

## ARIZONA DEPARTMENT OF TRANSPORTATION

### **Request for Grant Applications and Agreement (“RFGAA”)**

**NOTE:** Capitalized words in this document signify terms which have been defined for the purposes of the AZ SMART Program. See [Definitions](#) section.

**Solicitation Title:** Arizona State Match Advantage for Rural Transportation (“AZ SMART”) Fund

**Solicitation Release Date:** November 1, 2024

**Preapplication Conference Virtual Meeting Date:**

**Thursday, November 14, 2024 - 10:00 AM to 12:00 PM Arizona Time**

To join virtual meeting: [meet.google.com/hjw-ztvf-tbp](https://meet.google.com/hjw-ztvf-tbp)

To join by phone: (US) +1 318-652-8578 PIN: 423 479 347#

**RFGAA Questions Due Date:** Questions are continuously accepted by emailing them to [azsmart@azdot.gov](mailto:azsmart@azdot.gov). Questions and Answers will be posted and updated periodically on the [AZ SMART website](#) on the Questions and Answers webpage. Applicants are responsible for reviewing this information before applying and the Authorized Representative is required to certify in the application that he/she has read and understood the RFGAA and the Questions and Answers webpage.

**RFGAA Due Date and Time:** After an initial 6 week application period, this solicitation will be continuously open and applications will be continuously accepted.

**Anticipated Award Date:** An application will be scored when all required information and documentation has been updated, completed and received by the Arizona Department of Transportation (“ADOT”) and deemed Ready to Proceed. After scoring, an application will be forwarded to the Priority Planning Advisory Committee (“PPAC”) for a recommendation. If PPAC makes a recommendation, the application will be forwarded to the State Transportation Board (“Board”) for consideration. The Chairperson of the Board has up to 45 days to place an application on the Board’s agenda. The Board may approve, deny, modify or request additional information about an application. Applications will be awarded by the Board at a monthly meeting; see <https://aztransportationboard.gov/> for dates and times.

**Total Available Funding:** See [AZ SMART website](#) for the Current Funding and awarded applications.

**Solicitation Point of Contact:** AZ SMART Program Manager, [azsmart@azdot.gov](mailto:azsmart@azdot.gov)

**This RFGAA is a Contract:** Applicants are advised to review the entire RFGAA before applying. The executed version of this RFGAA constitutes the agreement required between ADOT and the Applicant and incorporates the Application, all data, information, documents and approvals submitted by the Applicant.

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## I. INTRODUCTION

### A. Solicitation Purpose

The Arizona Department of Transportation (“ADOT”) and the State Transportation Board (“Board”) announce the availability of the Request for Grant Applications and Agreement (“RFGAA”) for the State Match Advantage for Rural Transportation (“AZ SMART”) Program. Projects eligible for AZ SMART are surface transportation projects which have been awarded, or will be submitted for, a Federal Grant. Surface transportation projects include road, bridge, transit, rail, related facilities such as bicycle and pedestrian paths, and surface transportation elements of multimodal projects that are eligible for the Federal Grant identified in the AZ SMART application.

Infrastructure Projects must be on public land or a facility which is, or will be, owned by a municipality, county, tribal government, special district or other federal, state or local governmental entity which has, or will have, responsibility for the Project’s operation and maintenance. The Project must be continuously available for public use. Non-infrastructure projects must be related to a publicly owned asset or public purpose.

This RFGAA combines multiple program documents into a single solicitation, including Program Guidelines, Application and Application Instructions, contractual provisions, statutes, Board Policy, and various forms and resources. **The executed version of the RFGAA constitutes the required agreement between ADOT and the Applicant by which an AZ SMART award will be governed.**

The RFGAA requires all data, information, documents and Applicant approvals to be provided with the Application. This structure will enable the Project to begin as soon as possible after Board award.

### B. Available Funding

ADOT posts the available funding for each category on the [AZ SMART webpage](#) monthly or within 30 days of:

1. Receipt of interest earnings.
2. Board approval of new or rescinded applications.
3. Redistribution of AZ SMART funds by the Board pursuant to ARS §28-399.N.
4. Closure by the Board of applications for any Funding Category pursuant to ARS §28-399.O.

### C. Multiple Awards

The Board intends to make multiple awards as each Application is ready for consideration, depending on the funding available in each Funding Category.

### D. Application Submission and Anticipated Award Dates

Pursuant to ARS §41-2701 et seq, after an initial 6 week application period following the posting of this RFGAA, applications will be continuously accepted and processed. Monthly Priority Planning Advisory Committee (“PPAC”) and Board meeting dates are shown in Figure 1 below. Figure 1 also shows the deadline by which Applicants awarded funds for Design and Other Engineering Services (“DOES”) must submit a Federal Grant application.

See [Application, Review, Recommendation and Board Action Process](#) for further information on processing time.

Figure 1

AZ SMART Application Submission and Anticipated Award Dates			
<i>AZ SMART Application Submission Deadline</i>	<i>Anticipated PPAC Consideration</i>	<i>Anticipated Board Action</i>	<i>Federal Grant Submission Deadline for DOES Awardees*</i>
Applications are continuously accepted after an initial 6 week application period following the posting of a new/revised RFGAA	1 <sup>st</sup> Wednesday of each Month – see <a href="#">PPAC website</a> to confirm dates and times	3 <sup>rd</sup> Friday of each Month – see <a href="#">Board website</a> to confirm dates and times	On or before 2 years from the Date of Award

\*DOES means Design and Other Engineering Services

#### E. No Guarantee of Timely Award.

Due to statutory timeframe requirements and allowances, neither the Board nor ADOT guarantees that PPAC will make a recommendation or the Board will consider or approve AZ SMART Fund applications prior to a federal grant deadline. An Applicant that proceeds to apply for a Federal Grant before the Board awards its application does so with full knowledge and understanding that it may not receive an award, or may be awarded less than requested, from the AZ SMART Fund.

#### F. Questions about the RFGAA.

Questions regarding the RFGAA are continuously accepted by email to [azsmart@azdot.gov](mailto:azsmart@azdot.gov). Answers to these questions, clarifications related to this RFGAA and other updates will be posted and updated periodically on the Questions and Answers page on the [AZ SMART website](#). An Applicant is responsible for reviewing this information before applying. The Authorized Representative is required to certify he/she has read and understood the RFGAA and the Questions and Answers webpage on the [AZ SMART website](#).

#### G. Applicable Statutes, Policies and Documents.

The following statutes, policies, information and documents apply to this RFGAA. This list is subject to change and does not purport to include all such items discussed in the RFGAA.

1. [AZ SMART website](#), including the Questions and Answers webpage
2. [ARS §28-339, State Match Advantage for Rural Transportation](#)
3. [Arizona Constitution, Article 9, Section 7](#)
4. [ARS §41-2701 through 41-2706, Solicitation and Award of Grants](#)
5. [Board Policy #45, AZ SMART Fund](#)
6. US Department of Transportation (“USDOT”) [Discretionary Grants Dashboard](#)
7. [AZ SMART Eligibility by Population](#) – contains data applicable to AZ SMART from most recent decennial census certified by the United States Census Bureau
8. [AZ SMART Federal Discretionary Grant Program statutes](#) – this webpage does not purport to include all federal discretionary grants which may be eligible for the AZ SMART Fund. Applicants are responsible for conducting their own federal discretionary grant research.

9. FHWA [Purpose, Need and Alternatives](#)
10. [Federal Standards](#) – review the contract provisions required to be included in solicitations for consultants and contractors to ensure DOES and Match expenditures are eligible for reimbursement
11. [Strategic Highway Safety Plan](#) (“SHSP”)
12. [ADOT Cost Estimate Tool](#)
13. [ADOT Project Scoping Document Guidelines](#)
14. [ADOT Sample Scoping Document](#)
15. ADOT [Estimated Engineering Construction Cost \(“E2C2”\) database](#)
16. [ADOT Local Public Agency office webpage](#) – contains a link to the ADOT Cost Estimate Tool Excel file required to be used for Project Budget cost estimates.
17. [ADOT Grant Coordination Support Request Form](#)
18. [Arizona Councils of Governments](#) (“COG”)
19. [Arizona Metropolitan Planning Organizations](#) (“MPO”)

## II. SPECIFICATIONS

### A. Program Description

The AZ SMART Fund<sup>1</sup> was established in 2022 to help Eligible Applicants compete more effectively at the national level for numerous Federal discretionary grants, which are competitive and awarded at the discretion of the federal agency.

Projects eligible for AZ SMART are surface transportation projects including road, bridge, transit, rail, and related facilities such as bicycle and pedestrian paths, trails, etc. which are eligible for the Federal Grant identified in the AZ SMART application. This is not an exhaustive list of eligible Projects and Applicants should consult the federal statutes establishing the applicable Federal Grant or the NOFO or NOFA for additional, eligible surface transportation project types.

AZ SMART became effective on September 24, 2022. The program was amended in 2023 to clarify Applicant eligibility. Significant amendments were made to the program in 2024 (Laws 2024, Chapter 120) which, among other changes, broadened the applicant pool as well as the authority of ADOT and the Board. The effective date of the 2024 changes was September 14, 2024.

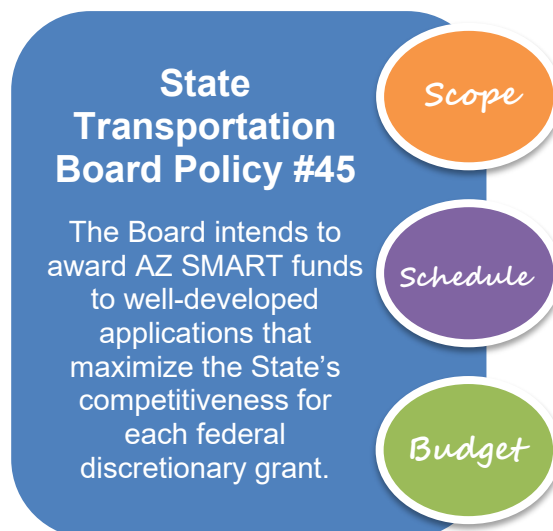
The AZ SMART Fund is administered by ADOT. All awards from the AZ SMART Fund must be approved by the Board.

### B. Funding Categories

The AZ SMART Fund received an initial Legislative Appropriation of \$50 million in state fiscal year (“FY”) 2023, and an additional \$12.5 million in FY 2024. At ADOT’s direction, these funds are invested by the state treasurer and earn interest to help sustain the Fund (ARS §28-339.B). The monies in the AZ SMART Fund are exempt from lapsing.

Funds are allocated by ARS §28-339.F to the population-based Funding Categories identified below. Population is based on the most recent decennial census certified by the United States Census Bureau (ARS §28-339.Q).

Figure 2, Board Policy #45



<sup>1</sup> The AZ SMART Fund grant program is different from the federal program using the “SMART” acronym, the Strengthening Mobility and Revolutionizing Transportation grant program. However, the federal SMART grant program is a federal discretionary grant which provides funding for surface transportation projects, and therefore is eligible under the AZ SMART Fund.

1. 20% for projects located in counties with a population of 100,000 persons or more;
2. 20% for projects located in counties with a population of fewer than 100,000 persons;
3. 20% for projects located in cities and towns with a population of 10,000 persons or more;
4. 20% for projects located in cities and towns with a population of fewer than 10,000 persons; and
5. 20% to ADOT. ADOT may not use its share for projects that are located in an urbanized area of a county with a population of more than one million persons.

### **C. Fund Status**

ADOT posts the current balances of each Funding Category following each Board meeting on the [AZ SMART webpage](#). The balances are subject to change based on awards, interest earnings, legislative transfers into or out of the AZ SMART Fund, month-end adjustments and other changes.

### **D. Eligible Applicants**

Eligible Applicants for the AZ SMART Program are those entities eligible to receive a federal discretionary grant for surface transportation purposes. Applicants must be identified in federal statute or a current NOFO or NOFA for the specific Federal Grant as an Eligible Applicant. Eligible Applicants include for AZ SMART include, but are not limited to:

1. Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Mohave, Navajo, Pinal, Santa Cruz, Yavapai and Yuma Counties.
2. Incorporated cities and towns located in the Counties listed above.
3. Regional transit authorities in the cities, towns and counties listed above.
4. Metropolitan Planning Organizations ("MPO").
5. Federally recognized Indian Tribes.
6. ADOT.
7. Other political subdivisions of the State.
8. Non-governmental entities eligible for a Federal Grant, such as Councils of Governments ("COG"), private non-profit or for profit corporations, associations, individuals, or any other entity which is not a political subdivision of this State or a Tribal Nation.

### **E. Funding Categories**

The AZ SMART Funding Category from which a Project will be funded is based on the

population of the jurisdiction in which the Project is located, as determined in the most recent decennial census certified by the United States census bureau (see [AZ SMART Eligibility by Population](#)). Projects in unincorporated areas will be funded from the applicable County Funding Category, and Projects within an incorporated city or town will be funded from the applicable Municipal Funding Category. This also applies to projects on ADOT's system submitted by an applicant other than ADOT.

Figure 3 below shows examples of the Funding Category associated with various project scenarios.

<i>Figure 3 – Funding Category Examples</i>	
<i>Project Location or Description</i>	<i>Funding Category</i>
50% or more contained in an incorporated city or town with population of less than 10K	Municipalities under 10K
50% or more contained in an incorporated city or town with population of 10K or more	Municipalities over 10K
50% or more contained in an unincorporated area of a County with population of less than 100K	County under 10K
50% or more contained in an unincorporated area of a County with population of 100K or more	County over 100K
Projects submitted by a COG	County over 100K
Project submitted by an MPO	Municipalities over 10K
Projects submitted by multi-jurisdictional applicants, such as transit authorities	From the category with the largest share of Project's population or the service boundaries as identified in the Applicant's legal organizing documents.
Projects on ADOT's system submitted by an applicant other than ADOT	From the Municipal or County category with the largest share of Project's population
Projects on ADOT's system submitted by ADOT	ADOT

## F. Eligible Projects

Many surface transportation Projects eligible for a Federal Grant are also eligible for AZ SMART. The Applicant is responsible for identifying appropriate Federal Grants for the Project. Projects submitted to AZ SMART must meet all of the following requirements:

1. Has been or will be submitted for a Federal Grant which funds surface transportation projects. The USDOT [Discretionary Grants Dashboard](#) provides an overview of federal discretionary grant opportunities that can help meet transportation infrastructure needs, including those with rural and Tribal set-asides and low or no match requirements. The Dashboard also includes Federal Grant programs from other federal agencies which may fund surface transportation projects. Congressionally Directed Spending is not a Federal Grant.

2. Be for, and directly related to, surface transportation purposes. This includes roads, bridges, rail, or transit, a related facility such as bicycle and pedestrian paths, trails, etc., or a surface transportation component(s) of a multimodal project. This is not an exhaustive list of eligible Projects and Applicants should consult the federal statutes establishing the applicable Federal Grant or the NOFO or NOFA for additional, eligible surface transportation project types. Aviation is not eligible for AZ SMART.
3. Be an infrastructure or non-infrastructure Project eligible for the specific Federal Grant identified in the AZ SMART application. Infrastructure projects include the design and construction of a physical surface transportation asset, or an improvement to a physical asset. Non-infrastructure projects include studies, training, regional planning and other activities not directly tied to a specific infrastructure project.
4. Be related to a public facility. This includes infrastructure owned by a municipality, county, tribal government, or special district or other governmental entity which has, or will have, responsibility for the Project's operation and maintenance.
5. Be continuously available for use by the public.

## G. Eligible Uses

AZ SMART Funds may be used only to fund or reimburse expenditures related to Eligible Projects which meet Federal Standards for the uses described below. **APPLICANTS ARE HEREBY NOTIFIED THAT ONLY EXPENDITURES INCURRED UNDER A PROCUREMENT WHICH MEETS FEDERAL STANDARDS ARE ELIGIBLE**, with the exception of Grant Development and Submission.

1. Design and other engineering services ("DOES") expenditures that meet Federal Standards. The development of scope, schedule and budget information required to be submitted in the AZ SMART application and the initial ADOT Project Development Administration ("PDA") fee of \$30,000 are eligible for DOES, provided these costs are included in the Project Budget submitted with the Application. Costs to develop scope, schedule and budget must have been incurred under a procurement which meets Federal Standards. PDA costs may exceed the initial \$30,000 fee and the Applicant will be responsible for such additional fees.

**Applicants receiving DOES awards must apply for a Federal Grant within 2 years of the Date of Award by the Board.** Pursuant to ARS §28-339.E.3, failure to meet this deadline will result in the award being rescinded by the Board, and the Applicant will be required to repay any DOES funding expended or reimbursed.

2. Match for a Federal Grant for cash or in-kind expenditures that meet Federal Standards. In-kind expenditures must be allowable under the applicable Federal Grant.
3. Up to 50% of cash and in-kind Grant Development and Submission ("GDS") expenditures; limited to Projects located in Municipalities with population of less than 10,000 and Counties with population of less than 100,000. This eligible use is not required to meet Federal Standards.

## H. Ineligible Uses

AZ SMART funds may not be used to fund or reimburse:

1. A Project located in Maricopa County, Pima County or any city, town, or unincorporated area partially or wholly located within these Counties.
2. DOES or Match expenditures that do not meet Federal Standards.
3. Expenditures not directly related to a road, bridge, rail, transit project or components of a multimodal project not directly related to a road, bridge, rail, transit project.
4. Changes in Scope.
5. Expenditures incurred prior to September 14, 2024, the effective date of Laws 2024, Chapter 120.
6. Match in excess of the amount required by the applicable Federal Grant. Excess match monies to improve a Project's competitiveness for the Federal Grant are the responsibility of the Applicant.
7. Match for formula funding programs such as Surface Transportation Block Grant Program ("STBGP"), Highway Safety Improvement Program ("HSIP"), Off-system Bridge, Transportation Alternatives or other formula funds programmed by ADOT or a COG/MPO.
8. Match for Congressionally Designated Spending earmarks or any other funding which is not a federal discretionary grant.
9. Expenditures made prior to the execution of a Federal Grant Agreement.
10. Expenditures for which the Applicant received funding from any other source for the same Project and purpose in an amount equal to or greater than the AZ SMART award (ARS §28-339.P). For example, if an Applicant receives a DOES award and also receives a federal grant which funds design, ARS §28-339.P requires the Board to rescind the DOES award. The Applicant must also repay any DOES funding expended with one year from the date of the rescission resolution approved by the Board.
11. Expenditures related to a Project for which the Applicant will no longer pursue a Federal Grant. For example, an Applicant received an AZ SMART award for DOES, and later received a Legislative Appropriation for construction. As a result, the Applicant no longer needs to pursue a Federal Grant application. At the point an Applicant is no longer pursuing a Federal Grant, the AZ SMART award becomes invalid. The Board will rescind the award and the Applicant must repay any AZ SMART funding expended or reimbursed.
12. Other expenditures which are ineligible for the applicable Federal Grant or ARS §28-339.

