

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 2021 American Rescue Plan Act Travel, Tourism, and Outdoor Recreation Notice of Funding Opportunity (NOFO) (ARPA Tourism NOFO).
- **Announcement Type and Date:** ARPA Tourism NOFO announcement publishing EDA’s application submission requirements and application review procedures under EDA’s Economic Adjustment Assistance (EAA) program, as authorized by sections 209 and 703 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3121 *et seq.*) (PWEDA). **Effective date:** July 22, 2021.
- **Funding Opportunity Number:** EDA-2021-ARPATOURISM
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.307, Economic Adjustment Assistance
- **Dates:** There are two components under this NOFO: (1) State Travel, Tourism, and Outdoor Recreation Grants (State Tourism Grants) and (2) EDA Travel, Tourism, and Outdoor Recreation Competitive Grants (EDA Competitive Tourism Grants).

For State Tourism Grants, EDA will invite States to apply using specific streamlined procedures and will specify application submission dates in the application letter.

For EDA Competitive Tourism Grants, there are no application submission deadlines. Applications will be accepted on an ongoing basis until the publication of a new ARPA Tourism NOFO, cancellation of this NOFO, or all available funds have been expended. While EDA encourages eligible applicants to submit their applications as soon as possible, EDA strongly advises eligible applicants to submit complete applications no later than **January 31, 2022** so that EDA can review and process the application in time to get a potential award in place prior to deadlines imposed by Congress. **Submission by January 31, 2022 is not a guarantee of funding.** Any award is subject to the availability of funds. See Section E of this ARPA Tourism NOFO regarding EDA’s review process.

- **Eligible Applicants:** For State Tourism Grants, eligible applicants are limited to States. Under section 3(10) of PWEDA the term “State” includes the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

For EDA Competitive Tourism Grants, eligible entities include a(n): (i) District Organization of an EDA-designated Economic Development District (EDD); (ii) Indian Tribe or a consortium of Indian Tribes; (iii) State, county, city, or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions; (iv) institution of higher education or a consortium of institutions of higher education; or (v) public or private non-profit organization or association acting in cooperation with officials of a general purpose political subdivision of a State. 42 U.S.C. § 3122(4)(A); 13 C.F.R. § 300.3.

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

- **Funding Opportunity Description:** Subject to the availability of funds, awards made under this NOFO will help communities and regions devise and implement sustainable economic recovery strategies through a variety of non-construction and construction projects to respond to damage to the travel, tourism, and outdoor recreation sectors from the coronavirus pandemic and to promote the economic resilience of regions dependent on those industries.

FULL ANNOUNCEMENT TEXT

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A. Program Description

1. Overview and Program Information

a. Overview

EDA's mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. Through this ARPA Tourism NOFO, EDA aims to assist communities and regions in recovery from the coronavirus pandemic's significant negative impact on the travel, tourism, and outdoor recreation sectors.

EDA's ARPA Tourism NOFO is designed to provide a wide-range of financial assistance to communities and regions to rebuild and strengthen their travel, tourism, and outdoor recreation industry through various infrastructure and non-infrastructure projects. Under this NOFO, EDA solicits applications under the authority of the Economic Adjustment Assistance (EAA) program, which is flexible and responsive to the economic development needs and priorities of local and regional stakeholders.

EDA's travel, tourism, and outdoor recreation grants will be delivered through two components: (1) State Tourism Grants and (2) EDA Competitive Tourism Grants; each is discussed in more detail below.

EDA may make changes or additions or cancel the ARPA Tourism NOFO at any time. All changes will be communicated via Grants.gov.

b. State Tourism Grants

Under this component, EDA will provide one grant to each State, in an amount determined by EDA based on the pre-pandemic travel and tourism sectors' percentage of State Gross Domestic Product (GDP), along with employment and GDP loss in the travel and tourism sectors during the pandemic.

States may spend the funds directly or make subawards on a competitive basis to eligible applicants (defined in section C) within the state for implementation projects that would support the economic recovery of the travel, tourism, and outdoor recreation sectors.¹ For all subawards, States must report to EDA the identity of the subrecipient, the amount of the subaward, and the scope of work of the subaward. In addition, EDA may require States to report additional information for certain subawards to ensure compliance with applicable laws and regulations. Eligible uses of State Tourism Grants include:

¹ To the extent that a State sub-awards any of these funds, the State is responsible for compliance with the pass-through requirements contained in 2 C.F.R. § 200.332.

- State, county, city, or community/regional tourism marketing and promotion campaigns,² including through nonprofit Destination Marketing Organizations (DMO). Messaging must be consistent with Centers for Disease Control and Prevention (CDC) COVID-19 guidelines.
 - Note: Due to statutory restrictions, advertising on behalf of private companies is not permitted.
- Workforce training that supports the travel, tourism, and outdoor recreation industries to improve the skills and job opportunities for workers, including Registered Apprenticeship Programs and other work and learn models. Grant recipients and their partners are encouraged to make connections with the American Job Centers that connect individuals to workforce training.
- Short-term and long-term economic development planning and coordination to respond to the effects of the coronavirus pandemic on the regional travel, tourism, and outdoor recreation industry.
- Technical assistance projects to assist regional economies to recover from damage to the travel, tourism, and outdoor recreation industries, including technical assistance to businesses, entrepreneurs, and small and rural communities to respond to changes to those industries brought about by the coronavirus pandemic.
- Upgrades/retrofits to existing travel, tourism, and outdoor recreation infrastructure, such as convention centers, to increase travel/tourism activity or to make such infrastructure more functional under pandemic social distancing conditions (e.g., consistent with CDC guidelines).
 - These activities can include general accessibility upgrades (e.g., disability access).
- Infrastructure projects that lead to long-term increases in tourist activity in a region, including in communities adjacent to National Park Service units, State Parks, National Marine Sanctuaries, or other natural destinations, and nature-based infrastructure projects and projects enhancing public access to outdoor recreational opportunities.³
 - Note: Subawards for construction projects including upgrades/retrofits will require submission of additional information and advance approval by EDA. All subawards for infrastructure projects are subject to federal environmental and real property requirements, including the National Environmental Policy Act (NEPA). States will be required to submit additional documentation on NEPA compliance (e.g., application of a categorical exclusion or draft environmental assessment or environmental impact statement) and must ensure subrecipients comply with Davis-Bacon wage requirements, environmental rules and regulations, and the

² This includes activities such as: campaign development, media purchases, advertising, and promotional events.

³ The U.S. Department of Agriculture has developed a resource guide that may be helpful for rural communities seeking to develop recreation economies. See:

https://www.rd.usda.gov/sites/default/files/RD_Recreation_Economy_USDA.pdf

property and construction-related requirements of 2 C.F.R. part 200 and 13 C.F.R. part 314. See also section D.2.b of this NOFO.

- Other uses to support the travel, tourism, and outdoor recreation industries, as approved by EDA.

All projects must support the travel, tourism, and outdoor recreation sectors and be consistent with CDC guidelines for safe travel. Projects that do not support these sectors or are intended to support diversification away from the sectors are not permitted.

The Governor, or equivalent, of each State is authorized to designate an entity to receive and administer the State Tourism Grant, which may be the State, an agency thereof, or another entity that is an Eligible Applicant as described in section C.1. For State Tourism Grants only, EDA will invite States to apply using specific streamlined procedures; therefore, the application submission and review information in Sections D and E is inapplicable for State Tourism Grant applications.

c. EDA Competitive Tourism Grants

Under this component, EDA will fund travel, tourism, and outdoor recreation projects that include non-construction and construction activities. For the most part, this component is intended to fund projects that are focused on new and expanded infrastructure, projects with a multi-state or national focus, and projects in regions most adversely affected by damage to the travel, tourism, and outdoor recreation sectors from the coronavirus pandemic.

Through this program, EDA can support both the development of travel, tourism, and outdoor recreation pandemic recovery strategies and the implementation of recovery projects, including in communities adjacent to National Park Service units, State Parks, National Marine Sanctuaries, and other natural destinations. This includes construction activities where the project is owned by the Eligible Applicant such as:

- Water and stormwater/wastewater improvements,
- Pier construction and improvements,
- New outdoor recreation and trail infrastructure and public access enhancements,
- Nature-based infrastructure projects to improve access to recreation,
- Cultural, arts, and tourism facilities (e.g., visitor or tourist information centers),
- Workforce training facilities and capacity building programs,
- Accessibility enhancements, and
- Country-wide or multi-state travel, tourism, or outdoor recreation promotion.

Please note the following:

- Because state and local tourism promotion and marketing projects are eligible uses of funds under State Tourism Grants, such projects are not eligible under the EDA Competitive Tourism Grants component.

- While EDA prefers projects that directly support the travel, tourism, and outdoor recreation sectors, it will consider diversification projects under this component.⁴
- The applicant must clearly notify EDA in the application if the applicant is also seeking or receives any other funding for the project, including funding under a State Tourism Grant.
- All project proposals must be consistent with CDC guidelines for safe travel.

If a specific project is part of the Build Back Better Regional Challenge NOFO it will only be considered under this ARPA Tourism NOFO to the extent that the Build Back Better Regional Challenge package of projects was not selected. We encourage all other travel, tourism, and outdoor recreation projects be submitted to this NOFO. If an applicant has inadvertently applied to the incorrect NOFO, or if an application is not selected for funding under the relevant NOFO, depending on the availability of funds, EDA in its discretion may move the project to the more appropriate NOFO.

In EDA's experience with post-disaster recovery, the most effective rebuilding efforts are based on long-term regional development or redevelopment strategies that leverage Federal funding in coordination with state, local, and private sector resources. For this reason, EDA encourages the submission of applications based on long-term, regionally oriented, coordinated, and collaborative economic development or redevelopment strategies that foster economic growth and resilience.

It is important that investments support the economic recovery through strong employment opportunities for workers, including but not limited to opportunities for workforce development, rehiring of laid off workers, and creating and retaining union jobs and well-paying jobs with good benefits. Moreover, it is important that investments in infrastructure and construction projects be carried out in ways that produce high-quality infrastructure, avert disruptive and costly delays, and promote efficiency. EDA understands the importance of promoting workforce development and encourages recipients to ensure that construction projects use strong labor standards, including project labor agreements and community benefit agreements that offer wages at or above the prevailing rate and include local hire provisions to promote effective and efficient delivery of high-quality infrastructure projects, as well as the economic recovery. Using these practices in construction projects may help to ensure a reliable supply of skilled labor that would minimize disruptions, such as those associated with labor disputes or workplace injuries.

Prospective applicants should note that section C sets out eligibility criteria for applications, and only applications meeting the eligibility criteria will be considered. EDA will evaluate and select applications according to the evaluation criteria set forth in section E.

⁴ Projects to establish or recapitalize a revolving loan fund (RLF) or design or construct a business incubator, technology, or other type of incubator or accelerator are not eligible uses of funds under the EDA Competitive Tourism Grants component.

d. Ineligible Projects

Some projects are generally ineligible for EDA funding under this NOFO, including projects that are primarily residential in nature, projects to create community amenities that are not specific to regional tourism (e.g., swimming pools, golf courses), projects that directly support casinos or gaming, projects that support general governmental or public safety functions (e.g., buildings to house municipal government, firehouses, public safety equipment), and requests for funding to supplement operating budgets or replace lost revenue (including lost tax revenue). In addition, EDA will not fund projects that are primarily directed at public health responses to the coronavirus pandemic (e.g., testing or vaccination centers, increased hospital capacity, acquisition of PPE for general government use or public distribution); however, incidental public health costs may be included in project budgets (e.g., the cost of PPE for personnel providing technical assistance, larger spaces to accommodate social distancing, increased travel costs to accommodate pandemic safety measures). Applicants who are unsure whether their proposed project is eligible under this NOFO should consult the appropriate EDA Regional Office Point of Contact (POC) listed in section G.

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

e. CEDS Alignment

Each project funded under this NOFO must be consistent with the region's current Comprehensive Economic Development Strategy (CEDS) or an equivalent EDA-accepted regional economic development strategy meeting EDA's CEDS or strategy requirements. In accordance with 13 C.F.R. § 303.7(c)(1), in certain circumstances EDA may accept a non-EDA-funded CEDS that does not contain all the elements EDA requires of a CEDS.⁵ Applicants must detail how the proposed project will support the economic development needs and objectives outlined in the CEDS or equivalent strategy, and provide a copy of this planning document, either by attaching the document to the application or providing a web link for the document. In addition, applicants should indicate if other Federal funds have been secured or requested to support any portion of the project for which an EDA investment is proposed. Applicants should describe how the EDA investment will complement, leverage, or otherwise align with other public and private investments to accomplish the planned deliverables and outcomes. Where other Federal funding may be involved in the project, the applicant should provide the Federal program name and contact information with the application to facilitate interagency coordination and avoid duplication of resources.

2. EDA Investment Priorities

All projects considered for EDA funding under this ARPA Tourism NOFO must be consistent with EDA's Recovery and Resilience Investment Priority. Applicants may also demonstrate that a project is consistent with any of EDA's other Investment Priorities, and projects meeting

⁵ In doing so, EDA shall consider the circumstances surrounding the application for Investment Assistance, including emergencies or natural disasters and the fulfillment of the requirements of section 302 of PWEDA.

multiple investment priorities may be considered more competitive as a result. EDA's Investment Priorities are located at <https://www.eda.gov/about/investment-priorities/>. The priorities may be updated from time to time. Any future revisions will be reflected on EDA's website on January 15, April 15, June 15, or September 15 of each year.

3. Statutory Authorities for EDA's Programs

The statutory authority for the EAA program is section 209 of PWEDA (42 U.S.C. § 3149). The statutory authorization of supplemental appropriations for economic disaster recovery activities is section 703 of PWEDA (42 U.S.C. § 3233). Additional programmatic authority is provided by the American Rescue Plan Act of 2021 (Pub. L. 117-2).

Applicant eligibility and program requirements are set forth in EDA's regulations (codified at 13 C.F.R. Chapter III), and all applicants must address these requirements. EDA's regulations are accessible at the Electronic Code of Federal Regulations website at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>. Under "Browse," select "Title 13 – Business Credit and Assistance", then "Go", then "300-399".

4. How does EDA Interpret Resilience?

In terms of economic development, EDA defines resilience broadly as the ability of a community or region to anticipate, withstand, and bounce back from various disruptions to its economic base. These disruptions can be caused by a variety of things, including a downturn in the national or local economy as a result of the pandemic. Enhancing resilience in the travel, tourism, and outdoor recreation sectors in the face of the pandemic, especially in light of the ongoing impacts of a changing climate, is a multi-dimensional effort emphasizing engagement and support from all aspects of the community, including economic development practitioners. Some examples include:

- Efforts to enhance business retention and expansion to strengthen these sectors;
- Development and construction of high-performance and resilient infrastructure and buildings (e.g., broadband, energy, flexible and natural infrastructure, safe development practices) to mitigate future risk and vulnerability; and
- Comprehensive planning efforts that involve extensive engagement from the community to define and implement a collective vision for economic recovery.

The development and adoption of new technologies play vital roles in strengthening economic resilience: deploying technologies (e.g., through more robust broadband networks) enables resilience in the face of natural disasters made worse by pandemics and changing climates, and nurturing technology ecosystems supports dynamic, diverse economies that better withstand acute disruptions.

Resilience (within the context of economic development) should include methods and measures to mitigate the potential for future economic injury, promote a faster "up-time" for the travel, tourism, and outdoor recreation sectors, and strengthen local and regional capacity to troubleshoot and address vulnerabilities within the regional economy. As noted above, to be competitive under this ARPA Tourism NOFO, application submissions must explicitly

incorporate resilience principles. Additional information about this subject is available at <https://www.eda.gov/ceds/content/economic-resilience.htm>.

B. Federal Award Information

1. What Funding Is Available Under this Announcement?

Under the American Rescue Plan Act of 2021 (Public Law 117-2), Congress provided EDA with \$3,000,000,000, to remain available until September 30, 2022, to “prevent, prepare for, and respond to coronavirus and for necessary expenses for responding to economic injury as a result of coronavirus.” Of the \$3 billion in appropriated funds, Congress specifically directed \$750,000,000 be provided to “States and communities that have suffered economic injury as a result of job and gross domestic product losses in the travel, tourism, or outdoor recreation sectors” and this NOFO implements that Congressional direction. Consistent with the above, EDA has allocated \$750,000,000 into the two components under this NOFO.

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 award of any grant 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.

a. State Tourism Grants

For State Tourism Grants, EDA anticipates awarding up to \$510,000,000 to States based on the pre-pandemic travel and tourism sectors’ percentage of State Gross Domestic Product (GDP), along with employment and GDP loss in the travel and tourism sectors during the pandemic.

b. EDA Competitive Tourism Grants; Initial EDA Regional Office Allocations

For EDA Competitive Tourism Grants, EDA anticipates allocating the remaining \$240,000,000 among EDA’s six Regional Offices consistent with the formula applied to the State Tourism Grants, as follows:

Atlanta Regional Office – \$24,376,044
Austin Regional Office – \$16,635,106
Chicago Regional Office – \$26,236,391
Denver Regional Office – \$19,849,552
Philadelphia Regional Office – \$95,146,537
Seattle Regional Office – \$57,756,370

For EDA Competitive Tourism Grants, EDA anticipates funding approximately 150 non-construction and construction projects that cost between approximately \$500,000 and \$10,000,000, although EDA will consider applications above and below these amounts.

Note: When appropriate, EDA may exercise its discretion to adjust the allocations to its offices or adjust the total amount available under this NOFO and other American Rescue Plan Act NOFOs based on its experience in administering the supplemental appropriations to ensure funds are used to maximum effect or to adjust to unforeseen changes in recovery efforts.

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. 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. 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 the recipient's selection of key personnel; and (iv) operational involvement and monitoring during the project to ensure compliance with statutory requirements.

Period of Performance: Under the EAA program, the project period of performance depends on the nature of the project for which the grant or cooperative agreement is awarded. Typically, economic recovery strategy grants and non-construction implementation projects may range in duration from 12 to 24 months. Implementation grants involving construction of project facilities and infrastructure generally are expected to range from 12 to 48 months. EDA will work closely with award recipients to accommodate their projected timelines within reason and allowances of regulations and grant policies. EDA expects that all projects will proceed efficiently and expeditiously, and EDA encourages applicants to document specifically when they will be able to start and complete the proposed project scope of work. **EDA's American Rescue Plan appropriations are available for making awards through September 30, 2022. No disbursements of grant funds may be made after September 30, 2027.**

C. Eligibility Information

1. Eligible Applicants

For State Tourism Grants, the Governor, or equivalent, of each State is authorized to designate an entity to receive and administer the State Tourism grant, which may be the State, an agency thereof, or another entity that is an Eligible Applicant described below. Under section 3(10) of PWEDA the term "State" includes the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern

Marianas, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.⁶

Eligible applicants for EDA Competitive Tourism Grants include a(n):

- a. District Organization;
- b. Indian Tribe or a consortium of Indian Tribes;
- c. State, county, city, or other political subdivision of a State, including a special purpose unit of a State or local government engaged in economic or infrastructure development activities, or a consortium of political subdivisions;
- d. Institution of higher education or a consortium of institutions of higher education; or
- e. Public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State.⁷

2. Applicable Disaster Declaration and Responsiveness to the Coronavirus Pandemic

EDA has determined that economic injury from the coronavirus pandemic constitutes a “Special Need,” and eligibility may be established on that basis without reference to the other economic distress criteria. This determination of nationwide eligibility for these funds is consistent with the March 13, 2020 emergency declaration for the coronavirus disease 2019 (COVID-19) pandemic pursuant to the Stafford Act for all states, tribes, territories, local governments, and the District of Columbia (<https://www.fema.gov/disasters/coronavirus/disaster-declarations#>).

EDA has further determined that due to the pervasive nature of the economic impacts of the coronavirus pandemic, any construction or non-construction project that would address those impacts by creating or retaining jobs, or increasing the economic diversity or resilience of a region, is eligible for funding. For example, an infrastructure project that creates new jobs in a region is responsive to the requirement that the funds be spent to respond to “economic injury as a result of coronavirus.”

3. Cost Sharing or Matching

a. EDA Investment Rate

For State Tourism Grants, EDA will make awards at a 100% federal grant rate. No matching share is required.

For EDA Competitive Tourism Grants, given the extent of the economic impact and in accordance with the agency’s statutory authority under section 703 of PWEDA (42 U.S.C. § 3233), EDA generally expects to fund at least 80%, and up to 100%, of eligible project costs. In determining the grant rate, EDA’s Grants Officers in the applicable Regional Office will consider on a case-by-case basis whether the circumstances of the proposed project warrant a

⁶ 42 U.S.C. § 3122.

⁷ See section 3 of PWEDA (42 U.S.C. § 3122) and 13 C.F.R. § 300.3.

Federal share in excess of 80%, including whether the applicant has exhausted its effective taxing or borrowing capacity; the extent of the economic impact of the coronavirus pandemic on the region's travel, tourism, and outdoor recreation sector; or whether the region meets other thresholds for elevated need based on the relative economic distress of the region. Applicants that submit projects with increased levels of match may be considered more competitive. Additionally, EDA may establish a maximum investment rate of up to 100% for projects of Indian Tribes. Any portion of the costs for the EDA scope of work funded below 100% must be borne by the recipient or provided to the recipient by a third party as a contribution for the purposes of and subject to the terms of the award.

b. Documentation of Cost Sharing or Matching

For EDA Competitive Tourism Grants subject to a matching requirement, the applicant must document that the matching share will: (i) be committed to the project for the period of performance, (ii) be available as needed, and (iii) not be conditioned or encumbered in any way that may preclude its use consistent with the requirements of EDA investment assistance.⁸ To meet these requirements, applicants must submit for each source of the matching share a commitment letter or equivalent document signed by an authorized representative of the organization providing the matching funds.

Additional documentation may be requested by EDA to substantiate the availability of the matching funds. Please contact the appropriate EDA Regional Office Point of Contact (POC) listed in section G of this ARPA Tourism NOFO with questions regarding EDA's matching share requirements.

Documented in-kind contributions may provide the required non-Federal Share of the total project cost, but they must be eligible project costs and meet applicable Federal cost principles and uniform administrative requirements. Examples of possible in-kind contributions include space, equipment, services, or forgiveness or assumptions of debt.⁹ Funds from other Federal financial assistance awards may be considered matching share funds only if authorized by statute, which may be determined by EDA's reasonable interpretation of the statute.¹⁰

Applicants are *strongly encouraged* to work with the appropriate POC listed in section G of this ARPA Tourism NOFO to determine how in-kind contributions may be utilized to satisfy the matching share requirement for their application.

D. Application Submission Information

For State Tourism Grants, applications must follow the format prescribed in the EDA invitation letter. The application submission requirements specified in this section apply only to applications for EDA Competitive Tourism Grants.

⁸ See 13 C.F.R. § 301.5.

⁹ See section 204(b) of PWEDA (42 U.S.C. § 3144) and the definition of "In-Kind Contribution" at 13 C.F.R. § 300.3.

¹⁰ See the definition of "Local Share or Matching Share" at 13 C.F.R. § 300.3. See also 2 C.F.R. § 200.306.

All submissions under the EDA Competitive Tourism Grants component of this ARPA Tourism NOFO are subject to the following review process. An applicant **must submit a complete application**, as detailed in section D.2.a of this ARPA Tourism NOFO, to be considered for funding. EDA intends to review an application expeditiously upon receipt of the **complete application**. EDA may seek additional information or documentation from the applicant to clarify information presented in the application. Please see section E of this ARPA Tourism NOFO for more information on EDA’s review and selection process.

EDA strongly encourages applicants to consult with the appropriate POC listed in section G to discuss whether their project is in alignment with EDA’s Investment Priorities as well as EDA’s eligibility requirements, cost-sharing requirements, property standards, and other requirements outlined in this ARPA Tourism NOFO. This consultation is limited to clarification of technical matters involving their proposed project, project alignment with EDA’s mission and EDA’s Investment Priorities, and all other relevant and publicly available information relating to general technical matters.

1. Address to Request Application Package

An electronic version of the application for this ARPA Tourism NOFO may be obtained at Grants.gov using Funding Opportunity Number “EDA-2021-ARPATOURISM.” To accommodate applicants’ accessibility requirements, a paper version of the application may be obtained by contacting the appropriate POC listed in section G of this NOFO. Please see section I below for instructions on submitting an application through grants.gov.

All applicants must apply through grants.gov unless they request and receive authorization to submit a paper application package by contacting the appropriate POC listed in section G.

2. Content and Form of Application Submission

The tables in section D.2.a below describe the EDA and Federal grant assistance forms and other documentation required for a complete application for each type of assistance available under the EDA Competitive Tourism Grants component of this NOFO. The tables may serve as a checklist for applicants in preparing their submissions.

All relevant forms must be signed electronically by the applicant’s Authorized Organizational Representative (AOR); please see section I.2 of this ARPA Tourism NOFO for information on AOR requirements. The preferred electronic file format for attachments is Adobe PDF; however, EDA will accept electronic files in Microsoft Word or Microsoft Excel formats. EDA will not accept paper, facsimile or email transmissions of applications except as described below in section D.4. Please refer to important information on submitting your application provided in section D.3.

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.

a. What is required for a complete application?¹¹

The following table provides a list of documents required for a complete application based on the type of EDA assistance: construction, design and engineering (without a construction component), and non-construction.¹²

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

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

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

¹² EDA may temporarily waive certain application requirements if the applicant demonstrates that it cannot meet a requirement in a timely fashion because of the impact of the disaster. Applicants are advised to reach out to their appropriate POC for more information on this temporary waiver. See 13 C.F.R. § 302.2 (“When non-statutory EDA administrative or procedural conditions for Investment Assistance awards under PWEDA cannot be met by an Eligible Applicant as a result of a disaster, EDA may waive such conditions”).

local hire provisions, and a description of the applicant's workforce plans and practices.

- In section B.6, explain how the proposed project would meet EDA's Recovery and Resilience investment priority, which all American Rescue Plan projects are expected to meet. You may also explain in this space how the proposed projects will meet any of EDA's other investment priorities.
- In section B.8, explain the steps that you will take to ensure that the economic benefits of the project will be shared by all communities in the project region, including any underserved communities. Your explanation should address the communities affected, barriers those communities may face in accessing benefits of the project, contemplated outreach efforts, and other planned steps to address identified barriers, as appropriate.

6. **One Form ED-900A** (Additional EDA Assurances for Construction or Non-Construction Investments) from each co-applicant, as applicable.
7. **One Form ED-900B** (Beneficiary Information Form) from each beneficiary of the proposed project, as applicable.
8. **One Form ED-900C** (EDA Application Supplement for Construction Programs) and accompanying supporting documentation, e.g., Preliminary Engineering Report.
9. **One Form ED-900E** (Calculation of Estimated Relocation and Land Acquisition Expenses).
10. **Documentation of Matching Share** for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable. This should be attached to Form ED-900 (section B.10.d of the form).
11. **An environmental narrative** that will enable EDA to comply with its NEPA responsibilities. A narrative outline that details required components may be accessed in EDA's website at: <https://eda.gov/files/programs/eda-programs/Environmental-Narrative-Template-and-Application-Certification-Clause.docx>.
12. **One Applicant's Certification Clause** (see Appendix A to the environmental narrative noted above) completed separately and signed by each co-applicant, as applicable.
13. **One Form CD-511** (Certification Regarding Lobbying) from each co-applicant, as applicable.
14. **One Form SF-LLL** (Disclosure of Lobbying Activities) from each co-applicant, if applicable. Form SF-LLL is only required if the applicant has retained a registered lobbyist in conjunction with the proposed project.

15. Map of project site.

Applications for **design and engineering assistance only** (without a construction component) must include:

1. **One Form SF-424** (Application for Federal Assistance) from each co-applicant, as applicable.
2. **One Form SF-424C** (Budget Information—Construction Programs).
3. **One Budget Narrative** that identifies and justifies how funds in each line item of the budget (Form SF-424C) will be used to support the proposed project. The Budget Narrative should specifically address each budget line item (including both the Federal Share and matching Non-Federal Share), and the narrative total should match the total project costs listed in both the SF-424 question 18 line g and SF-424C (“Totals”). This includes describing any other Federal funds that have been secured or requested to support the project (see section A.1). The Budget Narrative should include itemized valuations of any in-kind matching funds. The non-Federal Share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal Share; however, if the applicant’s Budget Narrative proposes otherwise, applicants must also include information that indicates what project elements the matching share funds will support and explain why deviation from paying out at the same general rate is required for the project to be implemented.
4. **One Form SF-424D** (Assurances—Construction Programs) from each co-applicant, as applicable, unless as part of the registration process for SAM each co-applicant has already completed the assurances for non-construction programs. In that case, each co-applicant must inform EDA that this was completed in SAM.
5. **One Form ED-900** (General Application for EDA Programs).
 - In section B.6, explain how the proposed project would meet EDA’s Recovery and Resilience investment priority, which all American Rescue Plan projects are expected to meet. You may also explain in this space how the proposed projects will meet any of EDA’s other investment priorities.
 - In section B.8, explain the steps that you will take to ensure that the economic benefits of the project will be shared by all communities in the project region, including any underserved communities. Your explanation should address the communities affected, barriers those communities may face in accessing benefits of the project, contemplated outreach efforts, and other planned steps to address identified barriers, as appropriate.

6. **One Form ED-900A** (Additional EDA Assurances for Construction or Non-Construction Investments) from each co-applicant, as applicable.
7. **One Form ED-900D** (Requirements for Design and Engineering Assistance).
8. **Documentation of Matching Share** for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable. This should be attached to Form ED-900 (section B.10.d of the form).
9. **An environmental narrative** that will enable EDA to comply with its NEPA responsibilities. A narrative outline that details required components may be accessed in EDA's website at: <https://eda.gov/files/programs/eda-programs/Environmental-Narrative-Template-and-Application-Certification-Clause.docx>.
10. **One Applicant's Certification Clause** (see Appendix A to the environmental narrative noted above) completed separately and signed by each co-applicant, as applicable.
11. **One Form CD-511** (Certification Regarding Lobbying) from each co-applicant, as applicable.
12. **One Form SF-LLL** (Disclosure of Lobbying Activities) from each co-applicant, if applicable. Form SF-LLL is only required if the applicant has retained a registered lobbyist in conjunction with the proposed project.

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

1. **One Form SF-424** (Application for Federal Assistance) from each co-applicant, as applicable.
2. **One Form SF-424A** (Budget Information—Non-Construction Programs).
3. **One Budget Narrative** that identifies and justifies how funds in each line item of the budget (Form SF-424A) will be used to support the proposed project. The Budget Narrative should specifically address each budget line item (including both the Federal Share and matching non-Federal Share), and the narrative total should match the total project costs listed in both the SF-424 question 18 line g and SF-424A ("Totals"). This includes describing any other Federal funds that have been secured or requested to support the project (see section A.1). The Budget Narrative should include itemized valuations of any in-kind matching funds. The non-Federal Share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal Share; however, if the applicant's Budget Narrative proposes otherwise, applicants must also include information that indicates what project elements the matching share funds will support and explain

why deviation from paying out at the same general rate is required for the project to be implemented.

4. **One Form ED-900** (General Application for EDA Programs).¹³
 - In B.6, explain how the proposed project would meet EDA’s Recovery and Resilience investment priority, which all American Rescue Plan projects are expected to meet. You may also explain in this space how the proposed projects will meet any of EDA’s other investment priorities.
 - In section B.8, explain the steps that you will take to ensure that the economic benefits of the project will be shared by all communities in the project region, including any underserved communities. Your explanation should address the communities affected, barriers those communities may face in accessing benefits of the project, contemplated outreach efforts, and other planned steps to address identified barriers, as appropriate.
5. **One Form ED-900A** (Additional EDA Assurances for Construction or Non-Construction Investments) from each co-applicant, as applicable.
6. **Documentation of Matching Share** for each matching share source, such as a commitment letter, board resolution, proof of bonding authority, or similar document, as applicable. This should be attached to Form ED-900 (section B.10.d of the form).
7. **One Form CD-511** (Certification Regarding Lobbying) from each co-applicant, as applicable.
9. **One Form SF-LLL** (Disclosure of Lobbying Activities) from each co-applicant, if applicable. Form SF-LLL is only required if the applicant has retained a registered lobbyist in conjunction with the proposed project.

For applications that were not selected for funding under the CARES Act that applicants would like EDA to carry forward unchanged into this NOFO consistent with the process described below in section E.1.b.i, applicants must submit a letter to EDA requesting the project be reviewed under this NOFO. The letter must also contain a certification that the project is unchanged and match remains available as originally provided in the application.

b. Environmental and Historic Preservation Requirements

All applicants for EDA construction assistance or design and engineering assistance, including subawards made under State Tourism Grants, are required to provide adequate environmental information. EDA will separately provide states instructions for compliance with NEPA for State

¹³ Applicants seeking a strategy grant should note this information as part of their response to section B.2 of the form.

Tourism Grant subawards. For EDA Competitive Tourism Grants, EDA will review each application for compliance with NEPA. During the NEPA review process, applicants may be instructed to contact the designated State and/or Tribal Historic Preservation Officer (SHPO/THPO), provide approvals from other governmental agencies, or provide more detailed environmental information. EDA, after compliance with requirements for consultation with Federally-recognized Indian Tribes, may require applicants to participate in Tribal consultation, as necessary. The implementing regulations of NEPA require EDA to provide public notice of the availability of project-specific environmental documents, such as environmental impact statements, environmental assessments, findings of no significant impact, and records of decision, to the affected public. For further guidance and information, please contact the appropriate Regional Environmental Officer listed in section G. Applicants will be notified of any changes to these requirements via Grants.gov.

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

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

If indirect costs are included in the budget for non-construction projects, the applicant must include documentation to support the indirect cost rate it is using (unless claiming the 10 percent de minimis indirect cost rate, discussed below). For most applicants, this will entail the submission of a copy of its current, approved negotiated indirect cost rate agreement (NICRA). The maximum dollar amount of allocable indirect costs for which EDA will reimburse a recipient is the lesser of (i) the line-item amount for the Federal Share of indirect costs contained in the EDA approved budget for the award, or (ii) the Federal Share of the total allocable indirect costs of the award based on either (a) the indirect cost rate approved in the NICRA, provided that the NICRA is approved on or before the award end date, or (b) 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 90 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 must be submitted to EDA's Office of Regional Affairs (or applicable cognizant Federal agency). If the applicant chooses to pursue this option, it should include a statement in its 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.

If in accordance with 2 C.F.R. § 200.414(f), an applicant that does not have a current negotiated (including provisional) rate, may elect to charge a de minimis rate of 10 percent of modified total direct costs (unless the applicant is a state or local unit of government that receives less than \$35 million in direct federal funding per year, discussed below). 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.

Note that if the applicant is a State or local unit of government that receives less than \$35,000,000 in direct Federal funding per year it may submit any of the following:

- i. A current NICRA;
- ii. A Certificate of Indirect Costs from the Department of the Interior (DOI) or EDA;
- iii. Acknowledgment received from EDA and Certificate of Indirect Costs in the form prescribed at 2 C.F.R. pt. 200, app. VII; or
- iv. 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).

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

To enable the use of a universal identifier and to enhance the quality of information available to the public as required by the Federal Funding Accountability and Transparency Act of 2006, applicants are required to: (i) be registered in SAM before submitting an application; (ii) provide a valid unique entity identifier 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 unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the EDA is ready to make an award, EDA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant. Recipients will be subject to reporting requirements, as identified in OMB guidance published at 2 C.F.R. parts 25 and 170.

3. Submission Dates and Times

There are no application deadlines under this ARPA Tourism NOFO. EDA plans to accept applications on a rolling basis subject to the availability of funds. EDA strongly advises eligible applicants to submit complete applications at least by **January 31, 2022** so that EDA can review and process the application in time to get a potential award in place. **Submission of a complete application by January 31, 2022 is not a guarantee of funding.**

EDA's American Rescue Plan appropriations are available for making awards through September 30, 2022. No disbursements of grant funds may be made after September 30, 2027. EDA may cancel or withdraw the ARPA Tourism NOFO at any time.

a. Electronic Submission.

EDA accepts electronic submissions of applications through Grants.gov. EDA will not accept paper, facsimile, or email transmissions of applications except as provided below.

Once an application is submitted, it undergoes a validation process through Grants.gov during which the application may be accepted or rejected by the system. Please be advised that the validation process may take 24 to 48 hours to complete. Applications that contain errors will be

rejected by Grants.gov and will not be forwarded to EDA for review. The applicant must correct any errors before Grants.gov will accept and validate the application.

Please see section I of this ARPA Tourism NOFO for more detailed instructions and information on the requirements for submitting applications electronically via Grants.gov.

b. Alternatives to Electronic Submission.

If an applicant is unable to submit an application electronically 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).

4. Intergovernmental Review

Applications submitted under the EDA Competitive Tourism Grants component of this 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 whose primary service areas fall within one or more such States must give State 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.¹⁴ 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 at <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>. Question 19 of Form SF-424 allows applicants to demonstrate compliance with EO 12372.

An applicant seeking funding for a construction project or RLF grant under the EAA program that is not a State, Indian Tribe, or general purpose local governmental authority must afford the appropriate general purpose local governmental authority in the project region a minimum of 15 days to review and comment on the proposed project, and provide with its application a statement of its efforts to seek comments and either (i) a copy of the comments received and a statement of any actions to address those comments or (ii) a statement that no comments were received.

5. Pre-award Costs

In general, EDA does not reimburse pre-award project costs. Applicants that need such reimbursement should work closely with the appropriate POC to determine if their pre-award costs may be considered for reimbursement. For contracted pre-award costs to be eligible for reimbursement, the applicant must competitively procure services pursuant to the Federal government’s procurement procedures. All pre-award costs are incurred at an applicant’s own risk and will be considered for reimbursement, in EDA’s sole discretion, only if an applicant receives an award and such costs are approved by EDA in writing. Under no circumstances will

¹⁴ As provided for in 15 C.F.R. part 13.

EDA or DOC be held responsible for application preparation expenditures, which are distinguished from pre-award project costs.

6. Other Submission Requirements

After EDA reviews an application, EDA may contact the applicant to request any necessary 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, or documentation required for environmental or legal compliance. This additional documentation will be required to ensure 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.

EDA may, at its discretion, make changes or additions to this ARPA Tourism NOFO. All changes will be communicated on Grants.gov.

E. Application Review Information

The application review information in this section applies to EDA Competitive Tourism Grant applications only. State Tourism Grant applications will be reviewed by the applicable EDA Regional Office.

Throughout the review and selection process, EDA reserves the right to seek clarification in writing from applicants whose application packages are being reviewed. This may include reaching out to applicants and proposing they seek funding under a different EDA program or other Federal financial assistance program under which they may be more competitively assessed. 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. Before applications are reviewed as described below, EDA will conduct an initial screening 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.a of this NOFO may not be reviewed.¹⁵

¹⁵ See 13 C.F.R. § 302.2 (“When non-statutory EDA administrative or procedural conditions for Investment Assistance awards under PWEDA cannot be met by an Eligible Applicant as the result of a disaster, EDA may waive such conditions.”).

1. Review and Selection Process

a. Investment Review Committee (IRC)

Each Regional Office will convene periodic IRCs, as necessary depending on the volume of applications, that consist of at least three EDA staff members to review each complete application.

All IRC members will review each complete application before the IRC discussion and evaluation. The IRC will make a group evaluation of the merits of each application based on the extent to which the application meets the program-specific award and application requirements.

For all projects, the IRC will use the following criteria in its review, with each criterion receiving equal weight:

- i. The extent to which the region to be served by the project has suffered economic injury as a result of job and gross domestic product losses in the travel, tourism, and outdoor recreation sectors;
- ii. The extent to which the project is responsive to the needs of communities impacted by the coronavirus pandemic's impact on the travel, tourism, and outdoor recreation sectors;
- iii. The extent to which the project supports the economic recovery and long-term resilience to future pandemics or other sudden and severe economic dislocations for the travel, tourism, and outdoor recreation sectors;
- iv. The project's demonstrated ability to foster the creation or retention of union and well-paying jobs with good benefits, as well as the extent to which the applicant proposes to incorporate strong labor protections into the performance of the project;
- v. The degree of economic distress experienced in the project community/region, including the economic impact of the coronavirus pandemic;
- vi. The project's feasibility, including the likelihood that the project can be started quickly, the immediacy of its impacts, and the likelihood that it will be completed before September 30, 2027;
- vii. The project's sustainability/durability, including the extent to which the project demonstrates support from community stakeholders and beneficiary commitments, if any;
- viii. The applicant's organizational capacity, including its financial and management capacity;
- ix. The project's alignment with the applicable CEDS, Tribal strategy, or other EDA-accepted economic development strategy;
- x. The project's demonstrated alignment with EDA's Recovery and Resilience Investment Priority, as well as other current Investment Priorities as outlined at <https://www.eda.gov/about/investment-priorities/disaster-recovery/> and described in section A.2 of this Indigenous Communities NOFO;

- xi. The extent to which the project is based upon community-oriented and collaborative economic development and redevelopment strategies; and
- xii. The extent to which the application articulates a plan for ensuring that the project's benefits are shared across all affected communities. Although not required, EDA encourages efforts to reach historically underserved areas, minority populations, and women.

Based on its consideration of the above factors, the IRC will prepare funding recommendations for the respective Regional Director. The IRC will prepare a ranking or other categorization of applications (e.g., fund, don't fund, or carry forward) to assist the Regional Director in making funding decisions. 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.

EDA intends to provide applicants written notification of the outcome of the IRC expeditiously after receipt of their **complete application**. Applications for complex or large dollar value projects may require a longer review time.

b. Due Diligence

If the IRC recommends an application for funding, the applicant still may have to complete certain due diligence requirements before EDA can make an award. After an applicant has been notified that its application has been recommended by the IRC, EDA may request that the applicant submit additional documents and information to allow EDA to fully evaluate compliance with applicable rules and regulations.

For example, in the case of construction projects, such additional due diligence may include:

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

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

c. Consideration of Applications Submitted under the FY 2020 CARES Act Addendum

EDA received many more applications than it could fund under the Coronavirus Aid, Relief, and Economic Security Act Recovery Assistance Addendum to the FY 2020 Public Works and Economic Adjustment Assistance Notice of Funding Opportunity (CARES Act Addendum). Upon request of a declined applicant and certification by that applicant that the project remains unchanged (including provision of match), EDA will consider previously declined CARES Act Addendum applications under this ARPA Tourism NOFO. Instructions for requesting reconsideration of declined applications are provided above in section D.2. Applicants do not need to reapply if the application is unchanged. EDA will reevaluate such carried forward applications using the selection criteria and program objectives of this NOFO as described above under the investment priorities and IRC review section, and will evaluate such carried forward applications and new applications received under the ARPA Tourism NOFO together in the same competitive pool on a rolling basis.

2. Grants Officer's Decision

Applications recommended by the IRC, and also deemed fully compliant with applicable rules and regulations, will be forwarded to the Regional Director, who is designated the Grants Officer under this ARPA Tourism NOFO. Each Regional Director has been delegated final authority regarding funding of applications and may select a project for funding that differs from the IRC's recommendations based on any of the following selection factors:

- i. The extent to which the application meets the overall objectives of section 2 of PWEDA (42 U.S.C. § 3121);
- ii. The extent to which resilience, as defined in section A.4, is integrated into the project scope of work;
- iii. To promote broad and equitable access to EDA assistance, the amount of EDA funding the applicant has received in the current or prior three federal fiscal years under any EDA Notice of Funding Opportunity;
- iv. The applicant's performance under previous Federal financial assistance awards, including whether the grantee submitted required performance reports and data;
- v. The availability of program funding;
- vi. Whether the project supports communities negatively impacted by the downturn in the coal economy;
- vii. The extent to which the project supports EDA's goals of geographic balance in distribution of program funds, project types, organizational type (to include smaller and rural communities and organizations) and the overall portfolio; and
- viii. The relative economic distress of the area.

The Regional Director's final decision must be consistent with EDA's and DOC's published policies. Any time a Regional Director makes a selection that differs from the IRC's recommendation, the Regional Director will document the rationale for the decision in writing.

3. Federal Awardee Performance and Integrity Information System (FAPIIS) Review

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 (currently 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 Notification

If an application is selected for funding the EDA Grants Officer will issue the award (Form CD-450), which is the authorizing financial assistance award document and includes Specific Award Conditions and, as applicable, the DOC Financial Assistance Standard Terms and Conditions (DOC ST&Cs), the EDA Revolving Loan Fund Financial Assistance Award Standard Terms and Conditions (RLF ST&Cs), or the EDA Standard Terms and Conditions for Construction Projects (Construction ST&Cs), as described in section F.3, below.

By signing Form CD-450, the applicant agrees to comply with all award provisions. EDA will provide Form CD-450 via the award package to the applicant's authorized representative. The applicant's representative must sign and return the Form CD-450 without modification within 30 calendar days of the date of EDA's signature on the form.

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

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.

3. DOC Financial Assistance Standard Terms and Conditions and EDA Standard Terms and Conditions for RLF and Construction Projects

For all projects, EDA will apply the DOC ST&Cs applicable on the date of award. The DOC ST&Cs may be accessed at: <https://www.commerce.gov/oam/policy/financial-assistance-policy>.

For RLF awards, in addition to the DOC ST&Cs, EDA will apply the EDA RLF ST&Cs. The RLF ST&Cs may be accessed at: <https://www.eda.gov/tools/grantee-forms/>.

For construction awards, in addition to the DOC ST&Cs, EDA will apply the Construction ST&Cs. The Construction ST&Cs may be accessed at <https://www.eda.gov/tools/grantee-forms/>.

4. 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 <http://www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf>.

5. Reporting

a. Financial, Performance, and Impact Reports

All recipients are required to submit financial, progress, 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 subawards¹⁶ 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

¹⁶ A first-tier subaward means an award provided by the recipient to a subrecipient for the subrecipient to carry out as part of a Federal award.

Subaward Reporting System (FSRS) available at www.FSRS.gov on all subawards over \$30,000. Please see the OMB guidance published at 2 C.F.R. part 170.

c. Government Performance and Results Act

EDA will require additional data on activities, outputs, and actual impact 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 their activities, such as 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 also expects to engage with leading research institutions to perform third-party program evaluations, which will require cooperation between the grantee, organizations within their service area, and the evaluating institution.

G. Federal Awarding Agency Contacts

For questions concerning this ARPA Tourism NOFO, or more information about EDA programs, you may contact the appropriate EDA representative listed below. Updated contact information can be found on EDA’s website at <https://www.eda.gov/contact>. EDA’s website at <http://www.eda.gov> provides additional information on EDA and its programs.

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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. Publication of Applications and Freedom of Information Act Disclosure

EDA may publish any applications it receives, including any supporting documentation, on its website or through other means. Applicants are advised that any confidential commercial information that should not be disclosed must be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information.

In addition, Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. Sec. 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 and 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 the appropriate POC listed in section G 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 DOC (or any of its operating units) and 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.3 (p. **Error! Bookmark not defined.**), 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 proceeding.

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. 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 Uniform Guidance.

8. Implementing the Americans with Disabilities Act (ADA)

The U.S. Department of Justice has issued revised regulations implementing Title II of the ADA (28 C.F.R. Part 35; 75 Fed. Reg. 56,164 (Sep. 15, 2010), as amended by 76 Fed. Reg. 13,285 (Mar. 11, 2011)) and Title III of the ADA (28 C.F.R. Part 36; 75 Fed. Reg. 56,236 (Sep. 15, 2010), as amended by 76 Fed. Reg. 13,286 (Mar. 11, 2011)). See also 15 C.F.R. 8b for Department of Commerce regulations prohibiting discrimination on the basis of handicap in any program or activity receiving providing financial assistance.

9. Fraud Awareness Training

Consistent with 2 C.F.R. 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 Disaster Assistance 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.

I. Instructions for Application Submission via Grants.gov

The most up-to-date instructions for application submission via Grants.gov can be found at <https://www.grants.gov/web/grants/applicants/apply-for-grants.html>. To begin, complete, and submit your application:

- Navigate to <https://www.grants.gov/web/grants/applicants/apply-for-grants.html>;
- Click "Search for Opportunity Package";
- In the "Funding Opportunity Number" field, enter "EDA-2021-ARPATOURISM";
- Click "Search";
- Click "Apply";
- Enter your email address (if you would like to receive updates from Grants.gov regarding this grant opportunity) or check the box that indicates you do not wish to provide it, then click "Submit";
- Choose to apply using Workspace by clicking "Login to Apply Now" or choose to download the legacy application package by clicking "Download Package"; and
- Follow the instructions provided on the Grants.gov website and on each webpage to complete and submit your application.

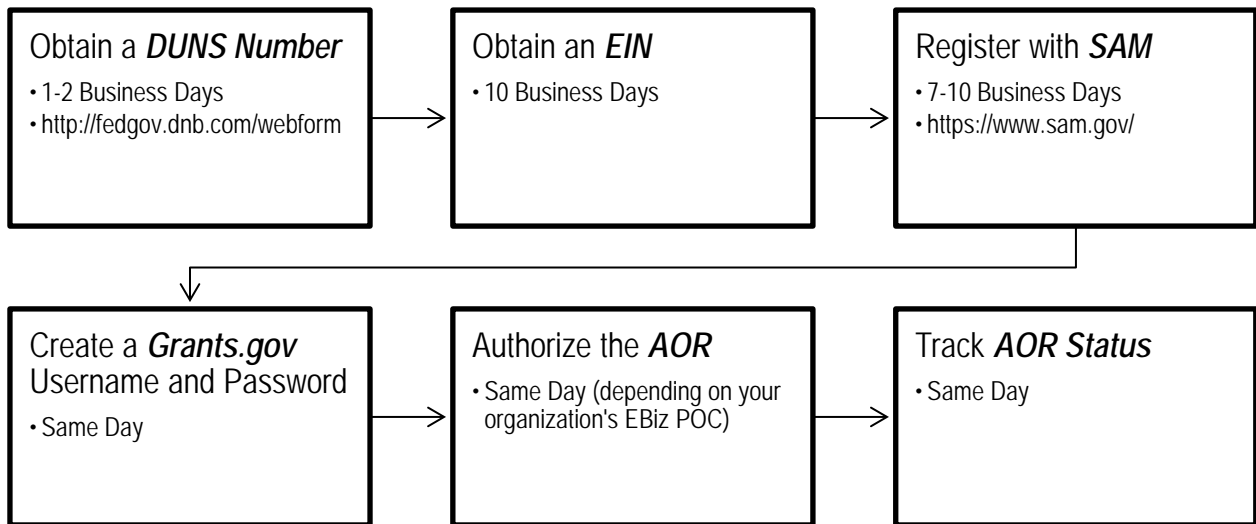
1. Register Early and Submit Early.

To submit an application through <http://www.grants.gov/> (Grants.gov), an applicant must register for a Grants.gov user ID and password. Note that this process can take between **three to five business days** or **as long as four weeks** if all steps are not completed correctly. Information about the Grants.gov registration process for organizations can be found at <http://www.grants.gov/web/grants/applicants/organization-registration.html>. Please note that organizations already registered with Grants.gov do not need to re-register; however, all

registered organizations must keep their System for Award Management (SAM), which includes the Central Contractor Registration (CCR) database, registration up-to-date through sam.gov or their applications will not be accepted by Grants.gov.

a. Pre-Submission Registration

Before submitting a Full Application under this NOFO, each applicant must both register with Grants.gov and register its Authorized Organization Representative (AOR) with Grants.gov. Applicants should note that this process can be lengthy, requires interaction with multiple organizations not affiliated with EDA, and requires confirmation at each step.



Applicants may have already completed one or more of the steps set forth in the above flowchart, which depicts an example of how the pre-submission registration process generally flows (e.g., applicants may have already registered with Grants.gov, in which case they do not need to re-register). However, note that applicants that have not completed any of the above steps may require 23 or more business days to complete the required steps serially. Grants.gov is a centrally-managed Federal grants portal, and changes or updates to the process outlined above may occur after the publication of this NOFO. Prospective applicants should visit <http://www.grants.gov/web/grants/applicants/organization-registration.html> to ensure that they follow the most up-to-date instructions.

2. AOR Requirement

Applicants must register as organizations, not as individuals. As part of the registration process, you will register at least one Authorized Organization Representative (AOR) for your organization. AORs registered at Grants.gov are the only officials with the authority to submit applications at Grants.gov so please ensure that your organization's application is submitted by an AOR. **If the application is submitted by anyone other than your organization's AOR, it will be rejected by the Grants.gov system and cannot be considered by EDA.** Note that a given organization may designate multiple individuals as AORs for Grants.gov purposes.

3. Field Limitations and Special Characters

Please be advised that [Grants.gov](https://www.grants.gov) provides the following notice with respect to form field limitations and special characters: <https://www.grants.gov/web/grants/applicants/submitting-utf-8-special-characters.html>.

4. Verify That Your Submission Was Successful

Applicants should save and print written proof of an electronic submission made at Grants.gov. Applicants can expect to receive multiple emails regarding the status of their submission. Since email communication can be unreliable, applicants must proactively check on the status of their application if they do not receive email notifications within a day of submission.

An applicant should expect to receive two initial emails from Grants.gov: the first will confirm receipt of the application, and the second will indicate that the application has either been successfully validated by the system before transmission to EDA or has been rejected due to errors. It can take up to two business days after Grants.gov receives an application for applicants to receive email notification of an error. Applicants will receive a third email once EDA has retrieved their applications.

EDA requests that applicants kindly refrain from submitting multiple copies of the same application package.

Applicants should save and print both the confirmation screen provided on the Grants.gov website after the applicant has submitted an application, and the confirmation email sent by Grants.gov when the application has been successfully received and validated in the system. If an applicant receives an email from Grants.gov indicating that the application was received and subsequently validated, but does not receive an email from Grants.gov indicating that EDA has retrieved the application package within 72 hours of that email, the applicant may contact EDA using the contact information in section G (p. **Error! Bookmark not defined.**) of this announcement to inquire if EDA is in receipt of the applicant's submission.

It is the applicant's responsibility to verify that its submission was timely received and validated successfully at Grants.gov. To see the date and time your application was received, navigate to <https://www.grants.gov> and click on the "Track My Application" link under the "Applicants" tab. For a successful submission, the application must be received and validated by Grants.gov and an agency tracking number assigned. If your application has a status of "Received" it is awaiting validation by Grants.gov. Once validation is complete, the status will change to "Validated" or "Rejected with Errors." If the status is "Rejected with Errors," your application has not been received successfully. For more detailed information on why an application may be rejected, please see "Encountering Error Messages" at <https://www.grants.gov/web/grants/applicants/encountering-error-messages.html> and "Frequently Asked Questions by Applicants" at <https://www.grants.gov/web/grants/applicants/applicant-faqs.html>.

5. Grants.gov Systems Issues

If you experience a Grants.gov systems issue (i.e., a technical problem or glitch with the Grants.gov website) that you believe threatens your ability to complete a submission in a timely manner, please (i) print any error message received; (ii) call the Grants.gov Contact Center at (800) 518-4726 for assistance; and (iii) contact EDA using the contact information in section G (p. **Error! Bookmark not defined.**) of this NOFO. Ensure that you obtain a case number regarding your communications with Grants.gov. 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 AOR submits the application, or (iii) notice receipt of an email message from Grants.gov are **not** considered systems issues. A Grants.gov systems issue is an issue occurring in connection with the operations of Grants.gov itself, such as the temporary loss of service by Grants.gov 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 access the following link for assistance in navigating Grants.gov and for a list of useful resources: <http://www.grants.gov/web/grants/support.html>. If you do not find an answer to your question under the "Applicant FAQs," try consulting the "Grants Online User Guide" at https://www.grants.gov/help/html/help/Get_Started/Get_Started.htm or contacting Grants.gov by email at support@grants.gov or telephone at 1-800-518-4726. The Grants.gov Contact Center is open 24 hours a day, seven days a week, except on Federal holidays.