

Welcome Aboard!

Congratulations on your selection to receive a Port Infrastructure Development Program (PIDP) FY 2022 grant award. Now that you have been selected for an award, MARAD would like to move towards executing a grant agreement and fully obligating the funds as soon as possible, so that you may begin work on your project. To that end, we have created this document to provide some early guidance on what the next steps will be as well as provide pertinent information that you need to know regarding the goals, expectations, and requirements for managing your grant.

Next Steps

1. Kick-off meeting to provide the MARAD Project Team with an overview of the project, including background and details related to scope, schedule, and budget.
2. Complete pre-award Federal requirements, including:
 - a. National Environmental Policy Act (NEPA),
 - b. Section 106 of the National Historic Preservation Act (NHPA), and
 - c. Recipient's Letter of Funds Availability
3. Develop scope, schedule, and budget in draft grant agreement once the FY 2022 template is available

Estimated Grant Process Timeline:

Action	Entity	Estimated Time
Kick-Off Meeting	MARAD	Within one month of receiving this document
Complete NEPA	Recipient and MARAD	5-20 months
Complete Section 106	Recipient and MARAD	5-20 months
Letter of Funds Availability	Recipient	Up to Recipient
Execute Grant Agreement	Recipient and MARAD	1-4 months after NEPA completion
Estimated total time		6-24 months

Point of Contact:

Your grant has been assigned to a Senior Grants Manager. This person serves as the primary point of contact for your grant until grant execution. Your Grants Manager should be the first person you contact when questions or issues related to your grant arise, as well as when technical assistance, clarification, or other resolution is needed. Your Grants Manager will provide a full list of the contacts related to your project.

Before grant agreement execution, you should:

1. Assist MARAD in NEPA review completion – All grant projects must undergo a NEPA review. Review the environmental documents when provided by the MARAD Office of Environmental Compliance and start to formulate the action plan to complete the required documentation.
2. Assist MARAD in NHPA Section 106 consultations – Section 106 requires MARAD to identify and assess the effects its actions may have on historic properties within the scope of your project. Please review your project and what may be required to complete this process. The MARAD National Historic Preservation Officer will help with this requirement.
3. Submit to MARAD your non-Federal match documentation – MARAD requires that you provide a letter of match commitment confirming that the non-Federal match outlined in your application is secured and dedicated to the project. We cannot execute a grant agreement without this funding commitment letter.
4. Develop draft Grant Agreement – Work with MARAD on finalizing the project's scope, schedule, and budget in the draft Grant Agreement once the template is available.
5. Ensure Buy America compliance – Review the materials required to execute the project scope to ensure compliance with the applicable Buy America requirements (see Buy America Requirements below).

Before grant agreement execution, you should NOT:

1. Begin any construction activities – No construction (i.e., activities that disturb the land) can take place prior to NEPA completion or you risk jeopardizing your entire Federal award. After NEPA completion but before grant agreement execution, construction activities can only begin with written pre-approval by MARAD.
2. Incur any Project Costs without MARAD's written pre-approval – Pursuant to 46 U.S.C. § 54301(a)(10)(B) and 2 CFR § 200.458, PIDP recipients must apply to MARAD for approval to incur and expend any Federal or non-Federal project costs prior to grant agreement execution. If you would like to begin incurring certain eligible project costs, please contact your Grants Manager and they can explain the process and provide you with the "Pre-award costs application." To be allowable, at a minimum, the costs must:
 - a. Be for pre-construction activities (unless NEPA is already completed);
 - b. Not yet be incurred or expended;
 - c. Comply with all Federal requirements; and
 - d. Be included in the applicable PIDP grant application as future eligible costs.

Additional Things to Consider:

Procurement methods:

The acquisition of goods and services must follow the procurement standards described in 2 C.F.R. 200.317-327, and all procurement transactions for the acquisition of property or services must be conducted in a manner providing full and open competition consistent with the standards described in 2 C.F.R. 200.319-320. Noncompetitive procurements can only be awarded in accordance with 2 C.F.R. 200.320(c) and with the written approval of MARAD.

Minimum Wage Rates:

You must include, in all contracts in excess of \$2,000 for work on the project that involves labor, provisions establishing minimum rates of wages, to be predetermined by the United States Secretary of Labor, in accordance with the Davis-Bacon Act, 40 U.S.C. 3141–3148, as applicable, that contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

Small and Disadvantaged Business Enterprises Requirements:

If any funds under this award are administered by or through a State Department of Transportation, you must expend those funds in compliance with the requirements at 49 C.F.R. part 26. Otherwise, you must expend all funds under this award in compliance with the requirements at 2 C.F.R. 200.321 (“Contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms”).

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act):

The Uniform Act and implementing regulations at 49 CFR Part 24 apply when Federal aid is used to fund any phase of the project. For example, if you use local funds for a right-of-way acquisition that is in anticipation of this DOT project, you must still comply with the Uniform Act related to those right-of-way activities to be eligible to receive these Federal funds.

Buy America Requirements:

Your project is a project for infrastructure. Therefore, all iron, steel, manufactured products, and construction materials used in the project are subject to the domestic content requirements of the Build America, Buy America Act, Pub. L. No. 117-58, div. G, tit. IX, subtit. A, 135 Stat. 429, 1298 (2021), as implemented in the terms and condition of the grant agreement.

You must not use funds provided under this award unless:

- (1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product; and
- (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

When necessary, you may apply for, and the USDOT may grant, a waiver from the Buy America preference if the USDOT determines that:

- (i) applying the Buy America preference would be inconsistent with the public interest;
- (ii) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- (iii) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

Please notify MARAD as soon as possible when a potential Buy America issue arises.