### III. APPLICATION, REVIEW, RECOMMENDATION AND BOARD ACTION PROCESS

Upon approval of a new or revised RFGAA by the Board, it will be posted on the [AZ SMART website](#). In compliance with ARS §41-2702.C, all applications received within the initial, required 6 week application period will be held. At the end of the 6 week application period, all applications will be processed as discussed below. Following the initial, required 6 week application period, applications will be continuously accepted and no further waiting period will apply unless the Board approves a subsequent RFGAA, which will restart the posting and 6 week application period cycle.

Questions regarding the RFGAA are continuously accepted by email to [azsmart@azdot.gov](mailto:azsmart@azdot.gov). Answers to these questions, clarifications related to this RFGAA and other updates will be posted and updated periodically on the [AZ SMART website](#). An Applicant is responsible for reviewing this information before applying. The Authorized Representative is required to certify he/she has read and understood the RFGAA and the Questions and Answers webpage on the [AZ SMART website](#).

The Application, Review, Recommendation and Board Action process is shown in Figure 4 below. The duration shown for each phase is an estimate only and some applications, such as those requesting GDS or Match, may proceed more quickly. Applications with well-developed Project scopes, schedules and budgets will generally be reviewed and forwarded to the Evaluators, PPAC and the Board more quickly than applications that are very preliminary.

*Due to the time requirements and allowances specified in the applicable statutes, neither the Board nor ADOT can guarantee that PPAC will make a recommendation or the Board will consider or approve the AZ SMART Fund application prior to the NOFO/NOFA deadline. If the Applicant proceeds to apply for a Federal Grant before the Board considers its application for AZ SMART Funds, the Applicant does so with full knowledge and understanding that it may not be awarded AZ SMART Funds and will be responsible for providing the funds itself if awarded a Federal Grant.*

As shown in Figure 4, there are 4 phases in the Application, Review, Recommendation and Board Action Process:

#### A. Phase 1, Application Development

**Applicants are advised to begin preparing an AZ SMART application prior to the release of a NOFO/NOFA.** Most US DOT Federal Grants have fairly predictable cycles which can be quickly identified using the USDOT [Discretionary Grant Dashboard](#). An Applicant can anticipate the next round of the applicable grant and begin preparing at any time.

**Phase 1 is the most important to determining the speed at which an Application can be referred to PPAC and/or the Board.** The quality and completeness of scope, schedule and budget is directly correlated with the amount of time required in Phase 2. Well-conceived and developed applications are expected to proceed more quickly, an important consideration when limited resources are available. Applicants are solely responsible for the timing of their application development and submission, and advanced preparation is required to facilitate timely processing and consideration for award.

##### 1. Applicant Responsibilities

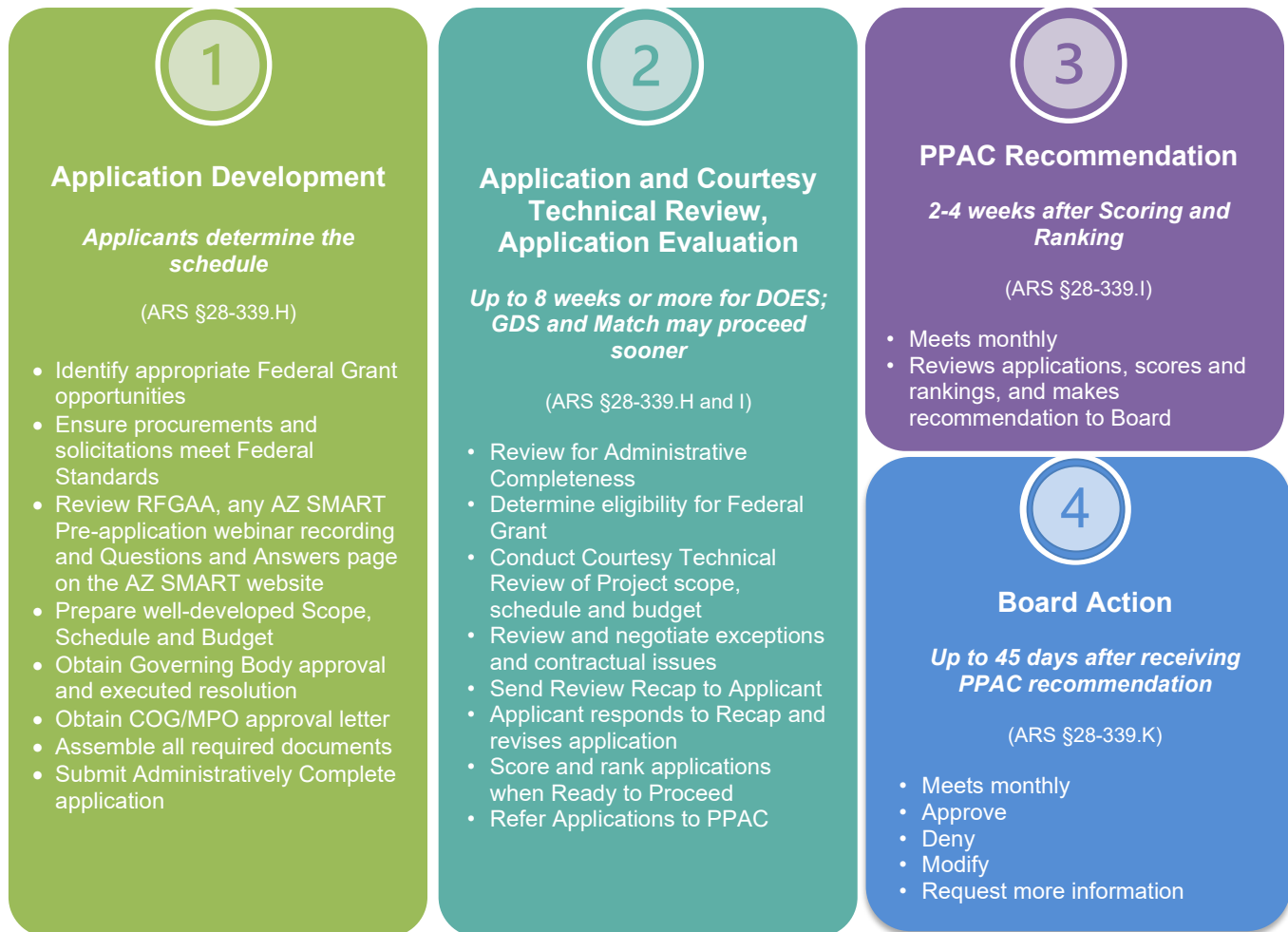
At a minimum, Applicants are responsible for the following actions during Phase 1:

- a. Visit the USDOT [Discretionary Grants Dashboard](#) for assistance in identifying

transportation grant opportunities for which the Project may be eligible. Only one Federal Grant may be identified in each AZ SMART application.

- b. Review the NOFO/NOFA or the federal statutes establishing the applicable Federal Grant to determine suitability, Project and Applicant eligibility, priority criteria, eligible expenditures, etc. The [AZ SMART website](#) contains excerpts of federal statutes for numerous Federal Grants. This information is provided as a courtesy only and does not purport to cover all Federal Grants. Applicants are solely responsible for conducting their own grant research.

Figure 4 – Application, Review, Recommendation and Board Action Process



- c. Read and understand this RFGAA and the Questions and Answers webpage on the [AZ SMART website](#). The Application and Offer both require the Authorized Representative to certify this responsibility has been discharged. Also, listen/watch the AZ SMART Pre-Application webinar on the website, if available.
- d. Submit any questions regarding the RFGAA via email to [azsmart@azdot.gov](mailto:azsmart@azdot.gov).
- e. Ensure DOES and Match expenditures for which Reimbursement will be requested have been procured through solicitation(s) which meet the applicable Federal

Standards. ADOT will require Direct Recipients or those authorized by ADOT to self-administer a Project to provide the applicable solicitation or contract under which consultants, contractors and all other services were procured with a request for reimbursement.

- f. Prepare a well-developed Project Scope, Schedule and Budget. **This is the most important element of the application and determines the speed at which the application will move to PPAC and the Board.** See the [Application Instructions](#) for detailed guidance. The development of scope, schedule and budget information required to be submitted in the AZ SMART application is eligible for DOES, provided:
  - 1) Any consultant services used to develop the information were procured under a solicitation which meets Federal Standards, and
  - 2) These expenditures are included in the Project Budget submitted with the Application.
- g. Obtain a duly approved and signed resolution of the board, council or other governing body of the Applicant which demonstrates support and financial commitment to the Project and the selected Federal Grant. The approved and signed resolution shall be submitted with the Application. A Sample Resolution is provided in this RFGAA.
- h. Obtain the COG/MPO approval letter required by ARS §28-339.H.
- i. Assemble all required documents (see [Application Checklist](#)) and submit an Administratively Complete application in a single sitting. The Application may not be saved and completed later.
- j. Provide a written response to each item in the Review Recap and amend the Application as required. Further processing of the Application will be dependent upon completing these items.
- k. Gather up to five letters of support for the Project.
- l. Clearly identify and mark any trade secrets or other proprietary information contained in the application which must remain confidential (ARS §41-2702.E).

## 2. COG/MPO Approval

- a. Applicants shall obtain the written approval of the applicable [MPO](#) or [COG](#) before applying to the department. (ARS §28-399.H). If the Project crosses COG/MPO boundaries, the letter shall be from the COG/MPO in which the greatest percentage of the Project is located. Applicants should consult with the applicable COG/MPO to determine the approval process for AZ SMART Fund applications.

The COG/MPO approval letter shall:

- 1) Be on letterhead of the applicable COG/MPO and signed by the Executive Director or Chairperson of the COG/MPO governing body.
- 2) Reflect *approval* of the Application. Letters merely transmitting the Application will be rejected and result in the Application not being Administratively Complete.

- b. Projects included in an approved Regional or Tribal TIP receive the highest points for the Priority Criterion related to Evidence of Public Support. This includes projects on an “Illustrative” list:
  - 1) Which is approved by the applicable COG/MPO board/council as part of the TIP, and
  - 2) From which a project may be quickly moved into the TIP in an administrative amendment if an AZ SMART award is approved by the Board.

## **B. Phase 2, Application and Courtesy Technical Review, and Application Evaluation**

Applicants are advised that it may take up to *8 weeks or more* until an application for DOES is Ready to Proceed for PPAC and Board consideration. Applications with well-developed scopes, schedules and budgets may proceed more quickly. ADOT has provided tools to assist Applicants in developing Project Scopes, Schedules and Budgets. ADOT accepts no responsibility for delays related to applications which require extensive review, require further information to be provided by the Applicant, or are not otherwise Ready to Proceed.

### **1. ADOT Authorities and Responsibilities**

During Phase 2, ADOT will:

- a. Conduct a Pre-application conference at least 21 days prior to the due date for applications (ARS §41-2702.D) as shown in Figure 1. The date of any Pre-application conference will be posted on the [AZ SMART website](#).
- b. Receive Applications and post the names of each Applicant on the [AZ SMART website](#) within 7 days of the receipt of the Application (ARS §41-2702.E).
- c. Ensure an Application is Administratively Complete. (ARS §28-339.I)
- d. Determine if the requirements of the NOFO or federal statutes establishing the Federal Grant have been met. The determination will be based on, but not limited to, the following:
  - 1) Eligibility of the Applicant and Project for the Federal Grant (ARS §28-399.I). ADOT will review the eligible Applicants identified either in the NOFO or the federal statute establishing the grant. ADOT may request additional documentation from a Non-governmental entity to assist in this determination.
  - 2) Eligibility of the Project for AZ SMART and the Federal Grant.
  - 3) Confirmation the required COG/MPO approval has been granted (ARS §28-399.H).
- e. Calculate the Quick Ratio for Direct Recipient or self-administering Applicants. Direct Recipients or Applicants approved by ADOT to self-administer DOES or a Federal Grant are required to pay Project invoices up front and then submit for reimbursement from the federal agency and/or AZ SMART. Reimbursements may be requested at least quarterly but not more than monthly and will take a minimum of 30 days to review, approve, and process. The Quick Ratio is an indicator of the Applicant’s cash flow

capacity while awaiting reimbursement.

The Quick Ratio for each of the last 3 years will be provided to the Board to assist its determination of an Applicant's financial capacity to successfully complete the Project (ARS §28-399.H). The Quick Ratio will be calculated as follows:

*Quick ratio = Current liabilities/(Current assets – inventory – prepaid expenses)*

- f. Validate information regarding an Applicant's experience as evidenced by previous federal discretionary grant awards or formula federal aid projects such as HSIP, TA, etc., since January 1, 2023. This information will be provided to the Board to assist its determination of an Applicant's technical capacity to successfully complete the Project (ARS §28-399.H).
- g. Conduct the Courtesy Technical Review:
  - 1) The Evaluators will conduct a Courtesy Technical Review of the scope, schedule and budget for the Project and may identify concerns, provide comments or request additional information. Applicants are strongly encouraged to consider this information and adjust their Application prior to formal evaluation, scoring and ranking by the Evaluators.
  - 2) There is no cost to the Applicant for the Courtesy Technical Review.
  - 3) The time required to complete the Courtesy Technical Review will depend on the project, availability of resources to conduct the review, and the quality of the scope, schedule and budget information submitted by the Applicant.
  - 4) Questions, comments and requests for more information from the Courtesy Technical Review will be combined with any eligibility, documentation or application questions or issues in the Review Recap document.
  - 5) The Courtesy Technical Review is a high-level review provided by ADOT to assist Applicants with developing realistic scopes, schedules and budgets. It does not purport to cover all scenarios and does not constitute approval or endorsement by ADOT of the Project or its scope, schedule and budget, and does not guarantee the Applicant will receive an award from the Board. Applicants are solely responsible for developing a Project's scope, schedule and budget and neither ADOT nor the Board will bear any responsibility if the Courtesy Technical Review does not provide sufficient or complete information.
- h. Forward the Review Recap to the Applicant.

## **2. Applicant Response to Review Recap**

Upon receipt of the Review Recap from ADOT:

- a. The Applicant shall prepare a written response to any questions identified in the application or Courtesy Technical Review and return it to ADOT within 10 business days.

- b. The Applicant may also update its application during this time if desired.

### **3. Application Evaluation**

- a. After an Applicant has responded to questions in the Review Recap, updated its application, and all Project, contract or other issues have been resolved, an Application is deemed to be Ready to Proceed. ADOT staff will forward each Ready to Proceed Application and the Applicant's responses to the Review Recap to the Evaluators (ARS §41-2702.H).
- b. Each Ready to Proceed Application will be evaluated by at least three Evaluators who are peers or other qualified individuals (ARS §41-2702.F).
- c. The Evaluators will review each application based solely on the Priority Criteria or factors set forth in the RFGAA. The Evaluators will maintain a written record of the assessment of each application, which includes comments regarding compliance with each Priority Criterion, the citation of a specific criteria or factor as the basis of each stated strength or weakness and a clear differentiation between comments based on facts presented in the Application and comments based on professional judgment.
- d. The Evaluators will rank the applications based on the total score of each and provide each application with Priority Criteria scores and rankings to PPAC to make recommendations to the Board (ARS §25-339.I).
- e. Pursuant to ARS §41-2702.E, Applications are confidential during the evaluation process.
- f. Upon completion of the evaluations, ADOT shall forward applications to the departmental committee established pursuant to section 28-6951 (PPAC) for a recommendation (ARS §28-399.I). ADOT will place the Application, along with scores and rankings, on the PPAC agenda. With the posting of the PPAC meeting materials, the Application, Priority Criteria scores and rankings and other information or data related to the Application will be made publicly available. The exception is trade secrets or proprietary information which were identified as confidential.

### **C. Phase 3, ADOT Priority Planning Advisory Committee ("PPAC") Recommendation**

- 1. Pursuant to ARS §28-6951, PPAC was established to aid the ADOT Director in the development of the five year transportation facilities construction program. The members of PPAC are ADOT employees, appointed by and responsible to the director.
- 2. PPAC is a public body which generally meets virtually on the first Wednesday of each month. Applicants will be invited to the PPAC meeting at which their applications will be considered, and it is recommended that a person familiar with the scope, schedule and budget participates to answer any questions from PPAC. Applicants may also take advantage of the Call to the Public to discuss their project.
- 3. If a recommendation is made by PPAC to the Board, ADOT shall notify the Board Chairperson the application is ready for consideration and action (ARS §28-399.I).

4. A recommendation by PPAC to the Board does not constitute approval or endorsement of the Project by PPAC or ADOT. The ultimate approval authority lies with the Board. Neither ADOT nor PPAC will be responsible if an application is delayed at PPAC or is not approved by the Board.

#### **D. Phase 4, State Transportation Board (“Board”) Action**

All AZ SMART awards must be approved by the Board. Per Board Policy #45, AZ SMART Fund, the Board intends to award funding to well-developed applications that maximize the State’s competitiveness for each Federal Grant.

