

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 1 Notice of Funding Opportunity (NOFO) (Recompete Pilot Phase 1 NOFO).
- **Announcement Type and Date:** Recompete Pilot Program Phase 1 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:** June 29, 2023.
- **Funding Opportunity Number:** EDA-RECOMPETEPHASE1-2023
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.040, Distressed Area Recompete Pilot Program
- **Dates:** This is a two-phase competition. The deadline for Phase 1 applications is **11:59 p.m. Eastern Time on October 5, 2023**. Applications received after this deadline will not be reviewed or considered. Only those that receive approval for a Recompete Plan in Phase 1 will be permitted to apply to Phase 2, as Finalists of the Recompete Pilot Program. It is anticipated that the Notice of Funding Opportunity for Phase 2 will be made available in winter 2023.

EDA may amend, cancel, or withdraw the Recompete Pilot Program Phase 1 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.c. of this NOFO for a description of eligible geographic areas.

Individuals and for-profit entities are not eligible for funding under this NOFO.

- **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.

FULL ANNOUNCEMENT TEXT

**FY 2023 EDA Distressed Area Recompete Pilot Phase 1
Notice of Funding Opportunity**

A. Program Description 4

1. Competition Structure and Program Information 4

 a. Goal of the Competition 4

 b. Competition Structure 5

 c. General Requirements 6

 d. Strategy Development Grants 10

 e. Recompete Plan Approval 11

 f. Implementation Grants 13

2. Statutory Authorities for EDA’s Recompete Pilot Program 16

B. Federal Award Information 16

1. What Funding Is Available Under this Announcement?..... 16

2. What Type of Funding Instrument Will Be Used to Make Awards? How Long Will a Project’s Period of Performance Be? 17

C. Eligibility Information 17

1. Eligible Applicants 17

2. EDA Investment Rate 18

D. Application and Submission Information 18

1. Obtaining an Application and Electronic Submission through EDGE 18

2. Content and Form of Applications..... 19

3. Submission Dates and Times 23

4. Intergovernmental Review 23

5. Funding Restrictions 23

6. Other Submission Requirements..... 24

7. EDGE Systems Issues 24

E. Application Review Information..... 24

1. Criteria, Review, and Selection Process..... 25

2. Grants Officer’s Decision 27

3. Review of Responsibility/Qualification Information in SAM.gov 27

F. Federal Award Administration Information 28

1. Federal Award Notice 28

2. Administrative and National Policy Requirements..... 28

3. Reporting 29

G. Federal Awarding Agency Contact..... 29

H. Other Information 30

- 1. Right to Use Information 30
- 2. Freedom of Information Act Disclosure 30
- 3. Notice of Government-Wide Procurement Restriction..... 30
- 4. Past Performance and Non-Compliance with Award Provisions..... 31
- 5. Certifications Required by Annual Appropriations Acts for Corporations and for Awards over \$5 Million 31
- 6. EDA’s Non-Relocation Policy 31
- 7. NOFO Changes Communicated on Grants.gov..... 32
- 8. Disclosure of Information 32
- 9. Audit Requirements..... 32
- 10. Fraud Awareness Training 32
- 11. Office of Inspector General Rights and Responsibilities..... 33

A. Program Description

1. Competition Structure and Program Information

a. Goal of the Competition

The Distressed Area Recompete Pilot Program (Recompete Pilot Program) aims 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. The program uses prime-age employment gap (PAEG) as an indicator of 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. In the execution of this goal, EDA will seek to invest in programs and organizations that have a clear understanding of local conditions and pathways to create and connect people with good jobs while ensuring the program's benefits are shared equitably and across diverse geographies. EDA's longstanding mission is to ensure that all communities have a path to economic prosperity, and through the pilot program EDA will support communities with high prime-age employment gaps through flexible, bottom-up strategy and implementation grants that tackle the unique challenges these communities face.

b. Competition Structure

The Recompete Pilot Program will invest in distressed communities to create, and connect workers to, good jobs ¹in places that need them most. The program specifically targets distressed communities to spur a new chapter of opportunity in those areas. This includes, but is not limited to, areas where prominent industries have declined or disappeared, that were physically separated by highway construction, or that have endured decades of disinvestment. They may be urban, suburban, or rural, but they have low labor force participation rates that are holding back prosperity.

EDA will run this competition in two phases through two separate Notices of Funding Opportunity (NOFOs). In this Phase 1 NOFO, EDA will fund Strategy Development Grants and will approve Recompete Plans for certain regions. Applicants to this Phase 1 NOFO must choose whether they are pursuing a Strategy Development Grant, approval of a Recompete Plan,

or both. Strategy Development Grants are funded and are discussed in greater detail below in section A.1.c. Recompete Plan approval, on the other hand, is unfunded, but is a prerequisite to applying to the Phase 2 NOFO. Under the Phase 2 NOFO EDA will award Implementation funding.

Thus, if an applicant would like to compete for Implementation funding under the upcoming Phase 2 NOFO, it should at minimum apply for Recompete Plan approval under this Phase 1 NOFO (the applicant can also apply for a Strategy Development Grant if it so chooses). Recompete Plan approval is discussed in more detail below in section A.1.d.

In a future Phase 2 NOFO, applicants with approved Recompete Plans will compete for funding for Implementation projects. Phase 2 Implementation funding is discussed in greater detail below in section A.1.e.

EDA will provide technical assistance during the period between Phase 1 announcements and the Phase 2 application deadline to all applicants who receive Strategy Development Grants and/or whose Recompete Plans are approved. Building on the model developed in the Build Back Better Regional Challenge, as part of the two-phase competition, these applicants will have equal access to experts to improve the quality of their Phase 2 applications.

| How do I know what to apply for? | |
|---|---|
| A Strategy Development Grant Only | “Our region has relevant ideas, leaders, and/or assets, but we need to do significantly more coordination and planning to be ready for Implementation funding. We do not wish to apply for Implementation funding under the upcoming Phase 2 NOFO.” |
| Recompete Plan Approval Only | “Our region is ready to apply for Implementation funding and does not need additional resources to put together a strong Phase 2 application.” |
| Both Plan Approval and a Strategy Development Grant | “Our region has an understanding of how to address low labor force participation and is close to being ready to apply for Implementation funding. Additional resources would strengthen our coordination, planning, and Phase 2 application development.” |
| Whether a region chooses to apply for a Strategy Development Grant won’t affect EDA’s decisions related to Recompete Plan approval in this phase or awarding Implementation Grants in the next phase—each will be evaluated separately. See sections D.2., E.1.a., and E.1.b. | |

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

c. General Requirements

Across both phases of the Recompete Pilot Program competition, several general requirements must be addressed in the application materials (see section D.2. below).

i. Why does Prime-Age Employment Gap (PAEG) matter, and how is it calculated?

Based on statute,² the Recompete Pilot Program relies on a metric called the prime-age employment gap (PAEG) to establish geographic eligibility based on economic distress. Because of this, it is unlike EDA programs funded under the Public Works and Economic Development Act of 1964, as amended, which use 24-month unemployment rates, per capita income, and special need (*e.g.*, natural disasters) to demonstrate eligibility.

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).

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 (expressed as a percentage) 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.³ Five-year data are used to determine PAEG in most cases because rolling averages of PAEG provide a more stable, accurate representation of a community's level of distress over time than a snapshot measurement. Specific PAEGs for eligible areas are enumerated in A.1.c.ii. below.

The statute also requires a unique calculation to determine the PAEG for "Tribal lands". See 15 U.S.C. § 3722b(j)(9). Unfortunately, some of the required data is unavailable for such areas at this time, a fact that was confirmed through formal Tribal Consultation.⁴ However, basic unemployment data is available that indicates a high likelihood that both Tribal lands have a high PAEG. As such, EDA has determined that all Tribal lands are eligible to participate in the program. See section B.1. of this NOFO below for a discussion on how the maximum grant rate in Phase 2 will be determined for Tribal lands given the lack of data.

The data required to calculate PAEG is also unavailable for some Pacific Ocean Territories. As with Tribal lands, basic unemployment data is available that indicates a high likelihood that Pacific Ocean Territories have a high PAEG. Thus, EDA has determined that Pacific Ocean Territories are also eligible to participate

² 15 U.S.C. § 3722b(j)(1).

³ EDA is specifically using 5-year American Community Survey data.

⁴ The Tribal Consultation was conducted in accordance with Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments" (Nov. 6, 2000), the Department of Commerce's Tribal Consultation and Coordination Policy (Apr. 26, 2012), and Presidential Memorandum, "Tribal Consultation and Strengthening Nation-to-Nation Relationships" (Jan. 26, 2021).

in the program. See section B.1. of this NOFO below for a discussion on how the maximum grant rate in Phase 2 will be determined for these areas given the lack of data.

ii. What geographic areas are eligible to participate in the Recompete Pilot Program?

EDA has developed a Recompete Eligibility Mapping Tool (Mapping Tool), a user-friendly map of areas that are eligible based on the required data about a region's PAEG and median household income, including all Tribal lands and Pacific Ocean Territories, that can be found [here](#). **Applicants generally should reference the map in their applications and use either the Eligible/Service Area List Template [here](#) or submit a screenshot generated by the Mapping Tool as proof of eligibility.** If the applicant represents a region that the Map does not indicate is eligible, the applicant may submit data showing eligibility that EDA will verify.

By statute, Recompete Pilot Program investments must be located in one of two eligible area types and meet certain PAEG requirements, both of which are represented in the Mapping Tool.⁵ 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% 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% 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% 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.

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

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.

⁵ 15 U.S.C. § 3722b(j)(1).

Applicants must be one of the above eligible entity types and be located within or serve an area indicated as eligible on the Mapping Tool (or provide data showing eligibility if the geography is not reflected in the Mapping Tool) and be able to represent and act on behalf of the eligible area.

Pursuant to 15 U.S.C. § 3722b(e)(1), no more than one grant may be awarded to eligible entities within a single eligible geographic area (*i.e.*, within an LLM, there may be only one grant awarded in each Recompete phase).

iv. Are there any special considerations for coalitions compared to individual applicants?

No specific type of eligible entity is any more or less competitive than other types of eligible entities. The strongest applicants, however, will demonstrate the ability to engage broadly in the community and support implementation of a wide range of potential targeted actions related to reducing their area’s PAEG. EDA expects that applicants will collaborate with relevant partners that can contribute to the effort. However, EDA is cognizant that areas with a high PAEG are diverse, and some may have one entity that is clearly well-positioned to lead while other areas may be better positioned to form a coalition.

