31	**AGENDA ITEM** **ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS**
	Deadline for Submission - Wednesday 9 a.m. – Thirteen Days Prior to BCC Meeting

1/20/2026

BCC MEETING DATE

TO: **Joy Andrews, County Administrator** **DATE:** **December 17, 2025**

FROM: **Joel Sneed, Assistant Director, Intergovernmental Affairs** **PHONE:** **904 209-3254**

SUBJECT OR TITLE: **A resolution by the Board of County Commissioners of St. Johns County, Florida, authorizing the Office of Intergovernmental Affairs to submit applications to the U.S. Department of Transportation for grant funding through the Better Utilizing Investments to Leverage Development (BUILD) Program.**

AGENDA TYPE: **Consent Agenda, Grant, Resolution**

BACKGROUND INFORMATION:

Staff have identified two projects which meet the requirements of the grant. The first is the SR 16 4-lane widening project (SR 16 Project) from the future CR 2209 Alignment east to the Outlet Mall Entrance. This is part of Regional Priority R1 of the 2026 St. Johns County Roadway and Transportation Alternatives List of Priority Projects (LOPP) and is identified as an ongoing initiative in the adopted BOCC FY26 Legislative Action Plan (2026 LAP). The second project is CR 210/CR 2209 Intersection Modification project (CR 210/CR 2209 Project). It is part of Regional Priority R2 of the LOPP and is identified as a transportation infrastructure priority in the 2026 LAP. The maximum that may be awarded for each project is $25 million and each grant requires a 20% non-federal match which can include state or local funding.

1. IS FUNDING REQUIRED? No **2. IF YES, INDICATE IF BUDGETED.** Yes

IF FUNDING IS REQUIRED, MANDATORY OMB REVIEW IS REQUIRED:

INDICATE FUNDING SOURCE: If awarded, the BUILD Grant requires a 20% non-federal match which can include state or local funding.

SUGGESTED MOTION/RECOMMENDATION/ACTION:

Motion to authorize the Office of Intergovernmental Affairs to submit two grant applications for the Fiscal Year 2026 USDOT BUILD grant program for the SR 16 Project and the CR 210/CR 2209 Project.

For Administration Use Only:
Legal: Kealey West 1/4/2026 **OMB: Christopher Thompson 1/5/2026** **Admin: JDD 1/6/2026**

RESOLUTION NO. 2026- _____

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION GRANT FUNDING THROUGH THE BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (BUILD) PROGRAM.

RECITALS

WHEREAS, the U.S. Department of Transportation (USDOT) administers the Better Utilizing Investments to Leverage Development (BUILD) grant to provide funding for surface transportation infrastructure projects with significant local or regional impact; and

WHEREAS, staff have identified two projects which meet the requirements of the grant; and;

WHEREAS, the SR 16 and CR 2209 transportation projects are identified as priorities in the adopted Board of County Commissioners Fiscal Year 2026 Legislative Action Plan; and

WHEREAS, the BUILD grant is a competitive grant program administered by USDOT which provides for an 80% Federal funding mechanism with a 20% Non-Federal match for a maximum of $25 million per project; and

WHEREAS, none of the requirements, restrictions, and/or obligations associated with the award of a grant under the Program, or the grant itself would negatively impact the interests of the County; and

WHEREAS, applying for a grant under the USDOT BUILD grant program serves the overall interest of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida that:

Section 1. The above recitals are hereby incorporated into the body of this resolution and are adopted as findings of fact.

Section 2. The County Administrator, or designee, is authorized on behalf of the County to submit two grant applications for the Fiscal Year 2026 USDOT BUILD grant program for the SR 16 and CR 2209 transportation projects.

Section 3. To the extent that there are typographical or administrative errors that do not change the tone, tenor, or concept of this resolution, this resolution may be revised without subsequent approval by the Board of County Commissioners.

Section4. This resolution shall be effective upon adoption by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County,

Florida, this_____day of_____2026.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By:_____
Clay Murphy, Chair

ATTEST: Brandon J. Patty, Clerk of the
Circuit Court and Comptroller

By:_____
Deputy Clerk

FY 2026 Notice of Funding Opportunity

Better Utilizing Investments to Leverage Development (BUILD) Grant Program

Office of the Secretary

U.S. Department of Transportation (DOT)

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A. BASIC INFORMATION

The Office of the Secretary (OST) announces the intention to hold one round of selections under the FY 2026 Better Utilizing Investments to Leverage Development (BUILD) Grant Notice of Funding Opportunity (NOFO).

Basic Information: Better Utilizing Investments to Leverage Development (BUILD)	
Announcement Type	Notice of Funding Opportunity
Funding Opportunity Title	FY 2026 National Infrastructure Investments
Funding Opportunity Number	DTOS59-26-RA-BUILD
Assistance Listing Number	20.933
Objective	The goal of the program is to fund projects that will have a significant local or regional impact and improve transportation infrastructure.
Program Overview	BUILD grants will be awarded on a competitive basis, per statute, for planning or constructing surface transportation infrastructure projects that will improve safety; environmental sustainability; quality of life; mobility and community connectivity; economic competitiveness and opportunity including tourism; state of good repair; partnership and collaboration; and innovation.
Funding	At least $1.5 billion in FY 2026 IIJA funds
Minimum Award Size	• $1 million for rural capital projects • $5 million for urban capital projects • Planning projects do not have a minimum award size
Maximum Award Size	$25 million
Eligible Applicants	• States and the District of Columbia • Any territory or possession of the United States • A unit of local government • A public agency or publicly chartered authority established by one or more States • A special purpose district or public authority with a transportation function, including a port authority • A Federally recognized Indian Tribe or a consortium of such Indian Tribes • A transit agency • A multi-State or multijurisdictional group of entities that are separately eligible

Eligible Project Types	• highway or bridge projects eligible under title 23; • public transportation projects eligible under chapter 53 title 49; • passenger and freight rail transportation projects; • port infrastructure investments including inland port infrastructure and land ports of entry; • the surface transportation components of an airport project eligible for assistance under part B of subtitle VII; • project investing in surface transportation facilities located on Tribal land, the title or maintenance responsibility of which is vested in the Federal Government; • projects to replace or rehabilitate a culvert or prevent stormwater runoff for the purpose of improving habitat for aquatic species that will advance the goal of the program; • intermodal projects whose components are otherwise an eligible project type; • any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goals of the program
Submission Requirements and Deadlines	Applications must be submitted online via Valid Eval no later than 5:00 pm eastern on February 24, 2026. • Complete instructions on how to apply can be found at grants.gov and the BUILD program website • Customer support for Valid Eval can be reached at support@valideval.com Selections are expected to be announced no later than June 28, 2026
Prior Awards	• For FY 2025 BUILD Round 2, the Department received 815 eligible applications requesting over $10 billion • 30 projects were awarded a total of $488 million • Awards were made to projects in 27 states Awards ranged from $239,000 to $25 million
Agency Contact Information	Email: BUILDgrants@dot.gov Website: https://www.transportation.gov/BUILDgrants Due to the competitive nature of the program, during the application submittal phase, the Department is unable to accommodate individual meeting requests to discuss the opportunity or specific project ideas, and unable to provide individualized guidance or render opinions about the merit of a specific project.

1. FY 2026 BUILD ROUND

Funding for FY 2026 BUILD Applications

The Department intends to make one round of selections under this NOFO using the $1.5 billion provided by the Infrastructure Investments and Jobs Act (IIJA) for FY 2026 and will include any additional funding appropriated for National Infrastructure Investments in an Appropriations Act.

The Department may also make available through this NOFO funds from recently cancelled or withdrawn RAISE projects.

2. CHANGES FROM THE FY 2025 NOFO

The FY 2026 BUILD NOFO makes the following changes from the FY 2025 BUILD NOFO:

- There will be one round of project selections for the FY 2026 BUILD grant program.

- FY 2025 BUILD applications designated "Projects of Merit" will not be carried over into the FY 2026 BUILD competition. Applicants with an FY 2025 BUILD Project of Merit designation need to submit a new application to be considered under the FY 2026 competition.

- FY 2026 BUILD applications advanced by the Senior Review Team to the Highly Rated List, but that are not awarded, are automatically designated as "Projects of Merit." Projects with this designation will be carried over into FY 2027 BUILD, subject to authorization and appropriations, and considered by the SRT for advancement to the Highly Rated List, along with other FY 2027 applications eligible for advancement to the Highly Rated List.

- Updates Areas of Persistent Poverty to account for the most recent annual Small Area Income Poverty Estimates as estimated by the Bureau of the Census.

- Project elements and benefits under the merit criteria rating rubric have been updated to align with Administration priorities and executive orders.

- Changes priority merit criteria to: safety, quality of life, mobility and community connectivity, and economic competitiveness.

- Changes "Technical Capacity Review" to "Applicant Capacity" and "Environmental Risk Review" to "Project Risk Review" under the Project Readiness review.

- Conforms to the Department's Benefit-Cost Analysis ratings of "High," "Medium-High," "Medium," "Medium-Low," and "Low" instead of "Positive" and "Negative.

  Other selection considerations have been added including: increased cost share, project readiness, projects located in Qualifying Opportunity Zones, and receiving a previous TIGER/RAISE/BUILD grant.

B. ELIGIBILITY

1. ELIGIBLE APPLICANTS

Eligible BUILD grant applicants are:

- States and the District of Columbia
- Any territory or possession of the United States
- A unit of local government
- A public agency or publicly chartered authority established by one or more States
- A special purpose district or public authority with a transportation function, including a port authority
- A Federally recognized Indian Tribe or a consortium of such Indian Tribes
- A transit agency
- A multi-State or multijurisdictional group of entities that are separately eligible

The following are **not** eligible BUILD grant applicants:

- Federal agencies
- Non-profits
- Private entities
- Individuals

Multiple states or jurisdictions may submit a joint application, designating a lead applicant as the primary contact and award recipient. The application should outline each applicant's roles and responsibilities.

DOT expects the applicant to manage and deliver the project. **If the applicant plans to transfer the award to another agency, this should be stated in the application, along with a supporting letter from the designated entity.**

2. MINIMUM FUNDING REQUEST FOR CAPITAL PROJECTS

Capital Grants	Minimum Request
Rural Areas	$1 million
Urban Areas	$5 million

Applicants submitting capital grant applications for projects located in rural areas must request at least $1 million in BUILD funding. Applicants submitting capital grant applications for projects located in urban areas must request at least $5 million in BUILD funding. **Failure to request the minimum funding amount for a capital grant application will result in the application being ineligible.**

There is **no minimum funding** request requirement for planning grant applications.

3. APPLICATION LIMIT

Each applicant can submit up to three applications. Unrelated project components should not be combined in one application to meet this limit. If an applicant submits more than three applications, only the first three will be considered.

4. COST SHARING

Cost sharing means the portion of the project's cost that is not paid by Federal funds. Cost share funds are typically stated as a percentage of the total project cost. The Department considers an application's Federal share to:

- confirm eligibility; and
- may consider it as a competitive selection factor

Project Location	Cost Share Requirement
Urban	Up to 80% Federal Funding
Rural	Up to 100% Federal Funding
Area of Persistent Poverty	
Historically Disadvantaged Community	

The Federal share for BUILD grant projects **shall not exceed 80 percent** unless the project receives one of the following location designations (see Location Designations for definitions):

- Rural
- Area of Persistent Poverty (APP) / Historically Disadvantaged Community (HDC)

Applicants with projects located in one of the designated areas above are eligible to fund the project up to 100 percent with Federal funding. Projects located in an **urban area**, that are not designated APP/HDC, that have **more than 80 percent federal funding will be ineligible**.

