

SUPPORTING STATEMENT
U.S. Department of Commerce
National Institute of Standards and Technology
NIST Construction Grant Program Application Requirements
OMB Control No. 0693-XXXX

A. JUSTIFICATION

This is a request for expedited review of this collection of information.

1. Explain the circumstances that make the collection of information necessary.

The statutory authorities for this program are the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Public Law 111-5) and the Omnibus Appropriations Act, 2009 (Public Law 111-8). The Recovery Act appropriated \$180 million to NIST “for a competitive construction grant program for research science buildings.” In order to meet the intent of the Recovery Act, expedited review needs to be completed as soon as possible, and will allow the application process for this program to commence.

The NIST Construction Grant Program is a competitive financial assistance (grant) program for research science buildings through the construction of new buildings or expansion of existing buildings. For purposes of this program, “research science building” means a building or facility whose purpose is to conduct scientific research, including laboratories, test facilities, measurement facilities, research computing facilities, and observatories. In addition, “expansion of existing buildings” means that space to conduct scientific research is being expanded from what is currently available for the supported research activities.

To receive funding, applicants must submit proposals in response to NIST competition notices announcing the availability of funds and request for proposals (RFPs), which are published in the *Federal Register* and Grants.gov Web site.

This request is for the information collection requirements associated with applying for funding. The intent of the collection is to meet programmatic requirements, as well as compliance with 15 C.F.R. Part 14.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

NIST issues competition notices announcing the availability of funds and RFPs in the *Federal Register* and Grants.gov Web site after funding becomes available in the annual appropriations. The Federal Funding Opportunity (FFO) posted on the Grants.gov Web site provides detailed

guidance for submitting grant proposals for funding projects under the NIST Construction Grant Program. Attached is a summary of the required information for proposal submission.

An initial administrative review will be conducted to determine compliance with requirements and completeness of the proposal. Responsive and complete proposals will be considered further. Proposals that are nonresponsive and/or incomplete will be eliminated. Each of the remaining proposals will receive a minimum of three independent reviews, which will include written evaluations and scores, based on the evaluation criteria. The construction merit review may be performed by non-Federal Engineers or Architects. No consensus advice will be given. The individual proposal evaluations and scores will be considered by an Evaluation Board(s) (a committee made up of Federal employees), and this Board(s) will present ranking and funding recommendations based on the evaluation criteria to a Selecting Official for further consideration. Based on the evaluations and ranking prepared by the EB, a Selecting Official selects funding recipients.

The information collected is essential for NIST to be able to perform the appropriate review of a proposal to determine if a project should be selected for funding.

This information collection and dissemination will comply with the NIST CIO Information Quality Guidelines and Standards.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

Proposals may be submitted electronic via Grants.gov (www.grants.gov).

4. Describe efforts to identify duplication.

The NIST Construction Grant Program was funded for the first time in fiscal year 2008. Funding has been made available in fiscal year 2009 under the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Public Law 111-5) and the Omnibus Appropriations Act, 2009 (Public Law 111-8). As a new program NIST's information collection needs to accomplish the goals and objectives of the program. There are no other collections that gather similar information.

The information requested is unique to each financial assistance proposal. No duplication of effort exists with other Federal government information collection efforts. Some of the questions may overlap with material provided in other parts of another Federal financial assistance proposal. If appropriate the applicant may simply copy the information from those parts of the proposal and paste it as appropriate.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

Not applicable. The collection of information under this program has no impact on small businesses or other small entities as they are not eligible to participate.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If the collection is not conducted, NIST will not be able to obtain the information required to evaluate the merits of a proposal. A proposal is essential to collect the required technical and budget information for reviewers to determine the worthiness of a proposal. NIST would not be able to accomplish its mission without soliciting proposals, evaluating them, and making funding decisions in accordance with the authorizing legislation.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The proposed collection of information will be conducted in a manner that is consistent with OMB guidelines.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice soliciting public comment will be published (copy in ROCIS). The public will be instructed to send comments to the Office of Management and Budget Desk Officer.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