##### **1. Board authorities**

- a. The chairperson of the Board shall place an application(s) on the agenda for action within 45 days of notification of a recommendation by ADOT (ARS §28-339.J).
- b. The Board may:
  - 1) Determine the extent to which an application has the technical and financial capacity to successfully complete the Project (ARS §28-339.H).
  - 2) Pursuant to ARS §28-339.J, give preference to applications based on:
    - a) The percentage of matching monies (\$ USD) provided by the Applicant.
    - b) The extent to which the Applicant will partner with other entities to deliver the Project. For the purposes of AZ SMART, partnering with other entities is defined as financial participation (cash monies \$ USD) provided by the partnering entity.
    - c) Any Priority Criteria as deemed appropriate by the Board for the applicable Federal Grant (see [Priority Criteria](#)).
  - 3) Approve, deny, modify or request more information on an application.
  - 4) Redistribute unawarded monies in the Fund in January and July to ensure each category receives a 20% share of the monies (ARS §28-339.N). ADOT will post the amount available for each category on the [AZ SMART website](#) within 30 days after the approval of a redistribution by the Board (ARS §28-339.N).
  - 5) Direct ADOT to close the RFGAA and return applications for a category that has less than \$100,000 available for award (ARS §28-339.O). The closure will remain in effect until the balance of the applicable category recovers to a minimum of \$100,000 through the receipt of other funding, interest earnings, a January or July redistribution, return of funds from rescinded applications or unsuccessful Federal Grant applications, or other means.
  - 6) The Board is required to rescind an award if:
    - a) The Applicant receives funding from another other funding source for the same Project and purpose in an amount equal to or greater than the amount requested or awarded from AZ SMART. Examples of other funding sources include Legislative Appropriations, Congressionally Directed Spending, funding or grants from federal, state, local or private sources, bond elections and any other source of funding. The Applicant shall repay any monies expended from the AZ SMART Fund within one year after the date of the rescission resolution approved by the Board (ARS §28-339.P).

- b) An Applicant receiving a DOES award fails to submit a Federal Grant application for the Project within 2 years of the Date of Award. The Applicant shall repay any monies to the Fund within 30 days after receiving an invoice from ADOT (ARS §28-339.E.3).
- c) An Applicant receiving a DOES award determines it is no longer pursuing a Federal Grant.

#### **E. Following Board Action**

##### **1. Application Awards.** Unless otherwise determined, ADOT will:

- a. Within 10 days of the Date of Award:
  - 1) Send an email to the contact person listed in the application indicating the action taken by the Board.
  - 2) Sign the Offer and Acceptance for awarded applications and send a copy of the executed RFGAA to each Applicant via email with further instructions related to the Project.
- b. Make Evaluator assessments available for public inspection (ARS §41-2702.G). One or more assessments may be requested through submission of a public records request.
- c. For Projects administered by ADOT:
  - 1) Within 30 days of the Date of Award, invoice the Applicant for excess local funding and initial PDA fees of \$30,000 if these fees are not estimated and identified in the Project Budget.
  - 2) Select consultant(s), contractor(s) and service provider(s) through a competitive solicitation or from the current list of prequalified consultants, based on the needs of the Project.
  - 3) Retain and obligate AZ SMART award funds in the state accounting system, along with any Applicant funds which may be required for the Project.
  - 4) Request the Federal Grant funding be made available in the Federal Management Information System ("FMIS") by USDOT for road and bridge Federal Grant awards, as applicable.
  - 5) Obligate Federal Grant funds awarded by FHWA. Grants from the Federal Transit Administration ("FTA") or other federal agencies may require different processing which will be determined either upon award by the applicable agency or during the review of the Federal Grant Agreement.
  - 6) Reimburse AZ SMART Funds to Direct Recipients or Applicants approved by ADOT to self-administer a Project. Expenditures must be a result of a solicitation that meets Federal Standards. AZ SMART Funds will not be transferred to the Applicant.
  - 7) Release any AZ SMART funding remaining for a Project after completion of the final Project accounting back to the applicable AZ SMART Fund Category from which the funds were awarded.
- d. **DOES Awards.** Applicants receiving an award for DOES shall:
  - 1) Remit any required funds within 30 days of receipt of an invoice from ADOT.

- 2) Respond to all requests from ADOT within 10 days.
  - 3) Submit proof of submission of a Federal Grant Application within 2 years of the Date of Award of the AZ SMART grant. Acceptable sources include the email confirmation from the applicable grant submission portal or system, or an email from the federal agency acknowledging receipt of the federal grant application.
  - 4) Direct Recipients and Applicants approved by ADOT to self-administer a Project pursuant to an AZ SMART award for DOES shall:
    - a) Procure any consultant(s), contractor(s) and service provider(s) under solicitation(s) which include the applicable provisions to ensure the resulting expenditures meet Federal Standards.
    - b) Enter into an agreement with consultant(s) and contractor(s) and be solely responsible to make payments directly to the consultant or contractor prior to submitting to ADOT for Reimbursement of Eligible Expenditures.
    - c) Submit for Reimbursement from AZ SMART at least quarterly but not more than monthly.
- e. **Match awards for a Federal Grant.** Match awards shall comply with the following:
- 1) Match awarded for a Project that is the subject of multiple AZ SMART applications, each identifying a different Federal Grant, shall be applied to the first Federal Grant received by the Applicant. Any additional AZ SMART applications for the same Project for subsequent Federal Grants shall become invalid, removed from the current or future application round, and no data, information or documents will be retained by ADOT.
  - 2) PDA fees will apply to Projects receiving an award for Match if:
    - a) Any design work is included in the scope awarded under a Federal Grant, or
    - b) The Applicant requests ADOT to administer the Project.
  - 3) An Applicant awarded a Federal Grant shall:
    - a) Within 10 business days of the announcement of the awards, notify ADOT of the award by sending an email to [azsmart@azdot.gov](mailto:azsmart@azdot.gov) and attach or provide a link to the public award announcement.
    - b) Provide the draft Federal Grant Agreement to ADOT within 10 days of receipt and work with ADOT to finalize it, as necessary.
    - c) Provide the final executed Federal Grant Agreement to ADOT within 10 days of execution.
    - d) Construction administration fees will apply for construction projects administered by ADOT, whether contemplated in the federal grant agreement or requested at a later date.
  - 4) An Applicant which is not awarded a Federal Grant shall, within 10 business days of the announcement of the awards, notify ADOT no grant was awarded by sending an email to [azsmart@azdot.gov](mailto:azsmart@azdot.gov). Any Match funds awarded from AZ SMART for the Federal Grant will be returned to the applicable Funding Category to be used for other awards.
  - 5) Direct Recipients and Applicants approved by ADOT to self-administer

- a Project pursuant to an AZ SMART award for Match shall:
    - a) Procure all consultant(s), contractor(s) and service provider(s) under solicitation(s) which meet Federal Standards.
    - b) Enter into an agreement with consultant(s) and contractor(s) and be solely responsible to make payments directly to the consultant or contractor prior to submitting to ADOT for Reimbursement of eligible expenditures.
    - c) Submit for Reimbursement from AZ SMART at least quarterly but not more than monthly.
- f. **Grant Development and Submission (“GDS”) awards.** An Applicant awarded GDS shall:
  - 1) Procure the applicable consultants, contractors and services. The AZ SMART statute does not require GDS expenditures to meet Federal Standards.
  - 2) Enter into an agreement with consultant, contractor and service provider and be solely responsible to make payments directly to the consultant, contractor or service provider prior to submitting to ADOT for Reimbursement for the match share of Eligible Expenditures.
  - 3) Submit a Federal Grant application within 6 months of the Date of Award.
  - 4) Request Reimbursement for some or all GDS expenditures within 6 months of the Date of Award.

## 2. Denied Applications.

Within 10 business days of the Board decision to deny an application:

- a. ADOT will send an electronic notification to the contact person listed in the application indicating the Application was denied by the Board.

The Application shall become invalid and no data, information or documents will be retained by ADOT. The Applicant may submit another application for the Project in the future.

- b. Neither ADOT nor the Board shall bear any responsibility for any consequences arising from the decision to deny an AZ SMART award or the deletion of data, information, or documents.

## 3. Modified Applications.

Within 10 business days of the Board decision to modify an application:

- a. ADOT will send an electronic notification containing the amounts awarded by the Board to the contact person listed in the Application.
- b. The contact person is required to accept or decline the modified award within 5 business days by replying to the email from ADOT. If the Applicant does not reply within 5 business days, the award will be invalid and the monies will be returned to the AZ SMART Fund to be used for the next highest-ranking application.
- c. If the Applicant accepts the modified award, ADOT will:
  - 1) Within 10 business days, sign the Offer and Acceptance and send a copy of the executed RFGAA to the Applicant via email with further instructions

related to the Project.

- 2) Within 30 days, invoice the Applicant for excess local funding and initial PDA fees of \$30,000 if not included in the Application.
- d. The Applicant shall take such steps as indicated in the notification by the deadlines provided.
- e. Neither ADOT nor the Board will bear any responsibility for an award that is less than the amount requested. Applicants receiving a modified award may re-apply for the balance of the award if funding becomes available at a later time. Subsequent applications for the same Project and same Eligible Use will be scored and ranked based on the Priority Criteria in effect at the time.
- f. The Applicant is responsible for all costs associated with the Project exceeding the amount awarded by the Board.

#### **4. Board Request for More Information.**

Within 10 business days of a request for more information from the Board:

- a. ADOT will send an electronic notification containing a list of additional information or documents requested by the Board to the contact person listed in the Application.
- b. The Applicant is required to provide the requested information or documentation within 10 business days by replying to the email from ADOT. If the Applicant does not reply within 10 business days, the Application will be invalid and no data, information or documents will be retained by ADOT. The Applicant may submit another application for the Project in the future after addressing any issues which may have resulted in the Board's request for information provided that funding is available.
- c. Neither ADOT nor the Board shall bear any responsibility for delays arising from the request for, or consideration of, additional information.

## IV. FEDERAL GRANTS APPLICATIONS

Federal Grant development and submission are related but independent of the AZ SMART Fund application.

### A. Preparing a Federal Grant Application

ADOT does not provide grant development or writing services. Further, ADOT's grant writing contracts are specific to ADOT and are not available to other entities. Applicants are responsible for developing, preparing, or generating data, narratives, explanations, charts/graphs, cost estimates or any other information in response to a NOFO/NOFA for a Federal Grant application.

### B. Submitting a Federal Grant Application

1. Road, bridge and rail - The AZ SMART Fund application includes a question regarding how the Applicant intends to submit the Federal Grant application. Applications for many road, bridge and rail Federal Grants can be submitted by the Applicant or its grant consultant. If the Applicant is not eligible to apply directly, it may request that ADOT submit the application on behalf of the Applicant as follows:
  - a. At least thirty (30) day prior to the application deadline in the NOFO/NOFA for the applicable Federal Grant, the Applicant is required to submit the ADOT Grant Coordination Support Request Form at <https://apps.azdot.gov/files/mvd/mvd-forms-lib/42-0103.pdf>.
  - b. At least seven (7) days before the NOFO/NOFA deadline, all completed application materials must be provided to the ADOT Grant office for submission.
2. Transit - Pending further direction provided in a NOFO/NOFA, applications for most transit Federal Grants must be submitted to FTA by ADOT on Applicant's behalf.
  - a. At least thirty (30) day prior to the application deadline in the NOFO/NOFA for the applicable Federal Grant, the Applicant is required to submit the ADOT Grant Coordination Support Request Form at <https://apps.azdot.gov/files/mvd/mvd-forms-lib/42-0103.pdf>. In addition, the completed application is to be provided to the ADOT Grant office for submission a minimum of seven (7) calendar days before the NOFO/NOFA deadline.
  - b. If the Applicant is a direct recipient for transit purposes, it may be required to apply for a transit grant directly at <http://grants.gov>. If awarded a Federal Grant, the direct recipient may also be required to submit an application in the Transit Award Management System ([TrAMS](#)).
  - c. Grants from the Federal Transit Administration ("FTA") may have different or additional requirements. Contact the FTA Grants Office for further information.
3. Rail
  - a. Projects pursuing a Federal Grant from the Federal Rail Administration ("FRA") may have different requirements for environmental clearance. Applicants will need to work with a lead federal agency to complete environmental clearance prior to applying for a Federal Grant. Contact the FRA Grants Office for further information.

- b. Rail Applicants should ensure they have informed and/or are working with the host railroad and potential operators prior to applying to AZ SMART. Of the 5 Letters of support which may be uploaded in the AZ SMART application, Applicants for rail projects should include a letter from the host railroad or operators.

## **V. PRIORITY CRITERIA AND SCORES**

Pursuant to the requirements in ARS §41-2702.B.6, this section identifies the criteria under which applications will be evaluated for award and the relative importance of each criterion. See the Priority Criteria and Scores table.

### **A. Deemed appropriate for every application**

Pursuant to ARS §28-399.J, the following priority criteria have been deemed appropriate and approved by the Board to be used for every Federal Grant – see Figure 5. Every application will be scored and ranked based on the Priority Criteria and point scale described below. Total possible points are 53.

### **B. Scores and rankings**

Pursuant to ARS §41-2702.F, at least three qualified individuals shall score each Administratively Complete Application and shall rank all Applications based on the total scores. The scores and rankings shall be confidential until the applications have been scored and ranked. The applications, scores and rankings will become public information when included in the meeting materials for the applicable PPAC meeting.

There is no “good,” “bad,” or minimum score or ranking required in order for applications to be presented to PPAC and the Board. Pursuant to ARS §28-339.K and ARS §41-2702.I., at its discretion, the Board may choose to affirm, modify or reject the scores and rankings, or request more information on an application. If the Board does not accept the Evaluators’ scores, the Board will document the specific justifications for the action taken which will be incorporated into the minutes of the applicable Board meeting.

### **C. Priority Criteria and Order of importance**

The Priority Criteria are discussed below in descending order of importance:

#### **1. Project includes safety improvement(s)**

Safety should be a consideration for every project. The definitions linked below are based on the [Strategic Highway Safety Plan](#). Points will be assigned for safety based on the following scale:

- a) Project addresses more than one of the below: 15 points
- b) Project addresses safety of non-motorized users: 10 points
- c) Project addressed intersection safety: 5 points
- d) Project addressed roadway lane departures: 5 points
- e) Project addressed other safety factors: 5 points
- f) Project does not address safety improvements: 0 points

#### **2. Evidence of public support for the Project**

Projects are not required by state statute or most Federal Grants to be in a Transportation Improvement Program (“TIP”). However, projects listed in a TIP, General Plan or Capital Improvement Program (“CIP”) generally have been identified, analyzed, reviewed and approved in a public process and have support of the public in the municipality or county in which the Project is located.

For scoring purposes, if a project is contained in more than one of the documents listed, the one with the highest point value will be used; additional points will not be provided

for additional documents. Points will be assigned for public support based on the following scale:

- a) An approved Regional or Tribal Transportation Improvement Program: 15 points
- b) The current ADOT 5-yr Program: 15 points
- c) Municipality or County General Plan, Capital Improvement Program or other current, publicly adopted capital plan: 10 points
- d) Discussed in public meetings or study sessions of the jurisdiction(s) in which **Project** is located within the last 12 months: 5 points
- e) None of the above: 0 points

### 3. Population of city/town or county in which Project is located<sup>2</sup>

Smaller jurisdictions generally have fewer resources to participate financially in a Federal Grant. To ensure smaller jurisdictions are not penalized due to limited abilities to contribute financially to a Project (see criterion #6), higher points will be assigned for smaller populations. See [AZ SMART Eligibility by Population](#) for population and certain eligibilities used for the program.

Points will be based on the jurisdiction in which the Project is located. If the Project spans multiple jurisdictions, the one in which the largest percentage of the Project is located will be used. Points will be assigned based on the following scale:

- a) **Projects located in a Municipality of less than 10,000 population**
  - 1) Municipalities 0 to 4,999 population 10
  - 2) Municipalities 5,000 to 9,999 population 5
- b) **Projects located in a Municipality with population of 10,000 or more**
  - 1) Municipalities 10,000 to 49,999 population 10
  - 2) Municipalities 50,000 and above 5
- c) **Projects located in a County of less than 100,000 population**
  - 1) Counties 0 to 39,999 population 10
  - 2) Counties 40,000 to 99,999 population 5
- d) **Projects located in a County with population of 100,000 or more**
  - 3) Counties over 100,000 to 149,999 population 10
  - 4) Counties over 150,00 and above 5
- e) **ADOT Projects** (applies only to ADOT applications) NA

### 4. Long-term impacts

Consideration of life cycle costs to maintain any new, or improvements to, infrastructure funded by AZ SMART should be discussed, as these costs will impact an Applicant's budget and operations in the future. Likewise, anticipated long-term impacts for non-infrastructure Projects may require further study, implementation or other actions. These impacts should be addressed to demonstrate AZ SMART monies are used to fund Projects that can be maintained or implemented.

Points will be assigned based on the following scale:

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<sup>2</sup> Pursuant to ARS §28-339.Q.2, population is as determined in the most recent decennial census certified by the United States census bureau, currently the 2020 Census.

- a) **Infrastructure Projects** - Description of how the life cycle cost will be managed is included with application for an infrastructure project: 5 points
- b) **Non-infrastructure Projects** - Description of long-term outcomes for a non-infrastructure project is included with application: 5 points
- c) Description is not included with application: 0 points

#### 5. **Percent (whole numbers only) of cash monies provided by the Applicant**

These monies are directly from the ***Applicant's funds*** and DO NOT INCLUDE THE AMOUNT REQUESTED FROM AZ SMART, CDS, A LEGISLATIVE APPROPRIATION OR OTHER SOURCE. The percentage of the cash match provided by the Applicant shall be calculated as follows:  $x \div y = z$ , where

x = Total dollar amount of non-federal, cash monies to be provided by the Applicant in the Federal Grant. Do not include amount requested from AZ SMART, CDS, Legislative Appropriations or other outside source.

y = Total Project Budget Estimate provided by the Applicant (including contingencies, PDA fees, and any other applicable costs).

z = Percentage of matching funds provided by the Applicant.

Points will be assigned based on the following scale:

- a. 51% to 75% or higher: 3 points
- b. 26% to 50%: 2 points
- c. 25% or less: 1 point
- d. 0%: 0 points

#### 6. **The extent that the Applicant will partner with other entities to deliver the Project**

The extent to which an Applicant is partnering with other entities will be determined based on the number of letters of support submitted for the Project. Letters of support should be from other entities which may be contributing funds to, and the users and stakeholders supporting, the project. Applicants for rail projects should include a letter from the host railroad and potential operator(s). **ADOT does not provide letters of support for AZ SMART projects.** A maximum of 5 letters of support will be accepted; additional letters cannot be uploaded to the Application and will not be considered.