Applicants should use the following equation when determining the cost share for their project:

$$\frac{(\boldsymbol{BUILD\ Grant\ Request + Other\ Federal\ Funds})}{\boldsymbol{Total\ Project\ Cost}} = \boldsymbol{Federal\ Cost\ Share}$$

Total Project Cost means the sum of future eligible Federal and non-Federal costs yet to be incurred.

Eligible sources of non-Federal funds include:

- State funds originating from programs funded by State revenue
- Local funds originating from State or local revenue-funded programs
- Private funds
- Tribal transportation program funds under section 202 of title 23
- Federal lands transportation program funds under section 203 of title 23

- TIFIA program funds (as defined in section 601(a) of title 23)
- Railroad Rehabilitation and Improvement Financing Program under chapter 224
- Federal credit assistance (if repaid from non-Federal sources)

Toll credits under 23 U.S.C. 120(i) are considered a Federal source under the BUILD program.

Unless otherwise authorized by statute, funds used to satisfy the cost-share requirements of a different Federal program may **not** be counted as the cost-share for both the BUILD grant and another Federal grant program.

Non-Federal funds are subject to the same Federal requirements as BUILD grant funds.

For each project that receives a BUILD grant award, **the terms of the award will require the recipient to complete the project using at least the amount of non-Federal funding that was specified in the application**. If the actual costs of the project are greater than the costs estimated in the application, the recipient will be responsible for addressing the funding shortfall and maintaining the level of non-Federal funding stated in the application. If the actual costs of the project are less than the costs estimated in the application, the Department will generally reduce the Federal contribution to ensure federal cost share requirements are met.

5. PRE-AWARD AUTHORITY

Unless authorized by the Department in writing after announcement of FY 2026 BUILD awards, **any costs incurred prior to the Department's obligation of funds for a project ("pre-award costs") are ineligible for reimbursement and cost share requirements**.[1] In general, BUILD Program funds are administered on a reimbursement basis. Grant recipients will generally be required to pay project costs upfront using their own funds, and then request reimbursement for those costs. If a recipient cannot complete a project on reimbursement basis, DOT will—on a case-by-case basis—consider recipient requests to use alternate payment methods as described in 2 CFR 200.305(b), including advance payments.

6. LOCATION DESIGNATIONS

i. Urban or Rural

Urban and rural definitions differ across DOT programs. For the BUILD program:

- **Urban**: A project is designated as urban if it is located within (or on the boundary of) a Census-designated urban area that had a population greater than 200,000 in the 2020 Census.[2]

[1] Pre-award costs are costs incurred after award announcement, but directly pursuant to the negotiation of a grant agreement where such costs are necessary for efficient and timely performance of the scope of work, as determined by DOT. Costs incurred under an advance construction (23 U.S.C. 115) authorization before the DOT announces that a project is selected for a FY 2026 BUILD award cannot be charged to FY 2026 BUILD funds. Likewise, costs incurred under an FTA Letter of No Prejudice under Chapter 53 of title 49 U.S.C. before the DOT announces that a project is selected for a FY 2026 BUILD award, cannot be charged to FY 2026 BUILD funds.

[2] For the purpose of this NOFO, the definition of urban and rural is based on the 2020 Census-designated urbanized areas. The Department is required by IIJA to use the most recent decennial census information.

- **Rural**: A project is designated as rural if it is located outside a Census-designated urban area that had a population greater than 200,000 in the 2020 Census.

The Department provides an interactive map to show Census-designated urban areas with populations greater than 200,000 in the 2020 Census.

A project located in both an urban and a rural area will be designated as urban if the majority of the project's costs will be spent in urban areas. Conversely, a project located in both an urban area and a rural area will be designated as rural if the majority of the project's costs will be spent in rural areas. For BUILD planning grants, the location of the project being planned, prepared, or designed will be used for the urban or rural designation.

Urban and rural designations impact the following aspects of the BUILD program:

- Minimum BUILD funding requirements
- Fundings restrictions
- Cost share

ii. Areas of Persistent Poverty and Historically Disadvantaged Communities

The Department provides an interactive map to show Areas of Persistent Poverty and Historically Disadvantaged Communities.

Areas of Persistent Poverty (APP) are defined by BUILD statute:

- Any county that has consistently had greater than or equal to 20 percent of the population living in poverty during the 30-year period preceding November 15, 2021, as measured by the 1990 and 2000 decennial census and the most recent annual Small Area Income Poverty Estimates as estimated by the Bureau of the Census
  - The FY 2026 BUILD NOFO updated county APP designations to utilize the most recent annual Small Area Income Poverty Estimates as estimated by the Bureau of the census.
- Any census tract with a poverty rate of at least 20 percent as measured by the 2014-2018 5-year data series available from the American Community Survey of the Bureau of the Census
- Any territory or possession of the United States

Historically Disadvantaged Communities (HDC) will use the same definition as APP for purposes of this NOFO.

iii. Qualified Opportunity Zones

The Department provides more information as well as an interactive map to show Qualified Opportunity Zones. The Internal Revenue Service (IRS) designates Qualified Opportunity Zones and maintains a list on the IRS website. The Department may consider prioritizing the selection of projects located in designated Qualified Opportunity Zones.

7. ELIGIBLE PROJECTS

i. Capital Projects

Eligible capital projects activities include:

- Highway or bridge projects eligible under title 23, United States Code
- Public transportation projects eligible under chapter 53 of title 49, United States Code
- Passenger and freight rail transportation projects
- Port infrastructure investments (including inland port infrastructure and land ports of entry)
- The surface transportation components of an airport project eligible for assistance under part B of subtitle VII of title 49, United States Code[3]
- Projects investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government
- Projects to replace or rehabilitate a culvert or prevent stormwater runoff for the purpose of improving habitat for aquatic species while advancing the goals of the BUILD program
- Intermodal projects whose component parts are otherwise an eligible project type
- Any other surface transportation infrastructure project that the Secretary considers to be necessary to advance the goals of the program[4]
    - Public road and non-motorized projects that are not otherwise eligible under title 23, United States Code
    - Surface transportation components of transit-oriented development projects
    - Surface transportation components of mobility on-demand projects that expand access and reduce transportation cost burden

Ineligible projects are:

- Purchasing school buses
- Deploying broadband as a standalone project
- Improving stormwater management as a standalone project
- Creating dedicated facilitates for nursing mothers as a standalone project
- Installing accessible changing tables as a standalone project
- Planning or constructing housing and parks
- Improvements to Federally owned facilities
    - Unless the project is investing in surface transportation facilities that are located on Tribal land and for which title or maintenance responsibility is vested in the Federal Government

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[3] Eligible surface transportation components of eligible airport projects are those projects listed in "Appendix P: Road and Surface Transportation Projects" of the Airport Improvement Program (AIP) handbook. For more details on airport project eligibility, please see the Frequently Asked Questions on the BUILD website.

[4] DOT may award a BUILD grant to pay for the surface transportation components of a broader project that has non-surface transportation components, and applicants are encouraged to apply for BUILD grants to pay for the surface transportation components of these projects. However, costs for non-surface transportation components are not eligible to count as matching funds for the BUILD grant.

If a project type isn't explicitly listed as eligible or ineligible, applicants should explain its necessity for advancing the BUILD program goals in their application. The Department will then determine eligibility individually.

Research, demonstration, or pilot projects are only eligible if they lead to long-term, permanent surface transportation infrastructure with independent utility as defined in the Project Components section.

ii. Planning Projects

Eligible planning projects activities include:

- Planning, preparation, design, or engineering of eligible surface transportation capital projects described in the Capital Projects section that will not result in construction with FY 2026 BUILD funding.
  - Examples include: feasibility studies, benefit-cost analysis, environmental analysis, permitting, and other pre-construction activities
- Development of master plans, comprehensive plans, transportation corridor plans, and integrated economic development, land use, housing, and transportation plans
- Planning activities related to the development of a multimodal freight corridor
- Development of port and regional port planning, including State-wide or multi-port planning within a single jurisdiction or region
- Risk assessments and planning to identify vulnerabilities and address the transportation system's ability to withstand probable occurrence or recurrence of an emergency or major disaster

If an application includes right-of-way acquisition, the project will be considered a capital project.

8. PROJECT COMPONENTS

An application for a BUILD grant can include multiple components, which may be executed by different parties. The Department requires all components, whether or not they receive Federal funding, to be delivered as part of the BUILD project.

Components may be funded individually if they meet the following criteria:

- Independently satisfy minimum award amounts and eligibility requirements.
- Independently align with selection criteria
- Meets National Environmental Policy Act (NEPA) requirements for independent utility – meaning the component must be a usable improvement on its own and ready for use upon completion.

Components in a single application must be related. Each component's status should be clearly outlined, for example, in the project schedule. Applicants should also detail independent components and their costs separately, showing how each one meets selection criteria and benefits on its own, in addition to how the full proposal does. Federal funding for some components might subject others to additional Federal requirements.

9. REDUCED AWARDS

If selected for award, the Department may decrease the BUILD funding amount from the applicant's request if some elements of the project are ineligible or to comply with statutory set asides such as awarding funding evenly between projects located in rural and urban areas.

10. PREVIOUS BUILD/RAISE/TIGER RECIPIENTS

Previous recipients of a BUILD grant may apply for funding to support additional phases of their project.[5] The application should demonstrate the extent to which the previously funded project has met estimated project schedules and budget, as well as the ability to realize the benefits expected for the project. **Receiving a previous BUILD/RAISE/TIGER award may impact the competitiveness of an application under the FY 2026 BUILD competition.**

C. PROGRAM DESCRIPTION

1. PROGRAM HISTORY AND AUTHORIZATION

The Better Utilizing Investments to Leverage Development (BUILD) program, previously known as the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) and Transportation Investment Generating Economic Recovery (TIGER) discretionary grants, was established under the American Recovery and Reinvestment Act of 2009 to create jobs and spur economic recovery through transportation infrastructure investments. The Infrastructure Investment and Jobs Act (Pub. L. 117-58, November 15, 2021), authorized and appropriated $1.5 billion annually to be awarded by the Department of Transportation ("DOT") 2022 – FY 2026 for Local and Regional Project Assistance Program Grants under National Infrastructure Investments to fund eligible surface transportation projects with significant local or regional impact. As of July 2025, the program has awarded more than $18 billion in 18 rounds to local governments, Tribes, transit and port authorities, states, and other entities. The program is codified at 49 U.S.C. 6702.

2. PROGRAM GOALS AND OBJECTIVES

The goal of the BUILD program is to fund eligible surface transportation projects that will have a significant local or regional impact. The Department seeks to fund projects that advance the priorities of this Administration as described in DOT's mission statement, and across executive orders.

Note, the **BUILD program can only fund the surface transportation infrastructure** elements of a project that may also include housing, parks, economic development strategies, etc.

3. RESTRICTIONS ON FUNDING

The Department must comply with the following funding restrictions:

Funding Restriction	Amount

[5] Includes recipients of grants under former names of the program (*Rebuilding American Infrastructure with Sustainability and Equity* (RAISE) and *Transportation Investment Generating Economic Recovery* (TIGER)).

