-assisted building, port, facility, or industrial, commercial, or business park constructed or improved in whole or in part with investment assistance prior to EDA's final disbursement of funds.

## **7. Audit Requirements**

Single or program-specific audits shall be performed in accordance with the requirements contained in the Uniform Guidance (see 2 C.F.R. part 200, Subpart F, "Audit Requirements"). The Uniform Guidance requires any non-Federal entity (i.e., non-profit organizations, including non-profit institutions of higher education and hospitals, States, local governments, and Indian Tribes) that expends Federal awards of \$750,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Uniform Guidance.

## 8. Implementing the Americans with Disabilities Act (ADA)

The U.S. Department of Justice has issued revised regulations implementing Title II of the ADA (28 C.F.R. Part 35; 75 Fed. Reg. 56,164 (Sep. 15, 2010), as amended by 76 Fed. Reg. 13,285 (Mar. 11, 2011)) and Title III of the ADA (28 C.F.R. Part 36; 75 Fed. Reg. 56,236 (Sep. 15, 2010), as amended by 76 Fed. Reg. 13,286 (Mar. 11, 2011)).

## 9. Fraud Awareness Training

Consistent with 2 CFR part 200, in signing a financial assistance award, Recipient personnel responsible for managing the Recipient's finances and overseeing any contractors, sub-contractors or sub-grantees, will be required to complete the training PowerPoint entitled "Compliance with EDA Disaster Assistance Program Requirements" and return the signed Certificate of Training Completion to EDA as instructed by the Agency. Further, Recipient will be required to monitor award activities for common fraud schemes and report suspicious activity to EDA and the Office of Inspector General.

## I. Instructions for Application Submission via Grants.gov

The most up-to-date instructions for application submission via Grants.gov can be found at <https://www.grants.gov/web/grants/applicants/apply-for-grants.html>. To begin, complete, and submit your application:

- Navigate to <https://www.grants.gov/web/grants/applicants/apply-for-grants.html>;
- Click "Search for Opportunity Package";
- In the "Funding Opportunity Number" field, enter "EDA-HDQ-ARPB33-2021-2006976";
- Click "Search";
- Click "Apply";
- Enter your email address (if you would like to receive updates from Grants.gov regarding this grant opportunity) or check the box that indicates you do not wish to provide it, then click "Submit";
- Choose to apply using Workspace by clicking "Login to Apply Now" or choose to download the legacy application package by clicking "Download Package"; and
- Follow the instructions provided on the Grants.gov website and on each webpage to complete and submit your application.

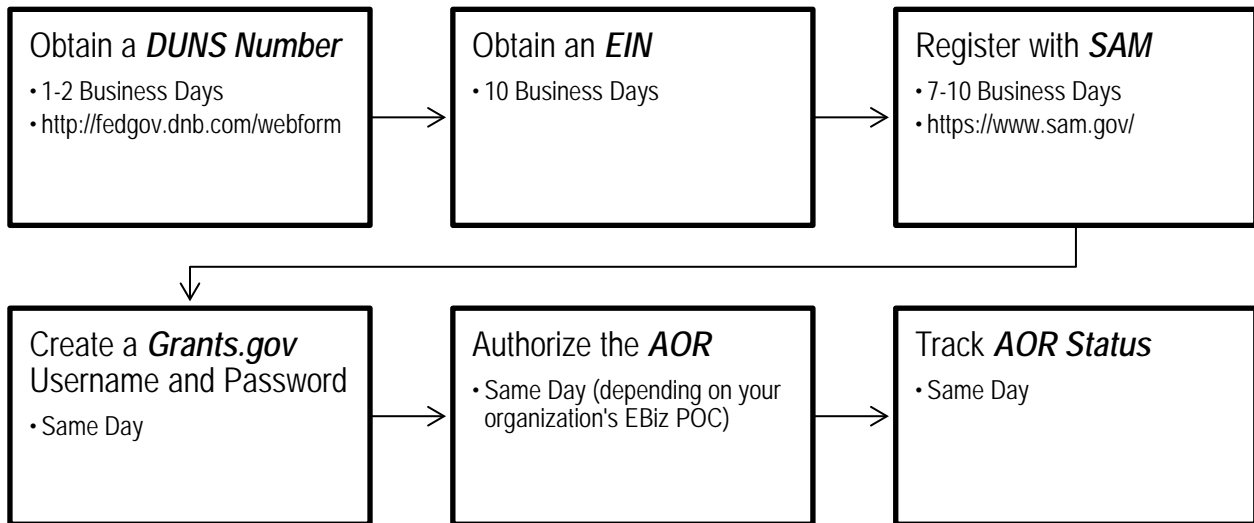
### 1. Register Early and Submit Early.

In order to submit an application through <http://www.grants.gov/> (Grants.gov), an applicant must register for a Grants.gov user ID and password. Note that this process can take between **three to five business days** or **as long as four weeks** if all steps are not completed correctly. Information about the Grants.gov registration process for organizations can be found at <http://www.grants.gov/web/grants/applicants/organization-registration.html>. Please note that organizations already registered with Grants.gov do not need to re-register; however, all registered organizations must keep their System for Award Management (SAM), which includes

the Central Contractor Registration (CCR) database, registration up-to-date through sam.gov or their applications will not be accepted by Grants.gov.

