

Supporting Statement, A
DOT Technical Assistance PRA
OMB Number TBD

ABSTRACT:

This is a request for Office of Management and Budget (OMB) emergency clearance for an information collection request (ICR) to enable the Department of Transportation's (DOT) Office of the Secretary (OST) to implement the Thriving Communities Initiative (TCI), which includes the Thriving Communities program (TCP) which will issue a notice of funding opportunity (NOFO), the Rural and Tribal Assistance Pilot Program, and the Asset Concession and Innovative Finance Assistance Program. The TCI was authorized in the Consolidated Appropriations Act, 2022 (H.R. 2471), enacted on March 15, 2022. The Thriving Communities Initiative is a key component in DOT's Equity Action Plan that will provide direct, coordinated and place-based technical assistance and capacity building support that enables all communities, particularly those that are under-served and historically disadvantaged, to be able to access funding and programs established in the Infrastructure Investment and Jobs Act (IIJA also known as the Bipartisan Infrastructure Law).

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The Bipartisan Infrastructure Law (BIL) enacted as the Infrastructure Investment and Jobs Act (IIJA) (H.R. 3684, Public Law No. 117-58) created several new programs at the US Department of Transportation (DOT) that allow local governments, non-profit organizations, tribal governments, and other political subdivisions of state or local governments to apply directly for DOT discretionary grant funding. In response to President Biden's Executive Order 13985¹ and Executive Order 14008², DOT has included criteria in its notices of funding opportunity to prioritize the needs of disadvantaged communities for many of these new programs.

The collection of information for the TCI is necessary for underserved and disadvantaged communities to receive the needed technical assistance and capacity building to support their ability to develop funding applications and deliver transformative projects funded by the Department of Transportation. Given the delay with the FY2022 DOT appropriations, coupled with the forthcoming start of a new fiscal year and new programs authorized in the Budget

¹ Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government

² Executive Order 14008: Tackling the Climate Crisis at Home and Abroad, which established the Justice40 Initiative and supports the Administration's approach to advancing equity for all in line with Executive Order 13985.

Reconciliation package it is critical that the suite of technical assistance resources to be provided through Thriving Communities is able to launch quickly.

The implementation of the TCI is critical in order to provide direct, coordinated, and placed-based technical assistance and capacity building to underserved and disadvantaged communities. The Department is directed to implement the program as swiftly as possible to support disadvantaged communities in the planning and development of transportation and community revitalization activities that increase mobility, reduce pollution from transportation sources, expand affordable transportation options, facilitate efficient land use, preserve, or expand jobs, improve housing conditions, enhance connections to health care, education, and food security, or improve health outcomes. The Thriving Communities program is unique for DOT in that it allows for pre-application technical assistance and planning support. Both are essential to supporting communities that may be applying for FY2023 federal funding. The use of normal clearance procedures for ICR approval will prevent the Department from issuing the NOFO in a timeframe that allows DOT to provide this support to communities before the next round of IIA funding and to access DOT's credit and other innovative finance programs. As a result, those communities who may be most in need of the assistance provided through this program, will have missed two funding cycles thereby limiting the administration's Justice 40 commitment to ensure that forty percent of benefits from infrastructure funding are realized by disadvantaged communities. If the Department does not receive emergency approval for this ICR, issuance of the NOFO and implementation of the TCI will be delayed, and we will not support disadvantaged communities applying for many key FY2023 DOT grant programs such as RAISE and INFRA.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The DOT will collect this information via an online application. The purpose of this data collection is to enable the DOT to select capacity building and technical assistance providers to support communities seeking to advance transformative, equitable, and climate-friendly infrastructure projects that benefit disadvantaged communities.

Establishment of the TCP has two tasks: a) contracting of technical assistance advisors through a Notice of Funding Opportunity (NOFO) or existing procurement vehicles; and b) recruitment of project sponsors who will receive technical assistance services. Responding to both will occur on a voluntary basis, utilizing an electronic platform.