Points will be assigned based on the following scale:

- a. Five Letters of Support: 5 points
- b. Four Letters of Support: 4 points
- c. Three Letters of Support: 3 points
- d. Two Letters of Support: 2 points
- e. One Letter of Support: 1 point
- f. No Letter of Support: 0 points

#### **D. Breaking Tied Rankings**

In case of tied application rankings:

1. The tied application with the higher score under Priority Criteria 1 shall have priority over other applications.
2. If the tied applications have the same score under Priority Criteria 1, the application with the higher score under Priority Criteria 2 shall have priority over the other applications.
3. If the tied applications have the same score under Priority Criteria 1 and 2, the application with the higher score under Priority Criteria 3 shall have priority over the other applications.
4. If the tied applications have the same score under Priority Criteria 1 through 3, the application with the higher score under Priority Criteria 4 shall have priority over the other applications.
5. If the tied applications have the same score under Priority Criteria 1 through 4, the application with the higher score under Priority Criteria 5 shall have priority over the other applications.
6. If the tied applications have the same score under Priority Criteria 1 through 5, the application with the higher score under Priority Criteria 6 shall have priority over the other applications.
7. If tied applications have the same score under all Priority Criteria, the Board shall determine the priority of the applications.

Figure 5

Figure 3

PRIORITY CRITERIA, ORDER OF IMPORTANCE AND SCORES		
Priority Criteria	Evidence or Source	Points
1. Project includes safety improvements		
a. Project addresses more than one of the below	Demonstrated by scope of work provided by the Applicant and based on the definitions in the <a href="#">Strategic Highway Safety Plan</a> ("SHSP")	15
b. Project addresses safety of vulnerable road users		10
c. Project addresses intersection safety		5
d. Project addresses roadway lane departures		5
e. Project address other safety factors		5
f. Project does not address safety improvements		0
2. Evidence of public support for Project		
a. Project is included in the approved regional TIP for the jurisdiction in which the Project is located	Page from regional or tribal TIP	15
b. Project is included in an adopted planning document of the jurisdiction in which the Project is located	Page from General Plan or CIP	10
c. Project has been discussed in public meetings or study sessions	Minutes of meeting/study session	5
d. Project is not in an adopted planning document and has not been discussed in public meetings or study session	NA	0
3. Population of city/town or county in which Project is located – Points will be based on the jurisdiction in which the Project is located. If project spans multiple jurisdictions, the one in which the largest percentage of the Project is located will be used.		
a. Projects located in a Municipality of less than 10,000 population		
1) Municipalities 0 to 4,999 population		10
2) Municipalities 5,000 to 9,999 population		5
b. Projects located in a Municipality with population of 10,000 or more		
1) Municipalities 10,000 to 49,999 population		10
2) Municipalities 50,000 and above		5
c. Projects located in a County of less than 100,000 population		
1) Counties under 40,000 population		10
2) Counties 40,001 to 100,000 population		5
d. Projects located in a County with population of 100,000 or more		
1) Counties over 100,000 to 149,999 population		10
2) Counties over 150,000 and above		5
e. ADOT Projects (applies only to ADOT applications)		
		NA
4. Long-term Impacts		
a. Infrastructure project - Description of life cycle costs is included with application	Identified in application questions	5
b. Non-infrastructure project - Description of long-term impacts is included with application		5
c. Estimate is not included with application		0
5. The percent (whole numbers only) of cash monies provided by Applicant		
a. 51% to 75% or higher	Calculated based on answer to application questions	3
b. 26% to 50%		2
c. 25% or less		1
d. 0%		0
6. Extent that Applicant will partner with other entities to deliver Project		
a. Five Letters of Support	Based on the number of Letters of Support uploaded with the Application (maximum of 5)	5
b. Four Letters of Support		4
c. Three Letters of Support		3
d. Two Letters of Support		2
e. One Letter of Support		1
f. No Letters of Support		0

## VI.REQUESTING REIMBURSEMENT FROM AZ SMART

- A. All payments of AZ SMART Funds for DOES and Match will be made on a reimbursement basis for those expenditures which meet Federal Standards.
- B. Reimbursement will not be made without evidence of a previous, valid expenditure and proof of payment.
- C. Reimbursement will not be made for DOES or Match expenditures which do not meet Federal Standards, or which are ineligible under AZ SMART, the current NOFO/NOFA or the federal statutes establishing the Federal Grant.
- D. The amount Reimbursed for an AZ SMART award will not exceed the actual Eligible Expenditures incurred and paid by the Applicant, regardless of the amount awarded by the Board.
- E. At least quarterly and no more than monthly, the Applicant shall submit to [azsmart@azdot.gov](mailto:azsmart@azdot.gov):
  - 1. An invoice(s) on the Progress Payment Report Form.
  - 2. Vendor invoices the Applicant has paid prior to requesting reimbursement.
  - 3. Proof of payment such as check copies, wire instructions or other evidence of payment to the consultant(s), contractor(s) or service provider(s) for expenditures related to the Project.
  - 4. Procurement contract or solicitation under which the expenditures were incurred. The contract or solicitation must demonstrate the expenditures meet Federal Standards. DOES and Match expenditures which do not meet Federal Standards will not be reimbursed.
  - 5. Other documentation requested by ADOT to determine the eligibility of costs incurred.
- F. Requests for reimbursement of Match from AZ SMART further:
  - 1. Will be made after the applicable federal agency has reimbursed the federal share.
  - 2. Require proof of reimbursement from the applicable federal agency. This may be an email indicating approval of a reimbursement request or other documentation from the agency which clearly identifies:
    - a) the date and amount of the reimbursement,
    - b) the name of the Federal Grant,
    - c) the name of the Project,
    - d) the invoice number assigned by the federal agency.
    - e) ADOT may contact the federal agency to resolve questions or issues related to the Applicant's AZ SMART reimbursement request.

G. Requests for reimbursement for GDS further:

1. Require proof of submission of a federal discretionary grant application. The Applicant is responsible for obtaining proof of submission. Acceptable sources include a copy of the acknowledgement of receipt or an email confirming receipt of the submitted grant from the applicable federal agency or grant submission website.
2. Must be submitted within 6 months of the Date of Award for at least some, if not all, eligible expenditures.
3. ADOT may confirm submission with the applicable federal agency.
4. GDS invoices will be reimbursed for eligible costs actually incurred by the Applicant at a pro rata of 50%, not to exceed the amount of AZ SMART Funds awarded by the Board.

H. Requests for reimbursement for in-kind expenses shall comply with the following:

1. The amount of in-kind expenses must be identified in the AZ SMART application.
  2. The expenses must be incurred after September 14, 2024.
  3. The costs must be tracked by, and verifiable from, the Applicant's records such as time sheets. Submission of these records will be required for reimbursement.
  4. The in-kind expenditures shall not be counted as contributions for any other state or federal award.
  5. The activities and expenditures shall be necessary and reasonable for accomplishment of GDS.
- I. Upon confirming the expenditures are to federal standards, qualify for and have received federal reimbursement, the Applicant has fully paid the vendor and the documents are valid and complete, ADOT will reimburse the Applicant for the AZ SMART share within 30 days of approval of the reimbursement request.

## VII. SPECIAL TERMS AND CONDITIONS

A. By applying for an AZ SMART award pursuant to this RFGAA, Applicants understand and agree to all of the following:

1. **Conflicts of Provisions.** In the event of an internal conflict between any term, condition, or provision in this RFGAA, the following shall prevail in the order listed below
  - a. ARS §28-339
  - b. Definitions
  - c. Special Terms and Conditions
  - d. Standard Terms and Conditions
  - e. Specifications
2. **Administrative Completeness.** Only Administratively Complete applications will receive a Courtesy Technical Review, be evaluated and be presented to PPAC or the Board.
3. **Funding from another source.** An Applicant awarded AZ SMART funds that later receives funding from another source for the same purpose in an amount equal to or greater than that awarded by AZ SMART shall:
  - a. Notify ADOT via email to [azsmart@azdot.gov](mailto:azsmart@azdot.gov) that the Applicant has received other funding within 10 days of the announcement or notification of award of such funds. Upon receipt of the notification, the Board shall rescind the award (ARS §28-339.P).
  - b. Repay any AZ SMART Funds which have been reimbursed to the Applicant or expended by ADOT on the Applicant's behalf within 1 year of the date of the rescission resolution approved by the Board. ADOT will invoice the Applicant upon determining the amount due (ARS §28-339.P).

4. **Project Development Administration (“PDA”) Fees.** All Projects administered by ADOT shall be subject to PDA fees. PDA Fees are eligible expenditures for AZ SMART provided they are included in the Project Budget submitted by the Applicant. ADOT will invoice Applicants for an initial amount of \$30,000. Applicants understand additional PDA funds may be required, particularly for complex projects or those which are not well-developed and agree to pay such funds within 30 days of receipt by ADOT.
5. **Applicant Responsible for All Costs.** Applicants are responsible for all costs which exceed the amount of an AZ SMART Fund or Federal Grant award, including cost increases due to inflation, underestimating, unforeseen conditions, increase in cost of materials, and any other increase.
6. **Award is not a Notice to Proceed.** Board approval and execution of this RFGAA is not a Notice to Proceed (NTP) and does not constitute permission to begin work. For road or bridge projects, the Applicant must request and receive Funding Authorization and a NTP, as applicable, from the ADOT Project Manager (“PM”) for each project phase in advance of the start of work. For transit or rail projects, AZ SMART funds must be authorized by ADOT prior to the start of work.
7. **Project Scope, Schedule, and Budget.** The Applicant is responsible for developing its own Project Scope, Project Schedule and Project Budget cost estimates, hiring any necessary experts and conducting its own Federal Grant research. ADOT provides Courtesy Technical Reviews and information on the [AZ SMART website](#), verbally or in meetings or webinars about Federal Grants and tools to develop project scope, schedule and budget. The review, information and tools are provided as a courtesy only and do not purport to be complete or sufficient for every Project.

8. **Limited Funding.** Funding in one or more categories may be insufficient and the Board may modify the amount awarded to one or more Applicants. Neither ADOT nor the Board will bear any responsibility for an award that is less than the amount requested. Applicant receiving a modified award may re-apply for the same purpose if funding becomes available at a later time. Subsequent applications for the same Project and same Eligible Use will require a new Application to be submitted during an open RFGAA solicitation and will be scored and ranked based on the Priority Criteria in effect at the time.
9. **Supplanting Committed Funding for Federal Grants.** Applicants are required to commit matching funds for a Federal Grant in a Federal Grant application. AZ SMART Applicants that have already applied for or received a Federal Grant understand the Board may prioritize applications which supplant funding lower than those for future Federal Grant applications.
10. **Readiness to Proceed.** Applicants must be ready to proceed with the Eligible Use(s) within 60 days after Board approval of funding. Neither ADOT nor the Board will bear any responsibility if an Applicant fails to meet a deadline due to not being ready to proceed with the Eligible Use(s) for which the funding is awarded.
11. **Delay of Awards.** By applying for an AZ SMART grant, Applicants understand that a request for more information by the Board may delay Board approval to a subsequent Board meeting.
12. **Right of Way.** The Applicant hereby certifies:
  - a. All necessary rights of way have been or will be acquired prior to advertisement for bid and also certify that all obstructions or unauthorized encroachments of whatever nature, either above or below the surface of the Project area, shall be removed from the proposed right of way, or will be removed prior to the start of construction, in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended; 49 CFR 24.102 Basic Acquisition Policies; 49 CFR 24.4 Assurances, Monitoring and Corrective Action, parts (a) & (b) and ADOT Right of Way Procedures Manual: 8.02 Responsibilities, 8.03 Prime Functions, 9.06 Monitoring Process and 9.07 Certification of Compliance. Coordinate with the appropriate State's Right of Way personnel during any right of way process performed by the Applicant, if applicable.
  - b. It has adequate resources to discharge the Applicant's real property related responsibilities and ensures that its Title 23-funded projects are carried out using the FHWA approved and certified ADOT Right of Way Procedures Manual and that it will comply with current FHWA requirements whether or not the requirements are included in the FHWA approved ADOT Right of Way Procedures Manual (23 CFR 710.201). Additionally, the Applicant certifies that all real estate related activities requiring licensure are performed by licensed individuals as defined by the Arizona Department of Real Estate (A.R.S. §§ 32-2121 & 32-2122).
  - c. It will not permit or allow any encroachments on or private use of the right of way, except those authorized by permit. In the event of any unauthorized encroachment or improper use, the Applicant shall take all necessary steps to remove or prevent any such encroachment or use. The Applicant shall provide a copy of encroachment permits issued within the Project limits to the State.

- d. It will automatically grant to the State, by execution of this RFGAA, its agents and/or contractors, without cost, the temporary right to enter the Applicant's rights of way, as required, to conduct any and all construction and preconstruction related activities for the Project, on, to and over said Applicant's rights of way. This temporary right will expire with completion of the Project.
13. **Utilities and Railroads.** The Applicant shall investigate and document utilities within the Project limits; submit findings to ADOT determining prior rights or no prior rights; approve a location within the final right of way to re-establish the prior rights location for those utilities with prior rights.
14. **Applying for Projects on ADOT routes.** Applicants pursuing Projects that are not in the current Five-Year programmed are hereby notified:
- a. Projects programmed on ADOT's system in the Five-Year Construction Program have been scored, prioritized as required by ARS §28-6951, and programmed based on the Planning to Programming ("P2P") process.
  - b. An AZ SMART award may not result in the advancement of a Project that is not in the current Five-Year Construction Program, will not be ready to proceed within 2 years, or supplants the prioritization required by law.
  - c. Applicants for Projects on ADOT's routes will be solely responsible for the costs of all phases of the Project which exceed the amount awarded from AZ SMART or a Federal Grant. Applicants are solely responsible for applying for an appropriate Federal Grant as required under this RFGAA.
  - d. Unless otherwise determined, ADOT will administer design, right of way, construction and all other phases of Projects on ADOT routes, even if the NOFO/NOFA allows a Direct Recipient option.
  - e. PDA and construction administration fees will apply and shall be paid by the Applicant within 30 days of receipt of an invoice from ADOT.
15. **Information to Determine Eligibility.** The Applicant is solely responsible for providing clear and concise information sufficient to enable ADOT to determine if the Project meets the requirements of the current NOFO/NOFA or the federal statutes establishing the Federal Grant. Neither ADOT nor the Board shall bear any responsibility for decisions made based on the information provided by the Applicant.
16. **Determination of Eligibility.** A determination of eligibility of an Applicant or Project for AZ SMART does not mean the applicable federal agency will agree with such determination for a Federal Grant. Neither ADOT nor the Board will be responsible if a Project or Applicant are later determined to be ineligible for the selected Federal Grant. If an Applicant awarded DOES funds does not submit a Federal Grant application, the Board is required to rescind the award and the Applicant is required to repay any DOES expenditures within 30 days of receipt of an invoice from ADOT.

17. **One Project and one Federal Grant.** Each AZ SMART Fund application shall address only one specific Project and one Federal Grant to be pursued for that Project.
18. **Additional applications.** Applicants may submit more than one Project for AZ SMART. Each Project requires the completion and submission of a separate AZ SMART Fund application, governing body resolution and COG/MPO approval.
19. **More than one Eligible Use.** Applicants may request funding for more than one Eligible Use in a single application provide all Eligible Uses are related to the same Project and the same Federal Grant. DOES and Match requests shall meet Federal Standards.
20. **No Other Use Allowed.** An AZ SMART Fund award may not be used for purposes, projects or Federal Grants other than those identified in the AZ SMART Fund application approved by the Board.
21. **Applicant Vendors.** Consultant(s), contractor(s) and service provider(s) hired by the Applicant prior to receiving an AZ SMART award must be on contract to ADOT or selected in a competitive procurement by ADOT to continue work on the Project. Being on ADOT contract does not guarantee selection.
22. **Allowable Project Changes.** Changes to Project work types, materials, methods, delivery methods, length, and other changes which vary from the Project Scope submitted in the Application are acceptable, provided the Project continues to address the Purpose and Need identified in the Application. Allowable Project changes shall comply with the following:
  - a. Applicants shall bear all costs associated with allowable Project changes, including materials costs, contract penalties, and any other costs.
  - b. A Change in Scope will invalidate the AZ SMART award. The Board will rescind the award and the Applicant will repay any AZ SMART Funds expended to date within 30 days of receipt of an invoice from ADOT. Any remaining AZ SMART Funds will be returned to the applicable Funding Category.
23. **Federal Grant Agreement Changes.** Changes in a Federal Grant Agreement for a Project awarded match from AZ SMART may require an amendment to this RFGAA or require further approval by the Board and/or Applicant's governing body depending on the magnitude of the change. Direct Recipients for a Federal Grant shall provide any changes to the Federal Grant Agreement to ADOT prior to the execution of documentation approving such change.
24. **Applicant Names Posted Online.** Pursuant to ARS §41-2702.E, the name of each Applicant shall be publicly read, recorded and posted on the [AZ SMART website](#). All other information in the grant application is confidential during the process of evaluation. All applications shall be open for public inspection after the evaluation process, with the exception of Confidential Information.

25. **Confidential Information.** To the extent an Applicant designates and the State concurs, trade secrets and other proprietary information contained in the Application shall remain confidential. The Applicant shall clearly identify any trade secrets or other proprietary information which is to remain confidential by stamping or marking the pages/information with "**CONFIDENTIAL**" in bold capital letters.
26. **Inactive Funding.** All Projects receiving AZ SMART awards are subject to ADOT policy FIN-8.01, regarding timely obligation and expenditure of funds. Direct Recipients and Applicants approved by ADOT to self-administer a Project shall request Reimbursement at least quarterly but not more than monthly to ensure the AZ SMART funding is deployed in a timely manner for the benefit of the transportation system.
27. **Applicant participation required.** The Applicant shall be an active participant in the development and/or construction of the Project. ADOT administration does not relieve the Applicant from actively participating in meetings, reviewing and commenting on documents or any other actions or responsibilities of a sponsoring entity related to the Project.
28. **Changes or Exceptions.** Any change proposed to this RFGAA from the original contents or exceptions to terms and conditions shall be identified and submitted with the Applicant's Proposal. Changes are subject to approval by ADOT and are not guaranteed.
29. **Application Closure by the Board.** The Board may direct ADOT to close applications for any Funding Category if the Board determines funding is insufficient. Unawarded applications will be returned to the Applicants (ARS §28-399.O).
30. **Accuracy of data, information and documents.** Applicants are solely responsible for the accuracy of any data, information and documents included in the Application. Neither ADOT nor the Board shall bear any responsibility for decisions made based on such data, information and documents.
31. **Questions and Answers webpage.** All questions regarding the RFGAA, including requests for clarifications, questions about application information, proposal process, etc., shall be in writing and submitted to [azsmart@azdot.gov](mailto:azsmart@azdot.gov) at least 10 business days before the Application Deadline. No letters, telephone calls or emails submitted to any other email address will be addressed. Amendments, clarifications or other information related to this RFGAA will be posted on the Questions and Answers page on the [AZ SMART website](#). The Authorized Representative is required to certify he/she has read and understands this information in the Offer and Acceptance form.
32. **Inspection.** All Projects receiving AZ SMART Fund awards are subject to inspection.