Respondents whose proposals are selected for funding receive awards using the grant financial assistance-funding instrument. No other payments or gifts are provided to respondents

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

The government will protect confidential/proprietary information on business operations and trade secrets possessed by any applicant to the full extent of the law. Such information will be withheld from disclosure pursuant to the following statutes:

- a. Trade Secrets Act - 18 U.S.C. § 1905
(http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+18USC1905).
- b. Freedom of Information Act (FOIA) - 5 U.S.C. § 552(b)
(http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+5USC552).
- c. Economic Espionage Act – 18 U.S.C. § 1832
(http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+18USC1832).

In the collection, review, and handling of information in proposals, NIST presumes that all proposals contain confidential/proprietary information, whether or not so identified by the applicant. All individuals who have access to proposals must sign a Conflict of Interest and Confidentiality Agreement.

If an award is issued, the original proposal is maintained in the NIST official award file. Some copies are shredded and the remaining copies are maintained under strict security. The security proposal handling procedures require a strict sign out/in tracking system. All but one copy of unfunded proposals are shredded after each competition.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

Not applicable. The information collected does not include questions of a sensitive nature.

12. Provide an estimate in hours of the burden of the collection of information.

The burden hours for the collection of information are estimated at **250,000** based on approximately 500 proposals at 500 hours per proposal. A breakdown of burden hours for proposal submission is as follows:

	<u>Hours</u>
Read instructions, plan activities, and gather information	20
Prepare project narrative	300
Prepare required forms	100
Professional review of proposal	40

Clerical preparations (data input, assembly, text editing, photocopying, etc.)	<u>40</u>
Total Hours	500

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

None is anticipated.

Applicants who submit their proposals electronically (approximately 75 percent anticipated out of 500 proposals for a total of 375) will not incur any duplicating costs. Additionally, those that elect to submit by paper (approximately 25 percent out of 500 proposals for a total of 125), are unlikely to incur any direct costs for duplicating as they will be included in the organization's overhead pool.

14. Provide estimates of annualized cost to the Federal government.

An average of approximately 16 professional hours and 1 clerical hour are needed for proposal review. Using loaded wage rates of \$87 per hour for professional time and \$33 per hour for clerical time, each proposal costs the government approximately \$1,425 [(\$87 x 16 = \$1,392) + (\$33 x 1 = \$33)]. For approximately 500 proposals, the review process cost is \$712,500 (\$1,425 x 500). The total professional cost is \$696,000 (\$1,392 x 500) and the total clerical cost is \$16,500 (\$33 x 500) for a total of \$712,500.

If approximately 15 proposals are selected for funding, an additional 1 clerical hour is required for final processing, yielding a cost of \$33 per proposal (1 x \$33). For approximately 15 proposals that may be selected for funding, the total clerical cost is \$495 (\$33 x 15).

In summary, the estimate of annualized cost to the Federal government for the proposal review process is \$712,995 (\$712,500 + \$495). The total professional cost is \$696,000 and the clerical cost is \$16,995 (\$16,500 + \$495).

Note that not every proposal will receive the same number of reviews as some will drop out during prescreening. Grants administration costs are not included because they are a normal and customary part of the functions of NIST.

15. Explain the reasons for any program changes or adjustments.

This is a new information collection request.

16. For collections whose results will be published, outline the plans for tabulation and publication.

Not applicable. The information collected will not be published for statistical use.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Not applicable.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

Not applicable.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable. .

NIST CONSTRUCTION GRANT PROGRAM REQUIRED INFORMATION FOR PROPOSAL SUBMISSION

For electronic proposal submission, the forms listed in 3.a. through 3.e. below are available as part of the Grants.gov application package and can be completed through the download application process. For paper proposal submission, fillable forms listed in 3.a. through 3.e. below are available on the NIST Recovery Act Web site at www.nist.gov/recovery. For both electronic and paper proposal submissions, the forms listed in 3.g. through 3.i. are available on the NIST Recovery Act Web site www.nist.gov/recovery. Requests for paper copies of the application package can be made to Christopher Hunton at 301-975-5718 or christopher.hunton@nist.gov or to Sue Li at 301-975-8817 or sue.li@nist.gov.

3. Content and Form of Application/Proposal Submission

Complete proposals must include the following forms and documents:

- a. SF-424, Application for Federal Assistance (required)
- b. SF-424C, Budget Information – Construction Projects (required)
- c. SF-424D, Assurances Construction Projects (required)
- d. SF-LLL, Disclosure of Lobbying Activities (required)
- e. CD-511, Certification Regarding Lobbying (required)
- f. Technical Proposal responsive to program description (required)
- g. NIST-1101, NIST Construction Grant Program Budget Narrative (required)
- h. NIST-1101A, NIST Construction Grant Program Details on Unallowable Project Costs (if applicable)
- i. NIST-1101B, NIST Construction Grant Program Environmental Compliance Questionnaire (required)
- j. Letters of Commitment for Cost Sharing (required)

If submitting a proposal electronically via Grants.gov, items 3.a through 3.e. are part of the mandatory application package in Grants.gov. Items 3.f. through 3.j. are to be completed and **attached as a single PDF document** to item 15 of the SF-424, Application for Federal Assistance.

If submitting by paper, all of the mandatory proposal documents should be submitted in the order listed above.

Technical Proposal Preparation Instructions:

The Technical Proposal is a word-processed document written by the applicant. The Technical Proposal should describe in depth the planned research use or scientific/technical goals for the research space, the key research personnel that will use the building/facility, the research capabilities of the organization, the research activities that become possible with the building/facility that are not feasible with the organization's current research infrastructure, the scope of the construction project, the project monitoring methods to be used, the detailed schedule, the key construction personnel working on the project and their qualifications, and the construction management capabilities of the organization. Additionally, in preparing the Technical Proposal, the selection factors should be taken into account.

- a. **Project Summary** (maximum length, 1 page). Describe the proposed construction project scope for the research science building/facility and the type of research planned for the facility that is unlikely to be achieved without the new research facility. Describe which Program Priorities will be

addressed. Proposals that do not address the three Evaluation Criteria within the one-page Project Summary will be returned without review.

- b. **Project Description** (maximum length 29 pages). The project description must include subsections (1) – (4) below. The suggested length for subsections (1) and (2) together is 9-14 pages. The suggested length for subsections (3) and (4) together is 15-20 pages. Research bibliographies, experience summaries (CVs) for key research and construction personnel, and design drawings and other figures are all included in the page count and limited to letter-size paper:

- (1) **Research Activities and Potential Impacts**
- (2) **Need for Federal Funding**
- (3) **Design Description of the Research Facility**
- (4) **Project Management Plan**
 - i. **Description of Project Scope and Requirements**
 - ii. **Project Time Schedule and Linkage to the Budget**
 - iii. **Capability to Manage the Project**
 - iv. **Financial Commitments to Implement the Plan**

NIST-1101, NIST Construction Grant Program Budget Narrative; NIST-1101A, NIST Construction Grant Program Details on Unallowable Project Costs; and NIST-1101B, NIST Construction Grant Program Environmental Compliance Questionnaire:

There is no page limit on the NIST-1101, NIST-1101A, and NIST-1101B. These forms are available on the NIST Recovery Act Web site www.nist.gov/recovery.

Letters of Commitment for Cost Sharing. Cost sharing included in the proposed project budget requires letters of commitment from individuals or organizations that are providing the cost sharing. Letters of commitment for cost sharing do not count towards the page limit. General “letters of support” are not required and will be counted against the page limit for the Project Description if included in the proposal. A summary listing of this support is allowed. It is inappropriate for any Federal staff to provide critique or feedback on project ideas, etc., and it is also inappropriate to ask Federal employees for a letter of support.

Paper submissions require an original and two (2) copies.