Per State	No more than 15% which is $225 million
Rural Projects	No more than 50% which is $750 million
Urban Projects	No more than 50% which is $750 million
Planning Projects	At least 5% which is $75 million
Projects Located in Areas of Persistent Poverty and/or History Disadvantaged Communities	At least 1% which is $15 million

The Department may retain up to $30 million for oversight and administration of grants. Additionally, the Department may use up to 20 percent of available funds (or $300 million) to pay the subsidy and administrative costs of a project receiving credit assistance under the Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA) or Railroad Rehabilitation and Improvement Financing (RRIF) programs. Note, applicants must apply to both the BUILD program and TIFIA or RRIF loan program to be eligible for the Department to pay for subsidy and administrative costs associated with credit assistance.

Federal funds awarded under this program may not be used to support or oppose union organizing, whether directly or as an offset for other funds.

4. AVAILABILITY OF FUNDS

The table below outlines the obligation and expenditure deadlines for FY 2026 IIJA funding.

Fiscal Year	Obligation Deadline	Expenditure Deadline
FY 2026	September 30, 2030	September 30, 2035

FY 2026 BUILD grant funds must be obligated by September 30, 2030.

- Obligation occurs when a grant recipient and the Department enter into a written grant agreement after the recipient has satisfied applicable local, State and Federal requirements.

FY 2026 BUILD funds must be expended by September 30, 2035.

- Expenditure occurs when a recipient is reimbursed for eligible project costs.
- After this date, unexpended funds are no longer available to the project.

5. PERFORMANCE GOALS

BUILD program performance measures can be found on the BUILD website.

6. PREVIOUS AWARDS

Previous program awards can be seen in Fact Sheets on the BUILD website.

D. APPLICATION CONTENT AND FORMAT

The Department requires the application to include the following files, in this order and with these specific names:

Information	File Name	NOFO Section	Page Limit
SF-424	SF-424	D.1	N/A
SF-LLL	SF-LLL	D.1	N/A
Key Information Questions	N/A	D.2	N/A
Project Description	Project Description	D.3	5 pages
Project Location File	Project Location File	D.4	N/A
Project Budget	Project Budget	D.5	5 pages
Funding Commitment Documentation	Funding Commitments	D.5	N/A
Merit Criteria	Merit Criteria Narrative	D.6	15 pages
Project Readiness	Project Readiness	D.7	5 pages
Benefit-Cost Analysis Narrative (capital projects only)	BCA Narrative	D.8	N/A
Benefit-Cost Analysis Calculations (capital projects only)	BCA Calculations	D.8	N/A
Letters of Support (Optional)	Letters Of Support	D.7	N/A

The Department requires application files to be formatted as follows:

- Single-spaced, 12-point standard font with 1-inch margins.
- PDF unless otherwise specified (e.g., project information form in Excel; location files as Shapefile or KML/KMZ; and BCA calculations in Excel).

Applications should include all necessary information to demonstrate compliance with the Eligibility section and to meet selection criteria in the Criteria section. Applications must be complete at submission; the Department may request additional data, but applicants are not obligated to provide it.

Title page and table of contents are **not** required, but if included, these parts of the document do not count against the page limits.

Supporting documents may be included but are not required to be reviewed by evaluators.

Different evaluation teams review the merit criteria, the benefit-cost analysis, budget, and project readiness files.

The Department expects application files to include the following detailed information:

1. STANDARD FORMS

All applicants must submit the following standard forms:

- SF-424 Application for Federal Assistance
- SF-LLL Disclosure of Lobbying Activities

If the funding amounts differ between the SF-424 and other application materials, the amount in the SF-424 will be used as the project budget. Funding amounts must be in whole numbers (no cents).

2. KEY INFORMATION QUESTIONS

The following questions must be answered in the FY 2026 BUILD application in Valid Eval.

Field	Instructions
Unique Entity Identifier	Enter the Unique Entity Identifier (UEI). This should be the same UEI entered on the SF-424. See Section F.2 for how to obtain a UEI from sam.gov
Project Name	Enter a concise descriptive title. This should be the same title used on the SF-424 and throughout the application.
Project Description	Describe the project to be planned or constructed in no more than 100 words.
BUILD Funding Request	Enter the amount of BUILD funds requested. The maximum request amount is $25 million. The minimum amount for capital projects in rural areas is $1 million and $5 million in urban areas.
Other Federal Funding	Enter the total amount of other Federal funds committed to the project.
Non-Federal Funding	Enter the total amount of non-Federal funding committed to the project.
Total Project Cost	Enter the total BUILD funding request, other Federal funding, and non-Federal funding. The Total Project Cost means total **future** eligible project costs. Do **not** include previously incurred costs.
Project Type	Enter the project primary and secondary type.
Construction Start Date	Enter the estimated construction start date for the capital project.
Planning Project Start Date	Enter the estimated start date for the planning project.
2020 Census-Designated Urban Area	Select the Urban Area the project is located or "not located in an Urban Area" if the project is outside of an Urban Area
Urban or Rural	Identify whether the project is located in a rural or urban area. A project is designated as Urban if it is located in a 2020 Census-designated Urban Area with a population greater than 200,000. If a project is located outside a 2020 Census-designated Urban Area with a population greater than 200,000, it is designated Rural.

Project Zip Code	Enter the 5-digit zip code for the project location. If the project is located in multiple zip codes, identify the zip code in which most of project costs will occur. Please leave blank if the project is located in a territory that does not have zip codes.
County	Select the county (or equivalent jurisdiction) where the project is located. If the project is located in multiple counties, identify the county in which most of project costs will occur.
Additional Counties	Identify additional counties or equivalent jurisdictions.
2020 Census Tract(s)	Identify the 2020 Census tract(s) the project is located.
Area of Persistent Poverty and Historically Disadvantaged Community	Select if the project is located in an Area of Persistent Poverty/Historically Disadvantaged Community as defined by statute.
Project Location Latitude	Enter the project's latitudinal coordinate using decimal degrees (e.g., **38.87586**, -77.00365). Note, that latitude is the **first number** in the example coordinates.
Project Location Longitude	Enter the project's longitudinal coordinate using decimal degrees (e.g., 38.87586, **-77.00365**). Note, that longitudinal is the **second number** in the example coordinates.
Qualified Opportunity Zones	Select if the project is located in a Qualified Opportunity Zone (26 U.S. Code § 1400Z-1)
Previous Submission to BUILD/RAISE/TIGER	If this exact project was submitted in a previous BUILD, RAISE, or TIGER round, please list the name of the round (e.g., BUILD 2025, RAISE 2024, etc.)
Private Corporation Involvement	Does this project involve a private entity or entities that will receive a direct and predictable financial benefit if the project is selected for award? This includes, but is not limited to, private owners of infrastructure facilities being improved and private freight shippers or carriers directly benefitting from completion of the proposed project.
Private Corporation Name(s)	If this project directly involves or benefits a private corporation, please list the corporation(s) separated by a comma.
TIFIA or RRIF	Is the applicant currently or anticipating applying for Transportation Infrastructure Finance and Innovation Act (TIFIA) or Railroad Rehabilitation & Improvement Financing (RRIF) loans to fund the project?

This form is used to determine applicant and project eligibility.

3. PROJECT DESCRIPTION FILE

This file **should** include:

- description of the project to be planned or constructed
- scope of work covering technical and engineering aspects
- current design level
- description of the project location
- map
- "before" and "after" renderings of the project, as appropriate
- transportation challenges project will solve

This file may also include:

- project's history
- how project fits within the applicant's broader transportation infrastructure investments

4. PROJECT LOCATION FILE

Applicants should submit one of the following file types that detail the project's location so the Department can verify location designations: Shapefile (.zip with .shp, .shx, .dbf, and .prj) or KML/KMZ. Google Earth can be used to create KML/KMZ files. The files should only include the project's direct physical location, not a broad service area or area of impact.

Accurate location data is crucial as it affects eligibility for the FY 2026 BUILD grants program.

5. PROJECT BUDGET FILES

This file should describe the budget for the BUILD project using the below table and also include a narrative section. **The budget table should show only future eligible project costs and should not include previously incurred expenses**.

Funding Source	[Component 1]	[Component 2]	Total Funding
BUILD Funds	[$XXX]	[$XXX]	[$XXX]
Other Federal Funds	[$XXX]	[$XXX]	[$XXX]
Non-Federal Funds	[$XXX]	[$XXX]	[$XXX]
Total Project Cost	[$XXX]	[$XXX]	[$XXX]

Note: If there is only a single component, remove "Component 2" column. If there are more than 2 components, add columns.

Cost Classification	BUILD Funds	Other Federal Funds	Non-Federal Funds	Total Project Cost
Preliminary Engineering	[$XXX]	[$XXX]	[$XXX]	[$XXX]
Design	[$XXX]	[$XXX]	[$XXX]	[$XXX]
Environmental	[$XXX]	[$XXX]	[$XXX]	[$XXX]
Construction	[$XXX]	[$XXX]	[$XXX]	[$XXX]
Contingency	[$XXX]	[$XXX]	[$XXX]	[$XXX]
Total Funding	[$XXX]	[$XXX]	[$XXX]	[$XXX]

Note: The cost classifications listed above are for example only. Include Cost Classifications relevant for the project described in the application.

At a minimum, the budget table must show the **total project cost** by project component and the following funding sources:

- BUILD funding request
- Other Federal funds
- Non-Federal Funds

Ideally, project budget table(s) will show project components by cost classification, and funding source. The budget table and narrative must identify the amount, type (e.g., grant, loan, bond, etc.), and source of all other Federal funds and non-Federal funds included in the budget. The budget table should demonstrate compliance with the statutory cost share requirements.

Applicants must also include the three tables listed below in their project budget file. The Department will use these tables to determine where the majority of project costs occur for the purposes of making APP/HDC, and Urban designations. The total project cost listed in each table should match the total project cost listed in the budget table above, in the SF-424 and in Key Information Form. Applicants should reference the BUILD Grant Project Location Verification mapping tool when filling out the below tables.

2020 Census Tract(s)	**Project Costs per Census Tract**
[XX.XX]	$
[XX.XX]	$
[XX.XX]	$
[XX.XX]	$
	Total Project Cost: $

Note: Please reference the Census Tracts (2020 Census) layer in the BUILD Grant Project Location Verification mapping tool. Additional rows may be added if necessary.

Urban and Rural	**Project Costs**
Urban (2020 Census-designated urban area with a population greater than 200,000)	$
Rural (Located outside of a 2020 Census-designated urban area with a population greater than 200,000)	$
	Total Project Cost: $

Note: Please reference the Census Designated Urban Areas with Population Greater Than 200,000 (2020 Census) layer in the BUILD Grant Project Location Verification mapping tool.

The budget narrative should include:

- Sources, Uses, and Availability: Provide complete information on how all capital or planning project funds may be used, their availability, and documented funding commitments. For example, if a source of funds is available only after a condition is satisfied, the application should identify that condition and describe the applicant's control over whether it is satisfied. Similarly, if a source of funds is available for

expenditure only during a fixed period, the application should describe that restriction. Examples of documentation include, but are not limited to, a letter signed by a governing official or chief financial officer confirming the amount and source of funding, a page or pages from the Statewide Improvement Program (STIP) or Transportation Improvement Program (TIP) (please do not include a link to the entire STIP/TIP), a signed city ordinance, or a county administrator committing previously approved general obligation bonds.

