NOTICE OF FUNDING OPPORTUNITY
Public Works and Economic Adjustment Assistance Programs
EXECUTIVE SUMMARY

Federal Agency Name: Economic Development Administration (EDA or the Agency), U.S. Department of Commerce (DOC).

Federal Funding Opportunity Title: Fiscal Years (FY) 2023, 2024, and 2025 Public Works and Economic Adjustment Assistance Notice of Funding Opportunity (FY 23/24/25 PWEAA NOFO).

Effective date: 03/15/2023, updated 10/01/2024, updated 09/16/2025

Funding Opportunity Number: PWEAA2023

Assistance Listings: 11.300, Investments for Public Works and Economic Development Facilities and 11.307, Economic Adjustment Assistance.

Dates: There are no application submission deadlines. Applications will be accepted on an ongoing basis until the publication of a new PWEAA NOFO, cancellation of this PWEAA NOFO, or all available funds have been expended. EDA intends to review applications expeditiously upon receipt of the complete application.

Eligible applicants: Pursuant to section 3(4) of PWEDA (42 U.S.C. § 3122(4)(a)) and 13 C.F.R. § 300.3 (Eligible Recipient), eligible applicants for EDA financial assistance under the Public Works and EAA programs include a(n): (i) District Organization of an EDA-designated Economic Development District; (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; (v) public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State. Individuals and for-profit entities are not eligible for funding under this NOFO; (vi) economic development organization; or (vii) public-private partnership for public infrastructure.

Funding Opportunity Description: Subject to the availability of funds, awards made under this NOFO will assist communities and regions in devising and implementing long-term economic development efforts through a variety of non-construction and construction projects.

TABLE OF CONTENTS

A. Program Description

1. Overview

EDA has authority to provide grants to meet the full range of communities' and regions' economic development needs from planning and technical assistance to construction of infrastructure. These grants are made through a series of Notices of Funding Opportunity (NOFOs) that can be found on EDA's website at https://www.eda.gov/funding/funding-opportunities and are designed to support the economic development activities most useful to a community based on its needs and circumstances. EDA funds community or regionally generated ideas and assists communities to advance to the next level of economic development.

This NOFO, which supersedes the FY20 PWEAA NOFO, sets out EDA's application submission and review procedures for two of EDA's core economic development programs authorized under the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3121 et seq.) (PWEDA): (1) Public Works and Economic Development Facilities (Public Works) and (2) Economic Adjustment Assistance (EAA).

EDA supports bottom-up strategies that build on regional assets to spur economic growth and resiliency. EDA encourages its grantees throughout the country to develop initiatives that present new ideas and creative approaches to advance economic prosperity in distressed communities. Further, EDA recognizes the value of project alignment and integration with existing regional public or private investments to extend the impact of these efforts. Examples of existing regional efforts include: the Designated Tech Hubs, Recomplete Pilot Program Finalists, and National Science Foundation (NSF) Engines award recipients.

a. EDA Investment Priorities

Each project funded under this NOFO must be consistent with at least one of EDA's Investment Priorities:

1. Critical Infrastructure
2. Workforce
3. Innovation and Entrepreneurship
4. Economic Recovery Resilience
5. Manufacturing

More information about these Investment Priorities, including definitions, can be found at https://www.eda.gov/funding/investment-priorities. EDA's website may be updated from time to time if there are any revisions to these Investment Priorities. This NOFO will also be updated to reflect any such revisions.

b. Comprehensive Economic Development Strategy (CEDS)

Each project must be consistent with the region's current Comprehensive Economic Development Strategy (CEDS), or if a CEDS does not exist, an equivalent EDA-accepted regional economic development strategy that meets EDA's CEDS or strategy requirements (except for a strategy grant to develop, update, or refine a CEDS). Applicants must identify the CEDS or equivalent EDA-accepted regional economic development strategy and clearly detail in the ED-900 how the project will support the economic development needs and objectives outlined in the strategy. If EDA does not already possess the applicable CEDS, the Applicant may be required to provide it. If an Applicant is relying on an alternate strategy other than a CEDS (i.e., if a CEDS does not exist), the Applicant must provide a copy of the alternate strategy document by attaching it to the application, and EDA will review it.

2. Program Information

As detailed in section B.1. of this NOFO, there may be separate program funds for the Public Works and EAA programs. Applicants do not need to specify the program for which they are applying. EDA will consider the application under the most appropriate pool of funding.

a. Public Works

Through the primarily construction-oriented Public Works program, EDA provides catalytic investments to help distressed communities build, design, or engineer critical infrastructure and facilities that will help implement regional development strategies and advance bottom-up economic development goals to promote regional prosperity. The Public Works program provides resources to meet the construction and/or infrastructure design needs of communities to enable them to become more economically competitive. Examples of projects that have been funded previously include, but are not limited to:

- acquisition and development of land and improvements for use in public works or other types of development facilities;
- design and engineering, construction, rehabilitation, alteration, expansion, or improvement of public works, public service, or related development facilities, including related machinery and equipment;
- water and sewer system improvements;
- creation or expansion of industrial parks;
- creation or expansion of business incubator and accelerator facilities;
- revitalization or expansion of aviation, port, and harbor facilities;
- construction or expansion of facilities for workforce development;
- redevelopment of brownfield sites;
- expansion, construction, or improvements of technology-based facilities and research and development commercialization centers, including the procurement of necessary equipment;
- construction, expansion, or improvement of wet labs, including the procurement of necessary equipment;
- construction of multi-tenant manufacturing facilities;
- expansion or improvement of research, business and science parks; and
- expansion or enhancement of public facilities with higher quality fiber optic cables and telecommunications infrastructure and broadband infrastructure deployment.

b. Economic Adjustment Assistance (EAA)

Through the EAA program, EDA provides investments that support a wide range of construction and non-construction activities in regions experiencing adverse economic changes that may occur suddenly or over time. Supported activities include construction and non-construction such as workforce training, design and engineering, technical assistance, economic recovery strategies, and capitalization or re-capitalization of Revolving Loan Funds (RLF). EDA utilizes EAA investments to provide resources that help communities experiencing or anticipating economic dislocations to plan and implement specific solutions to leverage their existing regional economic advantages to support economic development and job creation. Like Public Works investments, EAA investments are designed to help communities catalyze public-private partnerships to foster collaboration, attract investment, create jobs, and foster economic resiliency and prosperity. Examples of projects that have been funded previously include, but are not limited to:

- construction or upgrading of public infrastructure;
- design and implementation of workforce projects (see section D.2.b.i.);
- activities necessary to strengthen cluster acceleration and expansion;
- capitalization or recapitalization of revolving loan funds (RLFs);
- development and implementation of long-term disaster recovery and resiliency plans;
- enhancement of infrastructure to make it more resilient to natural disasters;
- implementation of military base realignments and closures (BRAC) responses;
- development or expansion of commercialization and proof of concept centers;
- procurement of equipment for workforce training programs;
- market or industry research and analysis for larger hard or soft economic projects;
- creation or expansion of foreign direct investment, trade, or export initiatives;
- economic development projects that enhance density in the vicinity of other economic development;
- "strategy grants" to develop, update, or refine a Comprehensive Economic Development Strategy (CEDS) as described in EDA's regulations at 13 C.F.R. § 307.3; and
- development of projects that provide technical assistance to enhance the capacity of key economic development actors in the region to promote the region's locally owned strategies (e.g., disaster coordinators).

The EAA program is also designed to provide specific investment assistance to communities harmed by the closure of nuclear, biomass, or coal facilities. EAA assistance to Nuclear Closure Communities (NCCs) and Biomass Closure Communities (BCC) supports communities that have been impacted, or can reasonably demonstrate they will be impacted, by closures of nuclear or biomass power plants. Similarly, EAA Assistance to Coal Communities (ACC) supports communities that have been negatively impacted by the closure of coal facilities. For more information on eligibility for NCC, BCC, or ACC, see the Special Need section of this NOFO below at C.3.b.

For more information regarding Public Works, EAA, or one of EDA's other programs, as well as recent examples of awarded projects, applicants are encouraged to visit www.eda.gov. In addition, for information on factors that would make a project ineligible, see section A.3 below.

3. Ineligible Projects

Some projects are generally ineligible under this NOFO, including projects that are primarily residential in nature (e.g., housing), projects to create community amenities (e.g., swimming pools, zoos, recreational centers), projects that 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). 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. See also section F.2.d. of this NOFO.

4. Statutory Authorities

The statutory authority for EDA's Public Works program is section 201 of PWEDA (42 U.S.C. § 3141). The statutory authority for EDA's EAA program is section 209 of PWEDA (42 U.S.C. § 3149). Regulations governing the Public Works program are at 13 C.F.R. part 305, and regulations governing the EAA program are at 13 C.F.R. part 307. These regulations are accessible at the U.S. Government Publishing Office website at www.ecfr.gov. In the event of discrepancies between the instructions and information provided in this NOFO and EDA's regulations, EDA regulations will control.

5. Federal Awarding Agency Contact

Potential applicants should contact the EDA representative listed for their State (see section G of this NOFO) to obtain additional information regarding any information in this NOFO.

B. Federal Award Information

1. Funding Available

In the past, the average size of a Public Works investment has been approximately $1.4 million. In FY2025, EDA expects investments ranging from $600,000 to $5 million. The average size of an EAA investment has been approximately $650,000, and EDA expects to make investments ranging from $150,000 to $2.5 million in FY2025. ACC, NCC, and BCC awards generally have ranged from $500,000 to $3 million for implementation projects and from $100,000 to $350,000 for planning activities. EDA anticipates making similar sized awards, subject to the availability of funding.

Note: The funding periods and amounts referenced in this PWEAA NOFO are subject to the availability of funds at the time of award as well as DOC and EDA priorities at the time of award. Applications for funding of activities related to existing awards may compete with applications for new awards.

2. Type of Funding Instrument

EDA may award grants or cooperative agreements under this NOFO. EDA will primarily award grants under this NOFO. EDA, however, 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" will generally be collaboration between EDA and the recipient on the scope of work. Other possible examples of EDA's substantial involvement pursuant to a cooperative agreement 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; and (iii) operational involvement during the project to ensure compliance with statutory requirements.

3. Period of Performance

The period of performance for a given project will depend on the nature of the project for which the grant or cooperative agreement is awarded. Typically, strategy grants and non-construction projects may range in duration from 12 to 24 months. Construction projects are expected to range from 12 to 48 months and are expected to be completed within 5 years from award date. EDA will work closely with 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 expects applicants to clearly document how quickly they will be able to start and complete the proposed project scope of work within the above timeframes.

C. Eligibility Information

1. Eligible Applicants

Eligible applicants for investment assistance under this NOFO include a(n):

- District Organization;
- Indian Tribe or a consortium of Indian Tribes;
- State,[1] 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;
- Institution of higher education or a consortium of institutions of higher education;
- Public or private non-profit organization or association acting in cooperation with officials of a political subdivision of a State;
- Economic development organization; or
- Public-private partnership for public infrastructure.

Under the Public Works and EAA programs, EDA is not authorized to provide grants or cooperative agreements to individuals or to for-profit entities, and such requests will not be considered for funding.

2. Cost Share or Matching

a. EDA Investment Rate

With limited exceptions, cost share is required for projects funded under this NOFO. Generally, the maximum baseline EDA investment rate (percentage of the total project costs) will be 60 percent, but EDA may fund a higher percentage of total project costs in limited circumstances based on the relative needs of the region. Table 1 below sets forth the maximum allowable investment rate depending on the economic distress of the region:

[1] Under section 3(10) of PWEDA (42 U.S.C. § 3122), the term "State" includes any State, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. 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.

