

INFORMATION COLLECTION SUPPORTING STATEMENT
Supplemental Discretionary Grants for Capital Investments in Surface
Transportation Infrastructure (TIGER Discretionary Grant Program) and
National Infrastructure Investments (TIGER II Discretionary Grant
Program)

1. CIRCUMSTANCES THAT MAKE THE COLLECTION NECESSARY.

OST provides financial assistance to State and local Governments, including U.S. territories, tribal Governments, transit agencies, port authorities, metropolitan planning organizations (MPOs), other political subdivisions of State or local Governments through the TIGER and TIGER II Discretionary grants programs.

The collection of information is necessary in order to monitor grant recipients, project progress, and project performance, pursuant to the Supplemental Discretionary Grants for Capital Investments in Surface Transportation Infrastructure, referred to by the Department as “Grants for Transportation Investment Generating Economic Recovery”, or “TIGER” Discretionary Grants program authorized and implemented pursuant to the American Recovery and Reinvestment Act of 2009 (“Recovery Act”); and additionally, pursuant to the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act of 2010 (“FY 2010 Appropriations Act”), Title I - Department of Transportation, Office of the Secretary, National Infrastructure Investments, Public Law 111-117, 123 Stat. 3034. The Office of the Secretary of Transportation (“OST”) is referring to these grants as “TIGER Discretionary Grants,” and TIGER II Discretionary Grants. The purpose of each program is to advance projects that will have a significant impact on the Nation, Metropolitan area or a region.

OST requests information from applicants in the form of pre-applications and applications. These pre-applications and applications are the subject of the existing information collection, and OST proposes to extend this collection of pre-applications and applications in order to solicit proposals for funding from eligible applicants for the 2011 National Infrastructure Investments appropriation, and any similar appropriations made before this information collection expires. OST also proposes to extend the collection of information related to monitoring TIGER and TIGER II grant recipients, project progress, and project performance to any similar appropriations made before this information collection expires. Since this ICR would cover an additional two appropriations before it expires, OST estimates that an additional 100 grants will be made.

Additionally, the Recovery Act and the Notices of Funding Availability for each program require OST to collect information from grant recipients in order to monitor the progress and financial conditions of projects that have been awarded grants, and to monitor the performance of completed projects against the goals of the completed projects. The relevant section of the Recovery Act is attached hereto as Exhibit A. The relevant section of the FY 2010 Appropriations Act is attached hereto as Exhibit B. The reporting requirements specified in the solicitation for applications for the TIGER Discretionary Grant program are attached hereto as Exhibit C. The reporting requirements specified in the solicitation for applications for the TIGER II Discretionary Grant program are attached hereto as Exhibit D.

The interim notice of solicitation of applications for the 2011 National Infrastructure Investments that the USDOT is referring to as TIGER Discretionary Grants, and that is substantially similar to the solicitations under the 2009 Recovery Act and FY 2010 Appropriations Act, is attached as Exhibit E. An outline of the reporting requirements as they appear in the grant agreements for TIGER and TIGER II is attached as Exhibit F. The forms that grantees will use to submit information the Project Management and Project Evaluation stages of the information collection are attached hereto as Exhibit G.

The reporting requirements are submitted by recipients in four stages: the application stage, grant agreement stage, the project management stage and the project evaluation stage.

Application Stage

OST received an emergency clearance from OMB to collect information to determine the applicant's eligibility, and to assess the proposed activities competitiveness to receive program funds. This request extends the existing clearance to cover additional pre-applications and applications solicited for the 2011 National Infrastructure Investments appropriation, solicited in a manner similar to the solicitation for TIGER and TIGER II pre-applications and applications.

Grant Agreement Stage

OST received an emergency clearance from OMB to collect information to determine the applicant's eligibility, and to assess the proposed activities competitiveness to receive program funds. This request amends the existing clearance to cover additional requests for information from grantees that is necessary to negotiate the grant agreements.

Project Management Stage

The reporting requirements under this stage are necessary to ensure the proper and timely expenditure of federal funds within the scope of the approved project. The requirements comply with the Common Grant Rule, and are also included in sections of the grant contract. These reporting requirements are:

- a. Quarterly Progress and Monitoring Reports. These narrative reports are required quarterly to ensure that the project budget and schedule will be maintained to the maximum extent possible, that the project will be completed with the highest degree of quality, and that compliance with Federal regulations will be met. The requirements include an executive summary and sections to show: project activities; outstanding issues; project schedule; project cost; project funding status; and project quality, along with an SF-425 Federal Financial Report. This reporting requirement will greatly reduce the need for on-site visits by staff. A more detailed description of the reporting requirements excerpted from the TIGER and TIGER II grant agreement template is attached hereto as Exhibit E.
- b. Annual Budget Review. Grantees will submit electronically an Annual Budget Review and Program Plan to the Government 60 days prior to the end of each Agreement year. The Annual Budget Review and Program Plan will provide a

detailed schedule of activities, estimate of specific performance objectives, include forecasted expenditures, and schedule of milestones for the upcoming Agreement year. If there are no proposed deviations from the Approved Detailed Project Budget, in the grant agreement signed by the Government and the Grantee, the Annual Budget Review will reflect this. The Annual Budget review will show if there is an actual or projected project cost increase, and will include a written plan for providing additional sources of funding to cover the project budget shortfall or supporting documentation of committed funds to cover the cost increase. This reporting requirement will ensure that proper Government approval is sought by the Grantee before continuing work without additional planning if the annual budget update deviates from the approved project budget by more than 10 percent.

Project Evaluation Stage

The reporting requirement under this stage is necessary to assess program effectiveness for the federal Government in both the Executive and Congressional branches. This electronic spreadsheet report is collected quarterly from grantees and provides information regarding how the project is performing in achieving the outcomes that grantees have targeted, as well as measuring the effectiveness of the TIGER and TIGER II grants as a program. Information provided will allow the Government to assess the performance gains achieved through the TIGER investments at the project level and will facilitate the comparison of investments against each other to assist the Government in understanding why some TIGER and TIGER II investments perform differently than other investments. This information permits federal Executive and Congressional evaluation of the program.

2. HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED.

The information collected will be used by OST and the Modal Administrations administering the grants.

OST will continue to use the information collected in the application phase to evaluate proposals and make decisions to award grants to applicants for any future similar appropriations, as OST has done in TIGER and TIGER II.

OST and the Modal Administrations will use the information to monitor the progress of projects that have been awarded TIGER or TIGER II Discretionary Grant funds, and to monitor the proper expenditure of Federal funds. After the grant money has been used by the recipients, OST and the Modal Administrations will continue to collect information on the performance of the resulting projects to assess the effectiveness of individual projects in achieving outcomes that grantees have targeted, as well as measuring the effectiveness of the TIGER and TIGER II grants as a program.

The project management information will be collected by grant recipients. Much of the information will be produced and collected through the normal process of project management, so the additional burden of Government information collection is small in comparison to the information that grant recipients already collect to manage their

projects properly.

The project evaluation information will also be collected by grant recipients. Some of the information is already collected through the normal performance measurement of business operations done by the project sponsors and grant recipients. Some of the performance measurement information, however, will require extra efforts on the part of the grant recipients to collect. In the case of each grant, recipients are offered the opportunity to propose performance measures that would like to collect information on, so that the least burdensome, mutually agreeable performance measures may be selected by consensus of the Government and the grant recipient.

The purpose of the project management information collection is to ensure that the project budget and schedule will be maintained to the maximum extent possible, that the project will be completed with the highest degree of quality, and that compliance with Federal regulations will be met.

The purpose of performance evaluation information collection is to allow the Government and the grantee to assess the performance gains achieved through the TIGER investments at the project level and will facilitate the comparison of investments against each other to assist the Government in understanding why some TIGER and TIGER II investments perform differently than other investments. This information permits federal Executive and Congressional evaluation of the program.

3. EXTENT OF AUTOMATED INFORMATION COLLECTION:

The Department will receive applications reports electronically via email and via websites from grant awardees upon approval from OMB. Certain agencies within the Department have found that delivery of reports electronically is the most reliable way to collect information and will use their existing grant administration systems to collect the information covered by under this request. In order to minimize the burden on applicants, OMB approved standard forms are being used to collect information where possible.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION.

The information collected from grantees is project specific and the information is not available other than from the grantees. The information will be used to monitor projects on a quarterly basis, and to ensure on an annual basis that the project's plan conforms to the project's real operating environment.

5. METHODS USED TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES.

Grantees include State and local governments, including U.S. territories, tribal governments, transit agencies, port authorities, metropolitan planning organizations (MPOs), other political subdivisions of State or local governments. No grantees are business organizations, small or otherwise. To minimize the burden on small

governmental recipients, the post-project performance measures that grant recipients are required to report to OST on are subjected to negotiations between OST and the recipients, so that the least burdensome, mutually agreeable measures are selected.

6. CONSEQUENCES TO FEDERAL PROGRAMS OR POLICY ACTIVITIES IF INFORMATION WAS NOT COLLECTED OR COLLECTED LESS FREQUENTLY, AS WELL AS ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING THE BURDEN.

If the information requested in the reports is not collected, the Department will not be able to evaluate project progress or financial conditions in accordance with the FY 2010 Appropriations Act, the Recovery Act (which includes specific reporting requirements), and the Notices of Funding Availability for both programs published in the *Federal Register*. Additionally, without the information the Department will not be able to evaluate the effectiveness of projects that receive grant funds, and therefore the effectiveness of the grant funds in achieving program goals, without post-project performance measurement data collection. The quarterly collection of financial data ensures that the economic stimulus and job creation goals of both programs can be tracked, and ensures that the use of Federal funds can be appropriately monitored. The quarterly collection of performance measures after the project is complete ensures that changes in seasonal use and performance of projects are measured. Some performance measures will be collected at broader intervals, but the maximum burden on Grantees to provide information for some performance measures will be quarterly. Reporting periods and the specific performance measures tracked will be negotiated with grantees individually in order to place an appropriate, minimal information collection burden on grantees that allows OST to evaluate the effectiveness of the TIGER programs' impacts on the transportation challenges the grantees' projects intend to address.

If these and other reports were required less frequently, additional site visits by agency staff would be required to ensure compliance with program objectives.

7. SPECIAL CIRCUMSTANCES THAT REQUIRE THE COLLECTION TO BE CONDUCTED IN A MANNER INCONSISTENT WITH 5 CFR 1320.6.

The information collected is consistent with the guidelines in 5 CFR 1320.6.

8. EFFORTS TO CONSULT WITH PERSONS OUTSIDE THE AGENCY TO OBTAIN THEIR VIEWS.

Preliminary negotiations with grantees about performance measure data collections are ongoing. OST has worked with grantees on reporting requirements in shaping its reporting system and offers an opportunity for all grantees to comment on its methodologies.

9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.

No payment is made to respondents, other than remuneration to grantees.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED RESPONDENTS.

There is no assurance of confidentiality regarding these submissions.

11. ADDITIONAL JUSTIFICATION FOR QUESTIONS OF A SENSITIVE NATURE.

None of the information is of a sensitive nature.

12. ESTIMATE OF THE HOUR BURDEN OF THE COLLECTION AND ANNUALIZED COST TO RESPONDENTS.

<u>Requirements</u>	<u># of Annual Submissions</u>	<u>Burden hours per Submission</u>	<u>Total Burden hours</u>
<u>Application Stage</u> <i>(includes all of the following)</i>			
Pre-applications and Applications	1,000	100	100,000
<u>Grant Agreement Stage</u> <i>(includes all of the following)</i>			
Requests for information related to signing grant agreements	50	1	50
<i>Total</i>	<i>50</i>		<i>50</i>
<u>Project Management Stage</u> <i>(includes all of the following)</i>			
Quarterly Progress Report (SF-425)	504 (504)	6.5 (1.5)	3,274 (756)
Annual Budget Review	126	8	1,008
<i>Total</i>	<i>630</i>		<i>4,282</i>
<u>Project Evaluation Stage</u> <i>(includes all of the following)</i>			
Quarterly Performance Measures Report	504	6	3,024
<i>Total</i>	<i>504</i>		<i>3,024</i>
Grand Total			107,381

All burden hour estimates are based on a comprehensive review of all the requirements associated with the TIGER programs and, discussions with appropriate modal staff, and analysis of other Department programs.

Estimate of the cost to respondents:

There is a wide variance in the level of effort required by recipients to comply with the Project Management Stage reporting requirements. The complexity of Project Evaluation Stage reports submitted each quarter varies considerably on a project-by-project basis, and again, there is a wide variance in the level of effort required. A majority of reports, however, will be simple and straightforward. The figures below are representative of a straightforward project of average complexity that has completed construction over a three year period with a three year period of performance measurement once construction is complete.

Application Stage

We estimate that it takes approximately 100 person-hours to read the Notice of Funding Availability and compile a pre-application and application package for a TIGER application. Since OST expects to receive 1,000 applications per appropriation, the total hours required are estimated to be 100,000 hours (100 hours x 1,000 applications = 100,000 hours) on a one time basis, per appropriation. Although various personnel are involved in the development of an application, the average salary is estimated to be \$33 per hour. Therefore, the cost to the respondents is computed at \$3,300,000 (100,000 hours x \$33 = \$3,300,000).

Grant Agreement Stage:

We estimate that it takes approximately 1 person-hour to respond to OST requests for more information in order to negotiate the grant agreements. Since OST has negotiated 126 grant agreements for TIGER and TIGER II, OST estimates that there will likely be 50 grant agreements negotiated per additional appropriation. The total hours required are estimated to be 50 (1 hr. x 50 agreements = 50 hours) on a one time basis, per appropriation. Although various personnel are involved in the development of an application, the average salary is estimated to be \$33 per hour. Therefore, the cost to the respondents is computed at \$1,650 (50 hours x \$33 = \$1,650).

Project Management Stage:

We estimate that it takes approximately 6.5 person-hours to develop and submit a quarterly project progress report to OST for review. OST has already awarded 126 TIGER and TIGER II projects and expects that an additional 50 projects would be added to this number, per appropriation, while OST expects that an equal number of projects would reach completion during the year and no longer need to submit these reports. Since OST expects to receive 504 quarterly project progress reports per year, the total hours required are estimated to be 3,274 (6.5 hours x 504 reports = 3,274 hours). Although various personnel are involved in the development of an application, the average salary is estimated to be \$33 per hour. Therefore, the cost to the respondents is computed at \$108,042 (3,024 hours x \$33 = \$108,042).

We estimate that it takes approximately 8 person-hours to develop and submit an annual budget review report to OST for review. Since OST expects to receive 126 quarterly project progress reports per year, the total hours required are estimated to be 1,008 (8 hours x 126 reports = 1,008 hours). Although various personnel are involved in the

development of an application, the average salary is estimated to be \$33 per hour. Therefore, the cost to the respondents is computed at \$33,264 (1,008 hours x \$33 = \$33,264).

Project Evaluation Stage:

We estimate that it takes approximately 6 person-hours to develop and submit a quarterly performance measures report to OST for review. Since OST expects to receive 504 quarterly performance measures reports per year, the total hours required are estimated to be 3,024 (6 hours x 504 reports = 3,024 hours) Although various personnel are involved in the development of an application, the average salary is estimated to be \$33 per hour. Therefore, the cost to the respondents is computed at \$99,792 (6 hours x \$33 = \$99,792).

The grand total annual cost to the respondent for both the application, grant negotiation, program management and evaluation stage is \$3,476,220.

13. ESTIMATE OF TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORDKEEPERS RESULTING FROM THE COLLECTION OF INFORMATION (NOT INCLUDING THE COST OF ANY HOUR BURDEN SHOWN IN ITEMS 12 AND 14).

There is no additional cost beyond that shown in items 12 and 14.

14. ESTIMATE OF THE ANNUALIZED COST TO THE FEDERAL GOVERNMENT.

The cost is calculated as follows:

Application Stage:

OST will review the applications in order to assess project eligibility and merit and to provide information for the discretionary decision-making process prior to the award of any future TIGER grants.

We estimate that the average grade level of the reviewers is GS-12/step 5, paid \$32.73 per hour. Three reviewers will review each application for an hour per reviewer. Since we expect to evaluate 1,000 applications, the cost to the federal Government is \$101,190 (3 hours x 1,000 applications = 3,000 hours x \$32.73 = \$101,190), per appropriation.

Grant Agreement Stage:

Information may be requested from grantees in order to negotiate the grant agreements under which the TIGER and TIGER II funds will be distributed to grantees. OST does not expect to request much information from grantees, since most of the information required was submitted along with the grant applications.

We estimate that the average grade level of the reviewers is GS-12/step 5, paid \$32.73 per hour. Since we expect to negotiate 50 grant agreements and spend about two hours requesting the information and using it to draft the grant agreements, the cost to the

federal Government is \$32,730 (2 hours x 50 applications = 100 hours x \$32.73 = \$32,730), per appropriation.

Project Management Stage:

Individuals managing projects throughout OST and the modal administrations vary from GS-9 to GS-14; however, in looking at the averages it can take a GS-12/step 5 (average salary, \$32.73 per hour) about ½ hour per report to review it. There are approximately 126 projects requiring reports annually, and a total of 5 reports per project, or 630 submissions, annually. The cost to the federal Government is \$10,310 (1/2 hr. x 630 submissions = 315 hours x \$32.73 = \$10,310), annually.

Project Evaluation Stage:

Grantee performance information is submitted electronically and quarterly to OST via email. This information will be summarized and analyzed by OST staff or a contractor and posted for the public. OST estimates that one staff person at the GS-12/step 5 level will devote approximately 2 hours to this task, per project, per year, totaling \$15,246 (2 hours x 226 projects = 452 hours x \$32.73 per hour = \$15,246), per year.

15. EXPLAIN REASONS FOR CHANGES IN BURDEN, INCLUDING THE NEED FOR ANY INCREASES.

This is an existing information collection request with a request to revise the approved collection. Due to the reduction in applications expected, there is no overall increase in burden expected. The changes in burden are related to the need for OST and modal administrations to oversee and administer the grants, as well as to collect information on the transportation outcomes of the grants.

16. PLANS FOR TABULATION AND PUBLICATION FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED.

OST plans to publish the results of the information collected for statistical use and use by grantees.

17. IF SEEKING APPROVAL NOT TO DISPLAY THE EXPIRATION DATE FOR OMB APPROVAL, EXPLAIN THE REASONS.

There is no reason not to display the expiration date of OMB approval.

18. EXPLAIN ANY EXCEPTIONS TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19 OF OMB FORM 83-I.

No exceptions are stated.

Attachments to Justification Statement

- A. Relevant section of the Recovery Act
- B. Relevant section of the FY 2010 Appropriations Act
- C. TIGER NOFA

- D. TIGER II NOFA
- E. FY 2011 TIGER NOFA
- F. Outline of report formats as described in the grant agreements.
- G. Six forms that grantees will use to submit this information to the government.