- Contingency Amount and Plan: Indicate the specific contingency amount included in the budget to demonstrate there is sufficient funding to cover unanticipated cost increases and describe a plan to address potential cost overruns.
- Level of Design: Indicate the degree of design completion (e.g., no design, 30, 60, 90 percent design) for which the cost was estimated in the case of a capital project;
- Cost Estimates: Indicate how, when, and by whom project costs were estimated. Cost estimates should be no older than a year from the application deadline and include an inflation factor.
- Cost Share: Explain how the project budget satisfies the statutory cost share or non-federal funds matching requirements shown in the project budget table, if applicable.

6. MERIT CRITERIA FILE

This file should demonstrate how the project aligns with each of the 8 statutory merit criteria described in the Merit Criteria section by:

- Organizing the narrative in the order the merit criteria are described in the Merit Criteria section
- Addressing each merit criteria separately by:
  - Identifying the bullet(s) from the rubric the project addresses
  - Identifying the element(s) of the project that address the bullet(s) from the rubric
  - Providing supporting justification using data or descriptive details. Unsupported claims may harm the application's competitiveness.

Insufficient information to assess any criterion will negatively impact the project rating. Merit reviewers will focus on this file and will not be required to reference links or the other files in the application package.

7. PROJECT READINESS FILE

Project readiness describes an applicant's preparedness to move a proposed project forward once it receives a BUILD grant. The Project Readiness file should include information that, when considered with the project budget information, is sufficient for the Department to evaluate whether the project is reasonably expected to begin the project timely and **well in advance the obligation deadline**. For most projects awarded under this NOFO, the obligation deadline will be September 30, 2030; a smaller subset of funds awarded under this NOFO may have an earlier obligation deadline, depending on the specific source of funds. To assist the Department's Project Readiness Review team, the applicant should provide the information requested on project schedule, required approvals and permits, NEPA class of action and status, public involvement,

right-of-way acquisition plans, risk assessment, and risk mitigation strategies. Applicants can see a general Project Readiness checklist on the Department's website. The Project Readiness file should include the sections outlined below. Supporting material that exceeds page limits may be provided as hyperlinks, attachments, or appendices.

i. Planning and Constructability

Applicants should demonstrate that a project that is required to be included in the relevant State, metropolitan, and local planning documents has been or will be included in such documents.

- STIP / TIP / TTIP / TAM Plan: Is the project already listed in the STIP, TIP, Tribal Transportation Improvement Program (TTIP), and/or Transit Asset Management (TAM) Plan, if applicable? If so, provide links or attachments that show the project listing in the applicable plans/programs. If the project is not yet listed, describe any coordination that has/will occur to facilitate listing in the applicable plans/programs and the anticipated date when listing will occur.
- Consistency with Other Plans: Is your proposal listed in and/or consistent with any other plans (e.g., the Long-Range Statewide Transportation Plan and/or Metropolitan Long-Range Plan)? If so, please summarize and provide a link to appropriate project listing.
- Freight Plans: To the extent possible, freight projects should be included in a State Freight Plan and supported by a State Freight Advisory Committee (49 U.S.C. 70201, 70202), if these exist. Applicants should provide links or other documentation supporting this consideration such as letters of support from the State DOT if the project is intended to be included in the State Freight Plan, or results from application of the FHWA Freight Mobility Trends Tool.
- Property Acquisition / Right-of-Way (ROW): Who is the owner of the existing facility? Will any new ROW acquisition be required, and if so, from whom? If acquisition will be required, describe the status and anticipated schedule for the acquisition. Will any special ROW permits or approvals be needed? If so, please describe.
- Construction Techniques and Phasing: Will the proposed improvements require unique construction techniques, non-standard project delivery methods (e.g., approaches other than design-bid-build), and/or phasing? If so, please describe.

ii. Proposed Schedule

- List the completed and/or anticipated dates (calendar month and year, not fiscal year or quarter) for the following key milestones. Dates provided should reflect a realistic amount of time to complete each milestone. Ensure that dates provided here are consistent with dates provided elsewhere in the application.
  - Start and end of preliminary design
  - Start and end of the NEPA process
  - Start and end of obtaining permits/approvals (if required)
  - Project listed in STIP, TIP, TTIP, and/or TAM Plan (as applicable)
  - Start and end of final design
  - Start and end of ROW acquisition (if required)
  - Anticipated finalization of BUILD grant agreement (if awarded)

- Start and end of construction
- Project Development Phases to be Funded with BUILD: Describe the project development phase(s) proposed to be funded with BUILD funds (if awarded), and whether BUILD funds are proposed to be used for phases other than ROW acquisition and construction (e.g., for design, NEPA, etc.). Typically, milestones for establishing the grant agreement and obligation of funds should be scheduled before any activities/phases that will use BUILD funds.

iii. NEPA and Permitting

- NEPA Class of Action: List the class of action/type of document that has already been or will be prepared to comply with the National Environmental Policy Act (NEPA) of 1969, as amended (e.g., a categorical exclusion, an environmental assessment, an environmental impact statement, or class of action not yet determined/or anticipated). If multiple NEPA documents are being prepared for this proposal, briefly explain why, and complete the prompts below for each document.
- NEPA Status and Milestones: Briefly describe the status of NEPA compliance (e.g., not started, underway, or complete), the anticipated project impacts, and proposed mitigation measures. If the NEPA process has been completed, provide the final approval date for the NEPA document. If the NEPA process has not yet been completed, list the key remaining milestones for the NEPA process, their status, and their anticipated completion dates. Identify any anticipated challenges to timely completing the NEPA process.
- Link to NEPA Documentation: If draft or final NEPA documentation is available, provide a hyperlink, attach it, or append it.
- Reevaluation and Post-Approval Changes: Describe any planned and/or completed efforts to reevaluate the NEPA documentation between the final NEPA approval and beginning of construction. Reevaluation may be warranted based on the passage of time and/or changes in the project scope, setting, impacts, or applicable requirements since the final NEPA approval.
- Permits and Approvals: List any federal, state, or local permits and approvals anticipated to be needed for the project (e.g., Clean Water Act Section 404 permit, Endangered Species Act Section 7 consultation, etc.) and how the need for those permits and approvals was determined. Provide the status of each permit or approval and the date that the permit or approval was obtained or is anticipated to be obtained. Summarize and attach relevant correspondence or documentation of consultation with permitting agencies.
- Coordination with DOT: Identify the federal lead agency for the NEPA process and any joint-lead agencies. Describe any coordination that has occurred with an agency or operating administration of USDOT regarding the project proposal and/or NEPA analysis. Describe any coordination with state, county, or local transportation agencies regarding preliminary design and the NEPA process.

iv. Project Support

- Public and Agency Involvement Process: Summarize the key events and techniques used to engage the public and other stakeholders during the NEPA process. Highlight efforts to engage communities likely to be affected by the project, including details on access for persons with disabilities. These efforts may include public meetings, a public website, presentations to community groups, newsletters, online outreach, etc.
- Public and Agency Involvement Results: Summarize the support, opposition, and/or other notable feedback related to the project from the following groups and describe how stakeholder feedback has been integrated into project development and design:
  - The public, including members of communities affected by the proposal,
  - Elected officials and/or bodies (e.g., federal and state legislators, city and county councils and boards, etc.),
  - Other entities (e.g., members of business or industry, community organizations, advocacy groups, etc.), and
  - Federal, state, or local agencies (reference any relevant information provided in the NEPA and Permitting section above).
- Attach and reference documentation of support as applicable (e.g., letters of support, letters of commitment, resolutions, summaries of public comments, etc.)

v. Risks and Mitigation

Project risks, such as procurement delays, environmental uncertainties, increases in real estate acquisition costs, uncommitted local match (non-federal funding), lack of support from stakeholders or impacted communities, or lack of legislative approval affect the likelihood of successful project start and completion. Project risks can also include the unavailability of vehicles that either comply with Federal Motor Vehicle Safety Standards or are exempt from Federal Motor Vehicle Safety Standards in a manner that allows for their legal acquisition and deployment, and unavailability of domestically manufactured equipment.

- The applicant should identify all material risks and harms to the project and the strategies that the lead applicant and any project partners have undertaken or will undertake to mitigate those risks and describe the potential effects of each risk on meeting the key project delivery schedule milestones presented in the Proposed Schedule. The applicant should assess the greatest risks to the project and identify how the project parties will mitigate those risks.
- If an applicant anticipates pursuing a waiver for relevant domestic preference laws, the applicant should describe steps that have been or will be taken to maximize the use of domestic goods, products, and materials in constructing its project. To the extent the applicant is unfamiliar with the Federal program, the applicant should contact the appropriate DOT operating administration field or headquarters offices, as found in contact information on the BUILD website, for information on the prerequisite steps to obligate Federal funds in order to ensure that their project schedule is reasonable and that there are no risks of delays in satisfying Federal requirements.

vi. Applicant Capacity Review

All applications should include a section in the Project Readiness file that demonstrates their capacity, knowledge, and experience to successfully deliver the project in compliance with applicable Federal requirements including, but not limited to, compliance with Buy America provisions. The applicant should address the following in the applicant capacity section of the Project Readiness file:

- Roles and Responsibilities: provide clear responsibilities and roles within the project, especially to administer the grant and deliver/implement the project.
- Federal Funding: demonstrate experience implementing federally funded transportation projects.
- Federal Regulations: understanding of federal contract and procurement requirements, and other federal requirements including Buy America, Americans with Disabilities Act, Uniform Relocation Assistance and Real Property Acquisition Act, Davis Bacon Act, etc.
- Project Planning: practice incorporating projects into long-range development plans or adding projects to the TIP/STIP through the MPO planning process, if relevant.
- Project Delivery: provide detailed description of successfully delivered projects of similar size, scope, and complexity.

8. COST EFFECTIVENESS REVIEW: BENEFIT-COST ANALYSIS

The purpose of the Benefit-Cost Analysis (BCA) is to enable the Department to evaluate the cost-effectiveness of the proposed project by comparing its expected benefits to its expected costs. These expected benefits and costs are estimated by comparing the world with the proposed project, the "build scenario" with a "baseline" or "no-build alternative" representing the world without the proposed project.

Any benefits claimed for the proposed project, both quantified and unquantified, should be clearly tied to the expected outcomes of the proposed project. While benefits should be quantified wherever possible, applicants may also describe other categories of benefits in the BCA that are more difficult to quantify and/or value in economic terms.

There should be two BCA files included in the application: (1) a narrative description of the BCA; and (2) an unlocked spreadsheet revealing the underlying calculations:

- Narrative Description of Analysis: The BCA narrative should describe the current baseline, the sources of data used to estimate the benefits of the project, explain all assumptions, and the values of key input parameters. Applicants may also provide a table similar to the one shown below summarizing the impacts of the project and how those impacts would translate into expected benefits.

This is shown as an example only:

Baseline / Current Status and Problem to be Addressed	Change to Baseline / Proposed Project to Address Problem	Example Impacts
A bridge has deteriorated to the point where trucks are forced to detour to a nearby bridge	The existing bridge will be rehabilitated to remove restrictions on trucks	Reduced travel time and vehicle operating costs due to a reduction in average truck trip length by X miles
An intersection has a high number of fatal and injury crashes stemming from a deficient design	The existing intersection will be replaced with a roundabout	Reduced fatalities, injuries, and property damage-only crashes by X, Y, and Z per year

- Spreadsheet Revealing Underlying Calculations: The BCA spreadsheet file should be unlocked and present calculations in sufficient detail and transparency to allow evaluators to reproduce the analysis. DOT does not have a prescribed format for the BCA spreadsheet, but the Department has a BCA spreadsheet template that is available to assist applicants in structuring their analysis.

