

**NOTICE OF FUNDING OPPORTUNITY
EXECUTIVE SUMMARY**

- **Federal Agency Name:** Economic Development Administration (EDA or the Agency), U.S. Department of Commerce (DOC).
- **Federal Funding Opportunity Title:** FY 2023 Distressed Area Recompete Pilot Program Phase 2 Notice of Funding Opportunity (NOFO) (Recompete Pilot Program Phase 2 NOFO).
- **Announcement Type and Date:** Recompete Pilot Program Phase 2 NOFO publishing EDA's application submission requirements and application review procedures under the Distressed Area Recompete Pilot Program (Recompete Pilot Program), as authorized by section 29 of the Stevenson-Wydler Technology Innovation Act of 1980, as amended (15 U.S.C. § 3722b). **Effective date:** December 20, 2023.
- **Funding Opportunity Number:** EDA-RECOMPETEPHASE2-2023
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.040, Distressed Area Recompete Pilot Program
- **Dates:** This is Phase 2 of a two-phase competition. The deadline for Phase 2 applications is **4:59 p.m. Eastern Time on April 25, 2024**. Applications received after this deadline will not be reviewed or considered. ***Only applicants that EDA approved a Recompete Plan in Phase 1 will be permitted to apply to Phase 2.***

EDA may amend, cancel, or withdraw the Recompete Pilot Program Phase 2 NOFO at any time. All changes will be communicated via Grants.gov.

- **Eligible Applicants:** Pursuant to section 29(c) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. § 3722b(j)(2) and (j)(7)), eligible applicants under this NOFO include: (i) a unit of local government; (ii) the District of Columbia; (iii) a territory of the United States; (iv) a Tribal government; (v) political subdivisions of a State or other entity, including a special-purpose entity engaged in economic development activities; (vi) a public entity or nonprofit organization, acting in cooperation with the officials of a political subdivision of a State or other entity described in (v); (vii) an economic development district; and (viii) a coalition of any of the above entities that serve or are contained within an eligible geographic area. See section A.1.b.1. of this NOFO for a description of eligible geographic areas.

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

- **Funding Opportunity Description:** Subject to the availability of funds, awards made under this NOFO will seek to alleviate persistent economic distress and support long-term comprehensive economic development and job creation, in places with a high prime-age (25 to 54 years) employment gap. Through this NOFO, EDA expects to award implementation funds to 4-8 Finalists, which will include selecting approximately 3-8 projects within each. Implementation grants can support a wide range of non-construction and construction activities that aim to increase regional capacity across the following four broad categories: workforce development; business and entrepreneur development; infrastructure; and additional planning, predevelopment, or technical assistance.

FULL ANNOUNCEMENT TEXT

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Notice of Funding Opportunity**

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A. Program Description

1. Competition Structure and Program Information

a. Competition Structure

The Distressed Area Recompete Pilot Program (Recompete Pilot Program) will invest in distressed communities to create and connect people in those communities to good jobs.¹ The program uses prime-age employment gap (PAEG) as an indicator of economic distress, which accounts for prime-age workers who have stopped looking for jobs and left the labor force as well as those who are currently unemployed.

Phase 1 of the competition identified Finalists that made a clear case for the needs and opportunities of their chosen geography and successfully articulated a plan to address those needs. Phase 2 of the competition will make implementation awards based on the likelihood of an applicant to raise prime-age employment and wages, and promote long-term economic development.

Through the second phase of the competition, EDA will invest in applicants that have a clear understanding of local conditions and pathways to support good jobs while ensuring the benefits are shared equitably. EDA's longstanding mission is to ensure that all communities have a path to economic prosperity, and through the Recompete Pilot Program, EDA will support communities with high PAEGs through flexible, bottom-up implementation grants that tackle the unique challenges these communities face.

b. General Requirements

As in Phase 1 of the Recompete Competition, there are several general requirements that EDA expects will be addressed in the application materials for Phase 2 (see sections A.1.c. and D.2. below).

i. Where can my implementation projects be located?

EDA expects the geographic scope of Phase 2 proposals to largely match that of Phase 1. However, EDA anticipates that there may be certain circumstances where an applicant's service area may have changed (*e.g.*, reducing the geographic Service Area to increase the concentration of investments, expanding to bring in another distressed part of the community).

If applicants change their Service Area, they must provide documentation in their application materials (1) identifying their original and revised Service Areas (*e.g.*, the populations and specific areas that stand to benefit from the Recompete Pilot Program), (2) confirming that the new Service Area is still within an Eligible Area, and (3) providing rationale on why the change was made.

¹ See <https://www.dol.gov/general/good-jobs/principles>.

By statute, Recompete Pilot Program investments must be located in one of two Eligible Area types and meet certain PAEG² requirements, both of which were represented in the Mapping Tool applicants utilized in Phase 1.³ The two eligible geographic areas are:

- *Local Labor Markets (LLMs)*: a Metropolitan Statistical Area, a Micropolitan Statistical Area, a commuting zone, or Tribal lands. LLMs with a PAEG of at least 2.5 percent are eligible.
 - For the purposes of this competition, all Tribal lands and Pacific Ocean Territories are considered eligible LLMs.

- *Local Communities (LCs)*: areas served by a general-purpose unit of local government (*e.g.*, county government, municipal government) that is located within but does not cover the entire area of an LLM (as defined above) and meets the following criteria:
 - It exists within an LLM that does not qualify for Recompete funding; and
 - EITHER:
 - The entire area served by the unit of local government on average has a PAEG of at least 5 percent and a median annual household income of no more than \$75,000; or
 - The area served by the unit of local government has five or more contiguous Census tracts that each individually have a PAEG of at least 5 percent and median annual household income of no more than \$75,000. In this instance, the applicant's service area must be contained within the identified Census tracts.

In Phase 1, applicants must have demonstrated that they are authorized to represent and act on behalf of the eligible geographic area, as described above. In their Phase 2 applications, applicants must clearly articulate why they are uniquely positioned to serve the region, have the support of key stakeholders within the Eligible Area and have the capacity and leadership to meaningfully increase prime-age employment over the duration of the proposed grant.

The Service Area may be all or any subset of the Eligible Area. Some proposals may specifically focus on certain neighborhoods or communities to have the highest impact. Applicants may propose to concentrate investments rather than distribute the benefits evenly across the Eligible Area. In any case, EDA will prioritize those applications that focus on interventions that aim to significantly increase prime-age employment, wages, and long-term economic development.

² PAEG is determined based on the prime-age employment rate, which is the percentage of the age 25-54 population that is currently working. PAEG is the difference between (i) the national 5-year average prime-age employment rate; and (ii) the 5-year average prime-age employment rate of the eligible area. EDA used the 5-year American Community Survey data. The Recompete Pilot Program uses PAEG as an indicator of persistent economic distress because it accounts for prime-age workers who have stopped looking for jobs and left the labor force, not just those who are currently unemployed. Whether they stopped looking for work because local job opportunities are extremely limited or because they struggle to meet the qualifications, lack reliable transportation, need assistance with childcare, or have other reasons, these places require significant support for prime-age workers to reengage in the local workforce. Note that in this competition, EDA is targeting geographies where a high prime-age employment gap exists because good jobs are not available and/or barriers keep people out of the workforce (*e.g.*, supportive services are lacking), not places where demographic trends lead to high PAEG (*e.g.*, high numbers of financially secure early retirees or people pursuing higher education).

³ 15 U.S.C. § 3722b(j)(1).

ii. How much funding can I request?

EDA expects grants to LLMs to average approximately \$50,000,000 total and grants to LCs to average approximately \$20,000,000 total for their collection of 3-8 component projects. Applicants are permitted to propose investments that are higher or lower than these expected averages, as EDA encourages applicants to propose investments reflective of the cost to implement solutions that would best reduce their Service Area's PAEG, increase per capita wages, and promote long-term economic development. Similarly, the amount awarded will depend heavily on the types of interventions a particular place needs. Budgets are a competitive factor, and EDA encourages applicants to consider the highest return on federal investments. EDA also recognizes providing meaningful economic opportunity requires more resources in some communities than others. In no event will the amount awarded exceed the formula amount provided in the statute. See 15 U.S.C. §3722b(f).⁴

Further, EDA is aware that the required data to determine the maximum grant amount for Tribal lands and Pacific Ocean Territories is not available in a way that can be used in the formula. As such, and consistent with EDA's tribal consultation, the maximum grant amount in Phase 2 for Tribal lands and Pacific Ocean Territories will be whichever is higher between: a) \$20 million or b) the result of the formula found in 15 U.S.C. § 3722b(f) for Pacific Ocean Territories or the combination of 15 U.S.C. § 3722(f) and (j)(9) for Tribes,⁵ provided that the Territory or Tribe submits the required top-line data and a certification of its accuracy. EDA will work with Phase 2 applicants to verify appropriate datasets and determine maximum grant rates per the statutory formula.

iii. What entities are eligible to participate in the Recompete Pilot Program?

This Phase 2 NOFO is only open to Finalists selected in Phase 1.

As with the Phase 1 NOFO, eligible applicants under this NOFO include: (i) a unit of local government; (ii) the District of Columbia; (iii) a territory of the United States; (iv) a Tribal government; (v) political subdivisions of a State or other entity, including a special-purpose entity engaged in economic development activities; (vi) a public entity or nonprofit organization, acting in cooperation with the officials of a political subdivision of a State or other entity described in (v); (vii) an economic development district; and (viii) a coalition of any of the above entities that serve or are contained within an eligible geographic area. Some institutes of higher education will also be eligible if they fall within one of the above categories.⁶

⁴ Awards may not exceed the product obtained by multiplying the prime-age employment gap of the eligible area; the prime-age population of the eligible area; and either \$70,585 for local labor markets or \$53,600 for local communities.

