

ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

EXECUTIVE SUMMARY

- **Federal Agency Name:** Economic Development Administration (EDA), Department of Commerce.
- **Funding Opportunity Title:** *Economic Development Assistance Programs*—Availability of Funds under the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3121 *et seq.*), and the Trade Act of 1974, as amended (19 U.S.C. §§ 2341-2391).
- **Announcement Type and Date:** Initial announcement of federal funding opportunity (FFO) dated June 22, 2009.
- **Catalog of Federal Domestic Assistance (CFDA) Numbers:** 11.300, Grants for Public Works and Economic Development Facilities; 11.302, Economic Development—Support for Planning Organizations; 11.303, Economic Development—Technical Assistance; 11.307, Economic Adjustment Assistance; 11.313, Economic Development—Trade Adjustment Assistance.
- **Application Submissions:** Applications are accepted on a continuing basis and processed as received. Applications may be submitted electronically in accordance with the instructions provided at www.grants.gov or mailed in paper (hardcopy) format to the applicable EDA regional office listed in section VIII.B. of this FFO.
- **Funding Opportunity Description:** Pursuant to the Public Works and Economic Development Act of 1965, as amended, EDA announces general policies and application procedures for grant-based investments under the Public Works, Planning, Local Technical Assistance, and Economic Adjustment Assistance Programs that will promote comprehensive, entrepreneurial and innovation-based economic development efforts to enhance the competitiveness of regions, resulting in increased private investment and higher-skill, higher-wage jobs in areas experiencing substantial and persistent economic distress.

FULL ANNOUNCEMENT TEXT

**THE ECONOMIC DEVELOPMENT ADMINISTRATION'S
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS**

TABLE OF CONTENTS:

Section I. Funding Opportunity Description
Section II. Award Information
Section III. Eligibility Information
Section IV. Application Submission Information
Section V. Application Review Information
Section VI. Award Administration Information
Section VII. "Special Need" Criteria
Section VIII. Other Requirements and Contact Information

I. Funding Opportunity Description

A. Agency Overview

EDA's mission is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. In implementing this mission pursuant to its authorizing statute, the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3121 *et seq.*) (PWEDA), EDA advances economic growth by assisting communities and regions experiencing chronic high unemployment and low per capita income to create an environment that fosters innovation, promotes entrepreneurship, and attracts increased private capital investment. EDA also administers the Trade Adjustment Assistance for Firms Program (TAAF Program) under the Trade Act of 1974, as amended (19 U.S.C. § 2341 *et seq.*) (Trade Act). Under the TAAF Program, EDA funds a national network of eleven non-profit organizations known as Trade Adjustment Assistance Centers, with each being assigned a different geographic service region, which in turn provide technical assistance to firms that have been adversely affected by increased import competition.

Under this announcement, EDA solicits applications for the following programs under PWEDA: (i) Public Works and Economic Development Facilities Program; (ii) Planning Program; (iii) Local Technical Assistance Program; and (iv) Economic Adjustment Assistance Program.

B. Program Priorities

EDA encourages the submission of only those applications that will significantly benefit regions with distressed economies. Such distress may exist in a variety of forms, including high levels of unemployment, low income levels, large concentrations of low-income families,

significant declines in per capita income, large numbers (or high rates) of business failures, sudden major layoffs or plant closures, trade impacts, military base closures, natural or other major disasters, depletion of natural resources, reduced tax bases, or substantial loss of population because of the lack of employment opportunities. EDA's experience has shown that regional economic development to help alleviate these conditions is effected primarily through investments and decisions made by the private sector. *See* section III.C. for information regarding matching share requirements.

EDA encourages recipients to be sensitive to the energy and environmental implications of their activities. To the extent practicable, and dependent upon the project type and in consideration of the financial resources available, EDA encourages recipients to use the best available strategies, technologies, and construction practices in order to minimize energy use and environmental impacts. Recipients are encouraged to determine the project's consistency with the Climate Action Plan of the State in which the proposed project will be located, if applicable. The U.S. Environmental Protection Agency's website at http://www.epa.gov/climatechange/wyacd/stateandlocalgov/state_action.html contains more information on State Climate Action Plans and can help determine if a particular State has one.

EDA will evaluate and select applications according to the investment policy guidelines and funding priorities set forth in section V. of this announcement.

C. Statutory Authorities for EDA's Programs under this Announcement

The statutory authorities for the (i) Public Works and Economic Development Facilities Program; (ii) Planning Program; (iii) Local Technical Assistance Program; and (iv) Economic Adjustment Assistance Program are sections 201 (42 U.S.C. § 3141), 203 (42 U.S.C. § 3143), 207 (42 U.S.C. § 3147), and 209 (42 U.S.C. § 3149) of PWEDA, respectively. The statutory authorities for the TAAF Program are chapters 3 and 5 of title II of the Trade Act.

Unless otherwise provided in this FFO, applicant eligibility, program objectives and priorities, application procedures, evaluation criteria, selection procedures, and other requirements for all programs are set forth in EDA's regulations (codified at 13 C.F.R. chapter III) and the applicant must address these requirements. EDA's regulations and PWEDA are available at <http://www.eda.gov/InvestmentsGrants/Lawsreg.xml>. Please note that EDA funds may not be used directly or indirectly to reimburse any attorneys' or consultants' fees incurred in connection with obtaining investment assistance under this competitive solicitation. *See* 13 C.F.R. § 302.10.

II. Award Information

II.A. Funding Availability

Funding appropriated under the Omnibus Appropriations Act, 2009 (Pub. L. No. 111-8, 123 Stat. 524, 561 (2009)) is available for the economic development assistance programs authorized by PWEDA and for the TAAF Program authorized under the Trade Act. Funds in the

amount of \$240,000,000 have been appropriated for FY 2009 and shall remain available until expended.

Under this announcement, approximately \$196,972,592 is available for the (i) Public Works and Economic Development Facilities Program; (ii) Planning Program; (iii) Local Technical Assistance Program; and (iv) Economic Adjustment Assistance Program. This announcement will remain in effect until it is modified or supplanted by a future FFO announcement. The funding periods and funding amounts referenced in this announcement are subject to the availability of funds at the time of award, as well as to Department of Commerce and EDA priorities at the time of award. The Department of Commerce and EDA will not be held responsible for application preparation costs. Publication of this FFO does not obligate the Department of Commerce or EDA to award any specific grant or cooperative agreement or to obligate all or any part of available funds.

II.A.1. Public Works and Economic Development Facilities Program (CFDA No. 11.300)

For purposes of this FFO, EDA is allocating \$129,280,000 for the Public Works and Economic Development Facilities Program in FY 2009. The average size of a Public Works investment in FY 2008 was \$1.32 million. However, this average is informational only and is not intended to restrict the size of future awards.

EDA will provide Public Works investments to support the construction or rehabilitation of essential public infrastructure and facilities necessary to generate or retain private sector jobs and investments, attract private sector capital, and promote regional competitiveness, innovation, and entrepreneurship, including investments that expand and upgrade infrastructure to attract new industry, support technology-led development, accelerate new business development, and enhance the ability of regions to capitalize on opportunities presented by free trade.

II.A.2. Planning Program: Planning Assistance for District Organizations, Indian Tribes, States, and other Planning Organizations (CFDA No. 11.302)

EDA is allocating \$31,000,000 to the Planning Program in FY 2009. The Planning Program helps support planning organizations, including District Organizations and Indian Tribes, in the development, implementation, revision or replacement of comprehensive economic development strategies (CEDs), and for related short-term planning investments and State plans designed to create and retain higher-skill, higher-wage jobs, particularly for the unemployed and underemployed in the nation's most economically distressed regions.

As in FY 2008, EDA expects that the majority of FY 2009 Planning Program funds will be used to provide support to existing District Organizations and Indian Tribe recipients. Some regional offices may offer three-year funding to their planning organizations.

II.A.3. Technical Assistance Program: Local Technical Assistance; National Technical Assistance; and the University Center Economic Development Program (CFDA No. 11.303) and Research and Evaluation Program (CFDA No. 11.312)

EDA is allocating \$9,400,000 to the Technical Assistance Program in FY 2009. This includes \$1,362,592 for Local Technical Assistance, \$1,000,000 for National Technical Assistance, and \$7,037,408 for the University Center Economic Development Program. EDA is allocating \$490,000 to the Research and Evaluation Program in FY 2009.

As stated in section I.A., this FFO announcement covers the Local Technical Assistance program. This program helps fill the knowledge and information gaps that may prevent leaders in the public and nonprofit sectors in economically distressed regions from making optimal decisions on local economic development issues. The average size of a Local Technical Assistance investment in FY 2008 was approximately \$60,941. However, this average is informational only and is not intended to restrict the size of future awards.

EDA expects to post a separate FFO announcement(s) at www.grants.gov and at www.eda.gov that will set forth the specific funding priorities, application and selection processes, time frames, and evaluation criteria for certain National Technical Assistance and Research and Evaluation projects to be funded with FY 2009 appropriations.

A separate FFO announcement dated February 20, 2009, regarding the FY 2009 University Center competition in EDA's Atlanta and Seattle regional offices, has been posted at www.grants.gov and at www.eda.gov.

II.A.4. Economic Adjustment Assistance Program (CFDA No. 11.307)

EDA is allocating \$35,330,000 to the Economic Adjustment Assistance Program in FY 2009. The average size of an Economic Adjustment investment in FY 2008 was approximately \$468,150. However, this average is informational only and is not intended to restrict the size of future awards.

The Economic Adjustment Assistance Program provides a wide range of technical, planning and public works and infrastructure assistance in regions experiencing adverse economic changes that may occur suddenly or over time. This program is designed to respond flexibly to pressing economic recovery issues and is well suited to help address challenges faced by U.S. communities and regions.

EDA will continue its ongoing consideration of applications from communities experiencing adverse economic changes due to base realignment and closures (BRAC) and federally-declared disasters when awarding assistance from FY 2009 Economic Adjustment Assistance Program funds. EDA will help American workers, businesses, and communities affected by military base closures or realignments, defense contractor reductions in force, U.S. Department of Energy defense-related funding reductions, rapid growth related to such closures, realignments, or reductions, federally-declared disasters, or economic deterioration due to other

disasters, by providing assistance for planning, coordinating the use of federal resources available to support economic development recovery, and developing regionally focused economic recovery and growth strategies.

II.A.5. Global Climate Change Mitigation Incentive Fund

From amounts otherwise made available for the economic development assistance programs authorized by PWEDA, EDA is allocating \$14,700,000 in FY 2009 to support projects that foster economic competitiveness while enhancing environmental quality. EDA anticipates that these funds will be used to promote economic development through projects that enhance sustainability, reduce operating costs, diversify the economy, and result in 21st century higher-skill, higher-wage jobs. An applicant eligible for funding under this initiative should apply in the same manner that it would apply for Economic Adjustment Assistance Program funding and should include in the project narrative a detailed explanation of how the proposed project will help advance the goals of the Global Climate Change Mitigation Incentive Fund. For more information on the goals of this initiative, contact the designated point of contact listed in section VIII.B. of this FFO for the EDA regional office servicing your geographic area.

II.A.6. Trade Adjustment Assistance for Firms Program (CFDA No. 11.313)

EDA is allocating \$15,450,000 to the TAAF Program in FY 2009. EDA anticipates that these funds will be used to extend new cooperative agreements to the existing network of eleven Trade Adjustment Assistance Centers, and to provide technical assistance to firms certified as eligible under the TAAF Program.

II.B. Types of Funding Instruments

Subject to the availability of funds, EDA may enter into either grants or cooperative agreements with an eligible applicant in order to provide funding for eligible investment activities.

II.C. Project Periods

Project periods are dependent on the nature of the project and the EDA program under which the grant or cooperative agreement for the project is awarded. The project period generally depends upon the project scope of work. For example, the project period for a construction investment under EDA's Public Works Program may last for three or more years until construction is completed satisfactorily, while a planning investment under EDA's Planning program may allow for one to three years for completion of the scope of work. EDA expects that all projects will proceed expeditiously.

III. Eligibility Information

A. Eligible Applicants

Pursuant to PWEDA, eligible applicants for and eligible recipients of EDA investment assistance include a(n): (i) District Organization; (ii) Indian Tribe or a consortium of Indian Tribes; (iii) State, a city or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions; (iv) institution of higher education or a consortium of institutions of higher education; or (v) public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State. *See* section 3 of PWEDA (42 U.S.C. § 3122) and 13 C.F.R. § 300.3. Projects eligible for Public Works or Economic Adjustment investment assistance include those projects located in regions meeting “Special Need” criteria (as defined in 13 C.F.R. § 300.3), as set forth in section VII. of this announcement.

For-profit, private-sector entities are not eligible for investment assistance under PWEDA. Nonetheless, under its Local Technical Assistance or National Technical Assistance Programs, EDA may make an award to a for-profit organization to carry out specific research or for other purposes set forth in 13 C.F.R. § 306.1. *See also* 42 U.S.C. § 3147. If EDA makes such an award, it will not approve a line item for “profit” in the budget for the award in accordance with Department of Commerce requirements.

EDA is not authorized to provide grants directly to individuals or to for-profit entities seeking to start or expand a private business. Such requests may be referred to State or local agencies, or to non-profit economic development organizations serving the region in which the project will be located.

B. Economic Distress Criteria

Potential applicants are responsible for demonstrating to EDA, by providing statistics and other information, as appropriate, the nature and level of economic distress in the region in which the proposed project will be located. For a Public Works (13 C.F.R. part 305; CFDA No. 11.300) or an Economic Adjustment investment (13 C.F.R. part 307; CFDA No. 11.307), the project must be located in a region that, on the date EDA receives the application for investment assistance, meets one (or more) of the following economic distress criteria: (i) an unemployment rate that is, for the most recent 24 month period for which data are available, at least one percentage point greater than the national average unemployment rate; (ii) per capita income that is, for the most recent period for which data are available, 80 percent or less of the national average per capita income; or (iii) a “Special Need,” as determined by EDA and as discussed in section VII. of this announcement. *See* section 301 of PWEDA (42 U.S.C. § 3161) and 13 C.F.R. § 301.3.

C. Cost Sharing or Matching Share Requirement

Generally, the amount of the EDA grant may not exceed 50 percent of the total cost of the project. Projects may receive an additional amount that shall not exceed 30 percent, based on the relative needs of the region in which the project will be located, as determined by EDA. *See* section 204(a) of PWEDA (42 U.S.C. § 3144) and 13 C.F.R. § 301.4(b)(1). For Planning Assistance, the minimum EDA investment rate for projects under 13 C.F.R. part 303 is 50 percent, and the maximum allowable EDA investment rate may not exceed 80 percent. *See* 13 C.F.R. § 301.4(b)(3). As specified in section 204(c)(3) of PWEDA (42 U.S.C. 3144) for projects under 13 C.F.R. part 306, the Assistant Secretary of Commerce for Economic Development (Assistant Secretary) has the discretion to establish a maximum EDA investment rate of up to 100 percent where the project (i) merits, and is not otherwise feasible without, an increase to the EDA investment rate; or (ii) will be of no or only incidental benefit to the recipient. *See* 13 C.F.R. § 301.4(b)(4).

In the case of EDA investment assistance to a(n) (i) Indian Tribe, (ii) State (or political subdivision of a State) that the Assistant Secretary determines has exhausted its effective taxing and borrowing capacity, or (iii) non-profit organization that the Assistant Secretary determines has exhausted its effective borrowing capacity, the Assistant Secretary has the discretion to establish a maximum EDA investment rate of up to 100 percent of the total project cost. *See* sections 204(c)(1) and (2) of PWEDA (42 U.S.C. § 3144) and 13 C.F.R. § 301.4(b)(5). Potential applicants should contact the appropriate EDA regional office to make these determinations.

In the application review process, EDA will consider the nature of the contribution (cash or in-kind) and the amount of the matching share funds. EDA will give preference to applications that include cash contributions (over in-kind contributions) as the matching share. While cash contributions are preferred, in-kind contributions, consisting of contributions of space, equipment, or services, or forgiveness or assumptions of debt, may provide the required non-federal share of the total project cost. *See* section 204(b) of PWEDA (42 U.S.C. § 3144). EDA will fairly evaluate all in-kind contributions, which must be eligible project costs and meet applicable federal cost principles and uniform administrative requirements. Funds from other federal financial assistance awards are considered matching share funds only if authorized by statute, which may be determined by EDA's reasonable interpretation of the statute. *See* 13 C.F.R. § 300.3. The applicant must show that the matching share is committed to the project for the project period, will be available as needed and is not conditioned or encumbered in any way that precludes its use consistent with the requirements of EDA investment assistance. *See* 13 C.F.R. § 301.5.

IV. Application Submission Information

A. Application Packages

Important: Please refer to important information in section IV.F. of this FFO titled "Application Submission Requirements" to help ensure your application is received by EDA.

The applicant must complete and submit the *Application for Investment Assistance* (Form ED-900), and additional federal grant assistance forms from the Standard Form (SF) 424 family and certain Department of Commerce (CD) forms, as appropriate, as part of a complete application package. The specific SF forms required with the Form ED-900 depend on whether the applicant seeks construction or non-construction assistance. The following will assist the applicant in determining which forms are required for a complete application. Please see section IV.B. for information on obtaining application packages.

1. Application Package for Construction Assistance

An applicant seeking assistance for a project *with* construction components are required to complete and submit the following:

- Form ED-900 (*Application for Investment Assistance*)
- Form SF-424 (*Application for Federal Assistance*)
- Form SF-424C (*Budget Information—Construction Programs*)
- Form SF-424D (*Assurances—Construction Programs*)
- Form CD-511 (*Certification Regarding Lobbying*)

2. Application Package for Non-Construction Assistance

An applicant seeking assistance for a project *without* construction components are required to complete and submit the following:

- Form ED-900 (*Application for Investment Assistance*)
- Form SF-424 (*Application for Federal Assistance*)
- Form SF-424A (*Budget Information—Non-Construction Programs*)
- Form SF-424B (*Assurances—Non-Construction Programs*)
- Form CD-511 (*Certification Regarding Lobbying*)

In addition, an applicant seeking both construction and non-construction assistance may be required to submit to an individual background screening using the form titled *Applicant for Funding Assistance* (Form CD-346) and to provide certain lobbying information using the form titled *Disclosure of Lobbying Activities* (Form SF-LLL). The Form ED-900 provides detailed guidance to help the applicant assess whether Forms CD-346 and SF-LLL are required and how to access them.

B. Obtaining Application Packages

The applicant may request a paper (hardcopy) application package by contacting the designated point of contact listed in section VIII.B. of this FFO for the EDA regional office servicing your geographic area.

Alternatively, the applicant may obtain the complete application package electronically at www.grants.gov. The applicant must complete the www.grants.gov registration process to

submit applications through www.grants.gov. However, please note that registration is not required for an applicant to view access, view, or download the application packages.

See section IV.F. of this FFO for paper or electronic submission requirements. *See* section V.A. of this FFO for information regarding application evaluation and selection procedures.

C. Content and Structure of Form ED-900

The applicant is advised to read carefully the instructions contained in this FFO and in all forms contained in the appropriate application package. It is the sole responsibility of the applicant to ensure that the appropriate application package is complete and received by EDA.

The Form ED-900 is divided into lettered sections that correspond to specific EDA program components (e.g., Local or National Technical Assistance; Construction Assistance), which address all of EDA's statutory and regulatory requirements. Only the first section, Section A, solicits general information regarding a proposed project and must be completed by all applicants for any type of assistance. Section B solicits specific economic data to help EDA assess an applicant's regional eligibility for Public Works or Economic Adjustment Assistance, and Section C solicits information to help EDA determine the applicant's maximum allowable investment rate for Planning, Local and National Technical Assistance, University Center, or Research and Evaluation projects. Section D solicits documents from non-governmental applicants relevant to organizational capacity and structure. The remaining sections solicit information essential for EDA to assess project effectiveness and competitiveness by program type, such as project coordination with existing economic development strategies and potential impact. Sections E, F, G, H, I, J, K, L, M, and N solicit such information from applicants for Non-Construction, Planning, Short-Term Planning, State Planning, Local or National Technical, University Center, Economic Adjustment, Revolving Loan Fund, Construction, and Design and Engineering Assistance, respectively. The Form ED-900 also contains a series of exhibits, which include EDA and Department of Commerce assurances and the Calculation of Estimated Relocation and Land Acquisition Expenses. The text of the Form ED-900 specifies which exhibits are required for each type of applicant.

Please note that an applicant need not complete all sections of the Form ED-900. As noted above, the sections an applicant must complete are determined by the program under which funding is sought and the nature of the applicant. Based on program type, the following table details the sections and exhibits in the ED-900 that the applicant must complete. This table also is provided on the first page of the Instructions to the Form ED-900.

EDA Program	Required Form ED-900 Sections
Public Works	Complete Sections A, B, and M and Exhibits A, D, and E.
Economic Adjustment	Complete Sections A, B, and K and Exhibit C. Also complete Sections M and Exhibits A, D, and E if the application has construction components and Section N if the application has only design/engineering requirements. Complete Section E if the application has no construction components.
Partnership Planning	Complete Sections A, C, E, and F and Exhibit C.
Short-Term Planning	Complete Sections A, C, E, and G and Exhibit C.
State Planning	Complete Sections A, C, E, G, and H and Exhibit C.
University Center	Complete Sections A, C, E, and J and Exhibit C.
Local Technical Assistance	Complete Sections A, C, E, and I and Exhibit C.
National Technical Assistance	Complete Sections A, C, E, and I and Exhibit B.
Research and Evaluation Assistance	Complete Sections A, C, E and Exhibit B.
Revolving Loan Fund	Complete Sections A, B, E, K, and L and Exhibit C.
Design and Engineering	Complete Sections A, B, and N and Exhibit C.

For a Public Works or an Economic Adjustment investment, EDA reviews project eligibility at the time a complete application is received in the regional office. For economic distress levels based upon the unemployment rate or per capita income requirements, EDA will base its determination upon the most recent American Community Survey (ACS) published by the U.S. Census Bureau for either: the region where the Project is located, the geographic area where substantial direct project-related benefits will occur, or the geographic area of poverty or high unemployment, as applicable. If a recent ACS is not available to determine project eligibility, EDA will base its decision on the most recent federal data from other sources (e.g., data available from the Census Bureau and the Bureaus of Economic Analysis, Labor Statistics, Indian Affairs). If no federal data are available, an applicant must submit to EDA the most recent data available through the government of the State in which the region is located (i.e., conducted by or at the direction of the State government). *See* section 301 of PWEDA (42 U.S.C. § 3161) and 13 C.F.R. § 301.3. Other data may be submitted, as appropriate, to substantiate eligibility based on a “Special Need” (*see* section VII. of this FFO). The project must be eligible on the date EDA receives the application. In the case of an application received by EDA more than six months before the time of award, EDA will re-evaluate the project to

determine continued eligibility for EDA investment assistance before making an award. EDA will reject any documentation of eligibility that it determines is inaccurate or incomplete, which may cause the application to be rejected.

D. Intergovernmental Review

EDA applications for funding are subject to the requirements of Executive Order 12372, “*Intergovernmental Review of Federal Programs*.” To find out more about a State’s process under Executive Order 12372, the applicant may contact their State’s Single Point of Contact (SPOC). Names and addresses of some States’ SPOCs are listed on the Office of Management and Budget’s (OMB) home page at www.whitehouse.gov/omb/grants/spoc.html.

E. Funding Restrictions

The general and administrative requirements for EDA awards are set forth in 13 C.F.R. parts 300–302. Specific application and award requirements for the Public Works, Planning, Local Technical Assistance, Economic Adjustment Assistance, and TAAF Program are provided in 13 C.F.R. parts 303–307, and 13 C.F.R. part 315. The uniform administrative requirements for Department of Commerce grants and cooperative agreements are codified at 15 C.F.R. parts 14 and 24, as applicable. Funds awarded cannot necessarily pay for all the costs that the recipient may incur in the course of carrying out the project. EDA allowable costs are determined in accordance with the following regulations (incorporated by reference at 15 C.F.R. parts 14 and 24): (i) 2 C.F.R. part 220, “*Cost Principles for Educational Institutions (OMB Circular A-21)*”; (ii) 2 C.F.R. part 225, “*Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87)*”; (iii) 2 C.F.R. part 230, “*Cost Principles for Nonprofit Organizations (OMB Circular A-122)*”; and (iv) Federal Acquisition Regulation Subpart 31.2, “*Contracts with Commercial Organizations*,” codified at 48 C.F.R. § 31.2. Applicable administrative requirements and federal cost principles are incorporated by reference into the terms and conditions of each EDA award. Generally, costs that are allowable include salaries, supplies and other expenses that are reasonable and necessary for the completion of the scope of work. Indirect costs are not allowed on construction projects under the (i) Public Works and Economic Development Facilities and (ii) Economic Adjustment Assistance Programs.

F. Application Submission Requirements

Under this announcement, EDA’s regional offices will accept applications on an ongoing basis. An application received after the date of this announcement will be processed in accordance with the requirements set forth herein until the next annual FFO for EDA’s economic development assistance programs is posted on www.grants.gov and the related notice and request for applications is published in the *Federal Register*. The content of applications is the same for paper submissions as it is for electronic submissions. EDA will not accept facsimile transmissions of applications.

1. Electronic Submissions

Applicants are encouraged to submit applications electronically in accordance with the instructions provided at www.grants.gov. The preferred file format for electronic attachments is portable document format (PDF); however, EDA will accept electronic files in Microsoft Word, WordPerfect, or Microsoft Excel formats. EDA advises applicants that validation or rejection of your application by www.grants.gov may take additional days after your submission. Therefore, please consider the www.grants.gov validation/rejection process in developing your application submission time line.

The applicant should access the following link for assistance in navigating www.grants.gov and for a list of useful resources: http://www.grants.gov/applicants/applicant_help.jsp. If you do not find an answer to your question under [Frequently Asked Questions](#), try consulting the [Applicant's User Guide](#). If you still cannot find an answer to your question, contact www.grants.gov via email at support@grants.gov or telephone at 1-800-518-4726. The hours of operation for www.grants.gov are Monday-Friday, 7:00 a.m. to 9:00 p.m. (Eastern Time) (except for federal holidays).

2. Paper Submissions

Under this competitive solicitation, an applicant may submit a completed paper application to the applicable EDA regional office listed in section VIII.B. of this announcement. The applicant should download and print a copy of the application package appropriate to the type of assistance sought, whether construction or non-construction, as detailed in section IV.A. of this FFO. The applicant may download the applicable application package in a screen-fillable format from http://www.grants.gov/applicants/apply_for_grants.jsp, save it electronically, and print for hardcopy submission to the applicable regional office as provided in section VIII.B. of this FFO. If the applicant is required to submit either Form CD-346 or Form SF-LLL, the Form ED-900 provides detailed guidance on accessing both forms.

The applicant must submit one original and two copies of the completed application package via postal mail, shipped overnight, or hand-delivered to the applicable regional office, unless otherwise directed by EDA staff. Department of Commerce mail security measures may delay receipt of United States Postal Service mail for up to two weeks. Therefore, applicants who submit paper submissions are advised to use guaranteed overnight delivery services.

V. Application Review Information

A. Evaluation and Selection Procedures

Each application package is circulated by a project officer within the applicable EDA regional office for review and comments. When the necessary input and information are obtained, the application is considered by the regional office's Investment Review Committee (IRC), which is comprised of regional office staff. The IRC discusses and evaluates the application (a) to determine if it meets the program-specific award and application requirements

provided in 13 CFR 305.2 for Public Works investments, 13 CFR 303.3 for Planning investments, 13 CFR 306.2 for Local and National Technical Assistance, and 13 CFR 307.2 and 307.4 for Economic Adjustment Assistance; and (b) using the general evaluation criteria set forth in 13 CFR 301.8. These general evaluation criteria also are listed in section V.B. of this FFO

The IRC recommends to the Regional Director those applications that merit further consideration, documenting its recommendation. For quality control assurance, EDA Headquarters reviews the IRC's analysis of the project's fulfillment of the investment policy guidelines set forth in section V.B. of this FFO and in 13 C.F.R. § 301.8. After receiving quality control clearance, the Selecting Official, who is the Regional Director, considers the evaluations provided by the IRC and the applicability of one or more of the funding priorities in determining which applications merit further consideration.

To limit the burden on the applicant, EDA requests additional documentation only if EDA determines that the applicant's project merits further consideration. The Form ED-900 provides detailed guidance on documentation, information, and other materials that will be requested if, and only if, EDA selects the project for further consideration.

B. Evaluation Criteria

EDA will select applications competitively based on the investment policy guidelines identified in this section and funding priority considerations identified in section V.C. of this FFO. EDA will evaluate the extent to which a project embodies the maximum number of investment policy guidelines and funding priorities possible and strongly exemplifies at least one of each. All applications will be competitively evaluated on their ability to satisfy the following investment policy guidelines, each of equivalent weight and which also are set forth in 13 C.F.R. § 301.8:

1. ***Be market-based and results driven.*** An EDA investment will capitalize on a region's competitive strengths and will positively move a regional economic indicator, such as: an increased number of higher-skill, higher-wage jobs; increased tax revenue; or increased private sector investment resulting from the EDA investment.
2. ***Have strong organizational leadership.*** An EDA investment will have strong leadership, relevant project management experience, and a significant commitment of human resources talent to ensure a project's successful execution.
3. ***Advance productivity, innovation and entrepreneurship.*** An EDA investment will enable entrepreneurship, enhance regional industry clusters, and leverage and link technology innovators and local universities to the private sector to create the conditions for greater productivity, innovation, and job creation.
4. ***Look beyond the immediate economic horizon, anticipate economic changes, and diversify the local and regional economy.*** An EDA investment will be part of an overarching, long-term comprehensive economic development strategy that enhances a region's success in

achieving a rising standard of living by supporting existing industry clusters, developing emerging new clusters, or attracting new regional economic drivers.

5. ***Demonstrate a high degree of local commitment by exhibiting:***
 - High levels of local government or non-profit matching share funds and private sector leverage;
 - Clear and unified leadership and support by local elected officials; and
 - Strong cooperation among the business sector, relevant regional partners and local, State and federal governments.

In addition to the investment policy guidelines set forth above, EDA will evaluate all Planning Assistance applications based on the (i) quality of the proposed scope of work for the development, implementation, revision or replacement of a comprehensive economic development strategy (CEDS); and (ii) qualifications of the applicant to implement the goals and objectives resulting from the CEDS. *See* 13 C.F.R. § 303.3(a)(1) and (2). To ensure that the application fully meets these requirements, the applicant should pay particular attention to 13 C.F.R. § 303.7(b), which sets forth specific technical requirements for the CEDS.

C. Funding Priorities

Successful applications for EDA's investment programs will be regionally-driven initiatives in areas of the Nation that are underperforming and eligible for EDA assistance, and that meet one or more of the following core criteria (investment applications that meet more than one core criterion will be given more favorable consideration):

1. ***Investments in support of long-term, coordinated and collaborative regional economic development approaches:***
 - Establish comprehensive regional economic development strategies that identify promising opportunities for long-term economic growth.
 - Exhibit demonstrable, committed multi-jurisdictional support from leaders across all sectors:
 - i. Public (e.g., mayors, city councils, county executives, senior state leadership);
 - ii. Institutional (e.g., institutions of higher learning);
 - iii. Non-profit (e.g., chambers of commerce, development organizations); and
 - iv. Private (e.g., leading regional businesses, significant regional industry associations).
 - Generate quantifiable positive economic outcomes.
2. ***Investments that support innovation and competitiveness:***
 - Develop and enhance the functioning and competitiveness of leading and emerging industry clusters in an economic region.
 - Advance technology transfer from research institutions to the commercial marketplace.

- Bolster critical infrastructure (e.g., transportation, communications, specialized training) to prepare economic regions to compete in the world-wide marketplace.
3. ***Investments that encourage entrepreneurship:***
- Cultivate a favorable entrepreneurial environment consistent with regional strategies.
 - Enable economic regions to identify innovative opportunities among growth-oriented small and medium-size enterprises.
 - Promote community and faith-based entrepreneurship programs aimed at improving economic performance in an economic region.
4. ***Investments in support of strategies that link regional economies with the global marketplace:***
- Enable businesses, local governments and key institutions (e.g., institutions of higher education) to understand and take advantage of the numerous free trade agreements.
 - Enable economic development professionals to develop and implement strategies that reflect the competitive environment of the 21st Century global marketplace.
 - Build strategies to help regional economies boost exports.
 - Promote foreign direct investment.
5. ***Additional considerations:***
- Respond to sudden and severe economic dislocations (e.g., major layoffs, plant closures or disasters).
 - Enable BRAC-impacted communities to transition from a military to civilian economy.
 - Advance the goals of linking historic preservation and economic development as outlined by Executive Order 13287, “*Preserve America.*”
 - Support the economic revitalization of brownfields.
 - Implement the Global Climate Change Mitigation Initiative as described in section II.A.5 of this FFO.

VI. Award Administration Information

A. Award Notices

Applicants will be notified if their applications are selected for further consideration. Unsuccessful applicants will be notified that their applications were not recommended for funding. Unsuccessful applications will be retained in the EDA regional office in accordance with EDA’s record retention schedule.

If the application is selected for funding, the EDA Grants Officer will issue the grant award (Form CD-450), which is the authorizing financial assistance award document. By signing the Form CD-450, the recipient agrees to comply with all award provisions. EDA will provide the Form CD-450 by mail or overnight delivery to the appropriate business office of the recipient's organization. The recipient must sign and return the Form CD-450 without modification within 30 days of receipt.

If an applicant is awarded funding, neither the Department of Commerce 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 the Department of Commerce and of EDA.

B. Reporting Requirements

All recipients are required to submit financial and performance (technical) reports in accordance with the terms and conditions of the grant award. All financial reports must be submitted in triplicate (one original and two copies) to the EDA Program Officer. *See* 13 C.F.R. § 302.16.

C. Performance Awards and Planning Performance Awards

Performance Awards. In connection with an award to a recipient for a Public Works or an Economic Adjustment Assistance grant, the Assistant Secretary has the discretion to award a performance award to the recipient in an amount not to exceed 10 percent of the investment award, subject to the availability of funds. A performance award may fund up to 100 percent of the cost of an eligible project or any other authorized activity under PWEDA and a waiver of the investment rate is not required. *See* section 215 of PWEDA (42 U.S.C. § 3154a). EDA will offer performance awards to selected recipients of Public Works and Economic Adjustment grants in accordance with the requirements set out in 13 C.F.R. § 308.2.

EDA will select recipients for performance awards as follows:

- 1) Each regional office will determine which of its recipients are eligible to receive a performance award in accordance with the following:
 - (i) A recipient is eligible if it can demonstrate that the EDA project met or exceeded *at least one* of the following criteria: (a) its projection of jobs created; (b) its projection of private sector capital invested; (c) target dates for project start and completion stated at time of investment approval; and (d) notable fulfillment of the evaluation criteria set forth in 13 C.F.R. § 308.2;
 - (ii) The EDA award must have been made on or after October 27, 2004;
 - (iii) The recipient's project *must be closed out*;
 - (iv) No more than three years may have elapsed since project closeout; and
 - (v) The performance award cannot exceed 10 percent of EDA's investment in the project.
- 2) The regional office will select eligible recipients for nomination, rate and rank the

nominations, and compile a ranked nomination list for submission to the Regional Director.

- 3) The Regional Director will review and sign the ranked nomination list, and forward the list to the Deputy Assistant Secretary for Regional Affairs.
- 4) The Deputy Assistant Secretary for Regional Affairs will review the nominations and associated justifications and compile a consolidated list for submission to the Assistant Secretary.
- 5) The Assistant Secretary will determine which recommended recipient(s) will receive a performance award and the amount of each award, and will announce the approved awards to the regional offices.
- 6) The Regional Director then will issue notice of the performance awards to the selected recipients.

Planning Performance Awards. In accordance with the requirements set out in section 216(f) of PWEDA (42 U.S.C. § 3154b) and 13 C.F.R. § 308.3, recipients of EDA investment assistance awarded on or after October 27, 2004 may receive a planning performance award in an amount not to exceed five percent of the amount of the applicable investment award. The planning performance award shall be used to increase, up to one hundred 100 percent, the federal share of the cost of a project under PWEDA.

- 1) Using the following criteria, each regional office will determine which recipients are eligible to receive a planning performance award:
 - (i) The recipient's project must be located in an Economic Development District (EDD);
 - (ii) The recipient's project *may not be closed out*;
 - (iii) The recipient actively participated in the economic development activities of the EDD in which the project is located;
 - (iv) The project is consistent with, and was completed in accordance with, the applicable CEDS of the EDD; and
 - (v) The recipient worked with federal, State, and local entities throughout the development of the project.
- 2) The regional office will select eligible recipients for nomination, rate and rank the nominations, and compile a ranked nomination list for submission to the Regional Director.
- 3) The Regional Director will review and sign the ranked nomination list, and forward the list to the Deputy Assistant Secretary for Regional Affairs.
- 4) The Deputy Assistant Secretary for Regional Affairs will review the nominations and the associated justifications and compile a consolidated list for submission to the Assistant Secretary.
- 5) The Assistant Secretary will determine which nominated recipient(s) will receive a planning performance award and the amount of each award, and will announce the approved awards to the regional offices.
- 6) The Regional Director then will issue notice of the planning performance awards to the selected recipients.

In FY 2009, EDA's regional offices will nominate recipients quarterly for both performance awards and planning performance awards.

VII. "Special Need" Criteria

The following criteria are published in accordance with 13 C.F.R. § 301.3(a)(1)(iii) and define what may constitute a "Special Need" (as defined in 13 C.F.R. § 300.3) sufficient to make a project eligible for Public Works or Economic Adjustment investment assistance, as described in section III.B. of this announcement. Only applications for Public Works or Economic Adjustment investment assistance may be found eligible under a "Special Need," and EDA will determine the maximum allowable investment rates for such projects. The applicant will be asked to present appropriate economic or demographic statistics to demonstrate a "Special Need."

A project is eligible pursuant to a "Special Need" if the project is located in a region that meets one of the criteria described below:

1. Closure or restructuring of industrial firms or loss of a major employer essential to the regional economy. A region has experienced either:
 - a. an actual closure or restructuring of a firm(s) within the past 12 months prior to application, resulting in sudden job losses and meeting the following dislocation criteria; or
 - b. a threat of closure that results from a public announcement of an impending closure or restructuring of a firm(s) expected to occur within two years of application; AND
 - c. such actual or threatened closure results in sudden job losses meeting the following dislocation criteria:
 - i. For regions with a population of at least 100,000, the actual or threatened dislocation is 500 jobs, or one percent of the civilian labor force (CLF), whichever is less.
 - ii. For regions with a population up to 100,000, the actual or threatened dislocation is 200 jobs, or one percent of the CLF, whichever is less.
2. Substantial out-migration or population loss. An applicant seeking eligibility under this criterion will be asked to present appropriate and compelling economic or demographic data to demonstrate the special need.
3. Underemployment, meaning employment of workers at less than full-time or at less skilled tasks than their training or abilities permit. An applicant seeking eligibility under this criterion will be asked to present appropriate and compelling economic and demographic data to demonstrate the special need.
4. Military base closures or realignments, defense contractor reductions-in-force, or Department of Energy defense-related funding reductions.
 - a. A military base closure refers to a military base that was closed or is scheduled for closure or realignment pursuant to the base closure and

- realignment process or other Department of Defense (DOD) process. Unless further extended by the Assistant Secretary, the region is eligible from the date of DOD's recommendation for closure until five years after the actual date of closing of the installation.
- b. A defense contractor reduction-in-force refers to a defense contractor(s) experiencing defense contract cancellations or reductions resulting from official DOD announcements and having aggregate value of at least \$10 million per year. Actual dislocations must have occurred within one year of application to EDA and threatened dislocations must be anticipated to occur within two years of application to EDA. Defense contracts that expire in the normal course of business will not be considered to meet this criterion.
 - c. A Department of Energy defense-related funding reduction refers to a Department of Energy facility that has experienced or will experience a reduction of employment resulting from its defense mission change. The area is eligible from the date of the Department of Energy announcement of reductions until five years after the actual date of reduced operations at the installation.
5. Natural or other major disasters or emergencies, including terrorist attacks. Unless further extended by the Assistant Secretary, a region that has received one of the following disaster declarations is eligible to apply for EDA assistance for a period of 18 months after the date of declaration:
- a. A Presidentially Declared Disaster declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. § 5121 *et seq.*); or
 - b. A Federally Declared Disaster pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, as amended (16 U.S.C. § 1861a(a)); or
 - c. A Federally Declared Disaster pursuant to the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. § 1961); or
 - d. A Federally Declared Disaster pursuant to the Small Business Act, as amended (Pub. L. No. 85-536, 72 Stat. 384 (1958)).
6. Extraordinary depletion of natural resources or other impact attributable to a new or revised federal regulation or policy that will have a significant impact on a community to avoid an extraordinary depletion of natural resources.
7. Communities undergoing transition of their economic base as a result of changing trade patterns. An area certified as eligible by the North American Development Bank (NADBank) Program or the Community Adjustment and Investment Program (CAIP).
8. Other special need. The area is experiencing other special or extraordinary economic adjustment needs, as determined by the Assistant Secretary.

VIII. Other Requirements and Contact Information

A. Other Requirements

1. Administrative and National Policy Requirements

Administrative and national policy requirements for all Department of Commerce awards are contained in the *Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements*, published in the *Federal Register* on February 11, 2008 (73 FR 7696). This notice may be accessed by entering the *Federal Register* volume and page number provided in the previous sentence at the following Internet website:

<http://www.gpoaccess.gov/fr/index.html>.

2. Environmental and Historic Preservation Requirements

All applicants for EDA assistance are required to provide adequate environmental information and contact federal and State regulatory agencies, including the designated State Historic Preservation Officer or Tribal Historic Preservation Officer (SHPO/THPO), as appropriate. Applications that may involve the National Environmental Policy Act of 1969, as amended (NEPA), or implicate the National Historic Preservation Act of 1966, as amended, may require the submission of additional information early in the application process. 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, as specified in 40 C.F.R. § 1506.6(b). For further guidance and information, please contact the Regional Environmental Officer (REO) in the appropriate EDA regional office listed below.

3. OMB Circular A-133 Audit Requirements

Single or program-specific audits shall be performed in accordance with the requirements contained in OMB Circular A-133, “*Audits of States, Local Governments, and Non-Profit Organizations*,” and the related *Compliance Supplement*. OMB Circular A-133 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 \$500,000 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 Circular.

The applicant is reminded that EDA or the Department of Commerce’s Office of Inspector General also may conduct an audit of an award at any time.

B. EDA Regional Office Contacts and Economic Development Representatives

EDA’s Internet website at www.eda.gov contains additional information on EDA and its programs. You also may contact the appropriate EDA regional office or Economic Development Representative at the addresses listed below. For community and regional economic

development investments, contact the EDA regional office or the Economic Development Representative for your geographic area. For (i) Research and Evaluation; (ii) National Technical Assistance; and (iii) the TAAF Program, please contact William P. Kittredge at WKittredge@eda.doc.gov.

 H. Philip Paradice, Jr., Regional Director, Atlanta Regional Office, 401 West Peachtree Street, NW, Suite 1820, Atlanta, Georgia 30308-3510, Telephone: (404) 730-3019, Fax: (404) 730-3025, Internet Address: pparadice@eda.doc.gov

Economic Development Representatives or Regional Office

Contacts:	States covered:
COOLEY, Robin..... 1835 Assembly Street Suite 1075 Columbia, SC 29201 Telephone: (803) 253-3640 Internet Address: rcooley@eda.doc.gov	North Carolina, South Carolina.
CORSO, Jonathan..... 401 West Peachtree Street, NW Suite 1820 Atlanta, GA 30308-3510 Telephone: (404) 730-3023 Internet Address: jcorso@eda.doc.gov	Georgia
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WILLIAMS, Tonia R..... 401 West Peachtree Street, NW Suite 1820 Atlanta, Georgia 30308-3510 Telephone: (404) 730-3026	Mississippi

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-
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