If a coalition decides to apply, it does 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. Coalition applicants also must identify a lead member organization that commits to, if selected for Phase 2 funding:

- be the principal applicant for the Phase 1 Strategy Development Grant and/or Phase 1 Recompete Plan approval;
- serve as EDA’s main point of contact during the competition and implementation;
- be the employer of the Recompete Plan Coordinator (RPC) (described below) or have an established relationship with that employer (note an RPC is required even if the application does not involve a coalition; see below);
- serve as the central coordinator across the eligible geography, to convene public, private, educational, and civic leaders to facilitate bottom-up, middle-out competitiveness;
- establish and maintain communication between the region and/or coalition and EDA to enable and accelerate collaboration and support; and
- ensure funding and other assistance provided by EDA and any other partners are effectively coordinated and braided within communities.

If a coalition wins a Phase 2 Implementation award, the lead member organization will have additional duties related to the ongoing governance structure of the collection of implementation projects funded to ensure they remain cohesive and coordinated. Governance in this context means ensuring that the coalition is communicating and coordinating activities and outcomes. The lead member may also receive funding for specific implementation project(s) in Phase 2. These details will be further addressed in the forthcoming Phase 2 NOFO.

Are EDA Good Jobs Challenge (GJC) and Build Back Better Regional Challenge (BBBRC) Finalists and Winners eligible to participate in the Recompete Pilot Program?

Yes, provided they meet the other eligibility criteria for the Recompete Pilot Program and, if they are applying for funding, are only seeking funding for a scope of work separate from what was funded under GJC or BBBRC.

Regardless of whether an application represents a coalition or single organization, EDA fully anticipates partnerships between applicants, businesses, institutions of higher education, labor unions and federations, non-profits and other regional organizations. In Phase 2, lead organizations should be prepared to articulate how those partnerships are structured and governed, whether formally or informally.

v. What is required in letters of support?

Whether an individual entity or a coalition applies, EDA expects letters of support from regional organizations necessary for success—specifically, targeted employers, labor unions, education and training systems, philanthropy, and nonprofit organizations that can support wraparound services *e.g.*, child/long-term care, onsite health services, transportation assistance) and other needs. An exhaustive list of all relevant organizations is not necessary to win a Strategy Development Grant or receive approval of a Recompete Plan. The primary focus in Phase 1 is for applicants to demonstrate they understand local needs and assets and have a clear sense of the relevant stakeholders necessary for success. EDA considers quality of letters more than sheer volume. EDA expects the number of commitment-making partners to expand and the commitments to become more specific in Phase 2, including applying for and executing an individual component project or making hiring, match funding, co-investment, or policy change commitments for the overall benefit of the community.

EDA also expects that if a region applies as a coalition, that the regional partners will evolve and views it as a success if more members join or the membership is refined to reflect the exact parameters of the Phase 1 Strategy Development grant or Phase 2 Implementation Grant.

vi. How will EDA ensure applicants serve the eligible geography?

Because the Recompete Pilot Program endeavors to assist distressed areas, applicants need to demonstrate that they can adequately represent the eligible area and deliver the solutions proposed in any Recompete Plan.

Thus, applicants, including lead members of a coalition, must demonstrate they are authorized to represent and act on behalf of the eligible geographic area, as described at 15 U.S.C. § 3722b(j)(2). While applicants may be located outside of the eligible geography, they must clearly articulate why they are uniquely positioned to serve the region and that they are serving with the support of the eligible area and have the capacity and leadership to meaningfully increase prime-age employment over the duration of the grant.

Whether an applicant represents a small or large eligible area as represented on the Mapping Tool, it should consider the service area of the investments—that is, the people, and particular areas, that stand to benefit from the Recompete Pilot Program. As part of their application, applicants should identify their chosen service area. 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 decide concentrating investments is a better strategy than distributing the benefits evenly across the eligible geography. In any case, EDA will prioritize those applications that focus on interventions that aim to significantly increase prime-age labor market employment and wages.

vii. 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. The specific obligations of the role may vary based on regional assets and needs. EDA encourages applicants to identify strong, diverse talent and place that person in a leadership role to catalyze strong, lasting partnerships across the area, including with the private and public sectors such as other federal partners, and philanthropic supporters. Throughout Phase 2 the RPC and other leadership positions will be critical to success. While not all applicants will have an RPC identified in Phase 1, all applicants should provide a strategy for identifying the right leadership team for their community. Having an RPC or a plan to hire one will be a requirement for Phase 2.

d. Strategy Development Grants

An applicant to the Recompete Pilot Phase 1 NOFO may apply for a Strategy Development Grant, either alone or along with a request for approval of a Recompete Plan. Where an applicant applies only for a Strategy Development Grant, the grant is intended to facilitate a region in becoming more competitive for future approval of a Recompete Plan and thus eventually for Implementation Grants. Some eligible entities that are strong candidates for Recompete Plan approval (discussed below in section A.1.d.) may not have a compelling case for a Strategy Development Grant.