## **B. Tribal Provisions**

The following terms and conditions relate only to federal recognized Indian Tribal Applicants.

1. **Limited Waiver of Sovereign Immunity.** For purposes of this RFGAA, and subject to the terms of this section, a Tribal Applicant consents and agrees to a limited waiver of its sovereign immunity from suit and consents to be sued on an arbitration award. The Tribal Applicant represents that this limited waiver of sovereign immunity has been duly approved by the Applicant's Tribal Council, as authorized by the Arbitration and

Sovereign Immunity Acts of the applicable Tribe. The Tribal Applicant is not waiving its right to assert the defense of sovereign immunity except as expressly set forth, referred to, and provided for, in this RFGAA. This limited waiver is enforceable solely by the State as limited hereunder and does not create any additional third-party beneficiary rights to suits or private causes of action in favor of third parties. This section provides a limited waiver of sovereign immunity solely for the purpose of enforcing the provisions of this RFGAA and enforcing any arbitration award hereunder and for no other purpose.

2. **Dispute Resolution.** In the event of a dispute, claim or controversy (“Dispute”) arising out of or related to this RFGAA, the Parties agree that it is in their mutual best interest to meet as promptly as possible for the purpose of informally resolving said Dispute. In the event the Parties cannot resolve their Dispute informally after attempting to work in good faith, the Parties hereto agree to abide by arbitration as set forth below and that an order compelling arbitration or a judgement enforcing the arbitration award shall be the only relief of any kind provided by the State or Tribal court.
3. **Arbitration.** If a party in good faith concludes that a Dispute arising out of or related to this RFGAA is not likely to be resolved by informal dispute resolution then, upon notice by that Party to the other, said Dispute shall be finally and exclusively settled by submission of such Dispute to the American Arbitration Association (“AAA”) under its then prevailing procedural rules contained in the AAA’s Commercial Arbitration Rules to the extent that such rules shall not be interpreted to diminish, limit, or void the limited waiver of sovereign immunity set forth in Section 14 above or to increase the enforcement rights of the Parties. Within 10 days after the notice of intent to arbitrate, each party shall select one person to act as arbitrator and the two selected shall select a third arbitrator within 10 days of their appointment. The third arbitrator shall be a practicing attorney, actively engaged in the practice of law for at least 10 years and a member in good standing of the bar of the State of Arizona. Alternatively, the third arbitrator may be a retired judge of the federal court or the trial court of the State of Arizona. At least one of the arbitrators shall be knowledgeable with federal Indian law and one arbitrator shall have AAA-acknowledged expertise in the appropriate subject matter. By agreement of the Parties, when the amount in controversy renders the cost of three arbitrators unreasonable, the Parties may agree to select a single arbitrator to resolve a dispute. All arbitration proceedings shall be held in Maricopa County, or at such other place as shall be agreed by the Parties.
4. **Award.** The award shall be made within 60 days of the filing of the notice of intent to arbitrate, and the arbitrators shall agree to comply with the schedule before accepting appointment. However, this time limit may be extended by agreement of the Parties or by the majority of the Parties or by the majority of the arbitrators, if necessary. Any award rendered in any such arbitration proceeding shall be final and binding upon all Parties to the proceeding. Any action to enforce the arbitration award must be filed within 180 days from the issuance of the award.
5. **Governing Law.** This RFGAA, including any claim or dispute arising hereunder submitted to binding arbitration, shall be governed by the laws of the State of Arizona.
6. **Enforcement.** Judgment upon any award rendered by the arbitrators against the Tribal Applicant may be entered in the Tribal Applicant’s tribal court system (“Tribal Court”) or against the State of Arizona in the Arizona State Court System (“Court System”) and interpreted and/or enforced pursuant to the terms of this RFGAA, and/or pursuant to the terms of the AAA’s Commercial Arbitration Rules, and/or pursuant to the terms and

provisions of the statutes, rules and regulations governing or providing for interpretation or enforcement of judgments applicable in any State of Arizona or Tribal Nation court of the Applicant.

## VIII. STANDARD TERMS AND CONDITIONS

- A. **Effective Date.** This RFGAA shall become effective upon signing and dating of the Offer and Acceptance by ADOT.
- B. **Amendments.** Any change or modification to this RFGAA will only occur with the mutual written consent of both Parties and may require further approval of the Board.
- C. **Duration.** The terms, conditions and provisions of this RFGAA shall remain in full force and effect until completion of the Project and all reports, performance metrics and other information required for the Project have been submitted and related deposits and/or reimbursements are made.
- D. **Cancellation.** This RFGAA may be cancelled at any time by either Party prior to the exchange of any AZ SMART Funds and after 30 days' prior written notice to the other Party. It is understood and agreed that, in the event the Applicant terminates this RFGAA, the Applicant shall be responsible for all costs paid by the State up to the time of termination. It is further understood and agreed that in the event the Applicant terminates this RFGAA, the State shall have no further obligations to reimburse AZ SMART Funds to the Applicant.
- E. **Costs.** The final Project amount may exceed the estimate(s) identified in the Application, and in such case, the Applicant is responsible for, and agrees to pay, any and all actual costs exceeding the amount awarded from AZ SMART. If the final Project amount is less than the initial estimate, the difference between the final Project design amount and the initial estimate will be de-obligated or otherwise released from the Project. Any remaining AZ SMART Funds will be returned to the State. The Applicant acknowledges it remains responsible for actual costs and agrees to pay according to the terms of this RFGAA.
- F. **Indemnification.** The Applicant shall indemnify, defend, and hold harmless the State, any of its departments, agencies, boards, commissions, officers or employees (collectively referred to in this paragraph as the "State") from any and all claims, demands, suits, actions, proceedings, loss, cost and damages of every kind and description, including reasonable attorneys' fees and/or litigation expenses (collectively referred to in this paragraph as the "Claims"), which may be brought or made against or incurred by the State on account of loss of or damage to any property or for injuries to or death of any person, to the extent caused by, arising out of, or contributed to, by reasons of any alleged act, omission, professional error, fault, mistake, or negligence of the Applicant, its employees, officers, directors, agents, representatives, or contractors, their employees, agents, or representatives in connection with or incident to the performance of this RFGAA. The Applicant's obligations under this paragraph shall not extend to any Claims to the extent caused by the negligence of the State, except the obligation does apply to any negligence of the Applicant which may be legally imputed to the State by virtue of the State's ownership or possession of land. The Applicant's obligations under this paragraph shall survive the termination of this RFGAA.
- G. **Third-Party Indemnification.** The State shall include Section 107.13 of the 2021 version of the Arizona Department of Transportation Standard Specifications for Road and Bridge Construction, incorporated into this RFGAA by reference, in the State's contract with any and all contractors, of which the Local Agency shall be specifically named as a third-party beneficiary. This provision may not be amended without the approval of the Applicant.
- H. **Liability.** ADOT assumes no liability or financial responsibility for AZ SMART Fund Projects, except as set forth in the Indemnification above, or the information submitted by the Applicant. The Applicant is solely responsible for complying with all applicable laws, rules

and regulations, for any additional funding required to complete the Project and for any claims due to delays, change orders or any other circumstances.

- I. **Summaries.** ADOT may develop and present various summaries of the RFGAA or data and information provided by the Applicant in response to this RFGAA. Such summaries are for convenience only and do not take the place of this RFGAA.
- J. **Federal Funding Accountability and Transparency Act.** The Parties warrant compliance with the Federal Funding Accountability and Transparency Act of 2006 and associated 2008 Amendments (the “Act”). Additionally, in a timely manner, the Applicant will provide information that is requested by the State to enable the State to comply with the requirements of the Act, as may be applicable.
- K. **Single Audit.** The Applicant acknowledges compliance with federal laws and regulations and may be subject to the CODE OF FEDERAL REGULATIONS, TITLE 2, PART 200 (also known as The Uniform Grant Guidance). Entities that expend \$750,000.00 or more (on or after 12/26/14) of federal assistance (federal funds, federal grants, or federal awards) are required to comply by having an independent audit in accordance with §200.331 Subpart F. An electronic copy of the Single Audit is to be sent within the required deadline of nine months of the sub recipient fiscal year end to:

ADOT – FMS  
Attn: Cost Accounting Administrator  
206 S 17th Ave. Mail Drop 204B  
Phoenix, AZ 85007  
[SingleAudit@azdot.gov](mailto:SingleAudit@azdot.gov)

- L. **Audited Financial Statements.** Applicants receiving an AZ SMART award for DOES or Match shall provide an electronic copy of its audited financial statements to [azsmart@azdot.gov](mailto:azsmart@azdot.gov) within three months of the Applicant's fiscal year end until the final Project accounting is complete.
- M. **Governing Law.** This RFGAA shall be governed by and construed in accordance with Arizona laws.
- N. **Conflicts of Interest.** This RFGAA may be cancelled in accordance with A.R.S. § 38-511.
- O. **Records.** The Applicant is required to retain all books, accounts, reports, files and other records relating to this RFGAA for a period of five years after the date of the final payment of AZ SMART Funds from ADOT. Such records shall be produced by the Local Agency, electronically or at the State office as set forth in this RFGAA, at the request of ADOT or the State Auditor General.
- P. **Audit.** All books, accounts, reports, files and other records relating to this RFGAA shall be subject to inspection and audit. The State may refer Projects to the State Auditor General or ADOT's Internal Audit unit in cases of suspected misuse of AZ SMART Funding.
- Q. **Title VI.** The Applicant acknowledges and will comply with Title VI of the Civil Rights Act of 1964.
- R. **Non-Discrimination.** This RFGAA is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal

regulations under the Act, including 28 CFR Parts 35 and 36. The Parties to this RFGAA shall comply with Executive Order Number 2009-09, as amended by Executive Order 2023-01, issued by the Governor of the State of Arizona and incorporated in this RFGAA by reference regarding “Non-Discrimination.”

- S. **Non-Availability of Funds.** Every obligation of the State under this RFGAA is conditioned upon the availability of funds appropriated or allocated for the fulfillment of such obligations. If funds are not allocated and available for the continuance of this RFGAA, this RFGAA may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments as a result of termination under this paragraph.
- T. **Arbitration.** In the event of any controversy which may arise out of this RFGAA, the Parties agree to abide by arbitration as is set forth for public works contracts if required by A.R.S. § 12-1518.
- U. **E-Verify.** The Parties shall comply with the applicable requirements of A.R.S. § 41-4401.
- V. **Contractor Certifications.** The Applicant shall certify that all contractors comply with the applicable requirements of A.R.S. §§ 35-393.01 and 35-394.
- W. **Other Applicable Laws.** The Parties shall comply with all applicable laws, rules, regulations and ordinances, as may be amended.
- X. **Notices.** All notices or demands upon any Party to this RFGAA shall be in writing and shall be delivered electronically, in person, or sent by mail, addressed as follows:
  - 1. **For RFGAA Administration:**  
Arizona Department of Transportation  
Joint Project Agreement Group  
205 S. 17<sup>th</sup> Avenue, Mail Drop 637E  
Phoenix, AZ 85007  
[JPABranch@azdot.gov](mailto:JPABranch@azdot.gov)
  - 2. **For Project Administration:**  
Arizona Department of Transportation  
Multimodal Planning Division  
Attn: AZ SMART Fund Program  
1611 W Jackson St, MD 310B  
Phoenix, AZ 85007  
602-712-7112  
[azsmart@azdot.gov](mailto:azsmart@azdot.gov)
  - 3. **For Financial Administration:**  
Arizona Department of Transportation  
Multimodal Planning Division  
Attn: AZ SMART Fund Program  
1611 W Jackson St, MD 310B  
Phoenix, AZ 85007  
602-712-7112  
[azsmart@azdot.gov](mailto:azsmart@azdot.gov)

- Y. **Revisions to Contacts.** Any revisions to the names and addresses above may be updated administratively by either Party and shall be in writing.
- Z. **Electronic Signatures.** This RFGAA may be signed in an electronic format. Pursuant to ARS §44-7031, the signature must be unique to the persons signing the document, capable of verification, under the sole control of the persons using it, and linked to the document so that if the record were changed the electronic signature would be invalid.

## IX.OFFER AND ACCEPTANCE

This Offer must be completed, signed by the Authorized Representative and submitted with the Application. Applications that do not include this completed and signed Offer are not Administratively Complete and will not be further reviewed or processed.

### A. **Offer** - To the State of Arizona:

The Undersigned hereby offers and agrees to furnish the material, service or construction in compliance with all terms, conditions, specifications and amendments in the RFGAA and any written exceptions included with the Application and which are accepted by ADOT.

1. Arizona Transaction (Sales) Privilege Tax License No.:
2. Federal Employer Identification No.
3. Entity:
4. Address:
5. City, State and Zip:
6. For clarification(s) of this Offer, contact the Authorized Representative listed in the Application.

### B. **Certification** – By written or electronic signature on this Offer, the Authorized Representative certifies:

1. I am the Authorized Representative identified in the Application.
2. I have read and understand this RFGAA and the Questions and Answers page on the [AZ SMART website](#).
3. Under penalty of perjury, the information contained herein and attached hereto is true and correct according to the best of my knowledge and belief after a reasonable investigation of the facts.
4. Submission of the Offer did not involve collusion or other anti-competitive practices.
5. The Applicant shall not discriminate against any employee or applicant for employment in violation of Federal Executive Order 11246, State Executive Order 99-4 or A.R.S. §§ 41-1461 through 1465.
6. The Applicant has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the submitted offer. Failure to provide a valid signature affirming the stipulations required by this clause shall result in rejection of the Offer. Signing the Offer with a false statement shall void the Offer, any resulting contract and may be subject to legal remedies provided by law.

**Written or electronic signature of authorized Representative:**

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**C. Acceptance – The Offer is hereby accepted.**

1. State Transportation Board award:
  - a. Date of Award:
  - b. Eligible Use(s) awarded:
  - c. Amount awarded for each Eligible Use:
2. The Applicant is now bound to provide the material, service, or construction listed in the RFGAA, including all terms, conditions, specifications, amendments, etc., and the Contractor's application as approved by the State Transportation Board.
3. This contract shall henceforth be referred to as Contract No. \_\_\_\_\_.
4. The Applicant has been cautioned not to commence any billable work or to provide any material or service under this contract until Applicant receives purchase order, contact release document or written notice to proceed.
5. **Electronic signature of person authorized to accept offer:**

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**State of Arizona**

## **X. DEFINITIONS AND ABBREVIATIONS**

**“Administratively complete”** means an Applicant has completed the Application and provided all of the data, information and documents required by the Application and the Board, or that staff determines is applicable. Examples include responses to all questions, duly approved and signed governing body resolution, B/C analysis, map, scope, schedule, budget cost estimate(s), signed offer and any other information or documentation required by the Application or requested by ADOT staff.

**“ADOT”** means the Arizona Department of Transportation.

**“Applicant”** means the entity applying for the AZ SMART Fund. Applicants are either Governmental Entities or Non-governmental Entities.

**“Application”** means an application submitted by the Applicant to ADOT pursuant to A.R.S. § 28-339 for an award of monies from the AZ SMART Fund for any Eligible Use. The Application is part of this RFGAA.

**“ARS”** means Arizona Revised Statutes.

**“Authorized Representative”** means the person authorized by the Applicant governing body to sign the Offer in this RFGAA and commit the Applicant in a contractual relationship. This individual must have the legal authority to sign binding contracts, including this RFGAA, on behalf of the Applicant.

**“AZ SMART”** or **“AZ SMART Fund(s)”** means Arizona State Match Advantage for Rural Transportation funds the fund established pursuant to A.R.S. § 28-339.

**“Board”** means the State Transportation Board.

**“Change in Scope”** means changes to the extent the Project no longer addresses the Purpose and Need identified in the Application.

**“COG/MPO Approval”** means the approval by the Applicant’s Council of Governments (COG) or Metropolitan Planning Organization (MPO) prior to submitting the Project to the AZ SMART Fund program, required pursuant to ARS §28-339.

**“Congressionally Directed Spending”** or **“CDS”** means funding requested by a Member of Congress designating an amount of funds to a particular recipient for a specific Project. Member requests directed funds for specific Projects that generally would otherwise have been left to the federal agencies’ discretion.<sup>3</sup> A CDS award does not fulfill the requirement to submit a Federal Grant application.

**“Council of Governments”** or **“COG”** means a cooperative regional transportation planning organization established pursuant to Arizona Executive Order 70-2 and 23 USC §135(m).

**“Courtesy Technical Review”** means a high-level review of a Project’s scope, schedule and budget to identify areas of concern. The goal of the courtesy technical review is to assist Applicants in preparing realistic project scopes, schedules and budgets. The review does not purport to cover all scenarios and does not constitute approval or endorsement by ADOT of the

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<sup>3</sup> *Tracking the Funds*, US Government Accountability Office, <https://www.gao.gov/tracking-funds#paragraph-28406>

Project or its scope, schedule and budget, and does not guarantee the Applicant will receive an award from the Board. Applicants are solely responsible for developing a Project's scope, schedule and budget and neither ADOT nor the Board will bear any responsibility if the Courtesy Technical Review does not provide sufficient or complete information.

**“Design and Other Engineering Services” or “DOES”** means preliminary engineering through final design related to a road, bridge, rail or transit infrastructure construction Project that the Applicant intends to submit for a Federal Grant on a future date, including the development of scope, schedule and budget information required in the AZ SMART application. The Federal Grant application for construction of the Project must be submitted within 2 years of the Date of Award of AZ SMART Funds for DOES.

**“Date of Award”** means the date on which the Board approved, denied or modified an Application.

**“Direct Recipient”** means an Applicant that applies and receives a Federal Grant award directly from a federal agency. Direct Recipient Projects are typically administered by the awarding federal agency. Direct Recipients are generally responsible for all federal requirements related to procurement, clearances, reporting, paying invoices up front and requesting reimbursement for those payments from the awarding federal agency and AZ SMART, and all other aspects of a federal discretionary grant project.

