

Railroad Crossing Elimination Program Grant Requirements

General Information

- FRA's website for the program can be found here: <https://railroads.dot.gov/grants-loans/competitive-discretionary-grant-programs/railroad-crossing-elimination-grant-program>
- Due date for applications is October 4, 2022, at 5pm (eastern)
- Total funding for awards under the program is \$573,264,000
 - At least \$18,000,000 will be made available for planning grants
- FRA's environmental review process and requirements can be found here: <https://railroads.dot.gov/rail-network-development/environment/environment>
- In addition to the Project Narrative and Statements of Work described below, projects must include:
 - Environmental Compliance Documentation
 - SF 424—Application for Federal Assistance.
 - SF 424A—Budget Information for Non-Construction or SF 424C—Budget Information for Construction.
 - SF 424B—Assurances for Non-Construction or SF 424D—Assurances for Construction.
 - FRA F 30—Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying
 - FRA F 251—Applicant Financial Capability Questionnaire
 - SF LLL—Disclosure of Lobbying Activities, if applicable

PROJECT NARRATIVE (maximum 25 pages)¹

I. Cover Page

- Must list elements in table or formatted list
 - Project Title
 - Applicant
 - Federal Funding Requested under the NOFO
 - Proposed Non-Federal Match, including if the non-federal match includes preliminary engineering costs incurred before selection
 - Other Federal Funding Sources
 - Total Project Cost
 - Whether prior federal grant application was submitted for the project
 - City/State where located
 - Congressional districts where located
 - If project is part of certain plans, including:
 - State freight plan under 49 USC 70202 (specifically paragraph (b)(9) regarding freight investment plan);
 - State rail plan under Chapter 227 of title 49, United States Code; and/or
 - State highway-rail grade crossing action plan, under Section 11401(b) of the Passenger Rail Reform and Investment Act of 2015.
 - If project in rural or tribal area
 - If project is eligible for a set-aside, and identify the set-aside
 - If in rural or tribal land if the county is 20 or fewer people per square mile

¹ Note: *italic* text in this document indicates statutory text.

- US DOT Crossing Numbers (Tool: FRA's Crossing Inventory Lookup - <https://railroads.dot.gov/safety-data/crossing-and-inventory-data/crossing-inventory-lookup>)
- Whether project is located on property owned by someone other than applicant

II. Project Summary

- Summarize the description of the project and how it will meet one or more of the statutory goals of the program
- Goals (49 USC 22909(b)):
 - (1) to eliminate highway-rail grade crossings that are frequently blocked by trains;
 - (2) to improve the health and safety of communities;
 - (3) to reduce the impacts that freight movement and railroad operations may have on underserved communities; and
 - (4) to improve the mobility of people and goods.

III. Project Funding

- A grant may be awarded for only up to 80% of the total project cost
 - Identify the total cost and the amount of federal funding requested for the grant
 - Preliminary engineering costs for the highway or pathway grade crossing may be included in the total costs
- Explain the planned and committed funding from all non-federal sources for the project, in addition to the federal sources (including from this program)
 - Identify any innovative financing utilized for funding the non-federal match for the project, such as a tax-increment financing model
 - This program does not allow for grants under \$1M, except for planning grants, so the federal funding must be over \$1M
- Identify whether the project is in a rural or tribal area, as the statute requires a minimum of 20% of grant funds for any year to go to rural or tribal areas
 - Note if your project is in a county with 20 or fewer residents per square mile based on the most recent decennial census, as the statute sets aside a minimum 5% of the rural funding for such counties
 - "Rural" area includes any area not within an urbanized area as designated by the Bureau of Census, found here: <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>
- There is a limitation of the amount of funding that can be awarded to any State in any fiscal year of 20%
 - For example, if there is \$100M available for a given fiscal year, a single state can only receive \$20M in that year, no matter how many applications there are from the State
 - Coordination with State officials is recommended if there are multiple applications for a single State

IV. Applicant Eligibility

- Ensure the applicant is eligible to receive the grant, including:
- Eligible Recipients (49 USC 22909(c)):
 - (1) A State, including the District of Columbia, Puerto Rico, and other United States territories and possessions;
 - (2) A political subdivision of a State;
 - (3) A federally recognized Indian Tribe;
 - (4) A unit of local government or a group of local governments;
 - (5) A public port authority;

- (6) A metropolitan planning organization; or
- (7) A group of entities described in any of paragraphs (1) through (6).
- Explain how the applicant fits into one or more of the eligibilities

V. Detailed Project Description

- Ensure the description of the project fits within one of the statutory eligibilities, below (49 USC 22909(d)):
 - Project Eligibilities
 - (1) grade separation or closure, including through the use of a bridge, embankment, tunnel, or combination thereof;
 - (2) track relocation;
 - (3) the improvement or installation of protective devices, signals, signs, or other measures to improve safety, provided that such activities are related to a separation or relocation project described in paragraph (1) or (2);
 - (4) other means to improve the safety and mobility of people and goods at highway-rail grade crossings (including technological solutions);
 - (5) a group of related projects described in paragraphs (1) through (4) that would collectively improve the mobility of people and goods; or
 - (6) the planning, environmental review, and design of an eligible project described in paragraphs (1) through (5).
- Explain how the applicant fits into one or more of the eligibilities
- Explain in detail the project and what entities are involved in the project
- Explain the project elements, including the current crossing and how the project will improve it
 - Include all elements, including sidewalks/pedestrian paths, bicycle paths, bridge abutments, etc.
- Explain the history of the project and the need for it and why the project is important to the locality, state, and/or region, and explain the outcomes expected from the project
- Identify the challenges for the current crossing and how the project will improve them
 - Important to include current railroad operations, highway operations, bus routes, pedestrian and bicycle usage, and road safety concerns

Highway-Rail Grade Crossing Safety Information and Education Programs

- Explain how the program will help prevent and reduce pedestrian, motor vehicle and other accidents, incidents, injuries, and fatalities
- Explain how the program will help improve awareness along railroad rights-of-way and at highway-rail grade crossings

VI. Project Location

- Describe the location of the project, including the city, town, county, or locality, and whether on tribal lands, or in a rural or urbanized area, and geospatial data
 - Map should also include congressional districts for the project
- Should include the roads and crossroads nearby and latitude and longitude
- To the extent applicable, identify if in a disadvantaged community
 - DOT's mapping tool can be found here: <https://usdot.maps.arcgis.com/apps/dashboards/d6f90dfcc8b44525b04c7ce748a3674a>

VII. Grade Crossing Information

- Include the specific DOT National Grade Crossing Inventory Information
 - Include the crossing owner, primary railroad operator and roadway at the crossing
 - FRA crossing tool found here: <https://safetydata.fra.dot.gov/OfficeofSafety/default.aspx>

VIII. Evaluation and Selection Criteria

- Statutory Project Selection Criteria:
- In selecting projects, the Secretary will consider the extent to which the project will (49 USC 22909(f)(1)):
 - (A) *improve safety at highway-rail or pathway-rail grade crossings;*
 - (B) *grade separate, eliminate, or close highway-rail or pathway-rail grade crossings;*
 - (C) *improve the mobility of people and goods;*
 - (D) *reduce emissions, protect the environment, and provide community benefits, including noise reduction;*
 - (E) *improve access to emergency services;*
 - (F) *provide economic benefits; and*
 - (G) *improve access to communities separated by rail crossings.*
- Applicants should provide as much detail about how the project will meet one or more of these criteria, with particular emphasis on how in meeting these criteria, the project will achieve the program goals stated above by improving the fluidity of the supply chain, enhancing environmental justice and equity for historically marginalized communities, improving sustainability, and tackling climate change.
 - How a project meets one of the “Secretarial preferences” of the Administration (e.g., improving the fluidity of the supply chain, enhancing environmental justice and equity for historically marginalized communities, improving sustainability, and tackling climate change) should be woven into as many aspects of the application as possible

Additional Statutory Considerations

- In the application, explain how the project meets any of these additional statutory considerations:
- In awarding grants the Secretary will consider the following (49 USC 22909(f)(2))
 - (A) *the degree to which the proposed project will use—*
 - (i) *innovative technologies;*
 - (ii) *innovative design and construction techniques; or*
 - (iii) *construction materials that reduce greenhouse gas emissions;*
 - Applicant should provide as much detail on how a project may utilize any of these technologies, materials, or innovations
 - (B) *the applicant's planned use of contracting incentives to employ local labor, to the extent permissible under Federal law;*
 - Applicants should explain their local hiring initiatives/practices for the project
 - (C) *whether the proposed project will improve the mobility of—*
 - (i) *multiple modes of transportation, including ingress and egress from freight facilities; or*
 - (ii) *users of nonvehicular modes of transportation, such as pedestrians, bicyclists, and public transportation;*
 - Applicants should explain whether other modes of transportation including pedestrian, bicycle, and public transit will be improved by the project
 - For example, is there a bike or pedestrian path or bus route that crosses the crossing that will be eliminated, thereby reducing delay?
 - (D) *whether the proposed project is identified in—*
 - (i) *the freight investment plan component of a State freight plan, as required under section 70202(b)(9);*
 - (ii) *a State rail plan prepared in accordance with chapter 227; or*

(iii) a State highway-rail grade crossing action plan, as required under section 11401(b) of the Passenger Rail Reform and Investment Act of 2015 (title XI of Public Law 114-94);

- Applicants should explain whether the project is identified in any of the state planning documents under federal law
 - If a project is part of the State's highway-rail grade crossing action plan, this should be a focus of the application
 - Having the planning and the funding follow one another is a priority for the Administration (Note: an application will not be disqualified if the project is not on the action plan).

(E) the level of financial support provided by impacted rail carriers.

- Identify any contribution of the impacted rail carriers to the project

Benefit-Cost Analysis (BCA) (optional)

- While a BCA is *not* required for the grade crossing elimination program, it would be good to include it, especially if the applicant will be applying to other FRA/DOT programs that require a BCA (e.g., RAISE, CRISI)
- Explain the benefits associated with the project and develop a cost-benefit analysis
 - A ratio of greater than 1 is desired.
 - For grade separations, benefits can include reduced traffic delay, reduced crash exposure, reduced first responder delays, avoided idling, and avoided crossing maintenance
- DOT benefit cost analysis guidance – <https://www.transportation.gov/sites/dot.gov/files/2022-03/Benefit%20Cost%20Analysis%20Guidance%202022%20Update%20%28Final%29.pdf>

IX. Safety Benefit

- Submit safety justifications for the project based on standardized, objective safety metrics and data
- Sources may include sources such as: GradeDec.Net; National Risk Index; 49 CFR part 234; safety metrics found in Appendix D of 49 CFR part 222; the FRA crossing incident dashboard (FRA Safety Data & Reporting, FRA (dot.gov))

DOT Strategic Goals Criteria

- Address to greatest extent applicable how the project meets DOT's stated strategic goals
- Safety
 - Describe how the project will foster a safe transportation system and reduces transportation-related fatalities and serious injuries
 - Tool – FRA's Web Accident Prediction System: <https://safetydata.fra.dot.gov/webaps/>
 - Include improvements to highway-rail/pathway-rail crossing safety, reductions in trespassing, and upgrade to infrastructure to improve safety
- Equitable Economic Strength and Improving Core Assets
 - Explain the project's contribution to economic progress through infrastructure investment and job creation
 - Include how the project:
 - Supports strong labor standards and the choice to join a union (e.g., project labor agreements and distribution of workplace rights notices);
 - Supports high-quality workforce development programs, including registered apprenticeship, labor-management training programs, and supportive services to help train, place, and retain people in good-paying jobs

- and apprenticeships; and
 - Utilizes comprehensive planning and policies to promote hiring and inclusion for all groups of workers, including through the use of local and economic hiring preferences, linkage agreements with workforce programs that serve these underrepresented groups, and proactive plans to prevent harassment
- Also explain how the project invests in a vital asset and provides opportunities for rail industry employment
- Explain how the project advances good-paying, quality jobs and workforce programs, and hiring policies of inclusion, consistent with Executive Order 14025, Worker Organizing and Empowerment (found here: <https://www.govinfo.gov/content/pkg/FR-2021-04-29/pdf/2021-09213.pdf>), and Executive Order 14052, Implementation of the Infrastructure Investment and Jobs Act (found here: <https://www.federalregister.gov/documents/2021/11/18/2021-25286/implementation-of-the-infrastructure-investment-and-jobs-act>).
- Equity and Barriers to Opportunity
 - Explain how the project will address racial equity and barriers to opportunity and be consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (found here: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>)
 - Does the project reduce automobile dependence, which is a form of barrier?
 - Does the project redress prior inequities?
 - Does the project expand workforce development and training for a more diverse rail industry?
 - Does the project mitigate prior safety risks and quality of life impacts rail lines have caused communities?
 - Recommended that the applicant complete an equity impact analysis and have an equity and inclusion program or plan
 - Explain community engagement on the project and accessibility for disabled or limited English proficiency persons
 - Include how community feedback is taken into account in decision-making
- Climate Change and Sustainability
 - Explain how the project will reduce impacts of climate change and improve resiliency
 - This could include reduced idling and more fuel-efficient rail and highway traffic
 - Does the project increase resiliency and recycle or redevelop existing infrastructure?
 - Will certain products and materials utilized be sustainable or environmentally friendly?
 - What efforts will be undertaken to reduce environmental impacts during construction and after construction?
 - How does the project help meet climate reduction goals in a local, regional, or state plan?
 - Explain how the project may address the goals of Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (found here: <https://www.regulations.gov/document/EPA-HQ-OPPT-2021-0202-0012>)
 - Recommended that application address environmental justice concerns directly, including the positive impacts to nearby communities of the project, such as reduced car idling, enhanced emergency response access
 - Also outline how applicants will reduce impacts during construction of the project,

- and how environmental justice alternatives were considered in final design
- Applicant should plan on early community engagement and outreach, consultation with a team of legal and technical advisors, and use of screening tools
- EPA's geospatial climate and environmental justice platform EJScreen (found here: <https://www.epa.gov/ejscreen>)

- Transformation of Our Nation's Transportation Infrastructure
 - Explain the project's expansion and improvement of the local transportation network
 - Describe how it balances new infrastructure for increased capacity with maintenance of existing assets, including if it adds existing capacity to congested corridors and improves assets to a state of good repair

X. Project Implementation and Management

- Recommended that project milestones and beginning and ending dates for those phases be described, such as design, NEPA approval, ROW acquisition, project agreements with government and rail carriers, construction letting/bid, and construction
- Consistent with (49 USC 22909 (e)(2)), unless it is a planning project, explain that the applicant has received the necessary approvals from impacted rail carriers and landowners
 - If a planning project, applicant need not obtain approvals but must agree to work collaboratively with rail carrier and right-of-way owners
- Explain the project's state, local, and federal transportation planning requirements
- If needed, the program can be utilized for planning as well – this program has more planning money set aside than ever before for FRA
 - This creates an opportunity for the Administration to buy-in to a project, and stage funding pieces over time

XI. Environmental Readiness

- Explain whether NEPA process is complete and provide links to final documentation if so
 - If not underway, say so
 - If underway but not complete, detail the type of documentation, where it is in the process, and anticipated completion date
- If NEPA documentation is over three years old, explain reason for delay, why not updated, and the plan for updated NEPA documents
- Assess, if any, environmental risk mitigation plans or commitments already made

STATEMENTS OF WORK

- Templates for the various SOWs required, including scope, budget, schedule, performance measures, must be submitted and are labeled Example General Grants—Attachments 2-5 and are located at <https://www.fra.dot.gov/Page/P0325>
 - The best applications are those that have the most detail in the SOWs
 - If selected, SOWs often become the bones of the grant agreement
 - For example, who will lead what aspect of a schedule and what the spend-out of funding will be helps the Administration understand the specific details of how the project will be executed
- The project narrative should provide the overview, while the SOW should provide the specific details of the project