Strategy Development Grants may fund the following types of activities:

- (1) Coordination and execution of an inclusive, locally-defined planning process, across jurisdictions and agencies, to develop a comprehensive regional strategy to address high prime-age employment gaps in the regions (*i.e.*, a PAEG strategy);
- (2) Identification and fostering of regional partnerships for developing and implementing a comprehensive regional PAEG strategy;
- (3) Implementation or updating of assessments to determine regional needs and capabilities;
- (4) Development or updating of goals and strategies to implement an existing comprehensive regional PAEG strategy;
- (5) Identification or implementation of planning, local zoning, and other changes to code, law, or policy necessary to implement a comprehensive regional PAEG strategy;
- (6) Development of plans for promoting broad-based economic growth in a region;
- (7) Hiring of the coalition's RPC to lead the overall effort and other necessary staff;
- (8) Formation of a workforce development strategy, according to the needs for a skilled and diverse technical workforce aligned with the region's strengths;
- (9) Activities necessary to prepare for strategy implementation, which may include workforce development strategies, environmental, and engineering documentation, if applicable; and
- (10) For Tribal entities and Pacific Ocean Territories, collection of data on the population of individuals ages 25 through 54 to determine PAEG. For Tribal entities this includes collection of data related to such individuals residing on and off Tribal land consistent with the information requested in 15 U.S.C. § 3722b(j)(9).

In the required Project Narrative (see section D.2. below), the applicant must describe the Strategy Development and predevelopment activities it proposes to undertake. The Project Narrative should also clearly demonstrate the applicant's deep understanding of the region and its needs, including the conditions that led to low employment participation by the region's prime-age residents; inventory existing community or regional assets that are critical to reducing the PAEG; and identify tested interventions that address regional needs and leverage regional assets to grow the local economy.

Note: Matching share is not required in Phase 1 but will be part of the Phase 2 evaluation criteria.

By statute, Strategy Development Grants may not be used as a prerequisite for Implementation Grants.

e. Recompete Plan Approval

An applicant to the Recompete Pilot Phase 1 NOFO may submit a Recompete Plan for approval. Only applicants with an approved Recompete Plan at the conclusion of Phase 1 of the competition (*i.e.*, Finalists) will be permitted to apply for Implementation funds under the Recompete Pilot Phase 2 NOFO. **Thus, if an applicant would like to compete for Implementation funding under the upcoming Phase 2 NOFO, it should apply for Recompete Plan approval under this Phase 1 NOFO.**

Recompete Plan approval signifies that the eligible entity has a multi-year plan for reducing the PAEG of the eligible area with a strong probability of success. EDA's evaluation of a region's plan is detailed in section E.2 and must be addressed in the applicant's application materials (see section D.2. below).

A competitive Recompete Plan will demonstrate the following six elements:

- (1) **Understanding of regional conditions and needs** – Recompete Plans should reflect a deep understanding of the region and its needs, including the conditions that led to a high prime-age employment gap among the region's prime-age residents. They should be specific in detailing the contributing **local conditions, employment barriers for different targeted populations, job quality, and geographic considerations**. Beyond the PAEG, applicants are encouraged to provide qualitative and quantitative data that supports the region's needs, including demonstrating persistent economic distress, and justifies potential investments.
- (2) **Strength of strategy and quality of potential investments** – Recompete Plans should clearly articulate a strategy to address causes of the local high prime-age employment gap identified in element #1 above and the particular geographic locations to be targeted. Applicants should outline the investments they anticipate asking EDA to fund through a Phase 2 NOFO that will help increase per capita wages and close the prime-age employment gap (EDA expects Recompete Plans to include 3-8 Implementation Grant projects that aim to collectively address the region's key inhibitors of prime-age employment participation and low wages), though EDA recognizes those may evolve or be refined between Phase 1 and submission of a Phase 2 application. EDA encourages applicants to draw from proven interventions; local expertise, organizations, unions, and companies; and practitioner and research findings. The likelihood of success depends on a combination of the strength of the overall strategy (*e.g.*, sources of potential economic growth), track record of the applicant, and quality of the identified interventions. When describing specific interventions, applicants should include the proposed programs and activities, high-level budget estimates (see below regarding a template), and roles and responsibilities of the entities that would execute the interventions. EDA expects that budgets and project specifics will be refined and shared in greater detail if the Recompete Plan is approved and the applicant applies for a Phase 2 Implementation Grant. For Phase 1, a high-level budget estimate is sufficient; see section D.2. for a template for this budget estimate.
- (3) **Equity, inclusivity, accessibility, and diversity** – Recompete Plans should articulate how they will actively engage underserved communities in planning and ensure benefits are shared equitably

across all affected populations, including through efforts to reach historically underserved populations and areas (whether rural, urban, or suburban), communities of color, women, and other groups facing labor force barriers such as people without four-year college degrees. Historical commitments to equity, inclusivity, accessibility, and diversity by applicants and their identified partners, including any prior related concrete successes, will be relevant. The plan should include letters of support from entities that represent underserved communities, businesses, and/or workers. As with all letters of support, EDA puts a premium on quality over quantity. Successful applicants will align budgets, coalition leadership and governance to their equity and diversity priorities. EDA recognizes prioritizing equity means applicants may partner with organizations new to federal grants.

- (4) **Regional assets** – Recompete Plans should inventory **existing community or regional assets** that are specific to their geography and critical to reducing the PAEG. This may include industries, natural assets, educational institutions (including community colleges and other educational institutions, etc.), or other organizations that have the potential to change the regional economic dynamics (e.g. unions, workforce entities, community and faith-based organizations, etc.). The plans should also identify how new EDA resources along with existing federal, state, or other funding options can unlock the potential of these regional assets in ways and/or at a scale that previous efforts could not. If assets are industry-specific, applicants should also address the degree to which these assets will remain competitive and relevant over time.
- (5) **Targeted geographic approach** – The Recompete Pilot Program is intended to fundamentally improve and increase opportunities in persistently distressed communities. The goal of the program is to support long-term prosperity of the particular place. Applicants should specifically identify their service area within the eligible geography and how the proposed interventions will create long-run, sustained benefits to that area. Recompete Plans should lay out a path to ensuring residents who are not employed or participating in the labor market have access to career pathways, in line with Good Jobs Principles. There are a number of geographically-targeted approaches to creating good jobs and connecting people to them, including small business support, neighborhood programming, and sector-specific training. Applicants should have a preliminary articulation of what types of jobs they anticipate either creating or placing people into through their Recompete Plan, understanding that EDA will be cognizant of each region’s baseline job mix.
- (6) **Partnerships and potential commitments** – Recompete Plans should show how **key local, regional, and state partners**, including underleveraged or underrepresented organizations and residents, are engaged or will be engaged, and that they are committed to reducing the PAEG. Applicants are encouraged to indicate in their application the firms, institutions, state and local governments, labor unions or federations, and other local partners who have committed or the applicant will ask to commit to creating good jobs, changing policies and practices, and otherwise supporting the Recompete effort. There must be strong alignment and a shared strategic vision in the region and a plan to leverage local or regional partners’ skills and/or constituencies to achieve better project outcomes. In that regard, a history of collaborating and achieving concrete successes, including at smaller scales, will be relevant. Recompete Plans should demonstrate how other public (including other federal), private-sector, or philanthropic dollars may be leveraged to support the effort. Applicants are encouraged to identify how other federal programs may assist in meeting ancillary needs including infrastructure, education and training, workforce housing, child/long term care, public health challenges (including need for

additional mental health or addiction care), broadband, and the like, and this may also include plans to more effectively coordinate and braid such other sources of funding. Note that EDA will be cognizant of the different base levels of funding available in a region. An applicant will not be less competitive if there are simply fewer of these resources available to be leveraged. Rather, applicants will be more competitive to the extent that they are able to leverage what resources are available in a community.

More specific and concrete partner commitments will be required in Phase 2 (see section A.1.f.i. for examples). Matching dollars are not required in Phase 1 or Phase 2. Matching dollars will be considered in Phase 2 but so will other complementary projects or initiatives that support the Recompete goals.

f. Implementation Grants

EDA will award Implementation Grants competitively under the forthcoming Recompete Pilot Phase 2 NOFO to a subset of eligible entities with Recompete Plans approved under this Recompete Pilot Phase 1 NOFO (*i.e.*, Finalists). Because Recompete Plans submitted for approval will identify programs and activities that would be carried out with Implementation Grants, understanding what EDA may fund with Implementation Grants is critical.

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.⁶ 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, EDA may make investments in areas 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.

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 participation and low wages at a total funding level that depends on the area of eligibility.

The section immediately following this one (section A.1.f.i below) contains illustrative examples of possible project ideas for both types of areas. EDA encourages applicants to propose the interventions that are best suited for their area, that can achieve measurable outputs and outcomes, and be achieved on schedule and within the planned budget. EDA's goal is to ensure applicants build Recompete Plans based on a deep understanding of the specific labor force dynamics of their community.

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

⁶ See 15 U.S.C. § 3722b(c) for a more comprehensive list of allowable activities within these four broad categories.

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.

i. What are some examples of Recompete Pilot Program implementation investments?

EDA expects Implementation Grants will fund two general economic development intervention approaches: creating new good jobs in the region and connecting people to existing jobs. The specific projects that are necessary to accomplish these types of interventions may be different, and below EDA has provided illustrative examples of projects for each approach. These illustrative examples are intended only as a reference for applicants as they are developing ideas for their Recompete Plans.

Areas where more jobs are needed in general to close the PAEG (and increase career pathways and wages) are encouraged to clearly articulate a strategy that reflects labor market conditions, **creates** new quality job opportunities, and demonstrates how those new jobs will go to existing unemployed and underserved or non-participating residents. Areas that need to create more good jobs might fund:

- Critical enabling infrastructure (*e.g.*, brownfield redevelopment, workforce training centers near workers)
- Anchor institution partnerships (*e.g.*, anchor firms, ports, community colleges, universities, hospitals, etc.)
- Economic development capacity and leadership (*e.g.*, governance, etc.)
- Sector-specific support and training for high-demand local sectors and jobs (*e.g.*, a sectoral partnership, funding intermediaries to support employers with inclusive workforce development, etc.)
- Remote worker training and connection programs (*e.g.*, with employers outside a labor market)
- Wraparound or supportive services (*e.g.*, child/long-term care, onsite health services, transportation assistance, as appropriate)

Areas in proximity of good jobs (*e.g.*, neighborhoods, suburbs near employment centers) are encouraged to consider how their Recompete Plan **connects** workers to and keeps them employed at existing jobs within the broader labor market through active labor market policies, wraparound services, or other needed interventions. An area nearby to existing jobs that needs to connect people to them might fund:

- Sector-specific workforce training that reflects the existing employment conditions with employer commitments (see below for examples) that bring together employers and workers and create economies of scale for high-demand jobs (*e.g.*, a sectoral partnership, Registered Apprenticeship and pre-apprenticeship programs, community college programs, funding intermediaries to support employers with inclusive workforce development, etc.)
- Consistent and reliable transportation, usually providing access to existing transportation, but potentially investing in infrastructure, bus lines, etc.
- Wraparound or supportive services (*e.g.*, child/long-term care, onsite health services, transportation assistance, as appropriate)

- Other active labor market support (*e.g.*, community mentorship programs, job search assistance, post-placement success coaching, neighborhood employment hubs)
- Economic development capacity and leadership (*e.g.*, governance, etc.)

EDA encourages applicants to propose the interventions that are most applicable to their local conditions, whether or not they are on the above lists of illustrative examples.

EDA expects workforce development activities to be in line with DOC's workforce best practices,⁷ support placement into good jobs and incorporate worker input into their design and delivery. For more information on the definition of good jobs, please review DOC's and the Department of Labor's Good Jobs Principles, which describe a shared federal vision for job quality.

ii. 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 work. 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.** While firm hiring commitments are critically important to reducing the PAEG in a region, there are many other things firms, state and local governments, foundations, institutions of higher education, and others can do to improve local communities. Some of the most important ways a community can unlock economic opportunity is for the local public and private sector to operate differently and cooperatively. Phase 1 applicants should begin thinking about commitments, though fully developed and agreed upon commitments are not expected until Phase 2.

Examples of commitments to policy change and outcomes might include:

- Anchor institutions such as firms, hospitals, and universities work together to develop standardized hiring requirements for certain occupations
- Private-sector commitments to recruitment in a particular distressed neighborhood or geography
- Eliminating four-year degree requirements for certain occupations and support for employers to adopting skills-based recruitment and hiring practices
- Aligning new investments and programming with existing benefits like SNAP, affordable housing programs, and Medicaid
- Data sharing agreements between state and local agencies, as well as local service providers, to improve service delivery and support
- New leadership roles hired within public, private, and educational institutions focused on economic opportunity within distressed communities
- Procurement decisions to support distressed communities and businesses owned by underrepresented populations
- Local transportation agencies removing physical barriers to job opportunities by increasing or improving access to and convenience of public transportation

⁷ See <https://www.commerce.gov/issues/workforce-development>.

- Other commitments to improving the area and supporting workers, such as increasing supply of and providing access to affordable housing and high-quality child/long-term elder care

Ultimately, the Recompete Pilot Program is meant to allow maximum flexibility for applicants to propose the investments and policy changes needed for their community to thrive. EDA encourages applicants to be bold and creative in thinking about local commitments to action.

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, 2023 and the Disaster Relief Supplemental Appropriations Act, 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.

Applicants to this Phase 1 NOFO must choose whether they are pursuing a Strategy Development Grant, approval of a Recompete Plan, or both. EDA anticipates approximately \$6,000,000 to \$12,000,000 in total being awarded in Phase 1 as Strategy Development Grants of between \$250,000 and \$500,000 each, and up to \$750,000 only in rare circumstances.

EDA expects to approve at least 20 Recompete Plans. Recompete Plan approval itself does not come with any funding although EDA may award a Strategy Development Grant to an applicant that also has its Recompete Plan approved. Recompete Plan approval also serves as a prerequisite to participating in Phase 2 of the competition and applying to the Phase 2 Implementation NOFO. **Thus, if an applicant would like to apply for Implementation funding under the upcoming Phase 2 NOFO, it should apply for Recompete Plan approval under this Phase 1 NOFO.** During Phase 2, EDA anticipates funding 4-8 Implementation Grants with grants to Local Labor Markets averaging approximately \$50,000,000 and grants to Local Communities averaging approximately \$20,000,000, though amounts for each awardee will depend on multiple factors. See sections A.1.e. and A.1.f. 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).

Note that the range and averages above will necessarily be less than the maximum amount a region could potentially receive if calculated using the formula in 15 U.S.C. § 3722b(f) or (j)(9) because this is a pilot program and limited funding is available. Further, in no event in Phase 2 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 the initial Phase 2 competition.

For Tribal areas or Pacific Ocean Territories, due to the data being unavailable at this time, determining anticipated grant amounts for Phase 2 is particularly difficult. For those two types of areas, the maximum grant amount in Phase 2 will be \$20 million (or a lesser amount requested that is appropriate to the scale of the proposal) or 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 between the Phase 1 and Phase 2 NOFOs 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: Subject to the availability of funds, EDA may award grants or cooperative agreements to eligible applicants, but EDA expects most awards to be cooperative agreements. 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. 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 1 Strategy Development project may vary depending on the scope of work. EDA expects that most projects will range from 18 to 36 months. EDA expects that all projects will proceed efficiently and expeditiously.

C. Eligibility Information

1. Eligible Applicants

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 1 Strategy Development grants, as described in section A.1.c., will be awarded with a maximum 100% federal grant rate (*i.e.*, no local match required).

As there is no funding associated with Recompete Plan approval, there is no relevant federal grant rate or local matching requirement.

Matching dollars are not required in Phase 1 or Phase 2. Matching dollars will be considered a competitive factor in Phase 2 but so will other complementary projects or initiatives that support the Recompete goals.

D. Application and Submission Information

There are separate application requirements depending on whether an applicant is seeking a Strategy Development Grant or Recompete Plan approval. An applicant seeking both a Strategy Development Grant and Recompete Plan approval must complete both sets of application requirements. No matter the element of this Recompete Pilot Phase 1 NOFO an applicant is pursuing (*i.e.*, Strategy Development Grant, Recompete Plan approval, or both), an applicant must submit a complete application, as detailed in section D.2. of this NOFO, to be considered for funding. However, some content is expected to overlap between the applications (proposed service area, underlying arguments, etc.) can be repeated across both narratives, and identical letters of support, CD-511, and SF-LLL may be submitted for both applications.

Applicants who apply for both a Strategy Development Grant and Recompete Plan approval may receive a Strategy Development Grant, Recompete Plan approval, both, or neither because, as explained in greater detail in section E, Strategy Development Grant and Recompete Plan applications are evaluated separately and against different but complementary merit criteria.

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 POC listed in section G of this NOFO. Or 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 Strategy Development Grant application?⁸

The following table provides a complete list of documents required for a complete application for a Strategy Development Grant.

| |
|--|
| <p>(1) One Form SF-424 (Application for Federal Assistance).</p> <p>(2) Letters of Support Letters evidencing the support of key partners in the execution of the Strategy Development Grant. If the applicant is a coalition, there should also be one letter from the coalition lead member that lays out that member’s role.</p> <p>(3) One Project Narrative (not to exceed five 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.c. and A.1.d. of this NOFO, including addressing all the evaluation factors listed in section E.1.a. of this NOFO; identifies the relevant eligible geographic area through a screenshot from the Mapping Tool (or by providing data showing eligibility if the geography is not reflected in the Mapping Tool) and the proposed service area; and the uses to which the applicant will put the funds if awarded. An Eligible/Service Area List Template is provided at https://www.eda.gov/sites/default/files/2023-06/Recompete_Eligible-Service_Area_List_Template_vF.xlsx. If more than five pages of</p> |
|--|

⁸ 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.

Project Narrative is submitted, only the first five pages will be reviewed. The Mapping Tool screenshot and Eligible/Service Area List Template do not count toward the page limit.

- (4) **One Form SF-424A** (Budget Information—Non-Construction Programs).
- (5) **One Strategy Development 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, and the narrative total should match the total project costs listed in both the SF-424 question 18, line g, and SF-424A. A template budget narrative is provided at https://www.eda.gov/sites/default/files/2023-06/Recompete_Strategy_Development_Budget_Narrative_vF.xlsx.
- (6) **One Form CD-511** (Certification Regarding Lobbying).
- (7) **One Form SF-LLL** (Disclosure of Lobbying Activities), if applicable. Form SF-LLL is only required if the applicant has reportable lobbying activities.
- (8) **Indirect Cost Rate Documentation** (If Applicable). See section D.2.d. for more information on this requirement.
- (9) **SPOC Documentation** (if applicable). See section D.4 for more information on this requirement.

All documentation and data submitted should be current and applicable as of the date submitted. Applicants are encouraged to contact the appropriate POC 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.

b. What is required for consideration of a Recompete Plan?

The following table provides a complete list of documents required for consideration of a Recompete Plan for potential approval:

- (1) **Letters of Support** Letters evidencing the support each partner is committing to the Recompete effort. If the applicant is a coalition, there should also be one letter from the coalition lead member that lays out that member's role.
- (2) **Recompete Plan** (not to exceed 8 8.5x11-inch pages, with a minimum 12-point font and 1-inch margins) that identifies the relevant eligible area through a screenshot from the Mapping Tool (or provides data showing eligibility if the geography is not reflected in the Mapping Tool) and the proposed service area, and addresses the six key Recompete Plan elements described in section A.1.e. of this NOFO. An Eligible/Service Area List Template is provided at https://www.eda.gov/sites/default/files/2023-06/Recompete_Eligible-

[Service Area List Template vF.xlsx](#). If more than 8 pages of Project Narrative is submitted, only the first 8 pages will be reviewed. The Mapping Tool screenshot and Eligible/Service Area List Template do not count toward the page limit.

- (3) One High-Level Recompete Plan Budget Narrative** that clearly identifies its 3-8 proposed projects and high-level budget estimates for each project. A template budget narrative is provided at <https://www.eda.gov/sites/default/files/2023-06/High-Level Recompete Plan Budget Narrative vF.xlsx>. The Budget Narrative helps provide some of the information required in element #2 in section A.1.e. of this NOFO (strength of strategy and quality of investments) and does not count toward the 8-page limit for the Recompete Plan.
- (4) One Form CD-511** (Certification Regarding Lobbying).
- (5) One Form SF-LLL** (Disclosure of Lobbying Activities), if applicable. Form SF-LLL is only required if the applicant has reportable lobbying activities.

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

c. What do we need to submit if we apply for both a Strategy Development Grant and Recompete Plan approval?

Applicants applying for both a Strategy Development Grant and Recompete Plan approval must submit two applications. That is, to apply for both a Strategy Development Grant and Recompete Plan approval, an eligible entity must submit all materials listed in sections D.2.a. and D.2.b. above (refer to the respective section above for a full description of each required document). However, some content is expected to overlap between the applications (proposed service area, underlying arguments, etc.) can be repeated across both narratives, and identical letters of support, CD-511, and SF-LLL may be submitted for both applications.

d. Environmental and Historic Preservation Requirements

Each application will be reviewed by EDA for compliance with the National Environmental Policy Act (NEPA) of 1969, as amended. Most planning and technical assistance activities funded under this NOFO will not require an environmental impact statement (EIS) or an environmental assessment (EA), as EDA's experience has shown such activities do not significantly affect the quality of the human environment. However, EDA will be alert to extraordinary circumstances that would require an EIS or an EA for activities funded under this NOFO, and EDA may require an applicant to submit additional information related to environmental review.

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

If indirect costs are included in the budget for a Strategy Development Grant application, 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

This is a two-phase competition. The deadline for Phase 1 Applications is **11:59 p.m. Eastern Time on October 5, 2023**. Applications received after this deadline will not be reviewed or considered. Only those whose Recompete Plans are approved in Phase 1 will be permitted to apply to Phase 2. It is anticipated that the Notice of Funding Opportunity for Phase 2 will be made available in winter 2023.

EDA may amend, cancel, or withdraw the Recompete Pilot Phase 1 NOFO at any time.

4. Intergovernmental Review

Applications for Strategy Development Grants submitted under this Recompete Pilot Phase 1 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/2020/04/SPOC-4-13-20.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). |

5. Funding Restrictions

EDA may reimburse pre-award project costs under this NOFO but only with advance approval by the Grants Officer. 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 management fees in excess of costs or profits, 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.

As discussed further in the sections below, Strategy Development Grants and Recompete Plan Approvals each have their own review, evaluation, and selection processes.

1. Criteria, Review, and Selection Process

a. Strategy Development Grants Review

All complete applications for Strategy Development Grants will undergo a two-step review. First, they will be reviewed by at least three individuals and scored against the below criteria. Fifteen points can be earned for each competitive factor listed below, with 60 points the maximum total that can be earned.

- (1) The extent to which the applicant demonstrates an understanding of the conditions that led to high prime-age employment gaps in the region and has a preliminary idea of the assets and potential interventions that could address the challenges (15 points);
- (2) The proposed activities' potential to prepare the region to identify and implement place-based interventions to increase prime-age employment opportunities, including among underserved workers (15 points);
- (3) The eligible entity's organizational and leadership capacity, including its capacity to engage necessary local partners inclusively and equitably and garner private-sector, public-sector, and philanthropic commitments (15 points); and
- (4) The extent to which the project budget is efficient and appropriate to the activities to be undertaken (15 points).

EDA will sort the resultant scores into tiers of similarly scored applications, and top tiers will advance to a second level review by an investment review committee (IRC) of at least three reviewers who did not participate in the initial scoring. The IRC will review the awards collectively using the same criteria listed above as well as relevant selection criteria. Based on this group evaluation, the IRC will recommend to the Grants Officer which applications to fund and how to apply the selection factors discussed in section E.2. below.

b. Recompete Plan Approval Review

All Recompete Plans will undergo a two-step review. First, they will be evaluated by at least three reviewers and scored against the below criteria. Points can be earned for each competitive factor listed below, with 72 points the maximum total that can be earned:

- (1) Understanding of regional conditions and needs (15 points);
- (2) Strength of strategy and quality of potential investments (15 points);
- (3) Equity, inclusivity, accessibility, and diversity (15 points);
- (4) Regional assets (9 points);
- (5) Targeted geographic approach (9 points); and
- (6) Partnerships and potential commitments (9 points).

EDA will sort the resultant scores into tiers of similarly scored applications, and top tiers will advance to a second level review by an IRC of at least three reviewers who did not participate in the initial scoring. The IRC will review the applications collectively using the same criteria listed above and relevant selection criteria. Based on this group evaluation, the IRC will recommend a list for the Grants Officer of recommended Recompete Plan approvals and how to apply the selection factors discussed in section E.2. below.

Only applicants with approved Recompete Plans will be permitted to apply for Implementation funding under the forthcoming Recompete Pilot NOFO 2. EDA's final decision on whether to fund a project is dependent upon the ability of the applicant to provide sufficient documentation of the project's compliance with applicable rules and regulations.

c. Due Diligence

If an application is recommended for funding and/or approval of a Recompete Plan, the applicant still may have to complete certain due diligence requirements and 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. 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 Grants Officer 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.

d. 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 Resilience⁹ and the National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems.¹⁰ 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 Department 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 Framework¹¹ and Cybersecurity and Infrastructure Security Agency (CISA) Cybersecurity Performance Goals (CPGs).¹² 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 IT and OT owners, including a prioritized set of security practices.

⁹ Presidential Policy Directive/PPD-21, Critical Infrastructure Security and Resilience (Feb. 12, 2013).

¹⁰ National Security Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems (Jul. 28, 2021).

¹¹ National Institute of Standards and Technology, Framework for Improving Critical Infrastructure Cybersecurity Version 1.1 (Apr. 16, 2018).

¹² Cybersecurity & Infrastructure Security Agency, Cross-Sector Cybersecurity Performance Goals, <https://www.cisa.gov/cross-sector-cybersecurity-performance-goals>.

2. Grants Officer's Decision

Strategy Development Grant applications recommended for funding and Recompete Plans recommended for approval that are also deemed fully compliant with applicable rules and regulations will be forwarded for final selection review and approval by the Grants Officer. The Grants Officer will select a portfolio of Strategy Development Grants to fund and Recompete Plans to approve based on the recommendations of the respective IRCs and the selection factors listed below. The final portfolio may differ from the recommendations of the respective IRCs 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 the project is located in a geography that has experienced persistent economic distress; and
- vi. 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 Grants Officer will prepare a final list of recommendations for funding and approved Recompete Plans 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.

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 Grants Officer 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.

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.

G. Federal Awarding Agency Contact

For questions concerning this Recompete Pilot 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 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 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 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 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, 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 Department 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 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.d, 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 Department) 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>.