**“Eligible Expenditures”** for DOES and Match means expenditures incurred and paid after September 14, 2024 which meet Federal Standards as defined in this RFGAA, are necessary for the Project, and are eligible under the Federal Grant. Eligible Expenditures for GDS are those incurred and paid after September 14, 2024 which are necessary for the Project. All expenditures require proof of payment.

**“Evaluators”** means at least three individuals who are peers or other qualified individuals pursuant to ARS §41-2702.F.

**“Federal Grant”** means a federal discretionary grant program administered by any federal agency for surface transportation purposes, the awards of which are:

- Made at the discretion of the federal agency;
- Not funded or distributed by formula or allocation; and
- Not directed by Congress or other appropriating body.

**“Federal Grant Agreement”** means an agreement between the Applicant, or ADOT on the Applicant's behalf, and the federal agency awarding a Federal Grant.

**“Federal Standards”** means expenditures were incurred through a procurement which includes applicable provisions as follows. This is not a complete list and other provisions may be required.

- *Road and Bridge **engineering, design and related services***: Part 172 — Procurement, Management, and Administration of Engineering And Design Related Services. Provisions begin on page 20 at <https://www.govinfo.gov/content/pkg/FR-2015-05-22/pdf/2015-12024.pdf>.
- *Road or Bridge **Construction** projects*: [Contract Provisions for Federal-aid Construction and Service Contracts Required by FHWA and Other Agencies](#).
- *Transit projects*: Federally required clauses and certifications are available on the National Transit Assistance Program website at <https://www.nationalrtap.org/Technology-Tools/ProcurementPRO>. Registration may be required.
- *Rail projects*: [General Terms and Conditions](#). Other requirements may apply – Applicants should contact the Federal Rail Administration (“FRA”) Grant Office for further guidance.

**“Funding Authorization”** means the submission of required documentation to either ADOT or the federal agency awarding a Federal Grant and obligation of awarded AZ SMART or Federal Grant funding in the applicable financial system.

**“Funding Category”** means the five categories to which ADOT is required to suballocate monies in the AZ SMART Fund pursuant to ARS §28-339.F.

**“Grant Development and Submission”** or **“GDS”** means researching, developing, preparing data or information, editing, securing letters of support, submitting required forms, applications or other documents to the federal agency or through the required application website, and coordinating with Project partners on these activities.

**“Governmental Entities”** or **“Governmental Entity”** means an Arizona city, town, county, political subdivision, ADOT, or a Tribal Nation located in Arizona.

**“Legislative Appropriation”** means funding requested by a Member of the Arizona Legislature designating an amount of funds to a particular recipient for a specific Project.

**“Match”** means the amount of non-federal, cash monies required from the Applicant for a Federal Grant and may consist of funding from the Applicant, the AZ SMART Fund, a Project partner, or other legal source. The type of Match required or allowed will depend on the applicable Federal Grant.

**“Metropolitan Planning Organization”** or **“MPO”** means a planning organization established pursuant to 23 USC §134(d).

**“NOFO”, “NOFA”, “NOFO/NOFA”** means a Notice of Funding Opportunity or Notice of Funding Availability for a Federal Grant.

**“Non-governmental Entities”** or **“Non-governmental Entity”** means individuals, associations, clubs, corporations, any other private entity, or any organizations which are not Governmental Entities.

**“Obligate”, “Obligated”, or “Obligation”** means the Project has received all required approvals from ADOT and the applicable federal agency and the funding has been applied to the Project in the State accounting system. Obligated funding may not be transferred to another Project.

**“Party”** means ADOT or the Applicant entering into this RFGAA.

**“Parties”** means ADOT and the Applicant entering into this RFGAA.

**“PDA”** means Project Development Administration.

**“PPAC”** means the Priority Planning Advisory Committee established pursuant to ARS §28-6951.

**“Project”** means the specific project and scope of work identified by the Applicant in each AZ SMART Fund application. The Project may not be substituted with another project.

**“Quick Ratio”** applies only to Non-governmental entities and means the ratio resulting from the following calculation: Quick Ratio = *Current liabilities / (Current assets – inventory – prepaid expenses)*. The Quick Ratio The ratio is calculated by ADOT staff using financial information provided by the Applicant and is provided to the Board to assist in the determination of financial capacity should the Board wish to consider this information in making awards.

**“Ready to Proceed” or “Readiness to Proceed”** means:

- Prior to PPAC and Board consideration – The Application is Administratively Complete, the Courtesy Technical Review has been completed, the Applicant has revised the Application as needed, all contractual issues have been resolved and the Application has been scored and ranked by the Evaluators. Upon completion of these steps, the Application is considered “Ready to Proceed” to PPAC and the Board for consideration.
- After Board approval – Applicants must be ready to proceed with the Eligible Use(s) immediately upon Board approval, particularly those awarded DOES funding. Neither ADOT nor the Board will bear any responsibility if an Applicant fails to meet a deadline due to not being ready to proceed with the Eligible Use(s) for which the funding is awarded.

**“Review Recap”** means the document prepared by ADOT after the Application and Courtesy Technical Review which includes questions, observations, directions or further information which may require response from, or action by, the Applicant.

**“RFGAA”** means this Request for Grant Applications and Agreement, all of the documents included or referenced, the completed Application and any fully executed amendments to this RFGAA.

## **XI.PROJECT NAMING GUIDANCE**

- The Project Name should generally have the form of “Route Number or Road/Street Name,” “Termini 1” to “Termini 2”, in or near an appropriate City.
- Point locations such as intersections should have the form of “Route Number or Road/Street Name” @ “Route Number or Road/Street Name” in or near an appropriate City. Bridges and similar features should take the form of “Route Number or Road/Street Name” over a River, Wash, Railroad or other feature in or near an appropriate City.
- Information shown in the Project Name should be information likely to be useful for persons not familiar with Arizona geography and/or likely to be found on common road maps – other route numbers, road or street names, streams and/or significant (named) washes, towns and cities, and political boundaries (county lines, city limits, National Forest boundaries, Indian Reservation boundaries, etc.).
- Significant cities or towns are especially desirable. When a Project is not located in a city or town, use descriptions such as “near XXX City” or “north of XXX City.”
- Mileposts are acceptable, especially in conjunction with other location features, but less desirable when used alone. Except for the Interstate Highway System, milepost information is not widely known or available by anyone outside the immediate highway industry and consequently, very difficult to use.
- Avoid using County Names (US-89, MP 490 to MP 510 in Coconino County). Most Arizona counties are huge and do not provide a clear indication of location. However, it is useful and permissible to use county lines.
- Avoid using ADOT Districts. These District and District Boundaries are not known outside those immediately involved in Arizona highway programs.
- Avoid Legislative Road Names (“Phoenix to Ehrenburg Highway”) as these are peculiar to Arizona, have little or no meaning outside ADOT, and usually are not very accurate for the Project in question.
- Avoid Section Names (“Lava Rocks Section,” “Doubtful Canyon Section,” etc. These names have little meaning outside of those immediately involved in the Project.
- Common and widely understood abbreviations may be used. Abbreviations such as Rd. St, Ave, Blvd, Hwy, Frwy, Pkwy, and MP are acceptable. However, avoid unusual abbreviations (NCL for North City Limits) and abbreviations unique to Arizona (TI and UP are unique to Arizona).

## **XII. ARS §28-339, AZ SMART LAW**

As revised by Laws 2024, Chapter 120

### **28-339. State match advantage for rural transportation fund; allocation of monies; definitions**

A. The state match advantage for rural transportation fund is established. The department shall administer the fund. Monies in the fund are continuously appropriated. The fund consists of the following:

1. Monies appropriated by the legislature.
2. Any nonfederal gifts, grants, donations or other amounts received from any public or private source for transportation projects.

B. On notice from the department, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

C. The department may establish any subaccount in the fund that the department determines is necessary to carry out the purposes of this section.

D. The department may not approve any expenditures from the fund unless the expenditure is made in accordance with this section.

E. Monies in the fund shall be used only for the following:

1. To reimburse up to fifty percent of the costs associated with developing and submitting an application for a federal grant.
2. To provide match or reimbursement of a match for a federal grant.
3. To fund or reimburse design and other engineering services expenditures that meet federal standards for projects eligible for a federal grant. Applicants awarded funding for design and other engineering services shall submit an application for a federal grant within two years after the award or the award lapses and the applicant must repay any expended monies to the fund. The applicant shall submit repayment within thirty days after receiving an invoice from the department.

F. Except as provided in subsection G of this section, the department shall suballocate monies in the fund to the following five categories:

1. Twenty percent to projects located in counties with a population of one hundred thousand persons or more for uses described in subsection E, paragraphs 2 and 3 of this section.
2. Twenty percent to projects located in counties with a population of less than one hundred thousand persons for uses described in subsection E of this section.
3. Twenty percent to projects located in municipalities with a population of ten thousand persons or more for uses described in subsection E, paragraphs 2 and 3 of this section.
4. Twenty percent to projects located in municipalities with a population of less than ten thousand persons for uses described in subsection E of this section.

5. Except as provided in subsection L of this section, twenty percent to the department for uses described in subsection E, paragraphs 2 and 3 of this section.

G. A project located in a county with a population of more than one million persons is not eligible for funding pursuant to subsection F, paragraph 1 of this section. A project located in a municipality that is partially or entirely located in an urbanized area of a county with a population of more than one million persons is not eligible for funding pursuant to subsection F, paragraph 3 or 4 of this section. The department may not use monies pursuant to subsection F, paragraph 5 of this section for projects that are located in an urbanized area of a county with a population of more than one million persons.

H. An entity that is eligible to receive a federal grant shall submit an application to the department to be eligible for an award from the fund. The entity must first obtain the approval of the applicable metropolitan planning organization or council of governments before submitting an application to the department. The department may establish an application deadline and require additional documentation to ensure an applicant is eligible for the federal grant. The board may also determine the extent to which an applicant has the technical and financial capacity to successfully complete the project.

I. On receipt of an application, the department shall determine if the requirements of the notice of funding opportunity or the federal statutes establishing the federal grant are met and if the approval required under subsection H of this section is granted. If the department determines that the application meets the requirements and is complete, the department shall forward the application to the departmental committee established pursuant to section 28-6951 for a recommendation. If a recommendation is made, the department shall notify the chairperson of the board that the application is ready for consideration and action by the board.

J. Once notified pursuant to subsection I of this section, the chairperson of the board shall place the application on an agenda for action within forty-five days after original receipt of the notification. The board may give preference to applicants that can demonstrate any of the following:

1. The percentage of matching monies provided by the applicant.
2. The extent that the applicant will partner with other entities to deliver the project.
3. Other factors as deemed appropriate by the board for the applicable federal grant.

K. The board may approve, deny, modify or request more information on the application. If the board approves an award, the department shall execute an agreement with the applicant regarding reimbursement and expenditures pursuant to subsection E of this section.

L. On the department's request, the board shall approve the use of monies as described in subsection F, paragraph 5 of this section. The department may annually use up to five percent of the monies earned in the previous fiscal year under subsection B of this section to administer the fund.

M. If an applicant receives an award pursuant to subsection E, paragraph 2 of this section but is not able to secure the federal grant, the department shall make the award monies available for other applications.

N. Beginning January 1 and July 1 of each year, the board may redistribute the unawarded monies in the fund to ensure each category under subsection F of this section receives a share of the monies based on the percentages prescribed in subsection F of this section. The department shall post the amount available for each category on the department's website within thirty days after the approval of the redistribution by the board.

O. Notwithstanding subsection J of this section and based on available funding, the board may direct the department to close applications for any category and return any unawarded applications to the applicants.

P. The board shall rescind an award if an applicant receives funding from another source for the same project and purpose in an amount equal to or greater than the award made under this section. The applicant shall repay any monies expended from the fund within one year after the date of the rescission resolution approved by the board.

Q. For the purposes of this section:

1. "Federal grant" means a federal discretionary grant program administered by any federal agency for surface transportation purposes.

2. "Urbanized area" means an urbanized area as defined in the most recent decennial census certified by the United States census bureau.

### **XIII. ARIZONA CONSTITUTION, ARTICLE 9, SECTION 7**

*Text applicable to [Non-governmental entity Applicants](#) eligible for the revised AZ SMART Program are highlighted for emphasis:*

Section 7. Neither the state, nor any county, city, town, municipality, or other subdivision of the state shall ever give or loan its credit in the aid of, or make any donation or grant, by subsidy or otherwise, to any individual, association, or corporation, or become a subscriber to, or a shareholder in, any company or corporation, or become a joint owner with any person, company, or corporation, except as to such ownerships as may accrue to the state by operation or provision of law or as authorized by law solely for investment of the monies in the various funds of the state.

#### **XIV. ARS §41-2701 ET SEQ, GRANT STATUTE**

##### **41-2701. Definitions**

In this chapter, unless the context otherwise requires:

1. "Grant" means the furnishing of financial or other assistance, including state funds or federal grant funds, by any state governmental unit to any person for the purpose of supporting or stimulating educational, cultural, social or economic quality of life.
2. "Person" means any corporation, business, individual, committee, club or other organization or group of individuals.
3. "State governmental unit" means any department, commission, council, board, bureau, committee, institution, agency, government corporation or other establishment or official of the executive branch or corporation commission of this state.

##### **41-2702. Solicitation and award of grant applications**

A. State governmental units shall award any grant in accordance with the competitive grant solicitation requirements of this chapter.

B. A state governmental unit shall prepare and issue a Request for Grant Applications that includes at least the following information:

1. A description of the nature of the grant project, including the scope of the work to be performed by an awardee.
2. An identification of the funding source and the total amount of available funds.
3. Whether a single award or multiple awards may be made.
4. Encouragement of collaboration by entities for community partnerships, if appropriate.
5. Any additional information required by the applications.
6. The criteria or factors under which applications will be evaluated for award and the relative importance of each criteria or factor.
7. The due date for submittal of applications and the anticipated time the awards may be made.

C. Adequate public notice of the Request for Grant Applications shall be given at least six weeks before the due date for the submittal of applications. Adequate notification of the Request for Grant Applications shall also be provided to the central state permitting program pursuant to section 41-1505.08.

D. A preapplication conference may be conducted before the due date for the submittal of applications to explain the grant application requirements. If a preapplication conference is held, it shall be held at

least twenty-one days before the due date. Statements made at a preapplication conference are not amendments to the Request for Grant Applications unless a written amendment is issued.

E. Grant applications shall be publicly received at the time and place designated in the Request for Grant Applications. The name of each Applicant shall be publicly read and recorded. All other information in the grant application is confidential during the process of evaluation. All applications shall be open for public inspection after grants are awarded. To the extent the Applicant designates and the state concurs, trade secrets and other proprietary information contained in the application shall remain confidential.

F. Applications shall be evaluated by at least three evaluators who are peers or other qualified individuals. The evaluators may allow Applicants to make oral or written presentations regarding the scope of work, terms and conditions of the grant, budget and other relevant matters set forth in the Request for Grant Applications. Applicants shall be accorded fair treatment with respect to any opportunity for oral or written presentations. The evaluators may require an Applicant to revise its application to reflect information provided in an oral or written presentation. Any person who has information contained in the application of competing applications shall not disclose that information.

G. The evaluators shall review each application based solely on the evaluation criteria or factors set forth in the Request for Grant Applications. The evaluators shall maintain a written record of the assessment of each application, which shall include comments regarding compliance with each evaluation criteria or factor, the citation of a specific criteria or factor as the basis of each stated strength or weakness and a clear differentiation between comments based on facts presented in the application and comments based on professional judgment. Evaluator assessments shall be made available for public inspection no later than thirty days after a formal award is made.

H. The evaluators shall make award recommendations to the head of the state governmental unit based on the evaluators' reviews of each application. The evaluators' recommendations may include the adjustment of the budgets of the Applicants individually or collectively.

I. The head of the state governmental unit may affirm, modify or reject the evaluators' recommendations in whole or in part. Modification of the evaluators' recommendations may include the adjustment of the budget on any proposed award individually or on all awards by an amount or percentage. If the head of the state governmental unit does not affirm the recommendations, the head of the state governmental unit shall document in writing the specific justifications for the action taken. The specific justifications shall be made available for public inspection no later than thirty days after the action is taken.

J. The head of a state governmental unit may enter into agreements with other state governmental units to furnish assistance in conducting the solicitation of grant applications.

#### 41-2703. Waiver of solicitation and award procedures

A. Notwithstanding any other provision of this chapter, the director of the department of administration or the director's designee may waive the solicitation and award procedures if a situation exists that makes compliance with section 41-2702 impracticable, unnecessary or contrary to the public interest, except that the grant solicitation and award shall be made with competition that is practicable under the circumstances.

B. A state governmental unit seeking a waiver of solicitation and award procedures shall prepare a written request documenting and explaining the situation justifying the waiver. The request shall be submitted to the director of the department of administration or the director's designee, who shall

determine in writing whether to grant the request. If the request is granted, the determination shall state the manner in which the grant is to be solicited and awarded and the limits of the determination.

C. A copy of each request and determination shall be kept on file in the office of the state governmental unit requesting the waiver and the office of the director of the department of administration or the office of the director's designee.

#### 41-2704. Remedies

The head of the state governmental unit may resolve protests of the award or proposed award of a grant. An appeal from a decision of the head of a state governmental unit may be made to the director of the department of administration. A protest of an award or proposed award of a grant and any appeal shall be resolved in accordance with the rules of procedure adopted by the director pursuant to section 41-2611.

#### 41-2705. Violation; classification; liability; enforcement authority

A. A person who violates this chapter is personally liable for the recovery of all public monies paid plus twenty per cent of the amount and legal interest from the date of payment and all costs and damages arising out of the violation.

B. A person who intentionally or knowingly participates in the award of a grant pursuant to a scheme or artifice to avoid the requirements of this chapter is guilty of a class 4 felony.

C. A person who serves as an evaluator of grant applications pursuant to this chapter shall sign a statement before reviewing applications that the person has no interest in any application other than that disclosed and shall not have contact with any representative of an Applicant during the evaluation of applications, except those contacts specifically authorized by this chapter. The person shall disclose on the statement any contact unrelated to the review of the grant applications that the person may need to have with a representative of an Applicant and any contact with a representative of an Applicant during evaluation of applications except those specifically authorized by this chapter. A person who serves as an evaluator and who fails to disclose contact with a representative of an Applicant or who fails to provide accurate information on the statement is subject to a civil penalty of at least one thousand dollars but no more than ten thousand dollars.