Applicants should review the Department's detailed guidance on how to conduct a BCA. Both the guidance document and spreadsheet template will be available on the BUILD website.

E. SUBMISSION REQUIREMENTS AND DEADLINE

1. ADDRESS TO REQUEST APPLICATION PACKAGE

All application materials may be found on grants.gov and the BUILD website.

2. UNIQUE ENTITY IDENTIFIER (UEI) AND SYSTEM FOR AWARD MANAGEMENT (SAM)

Each applicant must:

- Be registered in SAM.gov before submitting its application;
- Provide a valid unique entity identifier in its application; and
- Continue to maintain an active registration in SAM.gov with current information at all times during which it has an active Federal award or an application under consideration by a Federal agency.

Please note that the SAM registration process takes **several weeks to complete, if not longer**.

i. Submission Instructions

All applications must be submitted electronically through Valid Eval at:

- Capital Project - https://usg.valideval.com/teams/usdot_build_2026_capital/signup

- Planning Projects - https://usg.valideval.com/teams/usdot_build_2026_planning/signup

Capital and Planning projects have different application submission requirements and must be submitted using the appropriate link.

The Department does **not** accept applications via mail, fax machine, email, or other means.

ii. Submission Issues

Email Valid Eval at support@valideval.com for technical assistance with the application portals.

3. SUBMISSION DEADLINE

Applications must be submitted through Valid Eval by 5:00 PM eastern on February 24, 2026. The Valid Eval application portals will **not** accept late applications.

i. Consideration of Applications

Only applicants who comply with all submission deadlines described in this notice and electronically submit valid, on-time applications through Valid Eval will be eligible for evaluation and possible selection for award.

ii. Late Applications

The Department does **not** accept late BUILD grant applications. Applicants are strongly encouraged to complete submissions days, if not weeks, in advance of the deadline. Applicants facing technical issues are advised to email Valid Eval at support@valideval.com well in advance of the deadline.

4. INTERGOVERNMENTAL REVIEW

This program is not subject to EO 12372, Intergovernmental Review of Federal Programs.

5. COMPLIANCE WITH SECTION 508 OF THE REHABILITATION ACT OF 1973

The Department encourages applicants to submit documents that are compliant with Section 508 of the Rehabilitation Act of 1973 (see Section 508 guidelines).

F. APPLICATION REVIEW INFORMATION

1. CRITERIA

This section describes the statutory merit criteria, cost effectiveness test, and project readiness review the Department will use to evaluate applications.

TIER 1 All Eligible Applications
Merit Criteria Review
TIER 2 All applications rated "Highly Recommended" under the merit criteria review automatically advance for second tier analysis. The Senior Review Team (SRT) can advance applications rated "Recommended" for second-tier analysis.
Project Readiness Review
Project Risk Review (capital projects only)
Applicant Capacity Review
Financial Completeness Review
Benefit-Cost Analysis (capital projects only)

The Department will review the statutory merit criteria for all applications. Highly Recommended capital applications will automatically advance to receive second-tier analysis consisting of three Project Readiness reviews: (1) Project Risk Review; (2) Applicant Capacity Review; and (3) Financial Completeness Review, as well as a Benefit-Cost Analysis (BCA). Highly Recommended planning applications will automatically advance to receive second-tier analysis consisting of an: (a) Applicant Capacity Review; and (2) Financial Completeness Review. The SRT can advance select Recommended capital and planning applications for second-tier analysis under the circumstances described in the Review and Selection Process section.

i. Merit Criteria

The Department will evaluate whether the application uses data-driven and evidence-based methods to demonstrate that the project will provide the anticipated benefits for each statutory merit criterion and will assign individual ratings of: **High, Medium, Low, or Non-Responsive**.

Individual Merit Criteria Ratings	
High	The criterion must be addressed as a primary project purpose (not an ancillary or incidental consideration), must include clear, direct, data-driven (capital projects only), and significant benefits, and must align with at least one of the benefits described in the high column of the merit criteria rubric. For the Partnership and Innovation criteria, the project has, or demonstrates plans to, support one or more of the activities in the merit criteria rubric.
Medium	The criterion may not be a primary project purpose, or the project benefits do not meet at least one of the requirements for a High rating, as described in the merit criteria rubric.
Low	The application contains insufficient information to assess that criterion's benefits.
Non-Responsive	The proposed project negatively affects the criterion, or the application does not address the criterion.

Planning grant applications will be evaluated against the same merit criteria as capital grants. Planning grant applications should include data on the problem intended to be addressed, but information does not need to be as driven by data as a capital project when estimating benefits of the implemented project since data is often an outcome of the project to be planned. The Department will consider how the plan, once implemented, will ultimately further the merit criteria.

Merit Criteria	Non-Responsive	Low	Medium	High

Safety	Application did not address the Safety criterion
	
	OR
	
	Project negatively affects safety
		Application contains insufficient information to assess safety benefit	The project has one or more of the following safety benefits, but safety may not be a primary project purpose or does not meet the description(s) of a High rating:
			• Reduce any number of fatalities and/or serious injuries
				Safety is a primary project purpose AND the project has clear, direct, **data-driven** (for capital projects only), and significant benefits that targets a known, documented safety problem, by doing one or more of the following:
				• Implement autonomous systems designed to improve safety outcomes
				• Prevent fatalities and serious injuries by:
				  ○ Eliminating at-grade crossings; or
				  ○ Facilitating the separation of freight and passenger traffic
				• Protect motorized and non-motorized travelers from safety risks; or
				• Reduce fatalities and/or serious injuries in the project area to bring them below the state-wide average; or
				• Incorporate and cite specific actions and activities identified in FTA's Safety Advisory 23-1: Bus-to-Person Collisions; or
				• Incorporate specific safety improvements that are part of a documented safety risk mitigation strategy and that have, for example, corridor, port-wide, or transit system impact.

Merit Criteria	Non-Responsive	Low	Medium	High
Environmental Sustainability	Application did not address the Environmental Sustainability criterion OR Project negatively affects environmental sustainability	Application contains insufficient information to assess environmental sustainability benefits	Project has one or more of the following environmental sustainability benefits, but environmental sustainability may not be a primary project purpose or does not meet the description(s) of a High rating: • Make basic stormwater improvements; or • Remove, replace, or restore culverts for the purpose of improving habitat for aquatic species	Environmental sustainability is a primary project purpose AND the project has clear, direct, **data-driven** (for capital projects only), and significant by doing one or more of the following: • Improve the resilience of at-risk infrastructure to be resilient to extreme weather events and natural disasters including the construction of parallel or redundant alternatives if appropriate; or • Include project in a resilience improvement plan that considers risk across transportation modes, regions, and critical interdependent sectors or similar plan; or • Incorporate permeable pavements, bioswales, vegetated swales and berms, urban tree canopies, stone breakwaters, etc., as appropriate.
Quality of Life	Application did not address the Quality of Life criterion OR Project negatively affects quality of life	Application contains insufficient information to assess quality of life benefits	Project has one or more of the following quality of life benefits but quality of life may not be a primary project purpose or does not meet the description(s) of a High rating: • Reduce transportation and housing cost burdens by integrating mixed-use development and	Quality of life is a primary project purpose AND the project has clear, direct, **data-driven** (for capital projects only) and significant benefits, by doing one or more of the following: • Beautify transportation infrastructure (e.g. engaging landscape, shade trees) with context-appropriate design that enhance user experience while maintaining safety and operational efficiency; or

Merit Criteria	Non-Responsive	Low	Medium	High
			a variety of housing types, including affordable housing, with multimodal transportation infrastructure; or • Coordinate and integrate land use, affordable housing, and transportation planning in order to create more livable communities; or • Implement transit-oriented development.	• Improve the travel experience for families (e.g., dedicated facilities for mothers such as nursing/pumping spaces, improved accommodations for strollers, accessible changing tables, intuitive design elements, small parks, playground-inspired edging); or • Improves wayfinding and user experience (clear signage, intuitive layouts, and predictable operations for caregivers); or • Makes transportation more affordable.
Mobility and Community Connectivity	Application did not address the Mobility and Community Connectivity criterion OR Project negatively affects mobility and community connectivity	Application contains insufficient information to assess mobility and community connectivity benefits	Project has one or more of the following mobility and community connectivity benefits, but mobility and community connectivity may not be a primary project purpose or does not meet the description(s) of a High rating: • Decrease roadway traffic congestion and does not propose limits on roadway capacity for motor	Mobility and community connectivity is a primary project purpose AND the project has clear, direct, **data-driven** (for capital projects only) and significant benefits, by doing one or more of the following: • Improve vehicular roadway capacity; or • Enhance the accessibility of the transportation system for families and Americans with disabilities using Universal Design; or • Remove physical barriers for individuals by reconnecting

Merit Criteria	Non-Responsive	Low	Medium	High
			vehicles or create artificial chokepoints for motor vehicles; or • Incorporate Americans with Disabilities Act improvements	communities to direct, affordable transportation options; or • Include transportation features that increase the accessibility for non-motorized travelers in underserved communities; or • Provides additional options for intermodal and multimodal freight shippers; or • Consider last-mile freight plans in a multimodal approach.
Economic Competitiveness and Opportunity	Application did not address the Economic Competitiveness and Opportunity criterion OR Project negatively affects economic competitiveness and opportunity	Application contains insufficient information to assess economic competitiveness and opportunity benefits	Project has one or more of the following economic competitiveness and opportunity benefits, but economic competitiveness and opportunity may not be a primary project purpose or does not meet the description(s) of a High rating: • Reduce travel time or improve travel time reliability; or • Improve the safety, security, or efficiency of the movement of goods; or	Economic competitiveness is a primary project purpose AND the project has clear, direct, **data-driven** (for capital projects only), and significant benefits, by doing one or more of the following: • Advance the nation's domestic energy sector, in accordance with Executive Order 14154 Unleashing American Energy; or • Revitalize and restore domestic maritime industries, in accordance with Executive Order 14269 Restoring America's Maritime Dominance; or • Promote economic growth, and other broader economic and fiscal benefits; or • Promote or reshore industries of national interest, including the

Merit Criteria	Non-Responsive	Low	Medium	High
			• Create jobs related to the project's delivery and on-going operations	critical minerals, steel, the defense industrial base, and pharmaceutical manufacturing; or • Includes union participation or project labor agreements which promote cost-effectiveness and open competition; or • Improve intermodal and/or multimodal freight mobility; or • Address a freight bottleneck, as identified in the National Freight Strategic Plan, a State Freight Plan, or as measured by relevant freight industry associations (ATRI, e.g.); or • Support growth and expansion of American exports; or • Expand access to safe truck parking; or • Facilitate tourism opportunities.