⁵ The term "Tribal prime-age population" shall be equal to the sum obtained by adding-(i) the product obtained by multiplying-(I) the total number of individuals ages 25 through 54 residing on the Tribal land of the Tribal government; and (II) 0.65; and (ii) the product obtained by multiplying- (I) the total number of individuals ages 25 through 54 included on the membership roll of the Tribal government; and (II) 0.35.

⁶ Institutions of Higher Education can apply for this program if they classify as either 1) political subdivision of a State or other entity, including a special-purpose entity engaged in economic development activities; or 2) a public entity or nonprofit organization, acting in cooperation with the officials of a political subdivision of a State or other entity described previously. Most public colleges and universities should meet this standard. Applicants should identify their entity-type in their application and provide supporting documentation. EDA will validate this once the application has closed.

Applicants must be one of the above eligible entity types, be located within or serve an area indicated as eligible, and be able to represent and act on behalf of the Eligible Area.

For the purposes of this NOFO, “Lead Applicant” is defined as the sole entity applying for entity types (i)-(vii) or as the coalition member submitting the application on behalf of the coalition for entity type (viii).

For Finalists applying to Phase 2, the geographic scope of Phase 2 proposals should largely match that of Phase 1 (see above) and Lead Applicants should largely match those identified in Phase 1. In rare circumstances, the Lead Applicant may change (e.g., from one coalition member to another), and applicants must receive approval for this from the original Lead and program EDA Point of Contact email address identified in section G of this NOFO. Applications submitted with a new Lead Applicant should provide rationale in their application materials as to why.

Pursuant to 15 U.S.C. § 3722b(e)(1), no more than one set of implementation investments may be awarded to eligible entities within a single eligible geographic area (*i.e.*, within an LLM, there may be only one set of 3-8 implementation investments awarded in Phase 2).

iv. What are the responsibilities of the Lead Applicant?

In Phase 2, each Finalist application should include (a) an Updated Recompete Plan and (b) Component Project Narratives for each of approximately 3-8 tightly aligned component projects that execute on their Recompete Plan.

For all Phase 2 submissions, the Lead Applicant must submit the Updated Recompete Plan and all associated documents. Additionally, the Lead Applicant must identify which entity will be the lead on each of the component projects, and thus recipient of funds (“Project Lead”). There are two allowable approaches to identifying Project Leads on component projects:

1. Lead Applicant serves as Project Lead on all 3-8 Recompete projects. The Lead Applicant will submit the Updated Recompete Plan, the Component Project Narratives, and all associated materials. Under this scenario, the Lead Applicant may choose to apply as a single organization or as a coalition lead.
2. Lead Applicant and/or other partner entities serve as Project Leads. Under this scenario, the Lead Applicant will need to apply as a “coalition lead” in Phase 2 and will need to include any other Project Leads in their coalition. Please note that all Project Leads must be one of the eligible entity types identified above.

Regardless of whether an application represents a single organization or coalition, EDA expects all Phase 2 applicants to have partnerships between applicants, businesses, institutions of higher education, labor unions and federations, non-profits, and other regional organizations. Lead Applicants should articulate how those partnerships are structured and governed, whether formally or informally. As applicants further develop their implementation strategies, EDA encourages Finalists to include new partners in their Phase 2 applications where appropriate.

If selected for Phase 2 funding, Lead Applicants commit to:

- Serve as EDA’s main point of contact during the competition and implementation, for example:
 - establish and maintain communication between the regional partners, Project Leads (if applicable), and EDA to enable and accelerate collaboration and support;

- ensure funding and other assistance provided by EDA and any other partners are effectively coordinated and braided within communities;
- Be the employer of the **Recompete Plan Coordinator (RPC)** (described below) or have a formal, documented relationship with that employer;
- Be responsible for, or have a formal, documented relationship with an organization that will be responsible for:
 - convening regional entities and community members to ensure coordination across activities as they are implemented;
 - ensuring all partners and Project Leads have the necessary back-office infrastructure and support needed to execute on the grant for the region’s Recompete efforts; and
- If applying with multiple Project Leads: ensure all Project Leads awarded EDA funding have a clear grants management strategy (*e.g.*, ensuring required reporting is coordinated, amendments to the award are coordinated among Project Leads and with EDA, and other terms of the award are met).

Lead Applicants should ensure proposed budgets account for any funding needed to support overall regional management (including hiring an RPC), compliance, or other necessary activities to ensure execution of EDA funds. In addition, Lead Applicants may also receive funding for specific implementation project(s).

Finalists that have multiple Project Leads do not need to have a formal legal structure (*i.e.*, a contractual arrangement or public-private partnership) but should develop a governance plan prior to applying for Phase 2 funding. See section D.2.b. of this NOFO to see whether it would be most appropriate for the Lead Applicant or another partner entity to apply for funding for a specific component project. The email in section G can also help a Finalist decide who is the best entity to apply for each component project if it is not the Lead Applicant.

Finally, EDA also expects that Finalists’ partners (where applicable) may have changed since Phase 1 or will change over time. EDA views such changes as a success if more meaningfully contributing partners or members join or if the collaboration is refined to align with the Phase 2 Implementation plan or otherwise increases the likelihood or magnitude of inclusive economic impacts.

v. What is required in letters of commitment?

EDA expects letters of commitment from regional organizations necessary for success—specific examples include targeted employers, labor unions, education and training systems, philanthropy, and nonprofit organizations. Letters of commitment should show that the communities being served have been involved in the proposal and are brought into the proposed strategy. See section E.1.a.2. of this NOFO for more on how equity will be evaluated. A provider of matching share, including an entity providing cash or in-kind contributions, may not serve as a contractor under the same award, and may not be paid with award funds to provide goods or services to the award recipient.

EDA expects the quality of commitments made by partners to mature between Phase 1 and Phase 2. Between Phase 1 and Phase 2 applications, EDA will provide technical assistance to Finalists on what constitutes high-quality commitments. While letters of support in Phase 1 were largely general and aspirational, in Phase 2 they should be **meaningful, specific, timely** and **measurable**. Additional new letters of commitment may be submitted as part of Phase 2, as well as re-validated commitments from Phase 1. Such commitments may include but are not limited to applying for and executing an individual component project, or making hiring, match funding, co-investment, or policy change commitments

aligned with addressing regional prime age employment, wages, and long-term economic development. Please see EDA’s [“Menu of Community Commitments” guide](#) from Phase 1 for more guidance on best practices. Note that in Phase 2, EDA will continue to prioritize quality of commitments over quantity.

Letters of support should reconfirm and further detail Phase 1 application commitments, and applicants should demonstrate new commitments with additional letters of support. EDA encourages letters of support to be specific to the entity writing the letter and highlighting the role and commitments of that entity. However, if applicants are submitting form letters of support, and not specific letters of commitment, from multiple organizations, EDA encourages one general letter that signals general support from all relevant entities.

Applicants may reference the [Recompete Community Commitments Template](#) to structure all of their letters of commitment in their application. Please submit as one consolidated document, as an attachment to the proposal.

vi. What is the role of the Recompete Plan Coordinator (RPC)?

EDA believes local champions and change agents are essential and investments are only successful with the right leadership, including leadership that reflects the diverse populations they serve. The RPC role is meant to coordinate across relevant entities and help ensure a successful implementation of Recompete Plans. While the specific obligations of the role may vary based on regional assets and needs, in Phase 2, EDA expects applicants to identify strong, diverse talent and to ensure that person is in a leadership role to catalyze strong, lasting partnerships across the area, including with the private and public sectors such as other federal partners, labor unions, and philanthropic supporters. The RPC and other leadership positions will be critical to success, both for regions selected for Phase 2 implementation funding as well as improving long-term, comprehensive economic development in all Finalist regions. Having an RPC or a plan to identify one is a requirement for Phase 2 and should be articulated in the Updated Recompete Plan application. Phase 2 applicants should demonstrate this role is sufficiently funded, whether through established funding, through EDA funds, or a combination. Please note that the work of an RPC should be the identified individual’s primary focus. While the RPC may be staffed by someone with a previous existing role, EDA expects the RPC role and responsibilities to comprise the majority – if not all – of their time. Applicants are also expected to provide the professional biographies (including resumes) of key personnel among the management team – including the RPC – as a separate document. If there are leadership positions still open, please provide a job description instead.

vii. How should applicants consider climate and environmental responsibility?

Applicants are expected to design their projects to minimize the potential for adverse impacts on the environment and the local community, including communities with environmental justice concerns. Applicants should also account for or have a plan to account for current and future weather- and climate-related risks, such as wildfires, droughts, extreme heat and cold, inland and coastal flooding, and the extreme winds produced by tornadoes, hurricanes, and other weather events.

viii. How should applicants consider equity?

Consistent with Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government and Executive Order 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, and EDA’s Equity

Investment Priority, EDA expects projects to advance equity to underserved and underrepresented populations.⁷

Specifically, applicants are expected to articulate which populations or communities will benefit from the project and how the project will provide for inclusive community engagement, ensuring that the economic benefits of the project will be shared by all communities in the service area, including any underserved and underrepresented communities. Where applicable, applicants should describe how the project will train underserved populations through any workforce development projects, prioritize hiring of local and economically disadvantaged individuals, create safe, healthy, and accessible workplaces free from discrimination or harassment, and/or how they will promote participation by underserved businesses.

ix. What are characteristics of a strong workforce development project?

Strong workforce development projects should be employer-led to ensure that workers gain the skills necessary to perform needed jobs and are connected to quality job opportunities, in line with DOC's workforce best practices⁸ and the Commerce and Labor Departments' Good Jobs Principles.⁹ Additionally, applicants should consider their ability to drive employment into industries and occupations that pay and provide family-sustaining wages and benefits by increasing the demand for workers in those industries, not simply meeting existing demand in low-wage sectors. Sector-based partnerships that convene all parties involved with workforce issues (multiple employers, training providers, labor and community organizations) have been proven to drive higher wages for low-skilled workers.

The specific training models that applicants propose should align with the sectors, occupations, and skills the project seeks to address; example models include skills training programs, Registered Apprenticeships and other quality work-and-learn programs, and programs leading to industry-recognized credentials. Projects should explicitly create pathways for workers to access good jobs and should have quantitative targets for placements, with breakdowns for such targets by demographic groups. EDA expects applicants to articulate why such placement targets are realistic given the populations they serve, the underlying conditions in their geography, and the costs associated with such training, and EDA will consider those factors when evaluating project proposals.

In addition, EDA encourages applicants to (1) secure commitments from employers to hire individuals who successfully complete workforce training programs; (2) where necessary, provide wraparound services (*e.g.*, childcare, transportation, wage stipends) to training participants; and (3) structure

⁷ Underserved and underrepresented populations and communities include but are not limited to 1) women and girls, Black, Latino, and Indigenous and Native American persons, Asian Americans, and Pacific Islanders or 2) underserved communities within geographies that have been systemically and/or systematically denied a full opportunity to participate in aspects of economic prosperity such as Tribal Lands, Persistent Poverty Counties, and rural areas.

⁸ See <https://www.commerce.gov/issues/workforce-development>; U.S. Dept. Comm., Strategic Plan 2022 – 2026: Innovation, Equity, and Resilience, Strengthening American Competitiveness in the 21st Century, Strategic Objective 2.2 at 33-34 (Mar. 2022).

⁹ The Departments of Commerce and Labor have partnered to identify eight principles that create a framework for applicants for a shared vision of job quality. Please see the DOC/DOL Good Jobs Principles at: <https://www.dol.gov/general/good-jobs/principles>.

projects to focus on equitable access to training through recruitment and retention of training participants, including from underserved, underrepresented, and disadvantaged communities.

Please note Recompete funds can be used to provide a variety of wraparound services (e.g., childcare, transportation, and other necessary worker-focused services) to individuals who are going through training programs. While EDA funds may potentially be used by an EDA grantee to provide wage stipends directly to training participants, they cannot be used to pay wage subsidies to employers for Recompete training participants' employment and/or on-the-job training.

Finally, EDA is cognizant of the different base levels of available quality jobs and skills of workers within a community and expects applicants to propose projects that make sense in their geographies.

c. Implementation Grants

i. Requirements for Implementation Grants

EDA will award Implementation Grants competitively under this NOFO to a subset of eligible entities with Recompete Plans approved under Recompete Pilot Program Phase 1 NOFO (*i.e.*, Finalists).

Finalists may submit applications for Implementation Grants under Phase 2. As noted above, applications for component project funding may come from Lead Applicants or other Project Leads. Each application under this NOFO should include (a) an Updated Recompete Plan and (b) Component Project Narratives for approximately 3-8 tightly aligned component projects. EDA expects Implementation Grants will fund projects described in the approved Recompete Plan. EDA expects proposed Implementation Grants to generally match the projects outlined in the Phase 1 Recompete Plan, however applicants may make changes so long as they strengthen their ability to increase prime age employment and wages and promote long term economic development. If applicants do make changes to their proposed project, please explain in the application what informed the change. See section D.2 of this NOFO for information on the requirements for a full application.

How will EDA support Finalists between Phase 1 and Phase 2?

In the months leading up to the Phase 2 deadline, EDA will provide a variety of technical assistance to Phase 1 Finalists including direct coaching from the program team, consultations with outside experts, group seminars, and other intensive supports.

Applications will be evaluated using the criteria in section E.1, which serve as a strategic planning framework for economic growth. Note that Updated Recompete Plans will be evaluated through criteria #1-5 as described in E.1.a. below, and Component Projects will be evaluated through criteria #1-2 and 6-7.

EDA expects to select approximately 4-8 Phase 2 applications for Implementation funding, which will include selecting approximately 3-8 component projects within each. Component projects not selected for funding in Phase 2 may be eligible for funding from other EDA programs or other federal agencies.

ii. Components to a Complete Application

(1) Updated Recompete Plan

Each application should focus on developing a revised and expanded Recompete Plan (no longer than 10 pages). The Updated Recompete Plan should demonstrate how EDA funding for component projects, alongside other partner commitments and support, will catalyze the region's ability to equitably address prime age employment, per capita wages, and long-term economic development.

The Revised Recompete Plan should include strategies for both near-term actions that can be accomplished in the first year and a longer-term strategy to maintain, grow, and evolve capacity to translate innovation into equitable regional economic growth.

The Updated Recompete Plan should address evaluation criteria #1-5 as described in E.1.a. below. The Updated Recompete Plan must cover the following topics:

- An executive summary that includes the Recompete effort's name, description of the region's geography (including proposed Service Area), the applicant's investment thesis – *i.e.*, why EDA's investment will make a discernable impact on prime age employment, per capita wages, and long-term economic development in the region.
- A list including short descriptions of 3-8 component projects and requested EDA funding, including whether the Lead Applicant or a project partner is the lead for each project.
- A high-level overview of deliverables and key milestones, aligned with component project scopes of work.
- A list including short descriptions of complementary investment, policy, or other relevant commitments (*i.e.*, any additional initiatives planned by the region, beyond component projects for which they are requesting EDA funding, such as philanthropic commitments and legislative or regulatory changes). Please highlight your top commitments as well as any that have changed between Phase 1 selections and the Phase 2 application submission.
- Discussion on how the proposed projects will relate to and interact with each other as well as other external investments – please articulate why you believe funded activities and other complementary efforts will mutually reinforce each other.
- A concise description of how the Recompete effort, including via proposed projects and commitments, will consider equity, both in terms of intended outcomes (e.g., how underserved and underrepresented populations within the Service Area will experience employment and wage gains) as well as process (including how wraparound services will be provided to those who need them, safe, healthy, and accessible workplaces created and maintained, and relationships built with trusted intermediaries who have ties with underserved populations). Where applicable, applicants should detail how benefits of investment will accrue to populations living in the Service Area (e.g., through local hiring policies, production or preservation of affordable housing, or other safeguards).
- A concise description of how the Recompete effort, including via proposed projects and commitments, will consider climate and environmental responsibility, including by addressing climate-related and environmental impacts, opportunities, and risks.
- An overview of the longer-term outcomes (*i.e.*, goals you hope to achieve, for example labor force participation gains, employment gains, wage gains, and jobs created, placed, and retained), and short-term outputs (*i.e.*, what you plan to measure to demonstrate progress towards those outcomes, for example programs launched, participants recruited, placements where applicable) expected from the Recompete effort. Identify necessary data and information

to track these goals, including relevant equity goals, as well as the time frame by which you anticipate reaching them. Please propose timelines that are specific and realistic, but also ambitious.

- An overview of the work conducted and/or proposed by the applicant between Phase 1 selections and the Phase 2 application submission, including any new information or risks mitigated. Include a detailed list of any changes to the vision – including to the proposed Service Area, projects, or key partners – of the Recompete effort since Phase 1 selections were made. If the applicant’s Service Area or key projects have changed, please explain why.
- Additional explanation to address the first five **evaluation criteria (#1-5) listed in section E.1.a.**

The above elements are important, required parts of a Phase 2 proposal to help EDA make award decisions, however they should not constitute the entire Updated Recompete Plan. EDA encourages applicants to use the page limit to make their best case by providing whatever information the applicant deems most persuasive.

If the Finalist has multiple different Project Leads, while the Updated Recompete Plan should be submitted by the Lead Applicant, EDA expects that the Updated Recompete Plan will represent the joint vision of all involved partners.

(2) Component Project Applications

All component project applications should be no longer than five pages. Each component project included as part of a Phase 2 application should be coordinated such that individual aspects complement and mutually reinforce each other, together impacting prime-age employment, wages, and long-term economic development.

EDA, at its discretion, may award individual grants or cooperative agreements for component projects to Finalists that are eligible applicant types. EDA at its discretion may fund all or only some of the originally proposed component projects, or parts or modified versions thereof, depending on the viability of those components and the availability of funds.

EDA encourages applicants to budget for funding – whether from EDA or otherwise – that will be devoted to governance and management operations (*e.g.*, subaward management, hiring positions – including the Recompete Plan Coordinator), and metrics and evaluation. Please note that there is flexibility in how this could be achieved (*e.g.*, stand-alone component projects, integrated features of component projects, supported via any matched funding).

In addition to all required forms as detailed in section D.2. of this NOFO, each component application must submit a Project Narrative that addresses all activities that will be undertaken to complete the individual component project within the region and briefly summarizes how the component supports the overall region’s goals, referring back to the Updated Recompete Plan.

The Project Narrative should address evaluation criteria #1-2 and 6-7 in section E.1.a., and cover the following topics:

- An executive summary of no more than 250 words that includes the project component title, identifies the name of the lead organization, and provides a project overview.
- A scope of work of no more than 1.5 pages linked to the project’s purpose and including deliverables and key milestones. EDA may incorporate this section into the award if selected for funding.

- Anticipated goals you hope to achieve (*i.e.*, outcomes) and what outputs you plan to measure to demonstrate progress towards those outcomes. Anticipated outcomes should be specific, measurable, attainable, relevant and timebound (SMART). Include baseline measures that describe the current state to help you assess any potential changes.
- Additional explanation to address **evaluation criteria #1-2 and 6-7 in section E.1.a.**

Applicants should assume that a given reviewer will read both their Updated Recompete Plan and all of their Project Narratives, so there is no need to duplicate information across documents. However, there should be a clear link between the Updated Recompete Plan and the Project Narratives, which may reference each other.

(3) Eligible Activities

Implementation Grants can fund a wide range of non-construction and construction activities that aim to increase regional capacity across the following four broad categories: workforce development; business and entrepreneur development; infrastructure; and additional planning, predevelopment, or technical assistance.¹⁰ The program is designed to provide significant flexibility for applicants to address the necessary physical, social, and economic barriers to jobs and career pathways. Given the nature of the program, and EDA’s commitment to equity, the program may fund organizations and projects it historically has not funded. For example, EDA understands there may be a suite of necessary interventions to increase employment, job quality, and wages, such as wraparound services. However, applicants will need to clearly explain how any requested EDA investments directly serve the purpose of the program and can clearly demonstrate intended economic development results. EDA will provide technical assistance on this topic in the period prior to the Phase 2 application deadline.

This large suite of eligible activities is designed to meet the individual needs and address the causes of high PAEG and low wages in a particular place. In each region selected for Implementation Grants, EDA expects to fund approximately 3-8 Implementation Grant projects that aim to collectively address the region’s key inhibitors of prime-age employment and low wages at a total funding level that depends on the area of eligibility. EDA expects the component application materials will provide more concrete funding, timeline, and operational detail than was provided in the approved Recompete Plan. In addition, it is highly recommended that applicants include within project design sufficient scope and budgeting for overall project management, including both activities required to coordinate within the Recompete effort and to comply with EDA grant requirements.

See section B.1. for expected funding levels. While the amount requested and awarded will depend heavily on the types of interventions a particular place needs, efforts to create jobs may require larger investments in public assets, and efforts to connect workers to existing jobs may be more programmatic and thus cost less. Accordingly, it will be critical for applicants in Phase 2 to explain why the requested amount is appropriate for the interventions identified as necessary for that region and for the number of people expected to be newly employed based on those interventions.

To support applicants as they consider potential activities, EDA has published an [“Illustrative Implementation Investments”](#) guide. Please note that the examples provided in this guide are purely illustrative and are not indicative of EDA preferences on any particular intervention or approach.

¹⁰ See [15 U.S.C. § 3722b\(c\)](#) and section A.1.c.ii.(3) and (4) for a more comprehensive list of allowable activities within these four broad categories.

Additionally, please see the Phase 1 [Notice of Funding Opportunity](#) (page 13) for more information on potential implementation investments.

(4) What commitments to policy change and outcomes are expected?

EDA's investments are most effective when combined with local action to change or reform policies, practices, and outcomes that make it harder for people to access good jobs. Regardless of whether an applicant is connecting workers to jobs or creating new jobs, **EDA anticipates all successful Phase 2 awardees will have credible, specific, and timely commitments to making such changes in their communities.**

Over the course of the Phase 2 application period, Finalists should focus on securing, honing, and improving the commitments they had preliminarily identified in Phase 1. EDA also welcomes new commitments not previously identified that would support the region's effort to address prime age employment, per capita wages, and long-term economic development. **Commitments should always be tailored to a community's need and based on regional capacity** – EDA will take an applicant and its relative level of regional assets into account when considering the quality and impact of community commitments.

EDA will continue to provide supplemental material – building on the [“Menu of Community Commitments” guide](#) from Phase 1 – as well as technical assistance through the Phase 2 application period to all Finalists to support this effort.

(5) Ineligible Projects under this NOFO

Some projects are generally ineligible for EDA funding under this NOFO, including projects that do not have a clear and direct nexus with any of the four broad categories of eligible activities (*e.g.*, general housing). Projects that are ineligible for funding, however, may be part of the overall concept of the Recompete effort and communicated through a complementary commitment (*e.g.*, supported via matching dollars, in-kind contribution, policy commitments, or otherwise). Applicants who are unsure whether their proposed project is eligible under this NOFO should consult the EDA email listed in section G.

Note that Recompete funds cannot be used towards the construction of housing. In rare circumstances, funds may potentially be used for non-construction housing projects if the applicant can effectively demonstrate that such support is necessary to the success of the proposed economic development activities. For example, the applicant may demonstrate that workforce training participants would be unable to participate in training activities without EDA-funded housing supports (*e.g.*, housing counseling, short-term housing during workforce training period).

Additionally, Recompete funds cannot be used to pay wage subsidies to employers for Recompete training participants' employment and/or on-the-job training. Funds may potentially be used by an EDA grantee to provide wage stipends directly to the training participant, and EDA will provide Technical Assistance to support Finalists in designing this.

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

2. Statutory Authorities for EDA’s Recompete Pilot Program

The statutory authority for this program is section 29 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. § 3722b).

B. Federal Award Information

1. What Funding Is Available Under this Announcement?

Across the Consolidated Appropriations Act of 2023 and the Disaster Relief Supplemental Appropriations Act of 2023 (both enacted in Public Law 117-328), Congress appropriated EDA \$200,000,000 to remain available until expended to implement the Recompete Pilot Program.

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

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

Under Recompete Phase 2, EDA anticipates funding 4-8 applications that will each include 3-8 Implementation projects with applications addressing Local Labor Markets averaging approximately \$50,000,000 and applications addressing Local Communities averaging approximately \$20,000,000, though amounts for each awardee will depend on multiple factors. See sections A.1.c.ii.3. of this NOFO for more information on how the award amounts may vary depending on the type of intervention (*e.g.*, in general, creating jobs is more costly than connecting people to existing jobs).

In no event will EDA surpass the maximum amount for a region that results from application of the formula in 15 U.S.C. § 3722b(f) or (j)(9). This maximum amount applies over the life of the Recompete Pilot Program and is not necessarily the amount the entity will receive in this Phase 2 competition.

For Tribal areas or Pacific Ocean Territories, due to the data being unavailable at this time, the maximum grant amount in Phase 2 will be whichever is higher between: a) \$20 million or b) the result of the formula found in 15 U.S.C. § 3722b(f) for Pacific Ocean Territories or the combination of 15 U.S.C. § 3722(f) and (j)(9) for Tribes, provided that the Territory or Tribe submits the required top-line data and a certification of its accuracy.

Depending on demand under this NOFO, EDA may exercise its discretion to adjust the total amount available under this NOFO to ensure funds are used to maximum effect.

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

Funding Instrument: EDA will award a cooperative agreement on a case-by-case basis if substantial agency involvement is required. For a cooperative agreement, the nature of EDA’s “substantial involvement” (to be included in the terms and conditions of the award) will generally be collaboration between EDA and the recipient on the scope of work, including administering subawards to other

coalition members, where relevant. However, other possible examples of EDA’s “substantial involvement” may include, but are not limited to: (i) authority to halt immediately an activity if detailed performance specifications are not met; (ii) stipulation that the recipient must meet or adhere to specific procedural requirements before subsequent stages of a project may continue; (iii) involvement in recipient’s selection of key personnel; and (iv) operational involvement and monitoring during the project to ensure compliance with statutory requirements.

Period of Performance: The period of performance for a given Phase 2 Implementation project may vary depending on the scope of work. EDA expects that most projects will range from 24 to 60 months, however in some circumstances a grant may be awarded beyond that period. EDA expects that all projects will proceed efficiently and expeditiously.

C. Eligibility Information

1. Eligible Applicants

The Phase 2 NOFO is only open to Finalists selected in Phase 1.

Eligible applicants under this NOFO include: (i) a unit of local government; (ii) the District of Columbia; (iii) a territory of the United States; (iv) a Tribal government; (v) political subdivisions of a State or other entity, including a special-purpose entity engaged in economic development activities; (vi) a public entity or nonprofit organization, acting in cooperation with the officials of a political subdivision of a State or other entity described in (v); (vii) an economic development district; and (viii) a coalition of any of the above entities that serve or are contained within an eligible geographic area.

2. EDA Investment Rate

In general, Phase 2 Implementation grants, as described in section A.1.c., may be awarded with a maximum 100 percent federal grant rate (*i.e.*, no local match required).

However, matching dollars, leveraged dollars or commitments, and policy commitments are a competitive factor, as described in the “Sustainable Partnerships and Commitments” factor section E.1.a.3. below. No particular form of community commitment (including match) is considered inherently more competitive than any other, but commitments will be evaluated on how impactful they will be in supporting the region’s Recompete Plan.

In the Recompete Pilot Program, certain match dollars may not be considered competitive by EDA. Match submissions should genuinely be additive to the goals of the Recompete effort. **EDA expects Phase 2 applicants to use their own judgement to determine and articulate whether a particular type of match accomplishes new work, or not.** EDA will provide technical assistance on this topic in the period prior to the Phase 2 application deadline.

Applications that want to submit matching dollars must include commitment letters or equivalent documents that demonstrate, to the satisfaction of EDA, that all matching funds (regardless of kind, *e.g.*, cash, loans, bonds, in-kind) from all sources (*e.g.*, any applicant, any co-applicants, and any other sources of matching funds) referenced in the application will be unencumbered, unrestricted, and committed at the time of award and that are signed by authorized representatives of the sources of the matching funds. Authorized representatives must have the authority to execute documents and to obligate and expend funds on behalf of their respective organizations.