D. The attorney general on behalf of this state shall enforce the provisions of this chapter.

#### 41-2706. Applicability of chapter

A. This chapter applies to the solicitation of grants initiated after August 6, 1999.

B. This chapter does not apply to:

1. Any grant program that was exempt from chapter 23, article 3 of this title and for which administrative rules establishing grant solicitation procedures were adopted pursuant to chapter 6 of this title before August 6, 1999.

2. The Arizona board of regents and schools, colleges, institutions and universities under its control if the Arizona board of regents adopts rules or policies governing the award of grants that encourage as much competition as practicable.

3. Grants made by the cotton research and protection council for research programs related to cotton production or protection.
4. Grants made by the Arizona iceberg lettuce research council for research programs under section 3-526.02, subsection C, paragraph 3 or 5.
5. Grants made by the Arizona citrus research council for research programs under section 3-468.02, subsection C, paragraph 3 or 5.
6. Grants made by the Arizona grain research and promotion council for research projects and programs under section 3-584, subsection C, paragraph 5.
7. Grants made under section 3-268, subsection C.
8. Grants made by the Arizona commerce authority from the Arizona competes fund pursuant to chapter 10, article 5 of this title. With respect to other grants, the authority shall adopt policies, procedures and practices, in consultation with the department of administration, that are similar to and based on the policies and procedures prescribed by this chapter for the purpose of increased public confidence, fair and equitable treatment of all persons engaged in the process and fostering broad competition while accomplishing flexibility to achieve the authority's statutory requirements. The authority shall make its policies, procedures and practices available to the public.
9. Grants of less than five thousand dollars from the veterans' donations fund if the department of veterans' services adopts rules or policies governing these grants that encourage as much competition as practicable.

## **XV. STATE TRANSPORTATION BOARD POLICY #45**

### *AZ State Match Advantage for Rural Transportation (AZ SMART) Fund (approved 10/18/24)*

1. It is the policy of the Board to facilitate the application for, and award of, federal discretionary grants to eligible Arizona applicants.
2. It is the policy of the Board to encourage all eligible applicants to utilize the benefits of the AZ SMART Fund Program.
3. It is the policy of the Board to award AZ SMART Funds:
  - a. To well-developed and administratively complete applications that maximize the State's competitiveness for each federal discretionary grant.
  - b. To applicants demonstrating the financial and technical capacity to successfully deliver the project.
  - c. For projects including safety improvements and demonstrating a public benefit which exceeds the cost of the project.
4. It is the policy of the Board to:
  - a. Approve an application and application guidelines prior to each Request for Grant Applications (RFGA).
  - b. At the discretion of the Board, give preference to applicants that can demonstrate the following:
    - i. The percentage of non-federal, matching cash funds (US \$) to be provided by the Applicant on the federal grant.
    - ii. The extent to which the applicant will partner with other entities to deliver the project, including the amount of cash and in-kind funding to be provided by each entity.
    - iii. Other factors as deemed appropriate by the Board for the applicable federal grant.
  - c. Encourage applicants to:
    - i. Establish federal procurement policies and contracts to enable the rapid development and submission of strong and competitive federal grant applications.
    - ii. Generate well-developed cost estimates based on federal standards to minimize the financial impact to the applicant.
  - d. Require applicants to respond within five business days regarding the following requests to ensure funding can be awarded and deployed in an expeditious manner:
    - i. A request for more information from the Board; and
    - ii. A request to accept or decline an award which differs from the amount in the application.
  - e. Require applicants to begin projects as soon as possible upon an award from the AZ SMART Fund.
  - f. Require all AZ SMART Fund awards to be subject to applicable federal and state laws, regulations and ADOT policies, including procurement, timely obligation and expenditure of funding, invoicing, reporting and other requirements which may be identified by the Board or a federal discretionary grant.
  - g. Allocate interest earnings to each sub fund on a pro rata basis to help sustain the life of the AZ SMART Fund.
  - h. If applicable, redistribute unawarded monies in the AZ SMART Fund in January and July to ensure each funding category is restored to an equal share.

## XVI. SAMPLE RESOLUTION OF GOVERNING BODY

Applicants may adapt the style of the resolution as desired. However, all information identified in this Sample Resolution shall be addressed in the Applicant's resolution, with the exception of the approval as to form, unless required or desired by the Applicant. The resolution shall be passed by the Applicant's governing body, executed and submitted with the Application. An Application that does not include a duly approved and executed resolution is not Administratively Complete and will not be further reviewed or considered.

*The highlighted fields reflect information to be provided by, or made specific to, the Applicant and Project.*

### RESOLUTION NO. [REDACTED]

A RESOLUTION OF THE [TITLE OF GOVERNING BODY] OF [political subdivision, special district, Indian tribe, COG or MPO or other Eligible Applicant ], [REDACTED] COUNTY, ARIZONA, AUTHORIZING AN APPLICATION TO THE ARIZONA SMART FUND FOR A GRANT FOR [DESIGN AND OTHER ENGINEERING SERVICES/MATCH/GRANT DEVELOPMENT AND SUBMISSION] PURSUANT TO TITLE 28, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES.

WHEREAS, in Chapter 322 of the Laws of 2022 ("the Act"), the Arizona Legislature established the AZ SMART Fund and program, and authorized the State Transportation Board, among other things, to award grants to Eligible Applicants for design and other engineering services ("DOES"), grant development and submission ("GDS"), and Match for a surface transportation project for which the Applicant will submit a Federal Grant application;

WHEREAS, ARS §28-399.Q.1 as amended in Chapter 120 of the Laws of 2024 defines "Federal grant" to mean a federal discretionary grant program administered by any federal agency for surface transportation purposes;

WHEREAS, the AZ SMART Fund Request for Grant Applications and Agreement ("RFGAA") defines "surface transportation purposes to mean a road, bridge, transit or rail infrastructure project, study or plan document that is eligible for a Federal Grant;

WHEREAS, Applicants for AZ SMART Fund must apply in accordance with the requirements of the Act and the RFGAA;

WHEREAS, the [Name of applicant] has determined that it will apply to AZ SMART for [DOES, GDS and/or match] for [brief description of infrastructure project, study or plan] ("Project");

WHEREAS, the [Name of applicant] desires to submit the Project for the federal discretionary grant identified in the RFGAA;

WHEREAS, the RFGAA requires that applications include a resolution from the governing body of the Applicant stating the Project is in the best interests of the residents of the municipality or county in which the Project is or will be located and requires the resolution to state the commitment of Applicant funds, if applicable;

NOW, THEREFORE, BE IT RESOLVED BY THE [NAME OF GOVERNING BODY] OF [NAME OF APPLICANT], [REDACTED] COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the [name of Applicant] Project described above is in the best interests of the residents of [Name of the municipality or county in which the Project is or will be located].

Section 2: That the [name of Applicant] requests [\$ ] for [DOES/GDS/Match] from the AZ SMART Fund.

Section 3: That [\$ ] of cash monies of the [name of the Applicant] are committed to the Project.

**This clause relates to DOES requests ONLY** Section 4: That [name of the Applicant] will apply for the Federal Grant identified in the RFGAA within two years of the date an award is approved by the Board.

Section 5: That the [title of Authorized Representative] is authorized to submit and sign the RFGAA.

Section 6: WHEREAS, the immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the [name of governing body].

PASSED AND ADOPTED by the [name of governing body] of the [Name of the Applicant], [ ] County, Arizona, this day of , 20\_.

APPROVED:

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[Title of Officer]

ATTEST:

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[Title of Officer attesting]

If desired:

APPROVED AS TO FORM:

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[Name of Applicant] Attorney

## XVII. AZ SMART PAYMENT PROGRESS FORM

Sample form for Board review and public comment purposes only. Actual format is an Excel spreadsheet and is available on the [AZ SMART website](#).

### ARIZONA DEPARTMENT OF TRANSPORTATION PAYMENT REPORT

ADOT Project Number:		Program Phase:		Federal Aid #:	
Payment Report Number:		Billing Period:		TIP ID #:	
JPA/IGA Number:		Final Payment: <input type="checkbox"/> Check		Progress Payment: <input type="checkbox"/> Check	
Contract Amount:		Progress %:		Project End Date:	
Vendor ID:		GAE Number:			
Name of Project:					
Vendor (Sponsor):					
REMIT PAYMENT TO (Address):					
<b>SUMMARY OF WORK FOR WHICH PAYMENT IS REQUESTED</b>					
Items	DESCRIPTION	Previous Cumulative Amount	Current Request (Federal Share)	In-Kind (Local Share)	Cumulative Amount
					\$ 0.00
					\$ 0.00
					\$ 0.00
					\$ 0.00
					\$ 0.00
					\$ 0.00
					\$ 0.00
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					\$ 0.00
					\$ 0.00
					\$ 0.00
<b>Totals</b>		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
I am signing to confirm and certify that the above referenced project is considered to be complete and accepted as Final, in accordance with FHWA requirements. All vendors have been paid in full.					
Submitted By:			Accumulative Federal Amount: \$ 0.00		
Project Sponsor		Date			
Approved By:			Accumulative Local Amount \$ 0.00		
ADOT Project Manager		Date			
Approved By:			Project Accumulative Amount \$ 0.00		
		Date			
Comments:			Accumulative Local NFA Amounts reported \$ 0.00		

## XVIII. APPLICATION INSTRUCTIONS

### A. Prepare before applying for AZ SMART

The AZ SMART program is open to a wide variety of applicants, projects and Federal Grants, resulting in greater competition for available funding. Well-developed Applications will require less review and can proceed more quickly through evaluation and to PPAC and the Board for approval (see the [Application, Review and Approval process](#)). Before applying, Applicants are *strongly* encouraged to:

1. **Read the PDF sample application, these Application Instructions and the Questions and Answers page on the [AZ SMART website](#).**

These Application Instructions contain detailed information to assist Applicants in developing responses for, and assembling documents required to be submitted with, the Application. In addition, the Questions and Answers page is the only official source of information regarding any updates, clarifications or changes to, and will be incorporated into, the RFGAA. The Authorized Representative is required to certify in the Offer and Acceptance that he/she has read and understood the RFGAA and the Questions and Answers page on the [AZ SMART website](#).

2. **Prepare and Assemble Required Documents**

Before submitting the AZ SMART application, please ensure all the items and documents listed in Figure 6 below have been completed or uploaded, as applicable. Application missing information or documents will not be Administratively Complete and will not be further reviewed or considered. ADOT may also request additional documents or information beyond the items listed below.

Figure 6 – Applicant Checklist

Required Document	<input checked="" type="checkbox"/>
<b>All Applicants:</b>	
Application (completed and submitted online)	
Signed Offer	
Delegation for Authorized Representative (if not contained in Governing Body resolution)	
COG/MPO approval letter	
Project map	
Project budget	
Signed Governing Body Resolution	
Links to planning document(s), as applicable	
Applicable procurement contracts/solicitations, as requested	
Letters of Support (maximum of 5 letters)	
<b>Non-governmental Entities only:</b>	
Legal organizing documents	
Links to required financial data and documents	
IRS Determination Letter (non-profits only)	

### 3. Submit Application Online

Applications shall be submitted online on the [AZ SMART website](#). Emailed, hand-delivered or mailed applications will not be accepted. Applications must be completed and submitted in a single sitting. The [Application Checklist](#) is provided to assist Applicants in meeting this requirement. Incomplete or unsubmitted applications will not be considered. Documents from previously submitted applications will not be transferred to a new application.

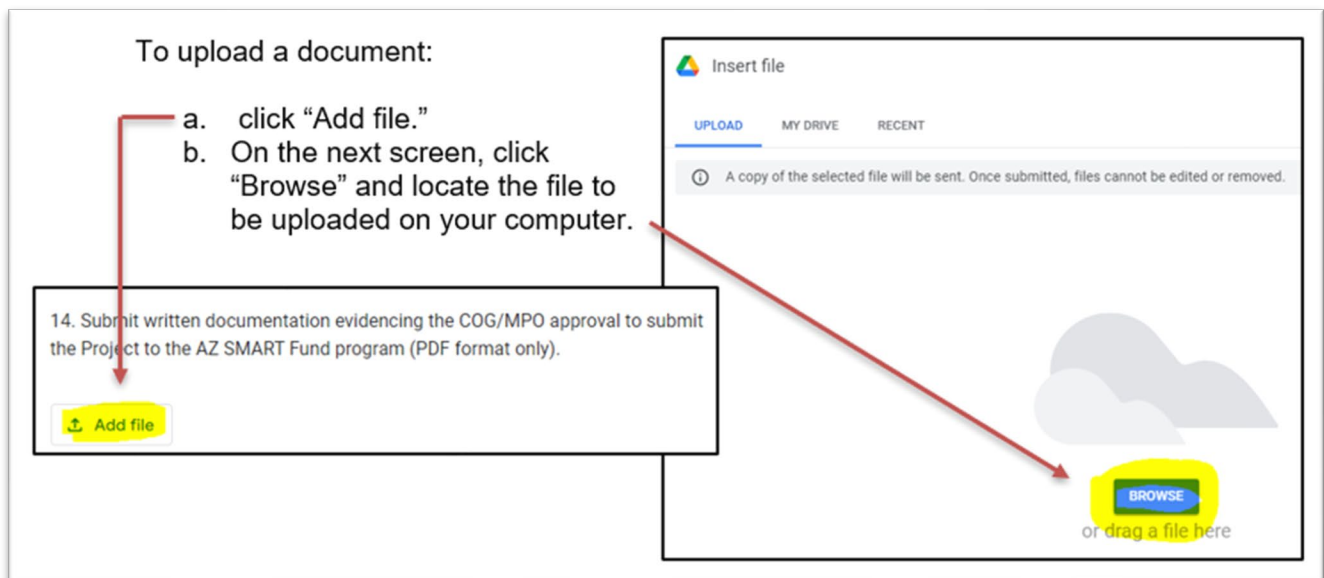
### 4. Provide a Response for Every Question

Unless otherwise noted, a response is required for every question. Questions in the Application may include notes, character limitations or other related details. Please consult the Application Instructions in completing the Application. Failure to provide the requested information will result in an incomplete application which will not be reviewed, retained or considered.

### 5. Uploading Documents in the Online Application

The Application requires several documents to be uploaded, such as the COG/MPO approval letter, governing body resolution, etc. See the instructions in Figure 7 below.

*Figure 7 – Instructions to upload documents in the AZ SMART online application*



### 6. Financial and Corporate Information

All Applicants are required to provide additional information and documents to support the Application. These include but are not limited to the list below. ADOT staff may request further data and information as needed to process the Application.

- Legal organizing documents such as Articles of Incorporation.

- b. IRS Determination letters for non-profit corporations.
- c. Audited financial statements for the past 3 years

## B. Application Questions and Instructions

### 1. Application Introduction

Please read this section and the Application Checklist before beginning the application.

### 2. Applicant Information Section

Applicants shall provide contact names and information for the following:

- a. **Applicant Name** – Provide the full legal name of the Applicant. This should be the entity that has provided the governing body resolution, is entering into this Request for Grant Application and Agreement, is financially responsible for the Project, and will be applying for the Federal Grant identified in this Application. The AZ SMART award is specific to the Applicant and may not be transferred to another entity without further governing body and Board approval.
- b. **Applicant Type** – Municipality (a city or town), County, MPO, Tribal Nation, or Non-governmental entity. Non-governmental entities will be required to provide legal organization documents later in the Application.
- c. **Applicable COG/MPO** – Select the COG or MPO in which the Project is located. If the Project crosses COG or MPO boundaries, select the one in which the greatest percentage of the Project is located. This should be the same as the COG/MPO providing the required approval letter.
- d. **Has the Applicant received a Federal Discretionary Grant since January 1, 2023?** Identify the name of the Federal Grant and the project for which it was received or enter "NA." Do not include **Congressionally Directed Spending** (federal earmarks) or formula federal aid such as Highway Safety Improvement Program (HSIP), Transportation Alternatives (TA), Surface Transportation Block Grant Program (STBGP), Off System Bridge (OSB), etc. Limited to 500 characters, including punctuation and spaces.
- e. **Has Applicant sponsored a Project funded with formula federal aid since January 1, 2023?** Please identify the type of funding and project(s) below or enter "NA." Do not include Congressionally Directed Spending (federal earmarks) or Federal Grants. Limited to 500 characters, including punctuation and spaces.
- f. **Provide links to Applicant's financial statements for the previous 3 years.** Data from the financial statements will be used to calculation the **Quick Ratio** for Applicants requesting approval from ADOT to self-administer design and those intending to be Direct Recipients for Federal Grants. Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered.

- g. **Non-governmental entities only - Upload the entity's legal organizing documents, such as Articles of Incorporation.** Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered. Limited to 1 PDF file; 1 GB maximum
- h. **Non-governmental entities only – If a non-profit, upload the entity's IRS Determination letter.** Determination Letters may be available online at the [IRS website](#). Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered. Limited to 1 PDF file; 1 GB maximum

### 3. Applicant Contacts Section

- a. **Authorized Representative Name and Title** – This individual must have the legal authority to sign binding contracts, including this RFGAA, on behalf of the Applicant entity.
- b. **Authorized Representative 10-digit office phone number**, including area code and extension, if any.
- c. **Authorized Representative work email address.**
- d. **Authorized Representative Certification** – By checking the box, the Authorized Representative certifies they have read and understand the RFGAA *and* the Questions and Answers page on the [AZ SMART website](#). The Questions and Answers page is the only official source of updates, clarifications and revisions to the RFGAA and will be incorporated into the RFGAA.
- e. **Project Administration Contact Name and Title** - This is the Applicant's Project Manager or individual who will work with ADOT on study, design, or construction of the Project identified in this RFGAA.
- f. **Project Administration Contact's 10-digit office phone number**, including area code and extension, if any.
- g. **Project Administration Contact's work email address.**
- h. **Agreement Administration Contact Name and Title** - This individual is the individual ADOT will contact regarding contractual matters related to this RFGAA.
- i. **Agreement Administration Contact's 10-digit office phone number**, including area code and extension, if any.
- j. **Agreement Administration Contact's work email address.**
- k. **Finance Administration Contact Name and Title** - This individual is the individual ADOT will contact regarding financial matters related to this RFGAA or the Project.
- l. **Finance Administration Contact's 10-digit office phone number**, including area code and extension, if any.
- m. **Finance Administration Contact's work email address.**

- n. **Consultant Name, Title and Company** – Provide if a consultant is completing the Application on behalf of the Applicant. If not applicable, enter NA.
- o. **Consultant 10-digit office phone number, including area code and extension**, if any. If not applicable, enter NA.
- p. **Consultant work email address**. If not applicable, enter NA.