Merit Criteria	Non-Responsive	Low	Medium	High
State of Good Repair	Application did not address the State of Good Repair criterion OR Project negatively affects state of good repair	Application contains insufficient information to assess state of good repair benefits	Project has one or more of the following state of good repair benefits but state of good repair may not be a primary project purpose or does not meet the description(s) of a High rating: • Routine or deferred maintenance; or • Identify the party responsible for maintenance and describe how the new or improved asset(s) will be maintained in a state of good repair.	State of good repair is a primary project purpose AND the project has clear, direct, **data-driven** (for capital projects only) and significant benefits, by doing one or more of the following: • Restore and modernize the existing core infrastructure assets that have met their useful life; or • Prioritize improvement of the condition and safety of existing transportation infrastructure, particularly infrastructure with high cost of failure, such as bridges with lengthy detours; or • Reduce construction and maintenance burdens through efficient and well-integrated design; or • Create new infrastructure in remote communities that will be maintained in a state of good repair; or • Address current or projected transportation system vulnerabilities.
Partnership and Collaboration	Application did not address the Partnership and Collaboration criterion OR	Application contains insufficient information to assess the partnership and collaboration benefits	Project has one or more of the following partnership and collaboration benefits but partnership and collaboration may not be a primary project purpose or does not meet the description(s) of a High rating:	Project has, or demonstrates plans to, support one or more of the following: • Engage residents and community-based organizations to ensure those who live and work in the project area are meaningfully engaged throughout the lifecycle of the project; or

Merit Criteria	Non-Responsive	Low	Medium	High
	Project negatively affects partners or community members (e.g., negative impacts from ROW acquisition, lack of support for the project, etc.)		• Collaborate with public and/or private entities; or • Document support from local, regional, or national levels	• Establish formal public-private partnerships or joint ventures to restore, expand, or create new infrastructure; or • Coordinate with other types of projects such as economic development, commercial or residential development, power/electric infrastructure projects, or broadband deployment; or • Partner with high-quality workforce development programs to help train, place, and retain people in good-paying jobs or registered apprenticeships.
Innovation	Application did not address the Innovation criterion. OR Includes non-innovative practices or components	Application contains insufficient information to assess innovation benefits	Project has one or more of the following innovation benefits but does not meet the description(s) of a High rating: • Deploy technologies, project delivery, or financing methods that are <u>new or innovative to the applicant or community</u>	Project has, or demonstrates plans for, one or more of the following innovative benefits. Innovative Technologies • Advance the development and deployment of autonomous vehicles • Enhance the environment for connected or automated vehicles to improve the detection and mitigation of safety risks; or • Deploy innovative and emerging transportation technologies; or • Improve safety using Advanced Driver Assistance Systems on public transit vehicles, including functions

Merit Criteria	Non-Responsive	Low	Medium	High
				such as precision docking; lane keeping or lane centering; or • Use sensors or small unmanned aerial vehicles to enhance infrastructure inspection and asset management processes; or • Use sensors to monitor real-time conditions of pavement quality, signage, crosswalks, transit headways, or other public infrastructure; or • Use caps, land bridges, or underdecks; or • Use active grade crossing detection systems to enable responsive traffic management; or • Use detection systems on railroads to target and deter trespassing; or • Deploy technology to: o digitize curb management to optimize use across purposes and modes, including freight, pick-up/drop-off, and transit usage; or o support more efficient freight operating practices; or o help combat cargo theft through enhanced prevention and recovery; or Innovative Project Delivery • Use practices that facilitate accelerated project delivery such as

Merit Criteria	Non-Responsive	Low	Medium	High
				single contractor design-build arrangements, Advanced Digital Construction Management, Accelerated Bridge Construction, Digital as-builts, or an up-to-date programmatic agreement between an environmental resource agency and a state DOT, or other NEPA lead agency, that establishes a streamlined process for environmental consultations and permits for commonly encountered project types. Innovative Financing • Secure TIFIA, RRIF, or private activity bond financing; or • Use congestion pricing or other demand management strategies

Safety
The Department will evaluate whether and how the project demonstrates safety benefits. For this assessment, the Department will consider, for example, the extent to which the project improves safety outcomes by implementing autonomous systems; prevents fatalities and serious injuries by eliminating at-grade crossings or facilitating the separation of freight and passenger traffic; protects motorized and non-motorized travelers from safety risks; reduces fatalities and/or serious injuries in the project area to bring them below the state-wide average; incorporates specific actions and activities identified in FTA's Safety Advisory 23-1: Bus-to-Person Collisions; or incorporate specific safety improvements that are part of a documented safety risk mitigation strategy and that have, for example, corridor, port-wide, or transit system impact.

Environmental Sustainability
The Department will evaluate whether and how the project demonstrates environmental sustainability benefits. For this assessment, the Department will consider, for example, to the extent to which the project improves the resilience of at-risk infrastructure to be resilient to extreme weather events and natural disasters including the construction of parallel or redundant alternatives if appropriate; includes the project in a resilience improvement plan that considers risk across transportation modes, regions, and critical interdependent sectors or similar plan; or incorporates permeable pavements, bioswales, vegetated swales and berms, urban tree canopies, or stone breakwaters, etc., as appropriate. If applicable, applicants are encouraged to make floodplain upgrades consistent with the Federal Flood Risk Management Standard, to the extent consistent with current law.

Quality of Life
The Department will consider the extent to which the project beautifies transportation infrastructure (e.g. engaging landscape, shade trees) with context-appropriate design that enhance user experience while maintaining safety and operational efficiency; improves the travel experience for families (e.g., dedicated facilities for mothers such as nursing/pumping spaces, improved accommodations for strollers, accessible changing tables, intuitive design elements, small parks, playground-inspired edging, improves wayfinding and user experience (clear signage, intuitive layouts, and predictable operations for caregivers); or makes transportation more affordable. The inclusion of dedicated facilities for mothers such as nursing/pumping spaces, accessible changing tables, and improved accommodations for strollers are **not** eligible as standalone projects and need to be included as elements within an eligible surface transportation infrastructure project. **Note: Parks and housing are not eligible project costs under the BUILD grant program.** They **cannot** be included in the total project cost.

Mobility and Community Connectivity
The Department will assess whether and how the project will improve mobility and community connectivity. For this assessment, the Department will consider how the project will improve vehicular roadway capacity; enhance the accessibility of the transportation system for families

and Americans with disabilities using Universal Design; [6] remove physical barriers for individuals by reconnecting communities to direct, affordable transportation options; include transportation features that increase the accessibility for non-motorized travelers in underserved communities; provides additional options for intermodal and multimodal freight shippers; or consider last-mile freight plans in a multimodal approach.

Economic Competitiveness and Opportunity
The Department will assess whether and how the project will improve economic competitiveness and opportunity. For this assessment, DOT will consider the extent to which the project will advance the nation's domestic energy sector, in accordance with Executive Order 14154 Unleashing American Energy; revitalize and restore domestic maritime industries, in accordance with Executive Order 14269 Restoring America's Maritime Dominance; promote economic growth, and other broader economic and fiscal benefits; promote or reshore industries of national interest, including the critical minerals, steel, the defense industrial base, and pharmaceutical manufacturing; includes union participation or project labor agreements which promote cost-effectiveness and open competition; improve intermodal and/or multimodal freight mobility; address a freight bottleneck, as identified in the National Freight Strategic Plan, a State Freight Plan, or as measured by relevant freight industry associations (ATRI, e.g.); support growth and expansion of American exports; expand access to safe truck parking; or facilitate tourism opportunities.

State of Good Repair
The Department will assess whether and to what extent the project improves state of good repair. For this assessment, DOT will consider the extent to which the project will restore and modernize the existing core infrastructure assets that have met their useful life; or prioritize improvement of the condition and safety of existing transportation infrastructure; or reduce construction and maintenance burdens through efficient and well-integrated design; or create new infrastructure in remote communities that will be maintained in a state of good repair; or address current or projected transportation system vulnerabilities.

Partnership and Collaboration
The Department will consider the extent to which the project has or will support and engage people and communities. For this assessment, DOT will consider how the project has or will engage residents and community-based organizations to ensure those who live and work in the project area are meaningfully engaged throughout the lifecycle of the project; establish formal public-private partnerships or joint ventures to restore, expand, or create new infrastructure; coordinate with other types of projects such as economic development, commercial or residential development, power/electric infrastructure projects, or broadband deployment; or partner with high-quality workforce development programs to help train, place, and retain people in good-paying jobs or registered apprenticeships.

6 Definition for "Universal Design" found on the General Services Administration's Section508.gov website and states, "Universal design is a concept in which products and environments are designed to be usable by all people, to the greatest extent possible, without the need for adaption or specialized design."

DOT will assess the level of detail and description provided about the partnerships listed above. **Applications that provide more details and descriptions about the project partnership will be rated higher than those that do not, in alignment with the merit rating rubric.**

Innovation

The Department will assess the extent to which the applicant uses innovative: (1) technologies; (2) project delivery; or (3) financing. If this project is the first time the applicant or community will deploy specific innovations, the Department will consider them innovative, to the extent applicants provide enough detail to determine whether the innovations being deployed are new or innovative to the applicant or community regardless of whether other applicants or communities have implemented these innovations.

- Innovative Technologies: The Department will consider how the project advances the development and deployment of autonomous vehicles; enhances the environment for connected or automated vehicles to improve the detection and mitigation of safety risks; deploys innovative and emerging transportation technologies; improves safety using Advanced Driver Assistance Systems on public transit vehicles, including functions such as precision docking; lane keeping or lane centering; uses sensors or small unmanned aerial vehicles to enhance infrastructure inspection and asset management processes; uses sensors to monitor real-time conditions of pavement quality, signage, crosswalks, transit headways, or other public infrastructure; or uses caps, land bridges, or underdecks; uses active grade crossing detection systems to enable responsive traffic management; uses detection systems on railroads to target and deter trespassing; or digitalizes curb management to optimize use across purposes and modes, including freight, pick-up drop-off, and transit usage.

    - Please note that all innovative technology must follow 2 CFR § 200.216. If an applicant is proposing to deploy autonomous vehicles or other innovative motor vehicle technology, the Department will consider whether and how the applicant demonstrates that all vehicles will comply with applicable safety requirements, including those administered by the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Safety Administration (FMCSA). Specifically, the Department will consider whether the vehicles acquired for the proposed project will comply with applicable Federal Motor Vehicle Safety Standards (FMVSS) and Federal Motor Carrier Safety Regulations (FMCSR). If the vehicles may not comply, the Department will consider applications that do one of the following more competitive than applications that do not: either (1) show that the vehicles and their proposed operations are within the scope of an exemption or waiver that has already been granted by NHTSA, FMCSA, or both agencies or (2) directly address whether the project will require exemptions or waivers from the FMVSS, FMCSR, or any other regulation and, if the project will require exemptions or waivers, present a plan for obtaining them.

- Innovative Project Delivery: The Department will consider the extent to which the project uses practices that facilitate accelerated project delivery such as single contractor design-build arrangements, project bundling, Advanced Digital Construction Management, Accelerated Bridge Construction, Digital as-builts, or an up-to-date programmatic agreement between an environmental resource agency and a state DOT, or other NEPA lead agency, establishing a streamlined process for environmental consultations and permits for commonly encountered project types.

- Innovative Financing: The Department will assess the extent to which the project incorporates innovations in transportation funding and finance, for example through private sector funding or financing, using congestion pricing or other demand management strategies to address congestion, securing a TIFIA or RRIF loan, or receiving an allocation for private activity bonds through DOT's Build America Bureau.

DOT will assess the level of detail and description provided about the Innovative elements listed above. **Applications that provide more details and descriptions about the innovative technology, project delivery, or financing will be rated higher than those that do not, in alignment with the merit rating rubric**.

ii. Project Readiness

Capital project applications that receive second-tier analysis will be reviewed for Project Readiness and assigned three evaluation ratings:

- Project Risk Review
- Applicant Capacity Review
- Financial Completeness Review

Planning project applications that receive second-tier analysis will be reviewed for Project Readiness and assigned two evaluation ratings:

- Applicant Capacity Review
- Financial Completeness Review

Low ratings in any of these readiness areas do not disqualify projects from award, but competitive applications clearly and directly describe achievable risk mitigation strategies.

Project Risk Review
The Project Risk Review evaluates information provided in the Project Readiness file. The review analyzes the likelihood of the project to meet major milestones including the timely obligation and expenditure of grant funds given the constructability of the project, the current level of design, the extent to which the applicant has secured necessary environmental permits and approvals, whether acquiring right-of-way and/or a railway agreement is needed, if there is support for the project, and other considerations outlined in Section F.2.v. The review considers all elements relevant to the project and assigns a risk rating of: **High Risk, Moderate Risk, or Low Risk.**

Applicant Capacity Review

The Applicant Capacity Review evaluates only the information provided in the Project Readiness file. The review evaluates the extent to which the applicant has the knowledge, experience, and capacity to successfully deliver the project in compliance with applicable Federal requirements as well as the recipient's experience working with Federal funds, civil rights compliance, and previous experience delivering infrastructure projects. Applicant Capacity ratings will be one of the following: **Certain, Somewhat Certain, or Uncertain.**

DOT will assign the highest rating of Certain, if the application demonstrates that the applicant has:

- experience managing Federal funds;
- extensive experience completing projects with similar scope;
- resources to deliver the project; and
- knowledge of all applicable Federal requirements including, but not limited to, Buy America provisions, ADA regulations, Civil Rights requirements, Federal Motor Vehicle Safety Standards, and/or the Federal Motor Carrier Safety Regulations.

If an applicant is proposing to adopt innovative technology or other innovative practices, DOT will assess whether the applicant's capacity to implement those innovations, the applicant's understanding of applicable Federal requirements and whether the innovations may require extraordinary permitting, approvals, exemptions, waivers, or other procedural actions, and the effects of those innovations on the project delivery timeline.

Financial Completeness Review

The Financial Completeness Review reviews the project budget to confirm the availability of funding for the project and whether the applicant presented a complete funding package based on reasonable cost estimates. Financial Completeness ratings are: **Complete, Partially Complete, or Incomplete**.

DOT will assign the highest rating of Complete if the application:

- identifies all funding sources for the project budget;
- documents all funding is available and committed to the project;
- includes contingency amount and source in the project budget;
- describes a plan to address potential cost overruns;
- provides cost estimates prepared according to industry standards and/or DOT guidance; and
- includes an inflation factor.

Projects with funding gaps, estimates that are based on early stages of design (e.g., less than 30 percent design), or outdated cost estimates without specified budget contingencies will receive a lower rating. **All applicants, including those requesting 100 percent grant funding, should describe a plan to address potential cost overruns.**

iii. Benefit-Cost Analysis

For capital projects that receive second-tier analysis, the Department will consider the costs and benefits of projects seeking BUILD grant funding in determining the extent to which a project is cost effective. To the extent possible, the Department will rely on quantitative, evidenced-based and data-supported analysis to assess how well a project addresses this criterion, including an assessment of the project's estimated benefit-cost ratio (BCR) based on the applicant-supplied BCA described in the Cost effectiveness review: Benefit-Cost Analysis section.

Based on the Department's assessment, the Department will assign BCA rating of: **High, Medium-High, Medium, Medium-Low, or Low**

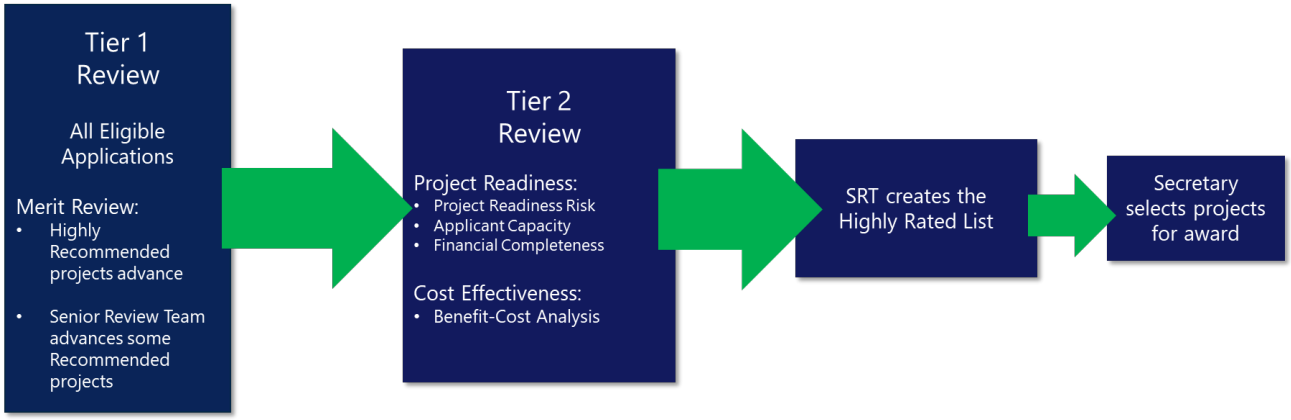
BCA Ratings	
High	The project's benefits will exceed its costs, with a benefit-cost ratio of at least 2.0
Medium-High	The project's benefits will exceed its costs
Medium	The project's benefits are likely to exceed its costs
Medium-Low	The project's costs are likely to exceed its benefits
Low	The project's costs will exceed its benefits

2. REVIEW AND SELECTION PROCESS

This section addresses the IIJA requirement to describe the methodology for evaluation in the NOFO, including how applications advance through the evaluation process and the other considerations made during selection. The BUILD grant application review and selection process consist of eligibility reviews, merit criteria review, second-tier analysis, Senior Review, and selection by the Secretary.

i. Eligibility Review

DOT staff will review all applications to determine eligibility based on requirements outlined in Section C. This process confirms the applicant is an eligible entity, the project type is eligible, and the requested non-Federal cost share is eligible. DOT staff will also verify the project location to verify eligibility to request up to 100 percent federal funding. Applicants may only submit up to three applications. Any applications submitted above the limit will be marked as ineligible.



ii. First-Tier: Merit Criteria Review

All eligible BUILD grant applications receive a Merit Criteria Review to see how well the project described in the application aligns with the eight statutorily required merit criteria listed in Section F.1. Merit Review teams will evaluate the significance of the benefits and the extent to which the project is likely to achieve the benefits described in the application.

Each criterion is assigned an individual rating: **High, Medium, Low, and Non-Responsive**. The individual ratings are tallied to calculate an overall merit rating of: **Highly Recommended, Recommended, Not Recommended.**

Overall Merit Rating	
Highly Recommended	six or more of the eight merit criteria ratings are "high" none of the merit criteria ratings are "non-responsive"
Recommended	one to five of the merit criteria ratings are "high" no more than three of the merit criteria ratings are "low" none are "non-responsive"
Not Recommended	Ratings that do not fit within the definitions of Highly Recommended or Recommended

- **Highly Recommended** - Automatically advance for second-tier analysis.
- **Recommended** - The Senior Review Team (SRT) reviews all Recommended projects to determine if the benefits of a particular criterion are so significant that the project merits advancing for second-tier analysis. The SRT can advance a Recommended project if:

    - The project received a High in one or more of the priority criteria of **safety, quality of life, mobility and community connectivity, and economic competitiveness** and the benefits in that criterion are exceptional; or

    - The SRT provides additional information to demonstrate that a criterion has benefits that are aligned with a High rating for one or more of the priority merit criteria listed

above (whether the Merit Review Team assigned a High rating) and the benefits in that criterion would be exceptional.

- **Not Recommended** - Do **not** advance and are not considered for selection.

iii. Second-Tier: Project Cost Effectiveness and Readiness Review

Second-tier analysis consists of:

- **Capital Projects**
  - Cost Effectiveness Review in the form of a Benefit-Cost Analysis (BCA)
  - Project Readiness Review evaluates:
    - risk of project not meeting obligation and construction timeline;
    - applicant capacity and experience to deliver the project; and
    - financial completeness of project funding.

- **Planning Projects**
  - Project Readiness Review evaluates:
    - applicant capacity and experience to deliver the project; and
    - financial completeness of project funding

iv. Senior Review

The SRT reviews the outcomes of second-tier analysis to determine which projects are designated as Highly Rated. SRT will prioritize projects that can be delivered quickly and efficiently.

- **Capital Projects with the following ratings can be designated Highly Rated:**
  - Medium to High BCA Rating
  - Favorable Project Readiness Ratings
  - Begin construction within 18 months of selection

- **Planning Projects with the following ratings can be designated Highly Rated:**
  - Favorable Project Readiness Ratings
  - Begin project within 6 months of selection

The SRT can justify rating projects as Highly Rated that do not meet all items listed above if the project proposes exceptional benefits in priority merit criteria. The SRT advances all Highly Rated projects to the Highly Rated List given to the Secretary.

v. Selections

Using the discretionary authority provided in statute, the Secretary selects projects from the Highly Rated List for award consistent with the selection criteria and statutory set asides that require:

- 50 percent of funds be awarded to projects located in rural areas and 50 percent of funds be awarded to projects located in urban area;
- At least 5 percent of funds be awarded to planning projects; and
- At least 1 percent of funds be awarded to projects located in Areas of Persistent Poverty/Historically Disadvantaged Communities.

Statute also requires the Secretary to consider geographic and modal diversity in making selections. The Secretary may, depending on the pool of qualified applications, seek to award at least one project per state or territory. Per statute, "not more than 15 percent of the funds available to carry out the program for a fiscal year may be awarded to eligible projects in a single state during that fiscal year."

The Secretary may prioritize the selection of projects that:

- can begin construction within 18 months of selection; or
- are located in a designated Qualified Opportunity Zone (26 U.S. Code § 1400Z-1); or
- have a higher percent of non-federal funding committed to the project; or
- have not received a BUILD/RAISE/TIGER grant previously.

Projects for which an FY 2026 BUILD application is advanced by the Senior Review Team to the Highly Rated List, but that are not awarded, are automatically designated as "Projects of Merit." Projects with this designation will be carried over into FY 2027 BUILD, subject to authorization and appropriation, and considered by the SRT for advancement to the Highly Rated List, along with other FY 2027 applications eligible for advancement to the Highly Rated List.

Due to overwhelming demand, the Department is unable to provide a BUILD award to every competitive project that applies. Consistent with past practice and statute, the Department offers debriefs to applicants not selected for award to receive information about the BUILD project's evaluation.

G. AWARD NOTICES

1. HOW PROJECT SELECTIONS ARE ANNOUNCED

The Department emails each successful applicant and posts all selections in Fact Sheets as well as an excel file on the BUILD website.

- Notice of selection is **not** authorization to begin or to incur costs for the proposed project.
- Following that announcement, the BUILD program Office and relevant Operating Administration will contact the point of contact listed on the SF-424 to initiate development of the grant agreement.

2. ANNOUNCEMENT DATES

- Selections will be announced no later than June 28, 2026, per statute.

3. PRE-AWARD COSTS

Unless authorized by the Department in writing after announcement of FY 2026 BUILD selections, any costs incurred prior to the Department's obligation of funds for a project are ineligible for reimbursement and are ineligible cost share requirements.[7]

- Project costs incurred before project selections are announced cannot be paid for with funds from this competition.
- Funds must be used only for the specific purposes as outlined in the award letter and/or authorized by the Department.

4. REIMBURSABLE PROGRAM

Recipients of BUILD Grant awards will not receive lump-sum cash disbursements at the time of award announcement or obligation of funds.

In general, BUILD Program funds are administered on a reimbursement basis. Grant recipients will generally be required to pay project costs upfront using their own funds, and then request reimbursement for those costs.

- BUILD funds will reimburse recipients only after a grant agreement has been executed, allowable expenses are incurred, and valid requests for reimbursement are submitted.
- Obligation occurs when a selected applicant and the Department enter into a written grant agreement after the applicant has satisfied applicable local, State and Federal requirements.

If a recipient cannot complete a project on reimbursement basis, DOT will—on a case-by-case basis—consider recipient requests to use alternate payment methods as described in 2 CFR 200.305(b), including advance payments.

H. POST-AWARD REQUIREMENTS AND ADMINISTRATION

1. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

i. Administrative Requirements

Please visit the BUILD website for the General Terms and Conditions for FY 2025 BUILD awards. The FY 2026 BUILD Terms and Conditions will be similar to the FY 2025 BUILD Terms and Conditions, but it will include relevant updates consistent with this notice.

All awards will be administered pursuant to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards found in 2 C.F.R part 200, as adopted by

[7] Pre-award costs are costs incurred after award announcement, but directly pursuant to the development of a grant agreement where such costs are necessary for efficient and timely performance of the scope of work, as determined by DOT. Costs incurred under an advance construction (23 U.S.C. 115) authorization before the DOT announces that a project is selected for a FY 2026 BUILD award cannot be charged to FY 2026 BUILD funds. Likewise, costs incurred under an FTA Letter of No Prejudice under Chapter 53 of title 49 U.S.C. before the DOT announces that a project is selected for a FY 2026 BUILD award, cannot be charged to FY 2026 BUILD funds.

DOT at 2 C.F.R part 1201. Federal wage rate requirements included in subchapter IV of chapter 31 of title 40, U.S.C., apply to all projects receiving funds under this program, and apply to all parts of the project, whether funded with BUILD Grant funds, other Federal funds, or non-Federal funds.

In connection with any program or activity conducted with or benefiting from funds awarded under this notice, recipients of funds must comply with all applicable requirements of Federal law, including, without limitation, the Constitution of the United States; the conditions of performance, non-discrimination requirements, and other assurances made applicable to the award of funds in accordance with regulations of the Department of Transportation; and applicable Federal financial assistance and contracting principles promulgated by the Office of Management and Budget. In complying with these requirements, recipients, in particular, must ensure that no concession agreements are denied or other contracting decisions made on the basis of speech or other activities protected by the First Amendment. If DOT determines that a recipient has failed to comply with applicable Federal requirements, DOT may terminate the award of funds and disallow previously incurred costs, requiring the recipient to reimburse any expended award funds.

Additionally, applicable Federal laws, rules and regulations of the relevant operating administration administering the project will apply to the projects that receive BUILD grant awards, including planning requirements, Service Outcome Agreements, Stakeholder Agreements, Buy America compliance, and other requirements under DOT's other highway, transit, rail, and port grant programs. For projects that are eligible under BUILD but are not eligible under DOT's other programs or projects that are eligible under multiple DOT programs, the BUILD program will determine the appropriate requirements to ensure the project is delivered consistent with program and Department goals. In particular, Executive Order 14005 directs the Executive Branch Departments and agencies to maximize the use of goods, products, and materials produced in, and services offered in, the United States through the terms and conditions of Federal financial assistance awards. If selected for an award, grant recipients must be prepared to demonstrate how they will maximize the use of domestic goods, products, and materials in constructing their project. BUILD grant projects involving vehicle acquisition must involve only vehicles that comply with applicable Federal Motor Vehicle Safety Standards and Federal Motor Carriers Safety Regulations, or vehicles that are exempt from Federal Motor Vehicle Safety Standards or Federal Motor Carrier Safety Regulations in a manner that allows for the legal acquisition and deployment of the vehicle or vehicles.

For projects administered by FHWA, applicable Federal laws, rules, and regulations set forth in Title 23 U.S.C. and Title 23 C.F.R generally apply, including the 23 U.S.C. 129 restrictions on the use of toll revenues, and Section 4(f) preservation of parklands and historic properties requirements under 23 U.S.C. 138. For an illustrative list of the other applicable laws, rules, regulations, executive orders, polices, guidelines, and requirements as they relate to a BUILD grant project administered by the FHWA, please see the BUILD website.

For BUILD projects administered by the Federal Transit Administration and partially funded with Federal transit assistance, all relevant requirements under chapter 53 of title 49 U.S.C.

apply. For transit projects funded exclusively with BUILD grant funds, some requirements of chapter 53 of title 49 U.S.C. and chapter VI of title 49 CFR apply.

For projects administered by the Federal Railroad Administration, all relevant requirements under 49 U.S.C. § 22905 apply.

ii. Program Requirements

Critical Infrastructure Security, Cybersecurity and Resilience
It is the policy of the United States to strengthen the security and resilience of its critical infrastructure against all hazards, including physical and cyber risks, consistent with National Security Memorandum (NSM-22) on Critical Infrastructure Security and Resilience, and the National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems. Each applicant selected for Federal funding must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cyber security risks relevant to the transportation mode and type and scale of the project. Projects that have not appropriately considered and addressed physical and cyber security and resilience in their planning, design, and project oversight, as determined by the Department and the Department of Homeland Security, will be required to do so before receiving funds.

Domestic Preference Requirements
As expressed in Executive Order 14005, 'Ensuring the Future Is Made in All of America by All of America's Workers' (86 FR 7475), the executive branch should maximize, consistent with law, the use of goods, products, and materials produced in, and services offered in, the United States. Funds made available under this notice are subject to domestic preference requirements based on the Operating Administration that administers the project, including 23 U.S.C. 313 (FHWA projects); 49 U.S.C. 5323(j) (FTA projects); 49 U.S.C. 22905(a) (FRA projects); and section 70914(a) of the Build America, Buy America Act (all projects). The Department expects all applicants to comply with that requirement.

Compliance with Federal Law and Policies
Except where prohibited by court order "the applicant assures and certifies, with respect to any application and awarded Project under this NOFO, that it will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds."

Federal Anti-Discrimination
- Except where prohibited by court order, pursuant to Executive Order 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, as a condition of grant award, each Recipient must agree that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code
- Except where prohibited by court order, pursuant to Executive Order 14173, Ending Illegal Discrimination and Restoring Merit- Based Opportunity, as a condition of grant award, each

Recipient must certify that it does not operate any programs promoting diversity, equity, and inclusion (DEI) initiatives that violate any applicable Federal anti-discrimination laws.

To the extent a court order bars the implementation or enforcement of one or more of the provisions with respect to a particular applicant or recipient, the Department will not implement or enforce the relevant provision(s) against that applicant or recipient for as long as the order remains in place.

Civil Rights and Title VI

As a condition of a grant award, grant recipients should demonstrate that the recipient has a plan for compliance with civil rights obligations and nondiscrimination laws, including Title VI of the Civil Rights Act of 1964 and implementing regulations (49 CFR § 21), the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act, all other civil rights requirements, and accompanying regulations. This should include a current Title VI plan, completed Community Participation Plan, and a plan to address any legacy infrastructure or facilities that are not compliant with ADA standards. DOT's and the applicable Operating Administrations' Office of Civil Rights may work with awarded grant recipients to ensure full compliance with Federal civil rights requirements.

2. REPORTING

i. Progress Reporting on Grant Activities

Each applicant selected for BUILD grant funding must submit quarterly progress reports and Federal Financial Reports (SF-425) to monitor project progress and ensure accountability and financial transparency in the BUILD grant program.

ii. Performance Reporting

Each applicant selected for BUILD grant funding must collect and report to the DOT information on the project's performance based on performance indicators DOT identifies related to program goals (e.g., travel time savings, greenhouse gas emissions, passenger counts, level of service, etc.) and other information as requested by DOT. Performance indicators should include measurable goals or targets that DOT will use internally to determine whether the project meets program goals, and grant funds achieve the intended long-term outcomes of the BUILD Grant Program. To the extent possible, performance indicators used in the reporting should align with the measures included in the application and should relate to at least one of the selection criteria defined in the Criteria section. Performance reporting continues for several years after project construction is completed, and DOT does not provide BUILD grant funding specifically for performance reporting. BUILD grant performance measures are posted on the BUILD website.

iii. Program Evaluation

As a condition of grant award, BUILD grant recipients may be required to participate in an evaluation undertaken by DOT, or another agency or partner. The evaluation may take different forms such as an implementation assessment across grant recipients, an impact and/or outcomes

analysis of all or selected sites within or across grant recipients, or a benefit/cost analysis or assessment of return on investment. The Department may require applicants to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grant recipients must agree to: (1) make records available to the evaluation contractor; (2) provide access to program records, and any other relevant documents to calculate costs and benefits; (3) in the case of an impact analysis, facilitate the access to relevant information as requested; and (4) follow evaluation procedures as specified by the evaluation contractor or DOT staff.

Recipients and sub-recipients are also encouraged to incorporate program evaluation including associated data collection activities from the outset of their program design and implementation to meaningfully document and measure the effectiveness of their projects and strategies. Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115–435 (2019) urges Federal awarding agencies and Federal assistance recipients and subrecipients to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency" (codified at 5 U.S.C. § 311). For grant recipients, evaluation expenses are allowable costs (either as direct or indirect), unless prohibited by statute or regulation, and such expenses may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation (2 CFR § 200). Credible program evaluation activities are implemented with relevance and utility, rigor, independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

iv. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of a selected applicant's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then the applicant during that period of time must maintain the currency of information reported to the SAM that is made available in FAPIIS about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

I. FEDERAL AWARDING AGENCY CONTACT(S)

For further information concerning this notice please contact the BUILD grant program staff via e-mail at BUILDgrants@dot.gov. In addition, DOT will post answers to questions and requests for clarifications on the BUILD website. To ensure applicants receive accurate information about eligibility or the program, the applicant is encouraged to contact DOT directly, rather than through intermediaries or third parties, with questions. DOT staff may also conduct briefings on the BUILD grant selection and award process upon request.

J. OTHER INFORMATION

1. PROTECTION OF CONFIDENTIAL BUSINESS INFORMATION

All information submitted as part of or in support of any application shall use publicly available data or data that can be made public and methodologies that are accepted by industry practice and standards, to the extent possible. If the applicant submits information that the applicant considers to be a trade secret or confidential commercial or financial information, the applicant must provide that information in a separate document, which the applicant may cross-reference from the application narrative or other portions of the application. For the separate document containing confidential information, the applicant must do the following: (1) state on the cover of that document that it "Contains Confidential Business Information (CBI);" (2) mark each page that contains confidential information with "CBI;" (3) highlight or otherwise denote the confidential content on each page; and (4) at the end of the document, explain how disclosure of the confidential information would cause substantial competitive harm. DOT will protect confidential information complying with these requirements to the extent required under applicable law. If DOT receives a Freedom of Information Act (FOIA) request for the information that the applicant has marked in accordance with this section, DOT will follow the procedures described in its FOIA regulations at 49 CFR § 7.29. Only information that is in the separate document, marked in accordance with this section, and ultimately determined to be confidential under § 7.29 will be exempt from disclosure under FOIA.

2. PUBLICATION AND SHARING OF APPLICATION INFORMATION

Following the completion of the selection process and announcement of awards, the Department intends to publish a list of all applications received along with the names of the applicant organizations and funding amounts requested. Except for the information properly marked as described in the Protection of Confidential Business Information section. The Department may make application narratives publicly available or share application information within the Department or with other Federal agencies if the Department determines that sharing is relevant to the respective program's objectives.



Sean P. Duffy

Issued in Washington D.C. on December 15, 2025