### a. Pre-Submission Registration

Before submitting a Full Application under this NOFO, each applicant must both register with Grants.gov and register its Authorized Organization Representative (AOR) with Grants.gov. Applicants should note that this process can be lengthy, requires interaction with multiple organizations not affiliated with EDA, and requires confirmation at each step.



Applicants may have already completed one or more of the steps set forth in the above flowchart, which depicts an example of how the pre-submission registration process generally flows (e.g., applicants may have already registered with Grants.gov, in which case they do not need to re-register). However, note that applicants that have not completed any of the above steps may require 23 or more business days to complete the required steps serially. Grants.gov is a centrally-managed Federal grants portal, and changes or updates to the process outlined above may occur after the publication of this NOFO. Prospective applicants should visit <http://www.grants.gov/web/grants/applicants/organization-registration.html> to ensure that they follow the most up-to-date instructions.

### b. AOR Requirement

Applicants must register as organizations, not as individuals. As part of the registration process, you will register at least one Authorized Organization Representative (AOR) for your organization. AORs registered at Grants.gov are the only officials with the authority to submit applications at Grants.gov so please ensure that your organization's application is submitted by an AOR. **If the application is submitted by anyone other than your organization's AOR, it will be rejected by the Grants.gov system and cannot be considered by EDA.** Note that a given organization may designate multiple individuals as AORs for Grants.gov purposes.

## **2. Field Limitations and Special Characters**

Please be advised that [Grants.gov](https://www.grants.gov) provides the following notice with respect to form field limitations and special characters: <https://www.grants.gov/web/grants/applicants/submitting-utf-8-special-characters.html>.

## **3. Verify That Your Submission Was Successful**

Applicants should save and print written proof of an electronic submission made at Grants.gov. Applicants can expect to receive multiple emails regarding the status of their submission. Since email communication can be unreliable, applicants must proactively check on the status of their application if they do not receive email notifications within a day of submission.

An applicant should expect to receive two initial emails from Grants.gov: the first will confirm receipt of the application, and the second will indicate that the application has either been successfully validated by the system before transmission to EDA or has been rejected due to errors. It can take up to two business days after Grants.gov receives an application for applicants to receive email notification of an error. Applicants will receive a third email once EDA has retrieved their applications.

EDA requests that applicants kindly refrain from submitting multiple copies of the same application package.

Applicants should save and print both the confirmation screen provided on the Grants.gov website after the applicant has submitted an application, and the confirmation email sent by Grants.gov when the application has been successfully received and validated in the system. If an applicant receives an email from Grants.gov indicating that the application was received and subsequently validated, but does not receive an email from Grants.gov indicating that EDA has retrieved the application package within 72 hours of that email, the applicant may contact EDA using the contact information in section G to inquire if EDA is in receipt of the applicant's submission.

It is the applicant's responsibility to verify that its submission was timely received and validated successfully at Grants.gov. To see the date and time your application was received, navigate to <https://www.grants.gov> and click on the "Track My Application" link under the "Applicants" tab. For a successful submission, the application must be received and validated by Grants.gov and an agency tracking number assigned. If your application has a status of "Received" it is awaiting validation by Grants.gov. Once validation is complete, the status will change to "Validated" or "Rejected with Errors." If the status is "Rejected with Errors," your application has not been received successfully. For more detailed information on why an application may be rejected, please see "Encountering Error Messages" at <https://www.grants.gov/web/grants/applicants/encountering-error-messages.html> and "Frequently Asked Questions by Applicants" at <https://www.grants.gov/web/grants/applicants/applicant-faqs.html>.

## **4. Grants.gov Systems Issues**

If you experience a Grants.gov systems issue (i.e., a technical problem or glitch with the Grants.gov website) that you believe threatens your ability to complete a submission in a timely manner, please (i) print any error message received; (ii) call the Grants.gov Contact Center at



(800) 518-4726 for assistance; and (iii) contact EDA using the contact information in section G of this NOFO. Ensure that you obtain a case number regarding your communications with Grants.gov. Please note that problems with an applicant's computer system or equipment are **not** considered systems issues. Similarly, an applicant's failure to, e.g., (i) complete the required registration, (ii) ensure that a registered AOR submits the application, or (iii) notice receipt of an email message from Grants.gov are **not** considered systems issues. A Grants.gov systems issue is an issue occurring in connection with the operations of Grants.gov itself, such as the temporary loss of service by Grants.gov due to unexpected volume of traffic or failure of information technology systems, both of which are highly unlikely. In the event of a confirmed systems issue, EDA reserves the right to accept an application in an alternate format.

Applicants should access the following link for assistance in navigating Grants.gov and for a list of useful resources: <http://www.grants.gov/web/grants/support.html>. If you do not find an answer to your question under the "Applicant FAQs," try consulting the "Grants Online User Guide" at [https://www.grants.gov/help/html/help/Get\\_Started/Get\\_Started.htm](https://www.grants.gov/help/html/help/Get_Started/Get_Started.htm) or contacting Grants.gov by email at support@grants.gov or telephone at 1-800-518-4726. The Grants.gov Contact Center is open 24 hours a day, seven days a week, except on Federal holidays.