#### 4. **Project Details Section**

Applicants shall provide the following information:

- a. **Enter the name of street, route, area, etc. Include beginning and ending termini or other limits.** Use the FHWA Project Naming Guidance in this RFGAA. Limited to 250 characters, including spaces and punctuation.
- b. **Project Type** – select road, bridge, transit, rail, multimodal, bike/pedestrian, plan/study/etc. If the desired project type is not listed, select Other and provide a brief description. Please note AZ SMART will only fund road, bridge, transit or rail components of a multimodal project. The application should address only those eligible components.
- c. **Project Location** – select the city/town or county in which the Project is located. If the Project crosses one or more jurisdictional boundaries, select the jurisdiction in which the greatest percentage of the Project is located. The option for ADOT system is applicable only to ADOT applications and should not be used by other applicants.
- d. **Project Map** – upload a PDF map showing the location of the Project or the area to be studied if the AZ SMART request is related to a Federal Grant for which studies, planning and other non-infrastructure activities are eligible activities. Limited to 1 PDF file; 10 MB maximum
- e. **Upload COG/MPO approval letter** – if the Project crosses COG/MPO boundaries, the letter shall be from the COG/MPO in which the greatest percentage of the Project is located. Limited to 1 PDF file; 1 MB maximum
- f. **Evidence of public support** — multiple choice; identify the document(s) which include(s) the Project and select all that apply. This information will be used to determine the score for the Evidence of public support Priority Criterion, with options a. and b. providing the highest possible points. Only the highest ranking option will be used for scoring purposes. Options include:
  - 1) A current, approved Regional or Tribal Transportation Improvement Program,
  - 2) The current ADOT 5-yr Program,
  - 3) Current Municipal or County General Plan, Capital Improvement Program or other current, publicly adopted capital plan,
  - 4) Minutes of a public meeting or study session within the last 12 months of the jurisdiction(s) in which Project is located, and
  - 5) None of the above.

- g. **Provide a link to each document identified in previous question and identify the page number on which the project is listed.** For each document identified, provide the website link and page number(s) on which Project is listed.
- h. **Upload the required governing body resolution** – a sample Resolution is provided in this RFGAA. The resolution must be duly approved and executed. Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered. Limited to 1 PDF file; 1 MB maximum
- i. **Project Purpose – what is the problem this project will address? This is one of the most important elements of the Application.** Each application shall identify the purpose of the Project, including the problem it will address. Information should be as succinct and objective as possible and limited to 1000 characters, including punctuation and spaces. See FHWA [Purpose, Need and Alternatives](#) for further information and guidance.
- j. **Project Need – discuss the data substantiating the problem. This is one of the most important elements of the Application.** Each application shall identify the need for the Project, including the data substantiating the problem. Information should be as succinct and objective as possible and limited to 1000 characters, including punctuation and spaces. See FHWA's [Purpose, Need and Alternatives](#) for further information and guidance.
- k. **Safety Improvements – what safety improvements are addressed by the Project?** Check all that apply. Specific safety improvements should also be identified in the Project Scope. If Project addresses a safety improvement not listed below, select Other and identify the improvement. Examples of improvements are contained in the [Strategic Highway Safety Plan](#). Information provided here will be used to determine the score for the *Project includes Safety Improvements* Priority Criterion. Options include:
  - 1) Safety for non-motorized users
  - 2) Intersection safety
  - 3) Roadway lane departures
  - 4) Project does not address safety improvements
  - 5) Other – please briefly describe the safety improvement addressed by the Project

I. **Project Scope – This is one of the most important elements of the Application.**

Each application shall identify a scope of work for the Project, limited to 2000 characters, including punctuation and spaces – be sure to include any safety improvements. The [ADOT Local Public Agency office webpage](#) includes the following tools to assist Applicants to prepare scoping information for the Application. These tools are provided by ADOT as a courtesy only and do not purport to cover all possible scenarios. Applicants are solely responsible for the scoping information submitted with the Application.

The development of Project scope, schedule and budget for the AZ SMART application is an eligible expense to be reimbursed from a DOES award *as long as it is included in the project budget submitted with this application and the services were procured under a solicitation that meets Federal Standards*. Applicants are required to provide the contract or solicitation to demonstrate reimbursement eligibility.

- [Project Scoping Document Guidelines](#) – see Section 2.3.C., Project Scope, beginning on page 6.
- Download a Sample Scoping Document here (under Scoping Guidelines) – all items in this document are requested in the AZ SMART application. Applicants should prepare responses for each item prior to beginning application submission.

The scope might include information such as the following, as applicable and if known:

- 1) A description of the proposed road or highway cross section - number of lanes, lane widths, median width, shoulder widths, etc.
- 2) A description of the proposed paving improvement shall be included, if known, such as mill and replace; overlay; seal & crack/overlay; the type of the surface course; the type of base and sub-base courses; the type of surface treatments; and the type of any special shoulder construction.
- 3) The type of striping and pavement markers proposed shall be identified, if known.
- 4) Any proposed signing improvements, whether new or replacement.
- 5) A description of any proposed detours, or temporary transitions to adjacent projects, if known.
- 6) A description of Right of Way and Utility requirements, acquisitions, or relocations.
- 7) Any proposed new or reconstructed drainage and irrigation facilities (culverts, bridges, storm drains, ditches, bank treatments, scour protection, etc.). If a drainage study is needed to develop the drainage concept for a Project, this fact shall be noted, and the reasons for the study.
- 8) A description of the type and quantity of earthwork required for the Project, if known.
- 9) All proposed safety improvements (elimination/reconstruction of guardrail, slope flattening, culvert extensions, bridge rail replacement, hazard removal, etc.).
- 10) Any proposed intersection improvements (signalization, signal reconstruction, phasing, controls, etc.).
- 11) Any proposed geometric improvements (curve reconstruction, widening, realignment, etc.).
- 12) Other specified work, as necessary.

- m. **Project Schedule** – Check only one box in each row to indicate the current status of each phase. Non-infrastructure projects - check the boxes under Not Applicable for each row.

Project Schedule - check only one box in each row to indicate the current status of each phase. Non-infrastructure projects - check the boxes under Not Applicable for each row. \*

	Not started	In progress	Completed	Not Applicable
Scoping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design/Final Design	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Right of Way	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Check ONLY ONE BOX in each row.

- n. **Is the Project contained entirely within the Applicant's Right of Way?** Options include the following – infrastructure projects shall select either option 2 or 3:
- 1) Not applicable (non-infrastructure projects only) – select this option if the Project is a study, training, plan, etc. Do not use this option for scoping for an infrastructure project.
  - 2) Yes – select this option only if the Applicant owns all the Right of Way involved and there are no known issues related to Right of Way clearance.
  - 3) No – this option will require a response to be provided in the next question.
- o. **If Project involves Right of Way owned by others, identify the owners, status of approvals from each owner and any known issues.** Skip if not applicable. It is the Applicant's responsibility to determine this information before applying for AZ SMART. Limited or incomplete information will delay further processing of the Application.
- p. **Project Budget – This is one of the most important elements of the Application.** Limited to 1 Excel/Google Sheets file; 10 MB maximum. The development of Project scope, schedule and budget for the AZ SMART application is an eligible expense for DOES as long as it is included in the project budget submitted with this application and the services to develop the information were procured under a solicitation that meets Federal Standards.

Applicants shall prepare and upload a cost estimate as follows:

- 1) Infrastructure projects:
  - a) Road, bridge, rail, and transit must be estimated using the ADOT Cost Estimate Tool, located on the [ADOT Local Public Agency office webpage](#).

- b) For multimodal projects, estimate only *road, bridge, transit or rail infrastructure components* using the ADOT Cost Estimate Tool. Work related to other modes is not eligible for AZ SMART.
- 2) Non-infrastructure projects: cost estimates may use another applicable format but should be broken out by component. Lump sum budgets will not be accepted.
- 3) Cost estimates shall be to Federal Standards and reflect the associated cost impacts, be comprehensive, up to date, and include appropriate contingencies.

Applicants are advised to read the ADOT Cost Estimate Tool carefully, *particularly the guidance regarding percentages throughout the Tool* (see examples highlighted in Figure 8 to the right). This guidance is provided to help Applicants develop realistic budgets for DOES and match.

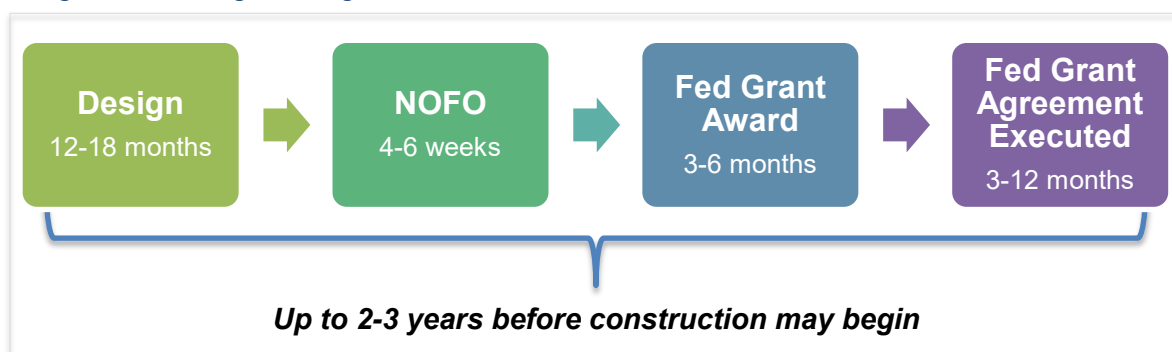
- 4) Cost estimates shall reflect Year of Expenditure ("YOE") dollars. The ADOT Cost Estimate Tool includes a YOE calculator. In considering YOE, Applicants should be aware of the following estimated timeframes from award of AZ SMART funds for DOES through execution of a federal grant (see Figure 9 below) as they may impact the year in which a project may reasonably begin, and therefore, YOE calculations.

- Design to federal standards takes approximately 12-18 months.
- The average application period for most NOFOs/NOFAs is approximately 4-6 weeks.
- Federal agency time to review and award grants varies widely but is estimated at approximately 3-6 months.
- Time required to receive, negotiate and execute a Federal Grant Agreement is estimated at approximately 3-6 months for planning grants and up to 1 year for construction grants.

Figure 8 – Examples of Percentage Guidance in ADOT Cost Estimate Tool

<b>DESIGN COSTS</b>
Note: The use of federal funds for design Stage III (60%) without environmental a
PS&E's - Plans, Special Provisions, Cost Estimates & Schedules (10%-20% of construction cost.) (Shall be refunded if project is not constructed)
GEOTECHNICAL INVESTIGATION (If a report is necessary, anticipate 5% of construction cost) Includes testing, Geotech Report, Materials & Pavement Design Report) <b>Enter \$0 in Unit Price column if none required.</b>
DRAINAGE REPORT (If a report is necessary, anticipate 5% of construction cost) <b>Enter \$0 in Unit Price column if none required</b>
STORM WATER POLLUTION PREVENTION PLAN (Required if there is over 1 acre of total disturbance, 1% of construction cost) <b>Enter \$0 in Unit Price column if none required.</b>

Figure 9 – Design through Federal Grant Execution



q. **How were the cost estimates in the Project Budget developed?** Select one of the following:

- 1) Developed by the Applicant.
- 2) Developed by an engineering consultant.
- 3) Other – please provide a brief explanation.

r. **Are the costs in Project Budget estimated based on Federal Standards as defined in the RFGAA?** A response is required for all DOES and Match applications. Select yes or no. Applications for GDS only should select "Not applicable."

Only expenditures developed to Federal Standards may be reimbursed by DOES and Match awards. Applicants are strongly urged to review Federal Standards as defined in the RFGAA. Applicants may also review ADOT's [Estimated Engineering Construction Cost \("E2C2"\) database](#), which provides historical bid unit price data for actual federal aid projects and is periodically updated. The Bid History information displayed is not intended to be a recommended unit price. Other resources may be required in determining accurate unit prices for the Project.

s. **Does the Project Budget reflect costs on a YOE basis?** Select yes, no or not applicable. If the response is "no" for Match or DOES infrastructure projects, ADOT will request additional information which could delay further processing of the Application. The Applicant will be responsible for all costs which exceed the amount awarded from AZ SMART or a Federal Grant.

t. **Does the Project Budget include initial ADOT Project Development (PDA) Fees?** Select yes, no or not applicable. Applies to applications for DOES or Match on a federal grant application which will fund design. All others should select "Not applicable."

- 1) For DOES awards, cost estimates should assume administration by ADOT as a federal aid Project. *Initial* ADOT Project Development Administration (PDA) fees of \$30,000 are eligible expenditures for DOES awards but only if they are included in the amount requested for DOES in the Application. Additional PDA fees may apply but will not be funded by the DOES award and are the responsibility of the Applicant. The Applicant will be invoiced for, and shall pay, such additional PDA fees within 30 days of the invoice. Work on the Project may cease until the additional PDA fees are received by ADOT. Additional PDA fees paid that are not required for the Project will be refunded to the Applicant upon approval of the Project final audit.
- 2) Match applications for a federal grant that will fund some or all design should also assume ADOT administration unless the Applicant intends to be a Direct Recipient.

- u. **Long-term impact of the Project.** This question is worth 5 points in the Priority Criteria. A response is required for all Eligible Uses and is limited to 1000 characters, including punctuation and spaces.

- 1) Infrastructure Projects - Describe the estimated costs to operate and maintain the Project and the source of funding for these activities. If costs have not been estimated, enter "NA."
- 2) Non-infrastructure Projects - Identify the long-term benefits of the Project. If none, enter "NA."

## 5. **AZ SMART Request Section**

ARS §28-339.D requires DOES and Match expenditures to meet Federal Standards, which has been defined in this RFGAA. Applicants should not request funding for expenditures that do not, or will not, meet Federal Standards. ADOT will request the contract(s) or solicitation(s) under which DOES or Match expenditures were procured. Requests for DOES and Match funding must align with, and be based on, costs identified in the Project Budget.

- a. **Enter amount requested for Grant Development (GDS) and Submission (GDS).** Skip this question if not requesting GDS. This Eligible Use is limited to Projects located in a county with a population of 100,000 or less or a municipality with population of 10,000 or less. Enter in whole dollars (for example, 250,000). The amount shall be no greater than 50% of the estimated or actual cost to develop and submit the Federal Grant application.
- b. **Are you requesting reimbursement of prior GDS expenditures for this Project or will the funds be used to develop a future Federal Grant application?** Applicants should consider the timing of a request for GDS funds to ensure Reimbursement is requested from ADOT within 6 months of the Date of Award. Select one of the following:
  - 1) All GDS funds will be used to reimburse prior GDS expenditures incurred after September 14, 2024.
  - 2) All GDS funds will be used for a future Federal Grant application.
- c. **Enter amount requested to REIMBURSE Design and Other Engineering Services (DOES) for expenditures that were incurred after September 14, 2024 AND are for services procured under a solicitation which meets Federal Standards as defined in the RFGAA.** Enter in whole dollars (for example, 250,000). Round up to the nearest \$1000. The amount must align with, and be based on, costs identified in the Project Budget submitted with this Application.
- d. **Upload the contract or solicitation under which DOES expenditures to be reimbursed were incurred.** This information is required if requesting reimbursement and failure to provide it will result in an incomplete application which will not be reviewed, retained or considered.

- e. **Enter amount requested for future estimated DOES expenditures.** The amount must align with, and be based on, costs identified in the Project Budget submitted with this Application. Skip if not requesting DOES.

*Initial ADOT PDA fees of \$30,000 are eligible for AZ SMART funding but only if included in an Application for Design and Other Engineering Services or Match on a federal grant application which will include design. The initial \$30,000 is an estimate only and may be more or less, depending on the Project. By submitting this application, the Applicant understands the Project may require, and ADOT may bill, additional PDA fees and agrees to pay such fees. Any fees not required for the Project will be refunded to the Applicant upon approval of the Project final voucher.*

- f. **Enter amount requested Match for expenditures that meet Federal Standards as defined in the RFGAA.** The amount must align with, and be based on, costs identified in the Project Budget submitted with this Application. Skip if not requesting Match. Enter in whole dollars (for example, 250,000). Round up to the nearest \$1000.

If no match is required by the Federal Grant, AZ SMART will not provide the funding. Match funds to improve the competitive position of a project is the Applicant's responsibility.

- g. **What is the status of the Federal Grant application associated with this request for Match funding?** Skip if not requesting Match. Options include:

We have already been awarded the Federal Grant.

We have applied for the Federal Grant but have not yet been awarded.

We plan to apply for the Federal Grant within the next 6 months.

We plan to apply for the Federal Grant more than 6 months from now.

- h. **Will the Project be able to proceed if awarded less AZ SMART Funds than requested?** Select yes or no. The Board has authority to modify award amounts and may do so based on limited funding in any Funding Category. In such cases, the Applicant will be required to provide the remaining funding for the project.

Applicants are hereby notified that projects receiving reduced DOES awards are still required to submit a federal grant application within 2 years of the Date of Award.

## 6. Other Project Funding Sources Section

The information in this section is focused on project funding other than AZ SMART and is required to generate a Funding Sources and Uses exhibit which will be attached to and be incorporated into the RFGAA. Do not include any amounts requested from AZ SMART in responding to the questions in the section.

- a. **Enter amount of funding provided by the Applicant from its own funds for the Project. Enter 0 if none.** Do not include Legislative Appropriations, Congressionally Directed Spending, the Federal Grant, partner or private contributions or any other sources. Enter in whole dollars (for example, 250,000). Information provided here will be used to calculate Applicant matching funds.

- b. **Enter amount of funding to be contributed by any Project partners.** Do not include Legislative Appropriations, Congressionally Directed Spending, the Federal Grant, applicant funding or any other sources. Enter in whole dollars (for example, 250,000). Enter 0 if none.
- c. **Has Congressionally Directed Spending (CDS) been requested for this project?** Do not include Legislative Appropriations, applicant funding, the Federal Grant, partner or private contributions or any other sources. Options include:
  - 1) Yes, and we have received an award
  - 2) Yes, but we have not yet received an award
  - 3) No
- d. **Enter the amount of CDS requested or received.** