

**INFORMATION COLLECTION
SUPPORTING STATEMENT – PART A
TRANSPORTATION INFRASTRUCTURE FINANCING AND
INNOVATION ACT (TIFIA) COLLECTION ACTIVITY**

1. CIRCUMSTANCES THAT MAKE THE COLLECTION NECESSARY. The Transportation Infrastructure Finance and Innovation Act of 1998 (the “TIFIA Act”) was enacted as part of TEA 21 (Public Law 105-178, §§1501-04), as amended in 1998 by the TEA 21 Restoration Act (Title IX of Public Law 105-206), was further amended in 2005 by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59), was amended and restated in 2012, by the Moving Ahead for Progress in the 21st Century Act (MAP-21) (Public Law 112-141), and most recently, was amended in 2015 by the Fixing America’s Surface Transportation (FAST) Act (Public Law 114-94). The purpose of the TIFIA program is to provide Federal credit assistance in the form of direct loans, loan guarantees, and standby lines of credit to eligible surface transportation projects.

MAP-21 requires the Office of the Secretary (“OST”) to publish criteria for the TIFIA program. In order to satisfy these requirements, OST must collect an application from applicants seeking funding. The relevant section of MAP-21 is attached hereto as Exhibit A. Amendments in the FAST Act did not repeal these requirements. OST is publishing this notice to give project sponsors an opportunity to submit letters of interest and applications for the authorized TIFIA funding. This collection is necessary to determine whether each proposed project meets creditworthiness and other Federal requirements to receive TIFIA credit assistance.

2. HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED AND CONSEQUENCES IF THE INFORMATION IS NOT COLLECTED. The National Surface Transportation and Innovative Finance Bureau (referenced hereafter as the Build America Bureau or the Bureau) was established by the Secretary on July 20, 2016, in accordance with the FAST Act. The Bureau currently administers the TIFIA application process. The letters of interest (the form of which is attached hereto as Exhibit B) and applications (the form of which is attached hereto as Exhibit C) collected through this solicitation will be used by OST and the Bureau to evaluate applications for credit assistance under the TIFIA eligibility requirements.
3. CONSIDERATION OF IMPROVED INFORMATION TECHNOLOGY. As the Bureau implements a more streamlined process for administering TIFIA applications, the Bureau will put into place a process by which letters of interest and applications can be submitted to the Bureau by a secure FTP site with access limited to applicants in order to address privacy concerns. Until a secure electronic medium can be established, OST will continue to require

that project sponsors submit physical copies of letters of interest and application to ensure that complete applications are received. Applicants may also submit electronic copies in addition to physical copies of their letters of interest and applications.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. The applications will generally be project specific and the information is not available elsewhere. However, to reduce duplication, OST indicates in the solicitation that, at the applicant's discretion, relevant materials provided previously to a Department agency in support of a different Department discretionary program may be referenced and described as unchanged.
5. METHODS USED TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES. Eligible projects under the TIFIA Act are public infrastructure projects that cost in excess of \$50,000,000 in most cases and in excess of \$10,000,000 in all other cases. Project sponsors for such projects are, therefore, typically state and local governments, transit agencies, freight railroad companies, special authorities, special districts, and private business that have not historically been small businesses.
6. CONSEQUENCES IF INFORMATION WAS NOT COLLECTED OR COLLECTED LESS FREQUENTLY. OST will be unable to satisfy the statutory mandate to require the submission of letters of interest and applications if the collection is not conducted, which means that TIFIA credit assistance will not be available. In order to provide credit assistance to eligible projects, which is the purpose of the program, OST must collect letters of interest and applications that respond to the eligibility requirements.
7. SPECIAL CIRCUMSTANCES THAT REQUIRE THE COLLECTION TO BE CONDUCTED IN A MANNER INCONSISTENT WITH 5 CFR 1320.6. This collection of letters of interest and applications will not require respondents to report information to OST more often than quarterly. Each letter of interest and application is a one-time submission from each applicant.
8. EFFORTS TO CONSULT WITH PERSONS OUTSIDE THE AGENCY TO OBTAIN THEIR VIEWS. OST has published a Federal Register notice soliciting public comment with a 60-day period to receive comments. OST published this notice (Exhibit D) on March 24, 2017 (82 FR 15101), and when the comment period closed on May 23, 2017, OST had not received any comments. OST published a 30-day notice on May 23, 2017 (82 FR 25045).
9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS. OST will not provide any payment or gift to respondents, including remuneration of contractors or grantees.
10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED RESPONDENTS. DOT cannot offer an assurance of confidentiality to any applicant. If an applicant desires that any information submitted in its letter of interest or application or any supplementary material not be released by the Department upon request from a member of the public or otherwise made publicly available, the applicant is directed to state so and directed to provide reasons why such information is confidential business information and should not be released, including particulars as to any competitive harm which would potentially result from the release of such information. The Department will handle requests from the public for release of information under its standard Freedom of Information Act procedures.

11. ADDITIONAL JUSTIFICATION FOR QUESTIONS OF A SENSITIVE NATURE. The evaluation process for potential TIFIA credit assistance requires that applicants submit some confidential, proprietary information to the TIFIA Joint Program Office. Evaluating an applicant's financial condition and the creditworthiness of the project requires certain sensitive or non-public information.
12. ESTIMATE OF THE TOTAL ANNUAL HOUR BURDEN OF THE COLLECTION TO RESPONDENTS. The actual number of letters of interest and applications received between 2013 and 2017 averaged approximately 26 letters of interest and applications per year. The FAST Act expanded the category of projects that are eligible to receive TIFIA credit assistance. Based on this prior experience and the number and type of interested stakeholders that have contracted OST about the TIFIA credit assistance program, OST continues to estimate that it will receive not more than 50 applications and letters of interest and that it will generally not take applicants more than 20 person-hours to assemble letters of interest and 100 person-hours to assemble individual applications. The total annual burden of this collection of letters of interest and applications is estimated to be 6,000 hours.
13. ESTIMATE OF TOTAL ANNUAL COST BURDEN TO RESPONDENTS. As noted above, the estimated total annual hour burden on respondents of this one time collection of applications and letters of interest is 6,000 hours. Various respondent personnel are involved in the development of an application, but there are no additional direct cost burdens beyond the hourly estimate above.
14. ESTIMATE OF THE ANNUALIZED COST TO THE FEDERAL GOVERNMENT. The estimated annualized cost to the Federal government of this request for letters of interest and applications is \$315,675. This cost reflects the cost of an evaluation team to review each letter of interest and application and make recommendations about which projects are eligible to receive credit assistance. OST currently estimates that ten people from various agencies in the Department will need to review the applications and letters of interest. The evaluation process takes approximately three months for each letter of interest and application, which is the equivalent of two and one-half job years. The estimated pay for the evaluation team members is approximately \$125,000 per year, so the estimated annualized cost to the Federal government for the evaluation team is \$312,500. OST does not expect to need any special equipment or support, other than printing. As noted above in item 12, OST expects not more than 50 letters of interest and 50 applications. If each letter of interest is 10 pages each application is 25 pages, as requested in the solicitation, OST may need to print as many as 1,750 pages for each of the ten persons reviewing the application and letter of interest, which adds up to a total of 17,500 pages of printing. (While it is possible that some of the members of the evaluation team will review electronic versions of the applications, for the purpose of this estimate we assume that all members will review hard copies of all applications.) OST's printing costs are approximately 1 cent per page, which adds up to a total printing cost of \$175.

As the Bureau implements a more streamlined process for administering TIFIA applications, the Bureau will be able to reduce the number of persons needed to review each letter of interest and application, thereby reducing the annualized cost to the Federal government.

15. EXPLAIN REASONS FOR CHANGES IN BURDEN. This is a request to renew an existing information collection at the Department of Transportation. The OMB Control Number for

the existing collection is 2105-0569. There is no change in burden since the original collection was approved.

16. PLANS FOR TABULATION AND PUBLICATION. The letters of interest and applications collected for the TIFIA program will not be published.
17. IF SEEKING APPROVAL NOT TO DISPLAY THE EXPIRATION DATE FOR OMB APPROVAL, EXPLAIN THE REASONS. OST will display the expiration date for OMB approval of the information collection.
18. EXPLAIN ANY EXCEPTIONS TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19 OF OMB FORM 83-I. OST does not request any exceptions to the certification statement.