TABLE 1

Projects located in regions in which:	Maximum allowable investment rates (percentage of total project cost)
(A) The 24-month unemployment rate is at least 225% of the national average; or	80
(B) The per capita income is not more than 50% of the national average.	80
(C) The 24-month unemployment rate is at least 200% of the national average; or	70
(D) The per capita income is not more than 60% of the national average.	70
(E) The 24-month unemployment rate is at least 1 percentage point greater than the national average; or	60
(F) The per capita income is not more than 80% of the national average.	60

For projects subject to a Special Need, as outlined in section C.3.b below, EDA will determine the maximum allowable investment rate, not to exceed 80 percent of total project costs, based on the actual or threatened overall economic situation of the region in which the project is located. In addition, EDA's regulations allow an investment rate of up to 100 percent for Indian tribes, for a State or political subdivision of a State that can document that it has exhausted its effective taxing and borrowing capacity, or for a non-profit organization that can document that it has exhausted its borrowing capacity.

b. Documentation of Cost Share or Matching

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

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

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

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

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

3. EDA Distress Criteria

In order to be eligible for funding under this NOFO, an applicant must propose a project that meets EDA's distress criteria. Applicants must self-define the appropriate region geographically. The geographic area comprising a region need not be contiguous or defined by political boundaries but should constitute a cohesive area capable of undertaking self-sustained economic development. Applicants must provide third-party data that clearly indicate that the relevant region is subject to one (or more) of the following economic distress criteria: (i) an unemployment rate that is, for the most recent 24-month period for which data are available, at least one percentage point greater than the national average unemployment rate; (ii) per capita income that is, for the most recent period for which data are available, 80 percent or less of the national average per capita income; or (iii) a "Special Need," as determined by EDA. Applicants may find EDA-funded tools useful in characterizing economic development need in their region. These can be found https://www.eda.gov/grant-resources/tools.

EDA will review and evaluate documentation submitted by the applicant to determine eligibility. EDA will reject any documentation of eligibility that the agency determines is inaccurate or incomplete, which may cause the application to be rejected. EDA reserves the right to request additional documentation or information from the applicant to make an eligibility determination. The proposed project must meet EDA's distress criteria as of the date EDA receives a complete application. However, if an award has not been made within six months of that date, EDA will then re-evaluate the project to determine continued eligibility for investment assistance. If the project no longer meets EDA's distress criteria, the project will no longer be considered.

For construction projects (including design and engineering) the project must be located within an eligible region. For non-construction projects, the investment's scope of work must primarily benefit an eligible region, and stakeholders from that eligible area must be directly engaged. EDA suggests that applicants work closely with the EDA representative listed for their State as they define an eligible region for their project.

A proposed project may meet the regional eligibility criteria in one of the following three ways:

1. The proposed project will be located in a region that meets EDA's economic distress criteria;
2. The proposed project is located in an Economic Development District (EDD) that is located in a region that does not meet EDA's economic distress criteria, and EDA determines the proposed project will be of substantial direct benefit to a geographic area within the EDD that meets EDA's economic distress criteria; or
3. The proposed project will be located in a geographic area of poverty or high unemployment that meets EDA's economic distress criteria, but which is located in a region that overall does not meet EDA's distress criteria.

Below are further details on economic distress criteria. See also 13 C.F.R. § 301.3(a).

a. Unemployment Rate & Per Capita Income

For economic distress levels based upon per capita income requirements, EDA will base its determination upon the most recent American Community Survey (ACS) published by the U.S. Census Bureau. For economic distress levels based upon the unemployment rate, EDA will base its determination upon the most recent data published by the Bureau of Labor Statistics (BLS), within the U.S. Department of Labor. For eligibility based upon either per capita income requirements or the unemployment rate, when the ACS or BLS data, as applicable, are not the most recent Federal data available, EDA will base its decision upon the most recent Federal data from other sources (including data available from the Census Bureau and the Bureaus of Economic Analysis, Labor Statistics, Indian Affairs, or any other Federal source determined by EDA to be appropriate). If no Federal data are available, an applicant must submit to EDA the most recent data available from the State. The required State data must be for the region where the project will be located, the geographic area where substantial direct project benefits will occur, or the geographic area of poverty or high unemployment, as applicable. Please also include applicable 2-digit state and 3-digit county FIPS codes, where possible.

b. "Special Need"

As defined by EDA, "special need" includes meeting one or more of the following criteria:

i) Closure or restructuring of industries or the loss of a major employer essential to the regional economy as defined by:
   a) a public announcement of an impending closure or restructuring of a firm expected to occur within four (4) years of review of an application submission; or
   b) an actual closure or restructuring of a firm within the 24 months prior to submission of an application, resulting in sudden job losses; AND
   c) such threatened or actual closure results in sudden job losses meeting the following dislocation criteria:

1) For regions with a population of at least 100,000, the threatened or actual dislocation is 500 jobs, or one percent of the civilian labor force (CLF), whichever is less.
2) For regions with a population up to 100,000, the threatened or actual dislocation is 200 jobs, or one percent of the CLF, whichever is less.

ii) Substantial out-migration or population loss.

iii) Underemployment, meaning employment of workers at less than full-time or at less skilled tasks than their training or abilities permit.

iv) Military base closures or realignments, defense contractor reductions-in-force, or Department of Energy defense-related funding reductions.

v) Natural or other major disasters or emergencies. A region that has received one of the following disaster declarations is eligible:

  a) A Presidentially declared disaster (declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. § 5121 et seq.)); or
  b) A Federally declared disaster (pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, as amended (16 U.S.C. § 1861a(a)); the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. § 1961); or the Small Business Act, as amended (Pub. L. No. 85- 536, 15 U.S.C. § 631 et seq., 72 Stat. 384 (1958)).

Applicants must demonstrate a clear nexus between the needs created by the declared disaster and the proposed project.

vi) Extraordinary depletion of natural resources or other impact attributable to a new or revised Federal regulation or policy that will have a significant impact on a community's ability to prevent an extraordinary depletion of natural resources. For example, in the case of a Federal fishing regulation designed to promote and sustain a community and its fishery in the long-term, EDA could quickly help a coastal community respond to any short-term economic dislocations.

vii) Communities undergoing transition of their economic base as a result of changing trade patterns.

viii) A project located in a persistent poverty county or high-poverty area. For purposes of determining Special Need, the term "persistent poverty county" means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates. The term "high-poverty area" means any census tract with a poverty rate of at least 20 percent as measured by the 2016–2020 5-year data series available from the American Community Survey of the Census Bureau. One available tool to obtain this information can be found at https://mtgis-portal.geo.census.gov/arcgis/apps/webappviewer/index.html?id=31e10881bd1040b7b0ae685559917509.

ix) The project is located in a community impacted by the closure of facilities in the nuclear, biomass, or coal industries. See section C.3.c. below for required documentation.

x) Other Special Need. The area is experiencing other special or extraordinary economic adjustment needs, as determined EDA.

c. Assistance to Energy Communities

i. Assistance to Coal Communities

Applications seeking ACC funding based on Special Need distress criteria must provide appropriate third-party economic and demographic statistics, such as those described in section C.3.c.iii. below, to document the extent to which contractions in the coal economy have negatively impacted, or can reasonably demonstrate that they will negatively impact, the community or region. In general, for past coal economy contraction events, EDA will consider applications for projects in communities and regions where the "event" (e.g., closure of a coal mine or a coal-fired power plant, closure of various coal economy supply chain businesses, etc.) took place within 15 years prior to the application submission date.

ii. Assistance to Nuclear or Biomass Closure Communities

Applicants for NCC or BCC funding based on Special Need criteria must demonstrate the manner and extent to which a region has been impacted or will be impacted by Nuclear Power Plant (NPP) or Biomass Power Plant (BPP) closure(s). Geographic proximity to an NPP or BPP closure is by itself insufficient to demonstrate eligibility. Applicants must provide appropriate third-party economic and/or demographic data to document the extent to which NPP/BPP closure(s) have negatively impacted the region. Applicants are encouraged to cite federal data resources such as those described below in section C.3.c.iii. below.

iii. Data Sources

Applicants for ACC, NCC, or BCC funding are encouraged to cite federal data resources. These may include, but are not limited to:

- i) U.S. Department of Commerce, Bureau of Economic Analysis, http://www.bea.gov
- ii) U.S. Department of Commerce, U.S. Census Bureau- American Community Survey (ACS): https://www.census.gov/programs-surveys/acs/
- iii) U.S. Department of Labor, Bureau of Labor Statistics (BLS): http://www.bls.gov/
- iv) U.S. Department of Labor, Mine Safety Health Administration: https://www.msha.gov/
- v) U.S. Department of Energy, Energy Information Administration (EIA): https://www.eia.gov/
- vi) U.S. Department of Interior, Bureau of Indian Affairs (BIA)- American Indian Population and Labor Force Reports: http://www.bia.gov/
- vii) StatsAmerica: http://www.statsamerica.org
- viii) U.S. Nuclear Regulatory Commission: https://www.nrc.gov
- ix) Argonne National Laboratory- National Economic Resilience Data Explorer (NERDE): https://www.anl.gov/dis/national-economic-resilience-data-explorer-nerde

If federal data is not available, applicants may consider demonstrating the negative impacts of coal, nuclear, and biomass power plant closure(s) using data including but not limited to local/regional economic indicators, labor market analyses, official announcements made by local and regional industries and firms, and demographic and industry data.

Applicants seeking ACC, NCC, or BCC funding in regions that will be impacted in the future by coal, nuclear, or biomass power plant closure(s) must provide documentation demonstrating that the region will be negatively impacted in the future by such closure(s). Such documentation may, but is not required to, take the form of an announcement of future closure and should be substantiated to the extent possible by third-party data sources as listed above.

4. Other Criteria

See section A.1.a. for information on other criteria: EDA investment priorities and the Comprehensive Economic Development Strategy.

D. Application and Submission Information

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

1. Obtaining an Application and Electronic Submission through EDGE

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

a. Verification of Submission

Applicants should save and print written proof of an electronic submission made through EDGE. Applicants, specifically the Authorized Representative submitting the application and materials, will receive a time and date stamped email from EDGE confirming the submission and receipt of the application and other required documents.

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

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

If you experience a systems issue with EDGE, see section D.8. below for instructions.

b. Alternatives to Submission through EDGE

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

2. Content and Form of the Application

a. Application Format and Signatures

All relevant forms, as identified per section D.1. of this NOFO, must be signed electronically by the applicant's Authorized Representative.

The preferred electronic file format for attachments is Adobe portable document format (PDF); however, EDA will accept electronic files in Microsoft Word, WordPerfect, or Microsoft Excel formats. All documentation and data submitted should be current and applicable as of the date submitted.

b. Required Documents

The following application forms must be submitted for all project types in addition to any other forms required for your specific project type:

- Form SF-424 (Application for Federal Assistance)
- Form ED-900 (General Application for EDA Programs)
- Budget Narrative
- Match Commitment Letter and supporting documentation (see section C.2.)
- Form CD-511 (Certification Regarding Lobbying)

ED-900 Information. Each section of the ED-900 must be filled out. Please also note the following additional instructions for the ED-900:

- If the project is a workforce project, in order to be competitive, the ED-900 must discuss in section B.2 its compliance with the workforce project requirements detailed in section D.2.b.i. below, including any plans to establish a registered apprenticeship program.

If a project requires or anticipates the payment of federal funds to third parties (such as partners, consultants, vendors, and/or service providers), it is the applicant's responsibility to determine whether a third party should be characterized as a subrecipient or a contractor. The characterization must be reflected in the terms of each agreement made with each third party. (See 2 C.F.R. § 200.1 for definitions of contract, contractor, subaward, and subrecipient; see also 2 C.F.R. § 200.331, Subrecipient and contractor determinations.)

All subawards must receive EDA prior approval. If selected for award, and before initial disbursement of any funds by EDA for any costs incurred by a subrecipient, EDA may request documentation demonstrating that the subrecipient is an entity eligible to receive EDA assistance.

In addition to the four forms required for all applications, Table 2 below provides a complete list of documents required based on the type of EDA assistance:

TABLE 2

	Construction	**Design & Engineering**	**Non-Construction (including sector partnerships)**	**Revolving Loan Fund**
SF-424 (Application for Federal Assistance)	X	X	X	X
ED-900 (General Application for EDA Programs)	X	X	X	X
Match Commitment Documentation	X	X	X	X
CD-511 (Certification Regarding Lobbying)	X	X	X	X
SF-LLL (If Applicable)	X	X	X	X
SPOC Documentation (If Applicable)	X	X	X	X
Indirect Cost Rate Documentation (If Applicable)		X	X	X
Organizational Documentation (If Applicable) (see below for examples)	X	X	X	X
SF-424A (Budget Information—Non-Construction Programs)			X	X
SF-424C (Budget Information—Construction Programs)	X	X		
SF-424D (Assurances—Construction Programs)	X	X		
ED-900B (Beneficiary Information Form) from each beneficiary, as applicable	X			
ED-900C (EDA Application Supplement for Construction Programs) and supporting documentation, e.g., Preliminary Engineering Report (PER).	X			
ED-900D (Requirements for Design and Engineering Assistance)		X		

	Construction	Design & Engineering	Non-Construction (including sector partnerships)	Revolving Loan Fund
ED-900E (Calculation of Estimated Relocation and Land Acquisition Expenses)	X			
ED-900F (Additional EDA Assurances for Revolving Loan Fund Applications)				X
Environmental Narrative	X	X		
Certification Clause (with environmental narrative)	X	X		
Map	X	X		
Draft RLF Plan				X
Budget Narrative (see below)	X	X	X	X

*Co-applicants will be required to submit their own SF-424, CD-511, SF-LLL (if applicable), SF-424D (if applicable), Applicant Certification Clause as part of the Environmental Narrative (if applicable), and organizational documentation.

The Draft RLF plan must address all components required by EDA's regulation at 13 C.F.R. § 307.9.

The Budget Narrative must identify and justify how funds in each line item of the budget 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 or SF-424C, as applicable. This includes describing any other Federal funds that have been secured or requested to support the project (see section C.2.b.). The Budget Narrative should include itemized valuations of any in-kind matching funds. The non-Federal Share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal Share; however, if the applicant's Budget Narrative proposes otherwise, applicants must also include information that clearly indicates what project elements the matching share funds will support and explain why deviation from paying out at the same general rate is required for the project to be implemented. For construction projects, the budget narrative may be included in the Preliminary Engineering Report.

i. Additional Requirements for Workforce Projects

EDA is not prioritizing any investment priorities over another under this NOFO. That said, both non-construction and construction workforce development projects have special requirements.

Consistent with the Comprehensive Worker Investment and Development Strategy prepared under Executive Order 14278, titled Preparing Americans for High-Paying Skilled Trade Jobs of the Future, non-construction workforce projects eligible under this NOFO will support industry-driven sector partnerships that will support Americans in securing and retaining jobs. For the purposes of this NOFO, "sector partnership" is defined as a partnership of employers from the same industry who join with other strategic partners to train and place workers into jobs that the employers need filled and intend to fill through the partnership. The strategic partners should include education and training institutions, such as community and technical colleges, and can also be comprised of public, private, and non-profit organizations. A sector partnership is focused on one specific industry and one or more specific roles within that industry. The lead entity of a sector partnership (i*.e.,* Backbone Organization) serves as an intermediary across all the partners in the sector partnership and must be an EDA eligible applicant to receive funding through this NOFO. Sector partnerships are effective because: they are carefully built to include necessary partners before workforce solutions are designed; they cut across traditional economic development, workforce, education, and social services system silos; they are targeted to in-demand sectors with jobs; and they consider the economic realities of a regional industry in assessing workforce demand and training needs. Of particular interest are jobs in manufacturing and adjacent industries, such as semiconductors, aerospace, shipbuilding, biopharmaceuticals, data centers, energy production, and other industries that serve as the foundation for American economic and national security. In addition, consistent the Administration's AI Action Plan, workforce projects should include artificial intelligence (AI) skill development where relevant and feasible. Further, projects must be aligned to America's Talent Strategy: Building the Workforce for the Golden Age.

A project that is entirely or partially intended to develop, deploy, expand, or initiate workforce training, must:

- Demonstrate industry driven strategies. EDA is seeking applications that prioritize industry needs and align workforce programs with private sector training investments and evolving skill demands. Applicants will demonstrate this by scaling Registered Apprenticeships and other high-quality work-based learning models, and aligning education and training programs to career pathways.

- Identify credentials that are skills based and valued in the labor market to support and train workers into great, high-paying job opportunities through a sector partnership, as well as features that increase worker mobility (e.g., technology-based solutions to enhance career navigation and mobility, competency-based assessments, etc.).

- Carry out activities in one or both of the following categories:
  - **Program Design** funding for projects to identify the skills needed by industry and workers, develop the skills training curriculum and materials, and secure technical expertise needed to train workers with the skills needed by businesses, including providing professional development, capacity-building to trainers and educators, and integrating efforts across the state and local workforce training systems, and/or
  - **Program Implementation** funding to deliver workforce training and wrap-around services, as needed, that place workers into great, high-paying jobs through a new or expanded sector partnerships. Program implementation projects may provide participant support costs, such as wrap-round services, as needed to support program goals.

- Measure and evaluate outcomes such as workers' employment and earnings to guarantee programs demonstrate success in connecting Americans with high-wage jobs. Ensure that data is transparent, actionable, secure, and linked back to those executing programs.

- Prioritize AI literacy and other skills necessary to prepare Americans and regions for the impact artificial intelligence will have on local economies and labor markets.

If the project is a workforce project, its compliance with the elements outlined above must be documented in section B.2 of the ED-900 (as discussed below) and will be evaluated as part of the project's competitiveness. See section E.1.

EDA recognizes that in many circumstances having adequate, modernized facilities is a critical component of a successful workforce training program that responds to industry needs today and into the future. As such, equipment costs, expenses related to securing adequate space (*e.g.*, rent, leases), and other non-construction capital expenses are allowable expenses under workforce projects. Building-based construction projects (*i.e.*, any activity that disturbs the ground or modifies a structure) should be submitted as a construction project.

For construction projects, it is critical that any future programming that will occupy the facility also follow the above principles related to employer engagement and job commitments.

ii. Additional Requirements for Incubators and Accelerators

In addition to the required forms listed above, applications for **a business technology, or other type of incubator or accelerator**, must also include the following:

1. A feasibility study establishing the market demand for the specific start-up companies proposed for incubation (technology, general business, bio-tech, manufacturing, etc.) and the presence of necessary resources and community support;
2. Documentation with detailed demonstration that the applicant has the financial capacity to operate the facility (if applicable) and reach a positive cash flow within a reasonable period of time, which EDA generally expects to be three years; and
3. A management plan for operation that, at a minimum, includes a/an:
    - Tenant/client selection policy that includes a description of the types of businesses sought and any established selection criteria;
    - Tenant lease or license agreement (if applicable) that enumerates the shared services to be provided; delineates the business assistance policy, including the provision of management, technical, and training assistance, and the graduation policy; and establishes periodic access to the tenant's business records to permit assessment of the financial and operational viability of the tenant's business;
    - Business assistance policy that outlines the various types of assistance that will be provided to start-up firms, including how support will be provided to tenants/clients with access to capital needed to grow their businesses successfully;
    - Staffing plan that details the talent and resources that will be dedicated to supporting the startup companies accepted;
    - Tenant graduation policy that is documented as a provision of the tenant lease or license agreement (if applicable) with clear requirements for tenant graduation from the facility or services; and
    - Performance plan that includes how the entity will track the success of tenants/clients, specifically identifying what performance measurement data are proposed to be collected from tenants/clients and for what period of time during and after the service

period the data will be collected. This should also include members of any oversight or policy board that will be responsible for setting performance goals, selecting or approving selections of staff, establishing and reviewing policy, and monitoring performance.

c. Conditionally Required Documents

These documents may be required for a complete application, depending on the circumstances:

i. Form SF-LLL (Disclosure of Lobbying Activities)

A form SF LLL is required if an applicant has retained a registered lobbyist in conjunction with the proposed project.

ii. SPOC Compliance Documentation

If a project's primary service area is located within one or more States that participate in the intergovernmental review process established by Executive Order 12372, "Intergovernmental Review of Federal Programs," an applicant must submit documentation demonstrating compliance with that State's or those States' processes. See section D.5 "Intergovernmental Review" of this NOFO. The current list of participating States and their Single Points of Contact (SPOC) can be found at https://www.whitehouse.gov/wp-content/uploads/2024/08/SPOC-list-as-of-August-2024.pdf. Each State may participate for all or a subset of federal grant programs. EDA strongly encourages applicants to contact SPOCs early in the application period to determine the relevant State's or States' processes.

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

State does not participate	No documentation required—check SF-424 box 19(c).
State participates; this grant program not subject to review	Documentation (e.g., a State executive order, a letter from the SPOC) showing that this grant program is not subject to review—provide the documentation as an attachment to the application and check SF-424 box 19(b).
State participates; this grant program subject to review	Documentation (e.g., a letter from the SPOC) with comments or indicating that this project was not selected for review, or, if the comment period has expired or comments were not received, a copy of the applicant's request for comments (e.g., email)—provide the documentation as an attachment to the application and check SF-424 box 19(a).

iii. Indirect Cost Rate Documentation

If indirect costs are included in the budget, the applicant must include documentation to support the indirect cost rate they are using (unless claiming the de minimis indirect cost rate, discussed below).[2] The applicant must submit a copy of its current, approved, and negotiated indirect cost rate agreement

[2] Effective October 1, 2024, the revised Uniform Guidance raises the de minimis indirect cost rate from 10 percent to 15 percent (*see* 2 C.F.R. § 200.414(f)).

(NICRA). The maximum dollar amount of allocable indirect costs for which EDA will reimburse a recipient will be the lesser of the (i) line-item amount for the federal share of indirect costs contained in the EDA approved budget for the award, or (ii) federal share of the total allocable indirect costs of the award based on either (i) the indirect cost rate approved by EDA (or applicable cognizant federal agency), provided that the cost rate is current at the time the costs were incurred and provided that the rate is approved on or before the award end date, or (ii) other acceptable documentation as indicated below.

If the applicant does not have a current or pending NICRA, it may propose indirect costs in its budget; however, the applicant must prepare and submit an allocation plan and rate proposal for approval within ninety calendar days from the award start date (unless claiming the de minimis indirect cost rate, discussed below).[3] See 2 C.F.R. part 200 Apps. III, IV, V, VI, VII for guidance. The allocation plan and the rate proposal shall be submitted to EDA's Office of Regional Affairs (or the applicable cognizant federal agency). The applicant should include a statement in its Budget Narrative that it does not have a current or pending NICRA and will submit an allocation plan and rate proposal to EDA or the applicant's cognizant federal agency for approval.

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

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

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

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

iv. Environmental and Historic Preservation Documentation

All applicants for EDA construction assistance (and design and engineering assistance) are required to provide adequate environmental information. This includes filling out an environmental narrative attached to section H of the ED-900C and a certification clause found on Appendix A to the environmental narrative. Each application will be reviewed by EDA for compliance with the National

[3] Effective October 1, 2024, the revised Uniform Guidance raises the de minimis indirect cost rate from 10 percent to 15 percent (*see* 2 C.F.R. § 200.414(f)).

Environmental Policy Act (NEPA) of 1969, as amended. During the NEPA review process, applicants may be instructed to contact the designated State and/or Tribal Historic Preservation Officer (SHPO/THPO), provide approvals from other governmental agencies, or provide more detailed environmental information. EDA, after compliance with requirements for consultation with Federally recognized Indian Tribes, may require applicants to participate in Tribal consultation, as necessary. The implementing regulations of NEPA require EDA to provide public notice of the availability of project-specific environmental documents, such as environmental impact statements, environmental assessments, findings of no significant impact, and records of decision, to the affected public. As part of the environmental narrative, applicants must also provide information for compliance with EDA's floodplain review procedures, which implement the Federal Flood Risk Management Standard (FFRMS) established in Executive Order 13690 "Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input."

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

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

1. all iron and steel used in the project are produced in the United States–this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;

2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and

3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. BABA only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, these BABA requirements do not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does BABA apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

When necessary, recipients may apply for, and EDA may grant, a waiver from these requirements. EDA will notify the recipient of the process for requesting a waiver from these requirements upon request. A request to waive the application of BABA must be in writing. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the U.S. Made in America Office. Further detail on BABA and the waiver process is described at https://www.madeinamerica.gov.

vi. Organizational Documentation

Depending on the type of organization, an applicant may need to provide documentation that supports its organizational status as an eligible entity:

- States, federally-recognized Indian tribes, cities or other political subdivisions of States, and institutions of higher education that are 100% publicly controlled are not required to submit organizational documentation.
- Nonprofit organizations must submit documentation that demonstrates their status as nonprofit organizations. This must include articles of incorporation, bylaws, and certificate of good standing, or equivalent. It may also include proof of tax-exempt status.
    - Nonprofit or for-profit tribal entities, may need to submit similar documentation that demonstrate the entity is wholly owned by and operated for the benefit of the tribe.
- Other entities, including institutions of higher education that are not 100% publicly controlled, must provide documentation that demonstrates their organization type.

Regardless of entity type, EDA reserves the right to request documentation or additional proof of organizational status.

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

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

4. Submission Dates and Times

There are no application deadlines under this NOFO. Applications are accepted on a rolling basis subject to the availability of funds or until this NOFO is amended or a new PWEAA NOFO is published. EDA may cancel, modify, or withdraw this NOFO at any time.