In addition, applicants should indicate if other Federal funds have been secured for, or have been requested to support, any portion of the project for which an EDA investment is proposed. Applicants should describe how the EDA investment will complement, leverage, or otherwise align with other public and private investments to implement the project. Where other Federal funding may be involved in the project, the applicant should provide the Federal program name and contact information with their application to facilitate interagency coordination and avoid duplication of resources. Note that consistent with 2 CFR § 200.306, not all sources of Federal funding may be allowed as match and applicants shall raise any concerns as early as possible with the email listed in section G.

Each matching share commitment letter must state whether the contribution is cash, loans, bonds, or in-kind; if in-kind, provide a valuation for in-kind contributions. In-kind match must consist of contributions directly related to the proposed project, such as services, equipment, or space. EDA will fairly evaluate all in-kind contributions, which must be eligible project costs and which must meet applicable federal cost principles and uniform administrative requirements.

Additional documentation may be requested by EDA to substantiate the availability of the matching funds. For example, if bonds are contemplated as match, counsel opinion of the applicant's bonding authority and eligibility of the bonds for use as match, along with full disclosure of the type of bonds and the schedule of the applicant's intended bond issue, are required.

A provider of matching share, including an entity providing cash or in-kind contributions, may not serve as a contractor under the same award, and may not be paid with award funds to provide goods or services to the award recipient.

D. Application and Submission Information

An applicant must submit a complete application, as detailed in Sections A and D.2. of this NOFO to be considered for funding. EDA intends to review each application expeditiously upon receipt of the complete application. EDA may request additional documentation or information from the applicant to make an eligibility determination. EDA also may, in its sole discretion, continue review of any application with minor defects or errors, while the applicant supplies the missing information. EDA will reject any documentation of eligibility that the agency determines is inaccurate or incomplete, which may cause the application to be rejected. Please see section E of this NOFO for more information on award criteria and the review and selection process.

1. Obtaining an Application and Electronic Submission through EDGE

An applicant must obtain, complete, and submit an application electronically through the Economic Development Grants Experience (EDGE) at sfgrants.eda.gov. EDA will not accept paper, facsimile, or email transmissions of applications except as provided below. In order to obtain and submit an application through EDGE, an applicant must register for an EDGE account at sfgrants.eda.gov. As part of the registration process, you will register one Authorized Representative for your organization, however, multiple points of contact may be registered or added by the applicant to the application workspace to view or work on completing the application. The Authorized Representative will be the only official with the authority to submit applications.

a. Verification of Submission

Applicants should save and print written proof of an electronic submission made through EDGE. Applicants, specifically the Authorized Representative submitting the application and materials, will

receive a time and date stamped email from EDGE confirming the submission and receipt of the application and other required documents.

Applicants should save and print both the confirmation screen provided on EDGE after the applicant has submitted an application and the confirmation email sent when the application has been successfully submitted.

It is the applicant's responsibility to verify that its submission was timely received and submitted successfully through EDGE. To see the date your application was submitted, log on to EDGE and click on the Submitted Application section from the Home Page.

If you experience a systems issue with EDGE, see section D.7. below for instructions.

b. Alternatives to Submission through EDGE

To accommodate an applicant's accessibility requirements, a paper version of this application may be obtained by contacting the appropriate email listed in section G of this NOFO. If an applicant is otherwise unable to submit an application through EDGE for reasons beyond the control of the applicant, EDA, in its sole discretion, may pre-approve in writing submission via an alternate method (e.g., email).

2. Content and Form of Applications

a. What is required for a complete Implementation Grant application?¹¹

A Phase 2 application will include (1) an Updated Recompete Plan, (2) Letter(s) of Commitment, (3) Component Applications, and (4) all EDA-required forms as described below. EDA expects to select approximately 4-8 applications for Implementation funding, which will include selecting approximately 3-8 component projects within each.

The following table provides a complete list of documents required for a complete application for an Implementation Grant. For Component Application requirements, see section b. below.

<p>(1) One Updated Recompete Plan (not to exceed 10 single-sided 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins) that discusses in detail all the requirements outlined in sections A.1.b, A.1.c, and E.1.a. of this NOFO. If more than 10 pages of Project Narrative is submitted, only the first 10 pages will be reviewed. Please ensure the Updated Recompete Plan addresses both the content outlined in section A.1.c. and the criteria in section E.1.a.</p> <p>(2) [Optional, to be included if changed from Phase 1]: Eligible/Service Area documentation identifying the proposed service areas and verifying that they are within one of the eligible areas for the program. Similar to in Phase 1, applicants may choose to use the Eligible/Service Area List Template to prove their geographic eligibility and service area.</p>

¹¹ In the event of discrepancies between instructions provided in any of the forms and this NOFO, the requirements for complete applications as stated in this NOFO will control.

- (3) Letter or letters of Commitment** Please see section A.1.b.v. for guidance on what to include when submitting Letter(s) of Commitment; applicants may reference the [Recompete Community Commitments Template](#).
- (4) Bios of Key Leadership** As required in section A.1.b.vi. of this NOFO, EDA expects applicants to identify strong, diverse talent for leadership roles, including the Recompete Plan Coordinator (RPC), and provide relevant bios.
- (5) 3-8 Component Project Applications** See Section b. below.

b. Component Applications

In addition to the Updated Recompete Plan, the Lead Applicant and/or other members of the applicant's coalition should submit a total of approximately 3-8 component applications. EDA expects that each component project will have a separate application unless they share leadership and geographic location (*i.e.*, it is on the same campus and will be administered by the owner of the campus). In general, for projects with a physical location, EDA expects the owner of the location to be an applicant or co-applicant on a component project (*e.g.*, EDA needs to have a grant relationship with the entity that will be encumbering any property with EDA funds). Applicants that have multiple potential Project Leads may consult with EDA via the email listed in section G of this NOFO to determine the best Lead Applicant for each Component Application.

If the applicant is applying alone for Implementation funding, the applicant may submit duplicate copies of the CD-511, SF-LLL, and non-profit documentation. The other forms and documentation must be specific to the component project. If there are multiple Project Leads, then a Project Lead other than the Lead Applicant may apply for component project funding. However, the Phase 1 grantee (*i.e.*, the Lead Applicant) must indicate in the Updated Recompete Plan that the Project Lead will be doing so either on their own or as a co-applicant. The Project Lead does not need to submit a separate Updated Recompete Plan or letter(s) of commitment but must submit all the required documentation and forms described below for the relevant component project.

The narrative (see requirements in sections A.1.b and A.1.c of this NOFO) and tables in section D.2.b describe the EDA and Federal grant assistance forms and other documentation required for a Phase 2 Component Project Application. EDA will require a complete set of forms and documents for each component project within the Full Application. For example, if the Recompete Plan is proposing three component projects—*e.g.*, 1. A strategic plan, 2. A workforce development project, and 3. an entrepreneurship initiative —EDA would in general expect three sets of application forms, each appropriate to an application for the given component project. The tables may serve as a checklist for applicants in preparing their submissions and are organized by the various construction and non-construction project types that might comprise a Recompete Plan.

While the Updated Recompete Plan is not a component project and is not funded separately, all Component Project Applications will be considered holistically in the context of the Updated Recompete Plan. For more details on competition criteria, please see section E.1.a.

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

Finally, EDA may request a particular component project not be included in the Full Application or be re-scoped to fit within budget and timing constraints. Note that all component projects are expected to be completed within five years, however in some circumstances a grant may be awarded beyond that period.

Each component project that is part of the Full Application must include the following materials:

- (1) One Form SF-424** (Application for Federal Assistance).
- (2) Component Project Narrative** (not to exceed 5 single-sided 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins) that discusses in detail all the requirements outlined in sections A.1.b, A.1.c, and E.1.a. of this NOFO. If more than 5 pages of a Project Narrative are submitted, only the first 5 pages will be reviewed. Please ensure each Project Narrative addresses both the content outlined in section A.1.c. and the criteria in section E.1.a.
- (3) One Form CD-511** (Certification Regarding Lobbying)
- (4) One Form SF-LLL** (Disclosure of Lobbying Activities), if applicable. Form SF-LLL is only required if the applicant has reportable lobbying activities.
- (5) Non-Profit Documentation**, if applicable. If the applicant is a non-profit organization that is not an institution of higher education, a copy of the applicant’s articles of incorporation, bylaws, and a current certificate of good standing.
- (6) *Project-Specific Budget and Supplementary Materials, see charts below.**

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

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

3. **One Form SF-424D** (Assurances—Construction Programs) from each co-applicant, as applicable.
4. **One Form ED-900B** (Beneficiary Information Form) from each beneficiary of the proposed project, as applicable.
5. **One Form ED-900C** (EDA Application Supplement for Construction Programs) and accompanying supporting documentation, *e.g.*, Preliminary Engineering Report.
6. **One Form ED-900E** (Calculation of Estimated Relocation and Land Acquisition Expenses).
7. **Documentation of Matching Share**, if applicable, for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable.
8. **Environmental Documentation** that will enable EDA to comply with its NEPA responsibilities. A narrative outline that details required components may be accessed in EDA’s website at: https://www.eda.gov/sites/default/files/2023-01/07_Environmental-Narrative-Template-and-Application-Certification-Clause.docx. The documentation should reflect whether the component project is categorically excludable or should be a draft environmental assessment or environmental impact statement, as funded by the technical assistance award. Applicants should consult with the email listed in section G of this NOFO to ensure the appropriate documentation is prepared.
9. **One Applicant’s Certification Clause** (see Appendix A to the environmental narrative noted above) completed separately and signed by each co-applicant, as applicable.
10. **Map of project site.**

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

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

The following table provides a complete list of documents required for a complete component project application: construction, design and engineering (without a construction component), and non-construction.

Table: Summary of Required Documentation for Each Component Project

Documentation	Construction	Design & Engineering	Non-Construction
Component Project Narrative	X	X	X
SF-424 (Application for Federal Assistance)	X	X	X
Matching Share Documentation	X	X	X
CD-511 (Certification Regarding Lobbying)	X	X	X
SF-LLL (If Applicable)	X	X	X
SPOC Documentation (If Applicable)	X	X	X
Indirect Cost Rate Documentation (If Applicable)		X	X
Organizational/Non-Profit Documentation (If Applicable)	X	X	X
SF-424A (Budget Information—Non-Construction Programs)			X
SF-424C (Budget Information—Construction Programs)	X	X	
SF-424D (Assurances—Construction Programs)	X	X	
ED-900B (Beneficiary Information Form) from each beneficiary, as applicable	X		
ED-900C (EDA Application Supplement for Construction Programs) and supporting documentation, <i>e.g.</i> , Preliminary Engineering Report (PER).	X		
ED-900D (Requirements for Design and Engineering Assistance)		X	
ED-900E (Calculation of Estimated Relocation and Land Acquisition Expenses)	X		
Environmental Narrative	X	X	
Certification Clause (with environmental narrative)	X	X	
Project Site Map	X	X	
Budget Narrative	X	X	X

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

c. Environmental and Historic Preservation Requirements

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

d. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

All applicants for EDA infrastructure construction under this NOFO are required to comply with the Build America, Buy America (BABA) Act as set forth in the Infrastructure Investment and Jobs Act. As required under BABA, none of the funds provided under any award in this program may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. BABA only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, these BABA requirements do not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does BABA apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

When necessary, recipients may apply for, and EDA may grant, a waiver from these requirements. EDA will notify the recipient of the process for requesting a waiver from these requirements upon request. A

request to waive the application of BABA must be in writing. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the U.S. Made in America Office. Further detail on BABA and the waiver process is described at <https://www.madeinamerica.gov>.

To help federal agencies and recipients meet BABA requirements, the U.S. Department of Commerce, National Institute for Standards and Technology (NIST), Hollings Manufacturing Extension Partnership (MEP) National Network™ provides a service to connect stakeholders, including recipients, to U.S. manufacturers that have relevant production capabilities and capacities to help fulfill current market and supply chain needs. Recipients considering a BABA nonavailability waiver are strongly encouraged to contact the NIST/MEP for assistance with supplier scouting services prior to seeking a BABA nonavailability waiver. Further information on the NIST/MEP supplier scouting services is available at: <https://www.nist.gov/mep/supplier-scouting>.

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

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

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

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

In accordance with 2 CFR § 200.414(f), an applicant that does not have a current negotiated or provisional NICRA, may elect to charge a de minimis rate of 10 percent of modified total direct costs (subject to the exceptions of § 200.414(f)). No documentation is required to justify the 10 percent de minimis indirect cost rate; however, an applicant electing to charge a de minimis rate of 10 percent must include a statement in its Budget Narrative that it does not have a current negotiated (including provisional) rate and is electing to charge the de minimis rate.

If the applicant is a state or local unit of government that receives less than \$35 million in direct federal funding per year it may submit any of the following:

- a NICRA;

- a Certificate of Indirect Costs from the Department of the Interior (DOI) or EDA (See: <https://www.eda.gov/sites/default/files/filebase/archives/2021/files/tools/grantee-forms/Certificate-of-Indirect-Costs-template.pdf>);
- an acknowledgment received from EDA and a Certificate of Indirect Costs in the form prescribed at 2 C.F.R. pt. 200, app. VII; or
- a Cost Allocation Plan approved by a federal agency (note that cost allocation plans or indirect cost rates approved by state agencies are not acceptable).

f. Unique Entity Identifier (UEI) and System for Award Management (SAM)

Applicants are required to: (i) be registered in SAM; (ii) provide a valid unique entity identifier (UEI) in the application; (iii) make certain certifications (see also section H.5 of this NOFO); and (iv) continue to maintain an active SAM registration with current information at all times during which they have an active federal award, or an application or plan under consideration by a federal awarding agency. EDA may not make a federal award to an applicant until the applicant has complied with all applicable UEI and SAM requirements and, if an applicant has not fully complied with the requirements by the time EDA is ready to make an award, EDA may determine that the applicant is not qualified. Recipients will be subject to reporting requirements, as identified in OMB guidance published at 2 C.F.R. parts 25 and 170. All subawardees must have a UEI before any subawards are made.

3. Submission Dates and Times

The deadline for Phase 2 Applications is **4:59 p.m. Eastern Time on April 25, 2024**. Applications received after this deadline will not be reviewed or considered. Only those whose Recompete Plans were approved in Phase 1 are permitted to apply to Phase 2.

EDA may amend, cancel, or withdraw the Recompete Pilot Program Phase 2 NOFO at any time.

4. Intergovernmental Review

Applications for Implementation Grants submitted under this Recompete Pilot Program Phase 2 NOFO are subject to the requirements of Executive Order (EO) 12372, “Intergovernmental Review of Federal Programs,” if a State has adopted a process under EO 12372 to review and coordinate proposed Federal financial assistance and direct Federal development (commonly referred to as the “single point of contact review process”). All applicants must give States and local governments a reasonable opportunity to review and comment on the proposed Project, including review and comment from area-wide planning organizations in metropolitan areas. To find out more about a State’s process under EO 12372, applicants may contact their State’s Single Point of Contact (SPOC). Names and addresses of some States’ SPOCs are listed on OMB’s website at <https://www.whitehouse.gov/wp-content/uploads/2023/06/SPOC-list-as-of-2023.pdf>.

Based on the applicant’s State, EDA requires the following documentation:

State does not participate	No documentation required—check SF-424 box 19(c).
State participates; this grant program not subject to review	Documentation (<i>e.g.</i> , a State executive order, a letter from the SPOC) showing that this grant program is not subject to review—provide the documentation as an attachment to the application and check SF-424 box 19(b).

State participates; this grant program subject to review	Documentation (<i>e.g.</i> , a letter from the SPOC) with comments or indicating that this project was not selected for review, or, if the comment period has expired or comments were not received, a copy of the applicant’s request for comments (<i>e.g.</i> , email)—provide the documentation as an attachment to the application and check SF-424 box 19(a).
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5. Funding Restrictions

EDA may reimburse pre-award project costs under this NOFO but only with advance approval by the Selection Official. Under no circumstances will EDA or DOC be held responsible for application preparation expenditures, which are distinguished from pre-award project costs.

It is DOC policy that funds may not be used to pay for profits or for management fees in excess of costs, unless statutorily authorized. Additionally, the use of project funds to make equity or hybrid investments in businesses is not an allowable cost.

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

6. Other Submission Requirements

After EDA reviews an application, EDA may contact the applicant to request additional documentation to clarify or substantiate submitted application materials, depending on the type of project proposed. Examples of additional documentation may include, but are not limited to, title verification, documentation of the value of in-kind contributions, evidence all funding is available and committed to the project, proof of eligibility (*e.g.*, organizational documentation such as articles of incorporation, bylaws, and a current certificate of good standing), or documentation required for environmental or legal compliance. This additional documentation will be required to ensure that the proposed project complies with all applicable rules and regulations prior to EDA’s issuance of an award. EDA will provide applicants a reasonable amount of time to provide any additional documentation. Failure to provide complete and accurate supporting documentation in a timely manner when requested by EDA may result in the denial of an application.

7. EDGE Systems Issues

If you experience a systems issue with EDGE (*i.e.*, a technical problem or glitch with the platform) that you believe threatens your ability to complete a submission, please (i) print any error message received; (ii) email the help desk at GrantHDSupport@eda.gov; and (iii) contact EDA using the contact information in section G. of this Phase 1 NOFO. Please be sure to track your issue using a case number given to you by the help desk. Please note that problems with an applicant’s computer system or equipment are **not** considered systems issues. Similarly, an applicant’s failure to, *e.g.*, (i) complete the required registration, (ii) ensure that a registered Authorized Representative submits the application, or (iii) notice receipt of an email message from EDGE are **not** considered systems issues. An EDGE issue is an issue occurring in connection with the operations of the website itself, such as the temporary loss of service due to unexpected volume of traffic or failure of information technology systems, both of which are highly unlikely. In the event of a confirmed systems issue, EDA reserves the right to accept an application in an alternate format.

Applicants should go to sfgrants.eda.gov and click on the Resources page for assistance in navigating EDGE and for a list of useful resources.

E. Application Review Information

Throughout the review and selection process, EDA reserves the right to seek clarification in writing from applicants whose application packages are being reviewed. EDA may additionally ask applicants to clarify application materials, objectives, and work plans, or modify budgets or other specifics necessary to comply with Federal requirements. EDA may also use statistical methods to normalize the scoring. EDA will screen submitted materials to verify that all required forms are complete, and all required documentation is included. Applications that do not contain all elements listed in section D.2 will not be reviewed, with limited exceptions where non-substantive missing information or forms can be supplied after original submission. EDA, in its sole discretion, may continue the review process for applications with non-substantive issues that may be easily rectified or cured.

1. Criteria, Review, and Selection Process

a. Implementation Grants Review

For all complete applications for Implementation Grants, the Updated Recompete Plan and Component Projects will be evaluated by at least three reviewers who will make a group evaluation of the merits of each full Application based on the extent to which the application meets the program-specific award and application requirements and criteria. This group evaluation is known as an Investment Review Committee or IRC. The IRC will evaluate the applications using adjectival ratings and thereafter sort the applications into tiers of similarly rated applications. EDA may, in its discretion and including at the IRC's request, consult experts outside of EDA on the technical aspects of an application to assist the IRC in its evaluation. The IRC will present the Selection Official with a recommended portfolio of applications from the top tiered group(s) in addition to recommendations on how to apply the selection factors discussed in section E.2. below.

While EDA will evaluate the portfolio of component projects within an application holistically, individual component projects within a proposed application may not get funded, and EDA expects in some cases to negotiate the scope and nature of certain component projects or the overall mix of projects. Individual component projects not funded may be funded under another EDA NOFO.

The IRC will evaluate 1) Updated Recompete Plans and 2) Component Project applications, with specific evaluation criteria required for each (below). Each evaluation criteria will be equally weighted except for "overall vision and strategy" and "equity" which will be worth double the other evaluation criteria because they will be assessed through both 1) Updated Recompete Plans and the 2) Component Project applications.

Evaluation Criteria applied to both 1) Updated Recompete Plans and 2) Component Project applications:

1. **Overall vision and strategy:** Will the proposed strategy increase prime age employment, per capita wages, and overall long-term economic development?
 - a. Updated Recompete Plans: Is the overall strategy clearly informed by regional assets, and underlying barriers to quality employment, including market conditions? Overall, do the individual aspects of the strategy complement and mutually reinforce each other?

- b. Component Project applications: Will the proposed interventions achieve their identified goals – are they informed by best practices, prior experience, research, metrics, or documented outcomes? Do the component projects work together to achieve the proposed strategy? Do the projects take into account other investments, policy commitments, and regional activities? Is there real demand for the proposed interventions (*e.g.*, employer commitments to hire successful participants in workforce training programs, businesses seeking services, etc.)? For workforce projects, to what extent do the projects incorporate the best practices for successful workforce projects described in Section A.1.b.ix.¹²? If successful, do individual projects have potential to be positive models for other distressed communities around the country – in other words, is there a clear and compelling “thesis” for each project (*i.e.*, what is the problem they are trying to solve, and how will the project solve it)?
2. **Equity**: Will the benefits of this investment be shared equitably, and does the overall effort reflect meaningful engagement with the communities it is intended to serve?
 - a. Updated Recompete Plans: Does the overall strategy focus on underserved and underrepresented communities, and will it specifically benefit targeted populations within those areas? Does the strategy demonstrate through its membership or engagement practices that the strategy reflects the needs of the population served? Is there a plan to ensure community participation and buy-in over the duration of the grant period, including accounting for worker voice?
 - b. Component Project applications: Is equity reflected in the proposed operations and implementation plan of individual projects? For example, is equity incorporated across projected outcomes, budgets, staffing model, subawards, timelines, and goals of the component projects? Is there a plan for ensuring these priorities remain consistent over the lifespan of the grant?

Evaluation Criteria Exclusive to the Updated Recompete Plan:

3. **Sustainable Partnerships and Commitments**: Is the right set of regional partners meaningfully engaged, such as targeted employers, labor and worker organizations, education and training systems, local government, and community-based organizations?
 - Is there buy-in from the broader community to ensure long-term success, and is the proposed execution of the Recompete Plan integrated into the community’s long-term economic development strategy? Are investments and community commitments from partners set up for the Service Area to have long-term impact beyond the grant period? Has the applicant aligned external resources to support this effort, such as in-kind contributions (*e.g.*, building or preserving adjacent affordable housing), any additional financial match (*e.g.*, from state or local funders), or otherwise – for example, through exploring other Biden Administration initiatives (*e.g.*, strategies that take advantage of IRA incentives, infrastructure spending, CHIPS funding opportunities, or other federal investments). How strongly are key private sector partners engaged and is their engagement and participation aligned with and sufficient to enable the Recompete Plan? Where applicable, has

¹² See <https://www.commerce.gov/issues/workforce-development>; U.S. Dept. Comm., Strategic Plan 2022 – 2026: Innovation, Equity, and Resilience, Strengthening American Competitiveness in the 21st Century, Strategic Objective 2.2 at 33-34 (Mar. 2022).

the applicant explored and secured private sector commitments (*e.g.*, hiring commitments, changes to hiring practices, leadership team participation)?

4. **Leadership and Governance:** Is the leadership team – including the Recompete Plan Coordinator – strong, capable, qualified, and cohesive?
 - Can the Lead Applicant deliver on the responsibilities identified in section A.1.b.iv. above? Does the leadership team and partnership have an effective decision-making and accountability structure, and is this reflected in the plan for overall management and governance? Overall, does the investment create or reinforce pathways to leadership for community members that have been left out (due to race, gender, wealth, or other factors)? Finally, is there a compelling plan for how the partners will hold each other accountable on equity goals, in addition to other outcomes?
5. **Overall Impact and Risk Mitigation:** Does the application identify clear outcomes and outputs, and is there confidence these will lead to improved prime age employment, per capita wages, and long-term economic development over time?
 - If the strategy is successful, how meaningful will the overall impact of the projects be for the identified service area? To what degree will workforce development activities (if proposed) result in residents in the service area accessing good jobs? Does the Updated Recompete Plan identify potential risks to achieving these outcomes, for both the overall effort and component projects, and is there a plan for if and how these risks can be mitigated? Will identified metrics effectively measure equitable outcomes, including disaggregating by population?

Evaluation Criteria Exclusive to the Component Project applications:

6. **Capability to implement:** Are the applicant and subawardees/contractors/partners capable of implementing the proposed plan?
 - Do the implementing entities have relevant experience or capabilities that demonstrate their ability to execute, including the ability to reach the populations they intend to serve? Does leadership of the implementing entities have the requisite qualifications? Within the budget narrative, are critical positions properly identified and sufficiently funded to accomplish the proposed scope?
7. **Realistic scope and workplan:** Is the proposed scope and workplan realistic, simple, and executable, or does it risk being overly complicated (*e.g.*, too many implementing organizations)?
 - Is it sufficient to accomplish the proposed vision and strategy? Specifically, is there a highly effective plan and budget for management operations (*e.g.*, subaward management, hiring positions—including the Recompete Plan Coordinator), and metrics and evaluation?

EDA’s final decision on whether to fund a project in Phase 2 is dependent upon the ability of the applicant to provide sufficient documentation of the project’s compliance with applicable rules and regulations.

EDA at its discretion may fund all or only some of the originally proposed component projects and may negotiate with applicants on the scope and nature of certain component project applications of the

overall mix of applications depending on the viability and feasibility of those components and the availability of funds.

b. Due Diligence

If application is recommended for funding, the applicant still may have to complete certain due diligence requirements. After an application has been reviewed and evaluated, EDA may request that the applicant submit additional documents and information to allow EDA to fully evaluate compliance with applicable rules and regulations, including organizational documentation such as articles of incorporation, bylaws, and a current certificate of good standing.

In the case of construction projects, such additional due diligence may include:

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

If the applicant provides the requested information and supporting documentation in a timely fashion and EDA determines the project is fully compliant with applicable rules and regulations, the application will be forwarded to the Selection Official for a final decision. Applicants that do not provide the additional information and supporting documentation in a timely fashion or who are deemed not to be in compliance with applicable rules and regulations will receive notification their application was not successful.

c. Security, Resilience, and Cybersecurity

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 Presidential Policy Directive 21 - Critical Infrastructure Security and Resilience¹³ and the National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems.¹⁴ Each applicant selected for Federal funding under this notice must demonstrate, prior to the signing of the grant agreement, effort to consider and address physical and cyber security risks relevant to the 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 U.S. Department of Commerce and the Department of Homeland Security, will be required to do so before receiving funds.

Regarding Cybersecurity, applicants must describe measures taken to ensure that practices are consistent with current industry best practices for cybersecurity, such as the NIST Cybersecurity

¹³ Presidential Policy Directive/PPD-21, Critical Infrastructure Security and Resilience (Feb. 12, 2013).

¹⁴ National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems (Jul. 28, 2021).

Framework¹⁵ and Cybersecurity and Infrastructure Security Agency (CISA) Cybersecurity Performance Goals (CPGs).¹⁶ These performance goals provide a baseline set of cybersecurity practices broadly applicable across critical infrastructure with known risk-reduction value, a benchmark for critical infrastructure operators to measure and improve their cybersecurity maturity, and a combination of recommended practices for information technology (IT) and operational technology (OT) owners, including a prioritized set of security practices.

2. Selection Official's Decision

Applications recommended for funding that are also deemed fully compliant with applicable rules and regulations will be forwarded for final selection review and approval by the Selection Official. The Selection Official will select a portfolio of Implementation Grants to fund based on the recommendations of the IRC and the selection factors listed below. The final portfolio may differ from the recommendations of the IRC to ensure the selection factors below are adequately met:

- i. The extent to which the application meets the overall objectives of section 29 of Stevenson-Wydler (15 U.S.C. § 3722b);
- ii. The applicant's performance under previous Federal financial assistance awards, including whether the grantee submitted required performance reports and data;
- iii. The availability of program funding;
- iv. The extent to which the application includes a feasible plan that accounts for the specific needs of historically underserved areas and populations with a high likelihood that those populations will realize an equitable share of the project's benefits;
- v. The extent to which workforce development activities (if proposed) are in line with the characteristics of strong workforce development projects discussed in section A.1.b.ix.;
- vi. The extent to which the project is located in a geography that has experienced persistent economic distress; and
- vii. To achieve balance in the portfolio geographically and across community types, underserved populations, industry focuses, and proposed interventions for areas experiencing different root causes to high unemployment and/or low labor force participation.

The Selection Official will prepare a final list of recommendations for funding and document the rationale for his or her selections.

3. Review of Responsibility/Qualification Information in SAM.gov

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

¹⁵ National Institute of Standards and Technology, Framework for Improving Critical Infrastructure Cybersecurity Version 1.1 (Apr. 16, 2018).

¹⁶ Cybersecurity & Infrastructure Security Agency, Cross-Sector Cybersecurity Performance Goals, <https://www.cisa.gov/cross-sector-cybersecurity-performance-goals>.

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

F. Federal Award Administration Information

1. Federal Award Notice

If an applicant successfully and timely completes all due diligence requirements and the application is selected for funding, EDA will notify the successful applicant in writing. This notice is not an authorization to begin work, however; work should not be undertaken until the award is signed by EDA and the applicant's authorized representative, as discussed below.

The EDA Selection Official will issue the award (Notice of Award), which is the authorizing financial assistance award document and includes Specific Award Conditions and the DOC Financial Assistance Standard Terms and Conditions (DOC ST&Cs), as described in section F.2.b., below.

By accepting the Notice of Award, the applicant agrees to comply with all award provisions. EDA will provide the Notice of Award to the applicant's authorized representative through EDGE. The applicant's authorized representative must review and accept the Notice of Award without modification within 30 calendar days of the date of receipt.

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

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

2. Administrative and National Policy Requirements

a. Uniform Administrative Requirements, Cost Principles, and Audit Requirements

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

b. DOC Financial Assistance Standard Terms and Conditions

Recipients of all non-construction EDA awards will be bound by the DOC ST&Cs applicable on the date of the award. The DOC ST&Cs may be accessed at the following website:
http://www.osec.doc.gov/oam/grants_management/policy/default.htm.

Recipients of an EDA construction award will be bound by EDA's Construction ST&Cs. The Construction ST&Cs may be accessed at <https://www.eda.gov/grant-resources/find-grant-resources/grantee-guidance/construction-awards> under the header "Standard Terms and Conditions for RLF and Construction Projects."

Recipients of DOC financial assistance are obligated to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin, and Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against people with disabilities, in Federally assisted programs or activities. Recipients are obligated to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in their Federally-assisted education or training programs or activities.

All applicants must comply with all applicable Federal labor and employment laws, including but not limited to Title VII of the Civil Rights Act of 1964, the Fair Labor Standards Act, the Occupational Safety and Health Act, and the National Labor Relations Act, which protects employees' right to bargain collectively and engage in concerted activities for the purpose of workers' mutual aid or protection.

c. DOC Pre- Award Notification Requirements

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

3. Reporting

a. Report Frequency and Format

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

b. Federal Funding Accountability and Transparency Act of 2006

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

c. Performance Reporting and Evaluation

EDA will require additional data on activities, outputs, and outcomes of the funded investment, in part to fulfill the requirements of the Government Performance and Results Act (GPRA). EDA anticipates that recipients will be expected to track their engagement activities within the scope of work, with project beneficiaries, and other project stakeholders. EDA further anticipates recipients will be expected to collect data, using surveys of beneficiaries or clients if necessary, on the outputs and outcomes of project activities, such as jobs created/retained, private investment attracted, the number of strategic plans or economic development tools developed, the number of new business partnerships formed, or the range of new capabilities acquired. EDA plans to collect this information using Forms ED-915 (Public Works, Economic Adjustment Infrastructure and Revolving Loan Fund Investments), ED-916 (Semi-annual Program Outputs Questionnaire for EDA grantees), ED-917 (Annual Capacity Outcomes Questionnaire for EDA Grantees serving clients), and ED-918 (Annual Capacity Outcomes Questionnaire for EDA Grantees). For more information, please refer to <https://www.eda.gov/performance/gpra>. EDA

may also engage with external entities to perform third-party program evaluations, which will require cooperation between the grantee, organizations within their service area, and the evaluating institution(s).

d. Requirements for Recipients with More than \$10 Million in Federal-Wide Funding

As required by appendix XII to 2 C.F.R. part 200, a recipient with more than \$10 million in federal-wide funding must maintain the currency of information reported to SAM that is made available in the designated integrity and performance system (formerly FAPIIS) about civil criminal, or administrative proceedings.

e. Data Collection and Reporting

To ensure grantees are addressing their agreed upon job quality, community and economic development outcomes—particularly as they relate to at-risk, distressed and demographic target populations, EDA will require the collection and publication of workforce and project-level data. EDA will provide additional guidance on metrics at the time of award.

G. Federal Awarding Agency Contact

For questions concerning this Recompete Pilot Program Phase 1 NOFO, or more information about EDA programs, you may contact Recompete@eda.gov. EDA's website at <http://www.eda.gov> provides additional information on EDA and its programs.

H. Other Information

1. Right to Use Information

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

2. Freedom of Information Act Disclosure

EDA may publish any applications it receives, including any supporting documentation, on its website or through other means.

In addition, U.S. Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. § 552, are found at 15 C.F.R. part 4, Public Information. These regulations set forth rules

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

3. Notice of Government-Wide Procurement Restriction

The general rule for Federal financial assistance is that contractors that develop draft specifications, requirements, statements of work, invitations for bids or requests for proposals are prohibited from competing for the final procurement. For instance, a professional engineer or architect who prepared the Preliminary Engineering Report for an EDA application would be excluded from bidding on the same work under the award under 2 C.F.R § 200.319. Under 2 C.F.R. 200.317, only State recipients are expressly exempt from this prohibition. Local governments and Indian Tribes may also take advantage of the exemption in two narrow circumstances: (i) if they are required (by statute, for example) to follow the State's procurement rules in full and without exception; or (ii) if they are required to follow a specific State procurement rule that creates an explicit conflict with the prohibition in 2 C.F.R. § 200.319(a) (*i.e.*, there is a statute that requires or permits the local government or Indian Tribe to award the final procurement to the same contractor that developed the draft specifications). Absent one of these two scenarios, the local government or Indian Tribe must comply with the prohibition. Applicants are encouraged to contact EDA using the contact information in section G. of this Phase 1 NOFO with any questions regarding application of this regulation.

4. Past Performance and Non-Compliance with Award Provisions

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

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

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

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

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

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

(a) To the best of its knowledge and belief, has filed all Federal tax returns required during the three years preceding the certification;

(b) Has not been convicted of a criminal offense under the Internal Revenue Code of 1986; and/or

(c) Has not been notified, more than 90 days prior to certification, of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial process.

6. EDA's Non-Relocation Policy

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

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

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

7. NOFO Changes Communicated on Grants.gov

EDA may make changes or additions to this NOFO. All changes will be communicated on Grants.gov. It is recommended that applicants set up a Grants.gov account and subscribe to this funding opportunity in order to be notified of any updates or changes. DOC or EDA may cancel, modify, or withdraw this NOFO at any time. EDA is not obligated to make any federal award or commitment as a result of this announcement.

8. Disclosure of Information

For the purpose of achieving rigorous program evaluations, all applications (including those not selected for funding) may be shared with EDA staff, outside parties contracted by EDA for the purposes of evaluation, and other federal agencies.

9. Audit Requirements

Single or program-specific audits shall be performed in accordance with the requirements contained in the Uniform Guidance (see 2 C.F.R. part 200, Subpart F, “Audit Requirements”).

The Uniform Guidance requires any non-Federal entity (*i.e.*, non-profit organizations, including non-profit institutions of higher education and hospitals, States, local governments, and Indian Tribes) that expends Federal awards of \$750,000 or more in the recipient’s fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the OMB Uniform Guidance. Applicants are reminded that EDA or the DOC’s Office of Inspector General also may conduct an audit of an award at any time.

10. Fraud Awareness Training

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

11. Office of Inspector General Rights and Responsibilities

The DOC Office of Inspector General (OIG) seeks to improve the efficiency and effectiveness of the Department’s programs, including deterring and detecting fraud, waste, abuse and mismanagement. The OIG accomplishes this mission primarily through investigations, audits, and inspections of Department activities, including grants, cooperative agreements, loans, and contracts.

a. Disclosures

Recipients of financial assistance originating from the U.S. Department of Commerce, including EDA, shall timely disclose, in writing, to the OIG and awarding agency, whenever, in connection with the award, performance, or closeout of this grant or subaward thereunder, the recipient has credible evidence that a principal, employee, agent, or sub-recipient has committed:

- (i) A violation of federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code; or
- (ii) A violation of the civil False Claims Act (31 U.S.C. §§ 3729-3733).

b. Reporting

The OIG maintains a hotline to receive allegations of fraud, waste, or abuse. To report such allegations, please visit <https://www.oig.doc.gov/Pages/Hotline.aspx>. Upon request, the OIG will take appropriate measures to protect the identity of any individual who reports misconduct, as authorized by the Inspector General Act of 1978, as amended. Reports to the OIG may also be made anonymously.

c. Whistleblower Protection

Recipients, sub-recipients, and employees working on this grant award will be subject to the whistleblower rights and remedies established under 41 U.S.C. § 4712.

An employee of a recipient or sub-recipient may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of: gross mismanagement of a federal contract or award; a gross waste of federal funds; an abuse of authority (*i.e.*, an arbitrary and capricious exercise of authority that is inconsistent with the mission of EDA or the U.S. Department of Commerce or the successful performance of a contract or grant awarded by EDA or the U.S. Department of Commerce) relating to a federal contract or award; a substantial and specific danger to public health or safety; or a violation of a law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.

The recipient or sub-recipient shall inform its employees and contractors, in writing, in the predominant language of the workforce or organization, of employee whistleblower rights and protections under 41 U.S.C. § 4712, as described above and at <https://www.oig.doc.gov/Pages/Whistleblower-Protection-Program.aspx>.