For item A, eligible applicants to provide technical assistance through the Thriving Communities program will request cooperative agreement funding through an application process in response to a published NOFO. The application is planned as a one-time information collection. DOT estimates that it will take approximately 20 hours to complete the NOFO application process used to select capacity builders under the Thriving Communities program. DOT estimates the recipients of Thriving Communities program funding will spend another 4 hours, annually, submitting post-award reports. In addition, reporting requirements will be submitted by the

select capacity building providers and technical assistance recipients during the implementation, and evaluation phases.

For the Rural and Tribal Infrastructure Assistance Pilot Program and Asset Concession and Innovative Finance Assistance Program, advisors and technical assistance providers will be contracted using existing procurement vehicles. Estimated time required for these programs will be 4 hours annually.

For item B, the intake form to be used by communities seeking technical assistance is estimated to take no more than 1 hour to complete. Recipients of technical assistance support are estimated to spend no more than 2 hours annually providing evaluation metrics.

Respondents to Item A (technical assistance providers): for-profit companies, non-profit organizations, or other technical assistance providers.

Respondents to Item B (requestors of technical assistance): philanthropic entities, non-profit organizations, other Federal agencies, state or local governments and their agencies, and Indian Tribes.

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

The DOT will collect this information via an online electronic application.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The specific information requested is unique to the cohorts identified in the NOFO. Though DOT does collect information from some recipients on select aspects of technical assistance and capacity building, this data cannot be used for the purpose of this information collection.

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

This information collection has been designed to minimize the burden on all respondents. The DOT will collect this information via an online electronic application.

Recipients may use funding provided at 100-percent federal share with no local match.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

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ability to develop funding applications and deliver transformative projects funded by the Department of Transportation.

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7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines.

The collection information is consistent with OMB guidelines.

This is not a statistical data collection; it is an online electronic application. .

This information collection does not require respondents to submit proprietary information.

8. Provide information on 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 and request for comment was published on August 18, 2022.

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

The DOT will not provide payments or gifts.

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

The DOT offers no assurance of confidentiality. The information collected is available for public inspection.

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.

No sensitive information is requested on the form.

12. Provide estimates of the hour burden of the collection of information.

Estimated total respondents: 50

Estimated total burden hours: 900

Estimated total cost: \$106,200.00

Frequency: one-time

This information collection will apply to all respondents to the NOFO. The estimated hour burden and cost burden for all respondents is estimated as a total of 900 hours and \$106,200.

A total of 24 hours is estimated to complete the one-time application process and 4 hours annually for post-award reports. A total of 840 hours is estimated for thirty respondents. A total of three hours is estimated to complete the in-take form and two hours annually for providing evaluation metrics. A total of 60 hours is estimated for twenty respondents.

The cost estimate is based on the mean hourly rate of a General and Operations Manager³. The mean hourly pay for a General and Operations Manager is \$59 (rounded), multiplied by 2 to account for benefits plus other overhead costs such as rent, utilities and office equipment, for a fully loaded hourly wage of \$118.

$$\$118 \times 900 \text{ hours} = \$106,200$$

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.

There are no additional costs not already included in #12.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The total estimated annualized cost to the Federal Government is \$18,600. This is based on a one-time collection.

FTA anticipates that one agency employee at the GS-13-2⁴ level (\$93 per hour including 75% overhead costs) will provide project management support. FTA anticipates the effort will take the individual approximately 4 hours per collection.

$$50(\$93 \times 4 \text{ hours}) = \$18,600$$

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

There are no program changes or adjustments.

³ Based on Occupation 11-1021, BLS Occupational Employment Statistics, May 2019. See https://www.bls.gov/oes/current/oes_nat.htm - 11-0000

⁴ https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2022/DCB_h.pdf

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The information on the form is not intended to 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.

The DOT is not seeking approval to not display the expiration date.

18. Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

There are no exceptions.