5. Intergovernmental Review

Applications submitted under this PWEAA NOFO are subject to the requirements of Executive Order (EO) 12372, “Intergovernmental Review of Federal Programs,” if a State has adopted a process under EO 12372 to review and coordinate proposed Federal financial assistance and direct Federal development (commonly referred to as the “single point of contact review process”). All applicants must give States and local governments a reasonable opportunity to review and comment on the proposed Project, including review and comment from area-wide planning organizations in metropolitan areas. To find out more about a State’s process under EO 12372, applicants may contact their State’s Single Point of Contact (SPOC). Names and addresses of some States' SPOCs are listed on OMB's website at https://www.whitehouse.gov/wp-content/uploads/2024/08/SPOC-list-as-of-August-2024.pdf. Question 19 of Form SF-424 allows applicants to demonstrate compliance with EO 12372.

An applicant seeking funding under the Public Works program, or for a construction 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.

See section D.2.c.ii. of this NOFO for instructions on how to comply with this requirement.

6. Funding Restrictions

In general, EDA does not reimburse pre-award project costs. Applicants that are in need of such reimbursement should work closely with the EDA representative for their State 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 EDA or DOC be held responsible for application preparation expenditures, which are distinguished from pre-award project costs.

It is DOC policy that funds may not be used to pay for management fees in excess of costs or profits, unless statutorily authorized. Funds may not be used, directly or indirectly as an offset for other funds, to support or oppose collective bargaining. Additionally, the use of project funds to make financial equity or hybrid investments in businesses is not an allowable cost.

See section A.3. for project types that are generally ineligible.

As described in sec. E.2.e. of this NOFO, EDA aims to maintain a balanced portfolio by geography, applicant type, and project type to support regional economic development initiatives. To support this goal, and pursuant to PWEDA, not more than 15% of EDA's section 201 appropriation (investments made through the Public Works program) may be spent in a single state.

7. Other Submission Requirements

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

8. EDGE Systems Issues

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

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

E. Application Review Information

Throughout the review and selection process, EDA reserves the right to seek clarification in writing from applicants whose application packages are being reviewed. 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. After applications are reviewed during the Competitiveness Review but before the Investment Review Committee as those processes are described below, EDA will screen applications 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.b. will not be reviewed.

As discussed further in the sections below, the review and selection process will consist of a Competitiveness Review and an Investment Review Committee.

1. Criteria

a. Competitiveness Review Criteria

Each project will be reviewed on a pass/fail basis according to the following criteria in the Competitiveness Review process (detailed below):

i. Whether the project is responsive to this NOFO, including whether the proposed project budget is consistent with EDA's funding guidelines;

ii. The project's demonstrated alignment with EDA's current Investment Priorities as outlined at https://www.eda.gov/funding/investment-priorities;

iii. The availability and committed nature of proposed matching funds; and

iv. The project's alignment with the regional CEDS or other CEDS equivalent EDA-accepted economic development strategy if a CEDS does not exist.

Only applications that pass competitiveness review will be reviewed further, according to the following additional criteria in an Investment Review Committee (detailed below).

b. Investment Review Committee (IRC) Criteria

For construction and non-construction projects (except proposals for preparation or revision of a CEDS), the following criteria will receive equal weight:

i. The project's feasibility or likelihood that it will achieve its projected outcomes on the proposed schedule;

ii. The extent to which the project demonstrates support from and involvement with regional stakeholders, e.g. private, public, and non-profit entities, community-based organizations, workforce development boards, economic development organizations, schools, community colleges, neighborhood and housing associations, and the communities that stand to benefit;

iii. The extent to which the project demonstrates resiliency to future sudden and severe economic dislocations, e.g., closures of major local employers, etc.;

iv. The extent to which the project is aligned with and integrated into other public or private investments currently ongoing or planned for the community and region);

v. The degree of economic distress experienced in the project region;

vi. The project's demonstrated ability to foster job creation and retention, including the extent to which the project will create jobs and registered apprenticeships;

vii. The project's demonstrated ability to promote private investment in the regional economy; and

viii. The project's demonstrated alignment with EDA's current Investment Priorities as outlined at https://www.eda.gov/funding/investment-priorities.

In addition to the above criteria, for workforce projects only, EDA will consider the following criterion equal to the combined weight of the above eight criteria:

ix. The extent to which the project incorporates the workforce project requirements articulated in section D.2.b.i. of this NOFO, including the number of job placements expected and the number and type of employer commitments, relative to the capacity of the region.

For proposals to prepare or revise a CEDS, the following criteria will receive equal weight:

i. The quality of the proposed scope of work for the development, implementation, revision, or replacement of a strategic or economic development recovery, mitigation, or resilience plan;

ii. The project's potential to increase the capacity of the community or region to promote job creation, private investment in the regional economy, and resilience to sudden and severe economic dislocations;

iii. The project's feasibility and the likelihood that the project will achieve its projected outcomes;

iv. The project's demonstrated alignment with EDA's current Investment Priorities as outlined at https://www.eda.gov/funding/investment-priorities;

v. The ability of the applicant to successfully implement the proposed project; and

vi. The extent to which the project demonstrates support from regional stakeholders (private, public, and non-profit entities, etc.).

2. Review and Selection Process

a. Competitiveness Review (CR) Process

For construction and non-construction projects, except proposals for preparation or revision of a CEDS, EDA will conduct a Competitiveness Review (CR).

In CR, each Regional Office will review applications for their region. This review will be conducted by at least two EDA staff members. This CR team will review each application against the pass/fail evaluation criteria described above. Applications that the two reviewers agree fail any of the listed criteria will be deemed "Not Competitive" and will not receive further consideration. Projects that pass all criteria will be deemed "Competitive" and will advance to a full merit review by an Investment Review Committee (described below). Grants for the preparation or revision of a CEDS are not subject to CR.

b. Investment Review Committee (IRC) Process

For projects deemed Competitive after the CR, and all proposals for preparation or revision of a CEDS, each EDA Regional Office will convene periodic IRCs consisting of at least three EDA staff members. 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. The IRC will evaluate and rate projects according to the criteria listed in E.1.b. above.

Note: Throughout the application review and selection process, strategy grants will be evaluated independently from all other applications and will be reviewed based on specified strategy grants evaluation criteria.

c. Additional Review Information

Among construction projects, Applicants are encouraged to utilize registered apprenticeships on the jobsite. Based on consideration of the above factors, 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.

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

d. Due Diligence

EDA may request that an applicant submit additional documents and information to allow EDA to fully evaluate compliance with applicable rules and regulations. If the applicant provides the requested information and supporting documentation in a timely fashion and EDA determines that 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 that their application was not successful.

e. Selection Official's Decision

Applications recommended by the IRC and deemed fully compliant with applicable rules and regulations will be forwarded to the Selecting Official. The Selecting Official will make a final funding decision in consultation with the Secretary of Commerce, or his/her delegee. The Selecting Official may select a project for funding that differs from the IRC's recommendations based on any of the following selection factors:

i. Responsiveness to the NOFO;
ii. The extent to which the application meets the overall objectives of section 2 of PWEDA (42 U.S.C. § 3121);
iii. The extent to which resilience is integrated into the project scope of work;
iv. 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;
v. The applicant's performance under previous Federal financial assistance awards, including whether the grantee submitted required performance reports and data;
vi. The availability of program funding;
vii. Whether the project supports communities negatively impacted by closures in the coal industry;
viii. The extent to which the project aligns with and advances the strategies of Designated Tech Hubs, Recompete Pilot Program Finalists, and NSF Engines award recipients (Type 2);
ix. 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
x. The relative economic distress of the area.

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

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

Before making an award with a total amount of Federal Share greater than the simplified acquisition threshold (currently $250,000 but periodically adjusted), EDA 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 systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. EDA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.206.

F. Federal Award Administration Information

1. Federal Award Notice

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

After initial notification, the EDA Grants Officer will issue the award (Notice of Award), which is the authorizing financial assistance award document and includes Specific Award Conditions and, 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), and/or the EDA Construction ST&Cs, as described in section F.2.b, below.

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

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

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

2. Administrative and National Policy Requirements

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

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

<u>Update for FY 2024:</u>

Note that on April 22, 2024, the Office of Management and Budget (OMB) published a final rule providing notice of updates and revisions to the Uniform Guidance that will be effective October 1, 2024 (*see* 89 FR 30046). Throughout this NOFO, EDA endeavored to specify the requirements that will be impacted by changes to the Uniform Guidance; however, some requirements may have been inadvertently missed. As of October 1, 2024, to the extent there is conflict between a requirement specified in this NOFO and the updated Uniform Guidance, the updated Uniform Guidance governs. EDA anticipates that the Uniform Guidance in effect as of the Federal award date will apply to awards made under this NOFO.

b. DOC Financial Assistance Standard Terms and Conditions

Recipients of all non-construction EDA awards will be bound by the DOC ST&Cs applicable on the date of the award. The DOC ST&Cs may be accessed at the following website: https://www.commerce.gov/oam/policy/financial-assistance-policy.

Recipients of an RLF award will be bound by the DOC ST&Cs and the EDA RLF ST&Cs. The RLF ST&Cs may be accessed at https://www.eda.gov/funding/programs/revolving-loan-fund/guidance under the header "RLF Award Conditions."

Recipients of an EDA construction award will be bound by EDA's Construction ST&Cs. The Construction ST&Cs may be accessed at https://www.eda.gov/grant-resources/find-grant-resources/grantee-guidance/construction-awards under the header "Key Rules and Laws."

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

c. DOC Pre- Award Notification Requirements

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

d. Executive Order 14173: Ending Illegal Discrimination and Restoring Merit-Based Opportunity

Pursuant to Executive Order 14173, 90 FR 8633 (Jan. 21, 2025), Ending Illegal Discrimination and Restoring Merit-Based Opportunity, each recipient that accepts a U.S. Department of Commerce financial assistance award:

> (1) agrees that compliance in all respects with all applicable Federal antidiscrimination laws is material to the government's payment decisions for purposes of section 3729(b)(4) of Title 31 United States Code; and
>
> (2) certifies to the Department that it does not operate any programs promoting diversity, equity, and inclusion that violate any applicable Federal anti-discrimination laws.

3. Reporting

a. Financial, Performance, and Impact Reports

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

b. Federal Funding Accountability and Transparency Act of 2006

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

c. 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, outcomes, and impacts of project activities, such as jobs created/retained, private investment attracted, the number of strategic plans or economic development tools developed, the number of new business partnerships formed, or the range of new capabilities acquired. EDA plans to collect this information using Forms ED-915 (Public Works, Economic Adjustment Infrastructure and Revolving Loan Fund Investments), ED-916 (Semi-annual Program Outputs Questionnaire for EDA grantees), ED-917 (Annual Capacity Outcomes Questionnaire for EDA Grantees serving clients), and ED-918 (Annual Capacity Outcomes Questionnaire for EDA Grantees). For more information, please refer to https://www.eda.gov/performance/gpra. EDA may also engage with 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.

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

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

G. Federal Awarding Agency Contacts

For questions concerning this NOFO, including technical assistance with application requirements, you may contact the appropriate EDA representative for your State listed on EDA's website at https://www.eda.gov/contact/.

H. Other Information

1. Right to Use Information

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

2. Freedom of Information Act Disclosure

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

In addition, Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. § 552, are found at 15 C.F.R. part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this Notice of Funding Opportunity may be subject to requests for release under the Act. In the event that an application contains information or data that the applicant deems to be confidential commercial information that should be exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. In accordance with 15 C.F.R. § 4.9, the Department of Commerce will protect from disclosure confidential business information contained in financial assistance applications and other documentation provided by applicants to the extent permitted by law.

3. Notice of Government-Wide Procurement Restriction

The general rule for Federal financial assistance is that contractors that develop draft specifications, requirements, statements of work, invitations for bids or requests for proposals are prohibited from competing for the final procurement. For instance, a professional engineer or architect who prepared the Preliminary Engineering Report for an EDA application would be excluded from bidding on the same work under the award under 2 C.F.R § 200.319. Under 2 C.F.R. § 200.317, only State recipients are expressly exempt from this prohibition.[4] Local governments and Indian Tribes may also take advantage

[4] Effective October 1, 2024, the revised Uniform Guidance specifies that, in addition to States, Indian Tribes must follow the same policies and procedures they use for procurements with non-Federal funds (*see* 2 C.F.R.

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 EDA representative listed for their applicable State in section G of this PWEAA NOFO with any questions regarding application of this regulation.

4. Past Performance and Non-Compliance with Award Provisions

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

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

As discussed in section D.3, 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

---

§ 200.317). Therefore, so long as State and Indian Tribe recipients have policies and procedures for procurements with non-Federal funds, they are expressly exempt from this prohibition.

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

6. EDA's Non-Relocation Policy

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

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

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

7. NOFO Changes Communicated on Grants.gov

EDA may make changes or additions to this NOFO. All changes will be communicated on Grants.gov. It is recommended that applicants set up a Grants.gov account and subscribe to this funding opportunity ("PWEAA2023") in order to be notified of any updates or changes. DOC or EDA may cancel, modify, or withdraw this NOFO at any time. EDA is not obligated to make any federal award or commitment as a result of this announcement.

8. Disclosure of Information

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

9. Audit Requirements

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

The Uniform Guidance requires any non-Federal entity (i.e., non-profit organizations, including non-profit institutions of higher education and hospitals, States, local governments, and Indian Tribes) that expends Federal awards of $750,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the OMB Uniform Guidance.[5] Applicants are reminded that EDA or the DOC's Office of Inspector General also may conduct an audit of an award at any time.

10. Fraud Awareness Training

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

11. Office of Inspector General Rights and Responsibilities

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

a. Disclosures

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

(i) A violation of federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code; or

(ii) A violation of the civil False Claims Act (31 U.S.C. §§ 3729-3733).

b. Reporting

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

[5] Effective October 1, 2024, the revised Uniform Guidance raises the single audit threshold from $750,000 to $1,000,000 (*see* 2 C.F.R. § 200.501).

c. Whistleblower Protection

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

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

The recipient or sub-recipient shall inform its employees and contractors, in writing, in the predominant language of the workforce or organization, of employee whistleblower rights and protections under 41 U.S.C. § 4712, as described above and at [https://www.oig.doc.gov/whistleblower/protection-program.](https://www.oig.doc.gov/whistleblower/protection-program)

12. Termination

In accordance with 2 CFR § 200.340(a), this federal award may be terminated in part or in its entirety as follows:

a. By DOC or the pass-through entity if the recipient or subrecipient fails to comply with the terms and conditions of this federal award.

b. By DOC or the pass-through entity with the consent of the recipient or subrecipient, in which case the two parties must agree upon the termination conditions. These conditions include the effective date and, in the case of partial termination, the portion to be terminated.

c. By the recipient or subrecipient upon sending DOC or the pass-through entity a written notification of the reasons for termination, the effective date, and, in the case of partial termination, the portion to be terminated. If DOC or the pass-through entity determines that the remaining portion of this federal award will not accomplish the purposes for which this federal award was made, DOC or the pass-through entity may terminate this federal award in its entirety.

d. By DOC or the pass-through entity to the extent authorized by law, if the award no longer effectuates the program goals or agency priorities.

I. Assistance to Indigenous Communities Addendum

Addendum to the FYs 2023, 2024, and 2025 Public Works and Economic Adjustment Assistance Notice of Funding Opportunity (FY 23/24/25 PWEAA NOFO) for the Economic Development Administration's (EDA)'s Assistance to Indigenous Communities

EDA's Assistance to Indigenous Communities, or "AIC," is a funding opportunity to assist Indigenous communities,[6] particularly in the areas of capacity building and planning support. Indigenous communities face high levels of economic distress and unique economic development challenges, resulting in severe inequalities in opportunity for members of these communities.

Under this addendum, EDA solicits Assistance to Indigenous Communities applications under the authority of its Economic Adjustment Assistance (EAA) program, which is intended to be flexible and responsive to the economic development needs and priorities of local and regional stakeholders. Through the EAA program, EDA provides investments that support a wide range of non-construction and construction activities including Revolving Loan Funds, in regions experiencing severe economic dislocations. As further detailed below, EDA anticipates that Assistance to Indigenous Communities projects will support capacity building, planning, and technical assistance services to Indigenous Communities.

In general, except as discussed below, Assistance to Indigenous Communities serves as an addendum to and follows the same rules as the above Public Works and Economic Adjustment Assistance Notice of Funding Opportunity (FY 23/24/25 PWEAA NOFO) to which it is appended. For more information, please see EDA's website at https://www.eda.gov/funding/programs or contact the EDA representative for your region who can be found at https://www.eda.gov/contact/.

Funding Details

Through the Consolidated Appropriations Act, 2024 (P.L. 118-42) and consistent with the relevant explanatory statement, $5,000,000 is available for Assistance to Indigenous Communities awards. EDA intends to make these funds available through the EAA program using the existing procedures specified in the FY 23/24/25 PWEAA NOFO.

Through Assistance to Indigenous Communities, EDA plans on funding non-construction projects that range between approximately $75,000 and $200,000.

Publication of this addendum does not obligate DOC or EDA to award any specific grant or cooperative agreement or to award 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.

Eligible Applicants

Eligible applicants for Assistance to Indigenous Communities are a(n):

a. Indian Tribe or a consortium of Indian Tribes, as defined in section 3(4) of PWEDA (42 U.S.C. § 3122(4)(A)) and 13 C.F.R. § 300.3. The regulation at 13 C.F.R. § 300.3 defines "Indian Tribe" as:

[6] Please see the section on "Eligible Applicants" in this addendum.

> [A]n entity on the list of recognized tribes published pursuant to the Federally Recognized Indian Tribe List Act of 1994, as amended (Pub. L. 103-454) (25 U.S.C. 479a *et seq*.), and any Alaska Native Village or Regional Corporation (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq*.). This term includes the governing body of an Indian Tribe, Indian corporation (restricted to Indians), Indian authority, or other non-profit Indian tribal organization or entity; provided that the Indian tribal organization, corporation, or entity is wholly owned by, and established for the benefit of, the Indian Tribe or Alaska Native Village.

b. Non-profit organizations or associations serving Native Hawaiians in the State of Hawaii that are not-for-profit organizations chartered by the State of Hawaii and whose business activities principally benefit such Native Hawaiians. As required by 42 U.S.C. § 3122(4)(A)(vi), such non-profit organizations or associations must show that they are acting in coordination with a political subdivision of a State unless the applicant is proposing a project of significant regional or national scope by, for example, providing a letter of support from a local government. A letter of support from a political subdivision or office of a State is sufficient to meet this requirement.

c. Non-profit organizations or associations serving Native Pacific Islanders of Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau whose business activities principally benefit such Native Pacific Islanders.[7] As required by 42 U.S.C. § 3122(4)(A)(vi), such non-profit organizations or associations must show that they are acting in coordination with a political subdivision of a jurisdiction mentioned above unless the applicant is proposing a project of significant regional or national scope by, for example, providing a letter of support from a local government. A letter of support from a political subdivision or office of a jurisdiction mentioned above is sufficient to meet this requirement.

EAA Program and Application Requirements for EDA's AIC Program

The following EAA program flexibilities are specific to Assistance to Indigenous Communities. This is an addendum to the FY 23/24/25 PWEAA NOFO, and unless otherwise stated below, the requirements of the FY 23/24/25 PWEAA NOFO apply. Please see the FY 23/24/25 PWEAA NOFO for information on other EAA program requirements, award information, and the content and form of application submissions.

<u>Assistance to Indigenous Communities Projects</u>

---

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

Non-profit organizations or associations located in the State of Hawaii or the Pacific Islands noted in section c of "Eligible Applicants" and whose business activities principally benefit both Native Hawaiians and such Native Pacific Islanders are eligible applicants for Assistance to Indigenous Communities. In this case, the non-profit organization or association must show they are acting in coordination with a political subdivision of the jurisdiction where the non-profit is located.

Competitive applications will propose projects designed to create the conditions for economic growth in Indigenous Communities. EDA encourages non-construction projects that provide capacity-building, planning support, and technical assistance to support the future implementation of foundational economic infrastructure. Foundational economic infrastructure can include broadband, energy, road, water, and wastewater infrastructure (including community water facilities); vocational and higher education facilities; and community health and childcare facilities that are necessary for job creation and economic mobility. Projects can also provide technical assistance to support business development, entrepreneurship assistance, economic development planning, rural prosperity, and workforce training in Indigenous Communities.

Comprehensive Economic Development Strategy Requirements

Each project funded under the EAA program must be consistent with the region's or Indigenous Community's current Comprehensive Economic Development Strategy (CEDS) or equivalent EDA -accepted economic development strategy, such as a regionally or tribally developed sustainability plan. See Equivalent/Alternative Plans | U.S. Economic Development Administration (eda.gov) for more information on equivalent/alternative plans. In accordance with 13 C.F.R. 303.7(c)(1), EDA may accept a non-EDA funded CEDS or economic development strategy that does not contain all the elements EDA requires of a CEDS.

Please note that EDA has an established network of Partnership Planning partners, including Tribes and District Organizations, and there may already be an existing CEDS that meets a community's needs. EDA's Economic Development District (EDD) webpage at Economic Development Districts | U.S. Economic Development Administration (eda.gov) can help applicants identify the tribal or EDD planning partner of the relevant project region, which entity generally is responsible for developing and maintaining the region's CEDS.

For Indigenous Communities that have existing economic development strategies, applicants must provide the relevant strategy (either by attaching the document to the application or providing a web link for the document). Some communities or regions may not be covered by CEDS, and in these cases, EDA may be able to help identify a relevant economic development strategy. Please contact the appropriate EDA POC listed below in this addendum.

If economic development planning is a community need (for example, if an Indigenous Community does not currently have a CEDS or economic development strategy or if the needs of the community are not well-reflected in an existing CEDS or strategy) applicants may apply for a "strategy grant" to develop, update, or refine a CEDS.

Intergovernmental Review

Executive Order (EO) 12372, "Intergovernmental Review of Federal Programs" requires consultation with State and local officials on certain proposed Federal assistance. A State may adopt 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 (SPOC) review process"). Names and addresses of States' SPOCs are listed at https://www.whitehouse.gov/wp-content/uploads/2024/08/SPOC-list-as-of-August-2024.pdf. **This requirement does not apply to most eligible entities under this addendum. The below bullets provide additional details on applicability.**

EO 12372 applies to eligible applicants under this addendum as follows:

- Eligible Indian Tribe applicants are not subject to the requirements of EO 12372.
- Because the State of Hawaii does not currently maintain a SPOC under EO 12372, eligible applicants that are non-profit organizations or associations serving Native Hawaiians are not required to submit proof of submission to the SPOC.
- Because American Samoa maintains a SPOC, non-profit organizations or associations serving Native Pacific Islanders in American Samoa are required to submit documentation of submission to the SPOC. Non-profit organizations or associations serving other Native Pacific Islanders are not required to submit proof of submission to the SPOC.

Application Review Information: Investment Review Committee (IRC) Criteria

EDA will review AIC applications in accordance with section E except for the "Criteria" subsection. For the Competitiveness Review, EDA will review whether the proposed project is responsive to this AIC addendum.

For proposed AIC projects (except proposals for preparation or revision of a CEDS or equivalent strategy), the following criteria will receive equal weight:

1. The extent to which the project is responsive to the needs of communities, including long-term economic recovery and economic diversification;
2. The extent to which the project is resilient to sudden and severe economic dislocations (e.g., closures of major local employers, etc.);
3. The degree of economic distress experienced in the project community/region;
4. The project's feasibility;
5. The project's sustainability/durability, including the extent to which the project demonstrates support from community stakeholders and beneficiary commitments, if any;
6. The project's alignment with the applicable CEDS, Tribal strategy, or other EDA-accepted economic development strategy;
7. The project's demonstrated alignment with EDA's current Investment Priorities as outlined at https://www.eda.gov/funding/investment-priorities;
8. The likelihood that the project is capable of starting quickly;
9. The level of impact on the community, including increased access to capital;
10. The applicant's organizational capacity, including its financial and management capacity; and
11. The extent to which the project is based upon community-oriented and collaborative economic development and redevelopment strategies.

For strategy grants to prepare or revise a CEDS or equivalent strategy, the IRC will use the following criteria in its review, with each criterion receiving equal weight:

1. The quality of the proposed scope of work for the development, implementation, revision or replacement of a strategic, economic development, or disaster recovery, mitigation or resilience plan;
2. The project's potential to increase the capacity of the community or region to promote job creation, private investment in the regional economy, and disaster resilience;
3. The project's feasibility and the likelihood that the project will achieve its projected outcomes;

4. The project's demonstrated alignment with EDA's current Investment Priorities as outlined at https://www.eda.gov/about/investment-priorities/;
5. The ability of the applicant to successfully prepare or revise a CEDS; and
6. The extent to which the project demonstrates support from community stakeholders.

Federal Awarding Agency Contacts

For questions concerning this addendum, including technical assistance with application requirements, you may contact the appropriate EDA representative for your State listed on EDA's website at https://www.eda.gov/contact/. You may also reach out contact EDA at indigenous@eda.gov. EDA's website at http://www.eda.gov provides additional information on EDA and its programs.

J. AI Upskill Accelerator Pilot Program Addendum

Addendum to the FY 2023/2024/2025 Public Works and Economic Adjustment Assistance (PWEAA) Notice of Funding Opportunity (FY 23/24/25 PWEAA NOFO) for the Economic Development Administration (EDA)'s Artificial Intelligence (AI) Upskill Grants (AI Addendum)

As expressed in America's AI Action Plan and America's Talent Strategy, the United States is in a race to achieve global dominance in artificial intelligence (AI), and it is imperative that the United States and its allies win this race. The Trump Administration has made American workers central to its AI policy and will ensure that our Nation's workers and their families gain from the opportunities created by this technological revolution. AI's breakthroughs in medicine, manufacturing, and many other fields will increase the standard of living for all Americans. AI will improve the lives of Americans by complementing their work—not replacing it.

AI represents a new frontier for workers, including new high-wage careers and enhanced productivity, but will also require new skills and transitions in the labor market for workers to share in the prosperity that AI will create. The greatest workforce challenge of AI may be the speed of change itself. As AI accelerates shifts in job tasks and skill requirements, companies, educational institutions, and the workforce system must adapt in real time. Without significant reform to create more agility and innovation in worker training, the United States risks falling behind in the race to develop an AI-ready workforce.

Advancements in traditional and generative AI are also transforming the way Americans work – from decision-support tools that enhance planning and analysis to models that accelerate code development. AI will enable a wide range of new innovations in the physical world: autonomous drones, self-driving cars, robotics, and other inventions for which terminology does not yet exist. It is crucial that America and our trusted allies be world-class manufacturers of these next-generation technologies. AI, robotics, and related technologies create opportunities for novel capabilities in manufacturing and logistics, including ones with applications to defense and national security.

The bottleneck to harnessing AI's full potential is not necessarily the availability of models, tools, or applications. Rather, it is the limited and slow adoption of AI, particularly within large, established organizations. Many of America's most critical sectors, such as healthcare, are especially slow to adopt due to a variety of factors, including distrust or lack of understanding of the technology, a complex regulatory landscape, a lack of clear governance and risk mitigation standards, and a workforce not yet equipped to shape the AI transformation.

To respond to the call to empower American workers in the age of AI, EDA announces a funding opportunity for AI Upskill grants. This approximately $25 million pilot initiative will accelerate industry-led workforce development projects to train workers in communities[8] where critical industries are poised to benefit from adopting AI into their business functions. AI Upskill grants create a win for workers, businesses, and education and training providers. Businesses will be able to further integrate AI into their operations to increase productivity and meet other business objectives. Training providers will be able to enhance programs to include in-demand skills supporting AI. And American workers will gain the opportunity to prepare for the future with the skills to make effective and efficient use of AI tools.

[8] Please see the section "Eligible Applicants" in this AI Addendum.

EDA solicits AI Upskill proposals from eligible applicants to implement an industry-led workforce training program, utilizing a sectoral partnership[9] to deliver measurable results for American workers and businesses. All projects must deliver training on AI skills, provide support to program participants that lead to training completion and access to jobs, and monitor program outcomes.[10] Funds may also be used to support initial program development and design.

Innovation in AI will require innovative approaches to preparing the workforce to utilize these technologies. This funding opportunity places a special focus on soliciting projects that can be evaluated rigorously to inform best practice, including future scaling and replication.

Funding Details

The Thomas R. Carper Water Resources Development Act of 2024 (Public Law 118–272), at 42 U.S.C. § 3154e, authorizes EDA to make grants to support the development and expansion of innovative workforce training programs through sectoral partnerships leading to high-paying skilled jobs. EDA is further authorized to make such awards under its Economic Adjustment Assistance (EAA) authority (42 U.S.C. § 3149). Through this AI Addendum, EDA is making approximately $25 million available for this purpose. Sectoral partnerships must be led by an eligible Lead Entity. EDA intends to make these funds available through its EAA program using the existing procedures specified in the FY 23/24/25 PWEAA NOFO, which was most recently updated in 2025.

Through this funding, EDA anticipates making 5-8 awards for non-construction projects ranging from $1 million to $8 million and that have a project duration from 24 months to 36 months. In addition, EDA expects funded job training programs to begin no later than one year from the award date. Applicants may take a phased approach to implementation based on their local needs. These phases may include system development and/or program design but **MUST** include program implementation.

EDA does not anticipate making an award exceeding $8 million. Funding requests must be apportioned in phases. Although not a requirement, EDA recommends the following funding request limitations per phase:

- Up to $500,000 for System Development
- Up to $2 million for Program Design
- Up to $8 million for Program Implementation

Eligible Applicants

Eligible applicants for AI Upskill grants are those identified in Section 3(4) of PWEDA (42 U.S.C. § 3122(4)(a)) and 13 CFR § 300.3 (Eligible Recipient), as listed in section C.1 of the FY 23/24/25 PWEAA NOFO (p. 8).

Definitions

This AI Addendum uses the following terms:

- **"Artificial Intelligence,"** (AI) pursuant to 15 U.S.C. § 9401(3), is defined as a machine-based system that can, for a given set of human-defined objectives, make predictions,

[9] Please see below definition of Sectoral Partnership.
[10] See also the Department of Labor's AI Literacy Framework. Available at: https://www.dol.gov/newsroom/releases/eta/eta20260213.

recommendations, or decisions influencing real or virtual environments. AI systems use machine and human-based inputs to –

  a) Perceive real and virtual environments;
  b) Abstract such perceptions into models through analysis in an automated manner; and
  c) Use model inference to formulate options for information or action.

- **"Lead Entity"** is defined as the award recipient and principal organization leading the sectoral partnership.
- **"Sectoral partnership"** is defined as a partnership of employers from the same industry that join with other strategic partners (*e.g.*, government, education institutions, training organizations, workforce development organizations, community-based organizations) to collaboratively design sector strategies that train and place workers into high-paying skilled jobs that the employers need filled and intend to fill through the partnership.

Project Phase Options

Proposals under this funding opportunity center around up to three (3) sequential phases – System Development (Phase I), Program Design (Phase II), and Program Implementation (Phase III). These three phases are sequential and interdependent. While Phase I and Phase II are optional, Phase III is required for all applicants. Applicants may submit projects that cover all three phases, one optional phase with the required Phase III, or Phase III only.

Applicants who elect not to include one or more optional phases must provide sufficient evidence within the Project Narrative demonstrating that the sectoral partnership has already achieved the goals, objectives, and foundational structures associated with the omitted phase(s) (*e.g.*, Phase I and/or Phase II is already complete for the project proposed).

Once awarded, recipients must demonstrate readiness to advance to subsequent phases before they will be permitted to receive funding allocated to later phases. Readiness will be based on the successful completion of phase activities and objectives.

Note that Program Design must begin within 6 months after award and Program Implementation must begin within 12 months after award.

System Development (optional Phase I): System Development activities support the identification and convening of employer partners and other organizations to define industry needs and support related to the applied use of AI in the workplace. Eligible activities include, but are not limited to:

- Formal establishment and convening of the sectoral partnership, and defining the partnership's governance structure, and employer and stakeholder responsibilities;
- Hiring staff, procuring contractors, or making subawards for the Lead Entity to carry out key functions to include program management, partnership coordination, and employer engagement;
- Identification of worker skills necessary to appropriately utilize employer supported AI-enabled tools; and
- Facilitation of structured conversations with employers, training providers, community organizations, workforce boards, workers, and other stakeholders, such as state and local workforce development boards to plan strategy or approach.

Program Design (optional Phase II): Program Design activities support the design of employer-driven skills training and make the investments necessary to enable its implementation, including securing the infrastructure (*e.g.*, equipment, leased space) specific to region, industry, and worker roles. Activities in this phase should build directly on completed System Development activities and operationalize employer-validated skills needs into responsive training programs that provide participants with the necessary AI skills. Eligible activities include, but are not limited to:

- Development of training models and curricula aligned with employer validated competencies and industry-recognized credentials, including Registered Apprenticeships and other work-based training models *(see section 8 of the Project Narrative below for sustainability and scalability requirements)*;
- Development and execution of outreach and recruitment to secure training providers;
- Development and dissemination of clear, accessible information for job seekers on the targeted in-demand occupations, aligned training programs, and available supports;
- Development of processes to translate employer-validated skill needs into training models and identifying complementary skills that could be valuable to employers but are not currently being utilized. These skills should align with employer AI adoption strategies;
- Development of processes to measure and track key training methods and collect and report metrics on the efficacy of the training, including metrics related to program participants, program completers, job placements, and business outcomes; and
- Development of flexible hiring practices, such as skills-based hiring, and educational practices, such as issuance of credit for prior learning, that leverage the talents of existing workers and reduce barriers for applicants from all communities, including those without four-year degrees.

Program Implementation (required Phase III): Program Implementation activities support the delivery of employer-driven skills training programs that have been designed or refined through this program, specific to region, industry, and worker role. Activities may also include those related to delivering workforce training and participant supports that support program completion, job upskilling, job placement, and firm productivity. Eligible activities include, but are not limited to:

- Implementation of industry-aligned AI skills training that places workers into high-paying skilled jobs;
- Identification and recruitment of workers that are underemployed, unemployed, or at risk of layoff, and training and placing/retaining those workers in high-paying skilled jobs;
- Securing and offering participant supports that enable workers to participate in the sectoral partnership's developed skills training programs (*e.g.*, technology, paid time to complete training, materials and supplies);
- Outreach and recruitment for workers, including plans to coordinate with employers to create a training pipeline;
- Leveraging skills-based assessments and federally provided tools to collect and report metrics related to the efficacy of training including skill-based improvements, program participants, completers, job placements, and business outcomes;
- Purchasing supplies or procuring equipment to support and expand existing workforce training projects;
- Working with employers to adopt high-wage, high-skill workforce strategies;
- Hiring a consultant or contractor, or making a subaward, to help a sectoral partnership scale or replicate the employer-driven trainings;

- Development and refinement of competency models to support other industries and employers in scaling training programs that are responsive to employer and industry needs;[11] and
- Development of a plan to rigorously evaluate the impact that the project has had on workforce and business outcomes.

EDA Program and Application Requirements for AI Upskill Grants

The following program flexibilities are specific to AI Upskill grants. This is an AI Addendum to the FY 23/24/25 PWEAA NOFO, and unless otherwise stated below, the requirements of the FY 23/24/25 PWEAA NOFO apply. Please see the FY 23/24/25 PWEAA NOFO for information on other EAA program requirements that apply to AI Upskill grants.

Cost Share or Matching

With limited exceptions, cost share is required for projects funded under this AI Addendum. EDA has determined that the maximum allowable investment rate for projects funded under this AI Addendum is 60%.[12] To be eligible to participate in this competition, all applicants must demonstrate that they meet EDA's Special Need criteria below.

To document match commitments, applicants are required to document the source and amount of cost share or match, consistent with the cost share requirements outlined in section C.2.b, *Documentation of Cost Share or Matching*, on pp. 9-10 of the FY 23/24/25 PWEAA NOFO, and to provide evidence that the cost share is committed and available for the proposed project.

This funding opportunity places a special focus on soliciting projects that can be evaluated rigorously during and after the period of performance to inform best practices and support the scaling and replication of successful programs, models, and approaches. Thus, strong proposals will outline an approach to evaluating the impact that the project will have on workforce and business outcomes at the conclusion of the period of performance. Applicants are strongly encouraged to use matching sources, whether cash and in-kind, to support rigorous evaluation approaches.

EDA Distress Criteria – Special Need

To be eligible for funding under this AI Addendum, an applicant must demonstrate a "Special Need." See "Other Special Need" in C.3.b.x on p. 12 of the FY 23/24/25 PWEAA NOFO. For the purposes of this AI Addendum, the applicant will meet this "Special Need" if it clearly demonstrates that:

---

[11] Applicants may reference the following resources for additional support: Training and Employment Guidance Letter (TEGL) 3-25, Encouraging the Use of Workforce Innovation and Opportunity Act Funding to Help Youth and Adults Develop Artificial Intelligence Skills, as well as the Competency Model Clearinghouse.

[12] Note that the EDA Investment Rate information provided in Table I in C.2.a. of the FY 23/24/25 PWEAA NOFO (p. 9) does not apply to this AI Addendum. For purposes of this AI Addendum, EDA has determined the maximum allowable investment rate is 60% based on Special Need, as outlined in section C.3.b.x*, Other Special Need,* of the FY 23/24/25 PWEAA NOFO (p. 12) except for statutory exceptions to go to a 100% grant rate for tribes, communities with a population of fewer than 10,000 (and exhibit another indicia of distress), non-profits that have exhausted their effective borrowing capacity, and state and local governments that have exhausted their effective taxing and borrowing capacity or can otherwise document that no local matching funds are reasonably obtainable. 42 U.S.C. § 3144(c).

- The focus industry and its associated employers are a significant part of the region or project service area's economy; and
- AI is *currently* being used by the relevant industry and the employers associated with the project; and
- AI currently in use by employers in the relevant industry is important to the future competitiveness of the industry and the economy of the region; and
- There is an existing need for training in AI with the employer partners in this project that is necessary to preserve and/or enhance their competitiveness and benefit to the region.

The applicant must demonstrate Special Need based on each of the above criteria and its plan for addressing the need in the project narrative section, described in the Required Application Documents. Requirements notated with an asterisk (*) in the required project narrative outlined on pp. 47-54 in this AI Addendum will be used for this purpose. Note: An applicant must demonstrate all four points of Special Need above to be eligible for an award under this AI Addendum.

Required Application Documents

With few exceptions, required application documents for the AI Upskill grants are the same for non-construction projects under the FY 23/24/25 PWEAA NOFO, as listed in section D.2.b and Table 2 of the NOFO (pp. 15-17).[13] All required forms regarding this AI Addendum are listed in the table below:

Required Forms for AI Upskill Grants
• Project Narrative • Letters of Commitment from Sectoral Partnership members and employer partners • Match Documentation • SF-424 (Application for Federal Assistance) • SF-424A (Budget Information—Non-Construction Programs) • CD-511 (Certification Regarding Lobbying) • SF-LLL (Disclosure of Lobbying Activities) (If Applicable) • SPOC Documentation (If Applicable) • Indirect Cost Rate Documentation (If Applicable) • Organizational Documentation (If Applicable) • Budget Narrative and Staffing Plan (Note that EDA has an optional template for the Budget Narrative and Staffing Plan that it highly encourages applicants to use)

Project Narrative:

A project narrative of no more than 12 pages (12-point font, 1-inch margins, single-spaced) must be submitted. **Material beyond the 12th page will not be read or considered.** Additional attachments are

[13] The workforce-specific requirements and criteria listed in FY 23/24/25 PWEAA NOFO do not apply to this AI Addendum, including that NOFO's section D.2.b.i, *Additional Requirements for Workforce Projects*, and E.1.b.ix, *Competitiveness Review Criteria* that apply to those workforce projects.

allowed <u>only</u> for match letters and sectoral partnership commitment letters (see Section 8 on pp. 53-54 below for more on commitment letters). No other attachments will be considered.

Applicants are strongly encouraged to provide a clear and concise narrative that includes a compelling justification for the project, including a clearly defined regional workforce need or gap, how the proposed project will uniquely meet that need, and the expected outcome(s) that will result from the proposed projects. Lengthy applications will not receive greater consideration.

Project Narratives must address the following areas:

Section 1: Executive Summary

This section provides an overview of the project with the following information: the project title, the name and major members of the sectoral partnership, and a short description of the project. The short description should include: the sectoral partnership's focus industry, how that industry is deploying AI, how this deployment of AI reshapes operations and roles to create value for the business and for workers, and how this will support industry and regional competitiveness.

Section 2: Sectoral Partnership Structure, Governance, and Readiness

This section should identify the Lead Entity that will serve as the principal organization, governing and coordinating all members of the sectoral partnership, and should articulate the sectoral partnership's readiness to execute activities upon potential award that would lead to program implementation within one year from the award start date.

This section should also describe employer engagement with the proposed project, including employers already engaged and/or employers expected to be engaged, and the strategy for securing and maintaining employer participation over the course of the project.

Applicants should include in this section:

- The name of the lead entity;
- The name of the focus industry for the project;
- A description of why the entity is well positioned to lead the partnership and manage an employer-driven initiative;
- A description of the sectoral partnership's vision and goals;
- A listing of the **employers** participating in the sectoral partnership with the following information: name of employer, employer identification number (EIN), and address; and
- The name of all **other relevant stakeholders** participating in the sectoral partnership (*e.g.*, training providers, workforce organizations) and their respective roles, responsibilities, and contributions.

The section should address the following regarding governance:

- Explain the governance and coordination structure of the sectoral partnership, including how decisions are made, how partners are engaged on a regular basis, and how the Lead Entity ensures alignment and accountability; and
- Demonstrate the partnership's capacity to engage employers in an organized and consistent manner, including experience working with employer sponsors to identify workforce needs and support program implementation at scale.

The section should address the following regarding readiness:

- Describe the partnership's readiness to develop, design, and implement the proposed project, including evidence that partners can begin associated activities promptly upon award.[14]

In this section, applicants should address the following regarding employer engagement:

- Describe employer commitments for those participating in the sectoral partnership;
- Provide the relevance of the employer commitments to the proposed project strategy;
- Describe the employer roles in the program design, for example, how employers will support curriculum development and training delivery, along with implementation of the project; and
- Detail the sectoral partnership's governance strategy to ensure employer participation and sustainment of employer commitments, as well as ensure employer accountability throughout the project period of performance.
- Note that applicants are welcome to consider utilizing or enhancing a Registered Apprenticeship that incorporates skills in AI to satisfy its employer commitment.

It is strongly recommended to put information on employer commitments and other sectoral partner commitments (up to 10 unique organizations) in tables similar to those formatted below:

Table: Employer Commitments

Employer Name	**Employer Address**	**Employer Identification Number (EIN)**	**Description of Commitment** *(Describe employer commitments for those participating in the sectoral partnership.)*	**Commitment's Relevance** *(Provide the relevance of the employer commitments to the proposed project strategy.)*

Table: Other Relevant Stakeholder Commitments

Organization Name (Up to 10)	**Description of Commitment(s)** *(Describe organization commitments for those participating in the sectoral partnership.)*	**Commitment's Relevance** *(Provide the relevance of the organization's commitments to the proposed project strategy.)*

Section 3: Need for Training in Artificial Intelligence

This section should articulate the need for AI-enabled workforce upskilling. In this section, applicants should:

- Identify the immediate need for and opportunities created through AI adoption in the focus industry;*[15]

[14] Promptly upon award means that Program Design is completed within 6 months of award and Program Implementation begins within 12 months of award.

[15] Content in the project narrative denoted with an asterisk (*) is used in the determining whether the applicant meets the EDA Distress Criteria – Special Need. Special need is outlined on pp. 46-47 of this AI Addendum.

- Identify the current barriers hindering AI adoption related to the workforce for the chosen industry of focus;*
- Explain how the current gaps between AI adoption and workforce capabilities will be addressed through the proposed workforce training;*
- Explain why this investment would catalyze the private sector in adopting new AI training models;
- Identify the skills, tasks, and roles of workers who would use the proposed training;*
- Demonstrate the need for AI training for the existing workforce and the opportunities to prepare prospective labor force entrants for skilled tasks performed in conjunction with new AI tools;*
- Describe the urgency of addressing the skills gap and the positive business and worker outcomes to be addressed through the targeted training;* and
- Describe how AI-enabled workforce training and adoption will support the industry's competitiveness to the benefit of the region's economy.*

Section 4: Regional Impacts

This section should describe the intended service area and why the industry of focus requires a targeted workforce strategy. This section should:

- Describe the project's location and region, including its project service area. The project service area must include FIPS Codes;*
- Identify the key industry and the economic significance to the region;*
- Include labor market and industry data[16] to further underscore the workforce need and how the sectoral partnership will advance the industry through AI-enabled tools and align to the region's economic development strategy;*
- Address how the proposed project will be consistent with the region or regions' CEDS;*
- Describe how the proposal aligns with existing workforce development efforts in the region, including, but not limited to, activities carried out by state and local workforce development boards, and how the proposed project will address local employers' workforce needs;
- Explain how the proposed project would meet EDA's investment priorities; and
- Describe how the sectoral partnership and its stakeholders, for example, State and local government, philanthropy, and industry will support sustainability of the system after the grant ends.

Section 5: Project Description & Feasibility

This section should outline the project's overall strategy by providing a timeline of activities that the project will undertake. The timeline should:

- Identify the phases that the project will address: System Development, Program Design, and/or Program Implementation (pp. 44-46);
- If the project is starting in the Program Design or Program Implementation phase and bypassing a preceding phase, explain why the sectoral partnership is prepared to begin with the phase selected;
- Identify the activities (with the appropriate phase) that the project will undertake to achieve the stated outcomes;

[16] For potentially useful data on labor markets or industry, applicants should refer to the Bureau of Labor Statistics, the National Economic Resilience Data Explorer, or the Census Bureau.

- Identify the entity in the sectoral partnership that is responsible for executing each of the activities listed;
- Provide the amount of time to be spent on each activity and each phase included in the period of performance; and
- Provide a description of the expected training program itself, including training methods, if the applicant has such information. Note: if applying for Phase III only, this information must be included.

All projects must include the Program Implementation phase. Program Implementation must begin within 1 year of award. The System Development and Program Design phases are optional.

Activities and their associated phase should align with the funding request under Section 6 of the narrative.

Applicants are strongly encouraged to provide key data points in a table formatted below:

Table: Proposed Project Timeline

Phase	Activity	Responsible Entity	Estimated Time (Months)

Section 6: Funding Request

This section should provide a funding request for the proposed project as a whole and by applicable phase: System Development, Program Design, and Program Implementation. See the Funding Details section on p. 43 for recommended project cost ceilings by phase. See also the Funding Restrictions section on p. 58 for activities that are not allowable and will not be funded.

Applicants are strongly encouraged to provide this information in a table formatted below:

Table: Funding Request

System Development (Phase I)	Program Design (Phase II)	Program Implementation (Phase III)	Total
$	$	$	$

Section 7: Impacts & Return on Investment

This section should describe the anticipated impacts of the proposed project. Applicants must provide the following projections for the proposed project:

- Provide the following information pertaining to prospective project outcomes:
  - Projected number of individuals enrolled in the training program;
  - Projected number of individuals who successfully complete a training program; and
  - Projected number of participants placed and/or retained in employment.

- Provide information on the project outcomes by occupation:
  - Projected number of program participants broken down by occupation type; and

    - For each occupation, provide the average wages and benefits for workers in the occupation in your region.

- For the employer-level benefits, provide the following:
    - Anticipated employer benefits as a result of incorporating AI into business processes and training workers; and
    - Anticipated direction of change, method of measurement, frequency of measurement, and baseline conditions (*i.e.*, status quo practices).

- For worker level benefits, describe how the training will benefit workers, for example, help them accomplish tasks more effectively, free up time for new tasks, or master new expertise required for new work.

- Explain why the proposed partnership and the projections provided are ambitious yet achievable. For example, do you have examples of where this or similar solutions have been implemented before? If the partnership is recently formed, what research and groundwork have you done that leads you to believe your outcomes are achievable?

The data must be clearly presented in the Project Narrative. The optional Project Outcome tables below may be used to structure a response. These metrics would be incorporated into the scope of work of any selected project. Progress must be reported on these goals up to five years after the award start date. Please note participant information and/or business information may be requested to verify data reporting. If selected, applicants should also be prepared to participate in program evaluation activities required by EDA.

Table: Project Outcomes

Total Enrollments	Total Completions	Job Outcomes	
		Total Job Placements (New Hires)	**Total Incumbent Workers Trained**
500	450	200	200

Table: Project Outcomes by Occupation

Name of Job Supported by Training	Anticipated Number of Participants	Average Wages		Average Benefits
		Before Training	***After Training***	
Technician	50	$25 per hour	$33 per hour	Health, retirement, paid-leave (sick, vacation, etc.)

Table: Employer-Level Benefits

Employer Benefit	Outcome Description	Baseline Condition	Target or Direction of Change	Measurement Method	Frequency	Employer Role in Measurement
Provide a short name for the outcome	*Provide a short description of the outcome.*	*Describe the metric in the status quo.*	*With effective training in AI skills, what is the desired change in the metric?*	*How will this information be collected?*	*How often will this information be measured? How often will this information be available?*	*How does the employer in the sectoral partnership provide this information?*
Efficiency	Reduce time spent on manual scheduling tasks	12 staff hours/week per site	Decrease in staff hours required	System use logs; time tracking	Quarterly	Submission of system reports from employer(s)

***Note:** These responses in the table are for illustrative purposes. Applicants should propose project outcomes that are ambitious yet feasible.

Section 8: Future Evaluation, Scalability and Sustainability

This section should demonstrate how the proposed project is designed for future evaluation, scalability and long-term sustainability after the period of performance.

Impact Evaluation

- Describe how the proposed project and lessons learned from Program Implementation could be valuable to other regions, industries, or employers; and
- Describe an approach that the applicant, if awarded, will pursue to rigorously evaluate the impact of project activities on employee and business outcomes after the period of performance.

Scalability

- Describe how the proposed project is taking a unique approach to developing workforce skills in AI; and
- Describe how the approach taken in the proposed project will enable broader use and replication or expansion across the workforce system following successful implementation.

Sustainability:

- Describe an approach to sustain core program activities beyond the period of federal investment. This plan should identify potential funding sources, institutional commitments, system alignment, and strategies to maintain employer and sectoral partnership engagement.

Commitment Letters*

The application must include letters of commitment from employers and other relevant sectoral partnership members.

Employer commitment letters must do the following:

- Describe how the employer is and will be using AI in its business functions;
- Identify any AI-enabled technologies to be utilized in the business;
- Describe the benefits that AI will bring to the employer;
- List the commitments made to the project by the employer;
- Estimate the number of incumbent workers that will use the training and/or the number of hires the employer will make to participants that complete training;
- Provide anticipated wage gains that employees may receive for completing training or starting wages for new employees that have completed the training; and
- Commit to provide data demonstrating the impact that training and/or AI have had on business outcomes at the conclusion of the project.

Note that to the extent applicants may wish to create, utilize, or enhance an existing or future Registered Apprenticeship that incorporates skills in AI to satisfy its employer commitments, that is one of many permissible approaches. However, note that funding awarded through this AI Addendum cannot be used to supplement a private employer's wage expenses (see Funding Restrictions section below).

Letters of commitment from **other relevant sectoral partnership members** must be formatted as business letters addressed to the Lead Entity and must include the following content:

- The role of the sectoral partner in the project;
- A description of the support that the sectoral partner will provide to the project; and
- Signed by the sectoral partnership member's authorized representative on the organization's letterhead.

* Note: commitment letters are different from match letters. If the same sectoral partnership member is providing both a commitment and match funding, that organization must submit two separate letters. For more information on how to document match letters, see p. 46 in the AI Addendum and pp. 9-10 in the FY 23/24/25 PWEAA NOFO.

Application Review Information

Submission Dates and Times

The deadline for the receipt of an application is **<u>4:59 PM Eastern Time</u>** on July 10, 2026. Applications received after this deadline will not be reviewed or considered. The date and time that an application will be deemed to be electronically received will be determined in accordance with the electronic submission instructions provided through EDA's grants management portal, EDGE.[17] EDA will not accept any unsolicited changes, additions, revisions, or deletions to applications or supporting documents after the submission deadline.

[17] https://sfgrants.eda.gov/s/.

Review and Selection Process

Technical Review

An applicant must submit a complete application, as detailed in the Required Documents section of this AI Addendum and section D.2.b of the FY 23/24/25 PWEAA NOFO (pp. 15-17). Applications that omit a required document may be excluded from the merit review.

Criteria: Merit Review

All complete applications will be reviewed by at least three individuals and scored against the Merit Review criteria below. The number of points that can be earned for each category of criteria is listed below, with 100 points the maximum total that can be earned.

Merit Criterion	Points Possible
Strength of Sectoral Partnership	10
Strength of Employer Partnership	10
Need for Training in Artificial Intelligence	20
Regional Alignment	10
Project Description & Feasibility	20
Impacts & Return on Investment	20
Future Evaluation, Scalability & Sustainability	10
Total	100

Strength of Sectoral Partnership – 10 points

To award points, reviewers will assess:

- The extent to which the lead entity can effectively lead the sectoral partnership and deliver project outcomes;
- The extent to which the members of the sectoral partnership have convened necessary stakeholders to execute the project;
- The extent to which the sectoral partnership can demonstrate that they are well-organized and coordinated;
- The extent to which the members of the sectoral partnership adequately support the project proposal;
- The level of commitment of the sectoral partnership to adequately support the project's vision, projects, and outcomes;
- The sectoral partnership's ability to begin training design within 6 months of award and begin delivering training no later than 1 year of award; and
- The extent to which the sectoral partnerships will advance training in AI that will lead to substantial benefits to the employers represented in the sectoral partnership.

Strength of Employer Partnership – 10 points

To award points, reviewers will assess:

- The extent to which the applicant has identified and engaged employers in the sectoral partnership;

- The strength of employer engagement and commitments in support of the project and its outcomes, for example, number of incumbent workers trained, hiring commitments, and other supports provided to the project; and
- The strength and credibility of the sectoral partnership's plan/strategy to preserve employer commitments over the period of performance for the grant.

Need for Training in Artificial Intelligence – 20 points

To award points, reviewers will assess:

- The clarity in which the application identifies and sufficiently describes how AI will be used in current job functions;
- The extent to which the industry and the associated employers supported in this sectoral partnership will be impacted by AI;
- The extent to which this project supports the employers in this sectoral partnership and helps them remain competitive;
- The clarity with which the application articulates specific training needs that will be provided to program participants;
- The extent to which the applicant can demonstrate demand for the proposed training; and
- The extent to which AI skills covered in training are directly related to those that are presently available in the workplace.

Regional Alignment – 10 points

To award points, reviewers will assess:

- The extent to which the industry and the associated employers supported in this sectoral partnership are important to the service region;
- The extent to which a project assesses local industry needs and develops a strategy that is most responsive to both incumbent workers and/or those looking for work; and
- The extent to which this project aligns with the region's Comprehensive Economic Development Strategy (CEDS), existing workforce development efforts in the region (including, but not limited to, the activities of state and local workforce development boards), and EDA's Investment Priorities.

Project Description & Feasibility – 20 points

- The extent to which the applicant identifies the phases System Development, Program Design, and Program Implementation, and the activities that it will undertake in each phase;
- The extent to which the applicant has sufficiently explained its preparedness to begin at the selected phase should it by-pass System Development and/or Program Design;
- The extent to which the activities identified will lead to the success of the project and deliver anticipated outcomes;
- The extent to which costs are reasonable and cost effective (including cost per participant or cost per job placement);
- The extent to which the applicant demonstrates personnel capacity for program execution and grant requirements, such as legal, fiscal, and data reporting requirements; and
- The extent to which the activities will lead to training implementation within one year from the award start date.

Impacts & Return on Investment – 20 points

- The extent to which projected impacts in section 7 of the Project Narrative are measurable, reasonable, credible, ambitious, and achievable based on the proposal;
- The extent to which the project will lead to incumbent workers upskilled and/or new job placements;
- The extent to which the applicant concretely demonstrates how the use of AI and the project will lead to measurable benefits and a strong return on investment;
- The extent to which the applicant has provided concrete, detailed, and realistic strategy to measure benefits and returns on investment in section 7 of the Project Narrative; and
- The extent to which the application concretely demonstrates how the project will lead to measurable impacts within the period of performance.

Future Evaluation, Scalability & Sustainability – 10 points

- The adequacy of the applicant's approach to evaluate the impact of the project on workforce and business outcomes;
- The extent to which this project — either through practices or through further implementation of project activities — can be scaled or replicated to support other industries or new AI tools that benefit industry;
- The potential of this project to provide enduring practices for scaling and replicability;
- The extent to which State and local government, philanthropy, and industry investment commit to support the ongoing sustainability of the system after the grant ends, *e.g.*, the amount of local leverage that will augment the federal award, and the project's alignment with and integration into other public or private investments currently ongoing or planned for the community and region; and
- The extent to which the project can sustain itself after federal funds have been spent.

Review and Selection Process

EDA will sort the applications into tiers with similarly scored applications, and top tiers will advance to a second level review by an Internal Review Committee (IRC) of at least three reviewers. The IRC will review the applications collectively using the same criteria listed in the Criteria: Merit Review section, above. Based on this evaluation, and subject to any due diligence, the IRC will provide a list of top-ranked applications to the Selection Official.

Selection Official's Decision

Top-ranked applications provided by the IRC will be forwarded to the Selection Official, who has the authority to make the final decision on whether to fund an application. The Selection Official may select a project for funding that differs from the most highly ranked applications based on any of the following Selection Factors. The Selection Official may also use these Selection Factors to break a tie for applications that are otherwise considered substantially equal in merit:

- The extent to which the application meets the overall objectives of section 2 of PWEDA (42 U.S.C. § 3121);
- 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;
- The applicant's performance under previous federal financial assistance awards, including whether it submitted required performance reports and data;

- The availability of program funding;
- The distribution of program funds, project types, organizational type (to include smaller and rural organizations), industry of focus, and EDA's overall portfolio of awardees;
- The relative economic distress of the area;
- The quality of data produced and ability to meaningfully measure impact AI integration into the industry;
- The sustainability of the project to continue to operate after EDA funds are exhausted;
- The ability of the workforce strategy developed to scale to similarly situated training providers/employers or to other industries;
- The extent to which the project may target unemployed, underemployed workers, and/or incumbent workers impacted by technological, trade, or energy transitions; and/or
- The cost effectiveness of the proposal.

The Selection Official's final decision must be consistent with EDA's and Department of Commerce's published policies. Any time the Selection Official makes a selection that differs from the rank score, the Selection Official will document the rationale for the decision in writing.

Funding Restrictions

In addition to the funding restrictions in section D.6 (p. 24) in the FY 23/24/25 PWEAA NOFO, the following funding restrictions apply to projects funded under this AI Addendum:

- Payments to program participants are not permitted. Project funds cannot be provided as cash or cash-like payments to participants of training programs.
- Subsidies or payments to participant firms or private employers are not permitted. Project funds cannot be used to subsidize any non-eligible entity's operating costs or to pay private firms or employers directly. This means that project funds may not be passed or transferred to companies being served by the applicant organization, nor may they be used to subsidize such companies' expenses that are unrelated to program activities, including general operating expenses or wage expenses. Funds also may not be used to pay employers to train current or potential employees. A private employer may benefit indirectly from the grant, however, such as when its employees are trained by a separate training provider.
- Allowable advertising and marketing expenses are limited. In accordance with 2 CFR § 200.421(b) and (d), the costs of promotional items and memorabilia, including models, gifts, and souvenirs as well as the costs of advertising and public relations designed to promote the applicant are not allowable. However, certain costs related specifically to recruiting participants and conducting program outreach (*e.g.*, social media ads, press releases, flyers, etc.) may be allowable.
- Cloud service credits. Credits to be distributed to companies (*i.e.*, startups and individuals) being served by the applicant organization are not allowable costs and thus are not an allowable source of matching share.
- Construction costs are not permitted. Any activity that disturbs the ground or modifies a structure that is not related to the installation and operation of equipment cannot be purchased with award funds or provided as match.
- Funds to contractors that provide cash or in-kind match are generally not permitted.
- Unless exempted by 2 CFR § 200.317, *Procurements by States and Indian Tribes*, contractors that develop or draft specifications, requirements, statements of work, invitations for bids, or requests for proposals are prohibited from competing for the final procurement.

Right to Use Information

In addition to the "Right to Use Information" provision in section H.1. of the FY 23/24/25 PWEAA NOFO, EDA intends to aggregate applicant data to inform other Federal programming around AI advancement and utilization. EDA will not release information about specific applicants, including any proprietary data, and will aggregate identifying information so applicants cannot be identified in the release of any such products.

Performance Measurement and Reporting

In addition to the reporting requirements in section F.3. of the FY 23/24/25 PWEAA NOFO and 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. Costs associated with these activities are eligible expenses and should be accounted for in the project budget. The Department of Commerce will provide technical support to awardees to ensure that they measure and report this information properly. Specifically, measurements may include, but not be limited to:

- Measuring and tracking key methods, outcomes, and metrics of skills training program;
- Measuring and tracking anticipated employer-level benefits from the program;
- Measuring and tracking anticipated employee-level benefits; and
- Measuring and tracking the performance of employees who do not receive the training program, as a basis for measuring program efficacy.

Further, awardees should expect to participate in program evaluation activities prescribed by the Department of Commerce.

Federal Awarding Agency Contacts

For questions concerning this FY 26 AI Addendum, or more information about EDA programs, you may contact OIE@eda.gov. Include in the subject line: "AI Ready Workforce FY2026" for ease of response. EDA's website at http://www.eda.gov provides additional information on EDA and its programs.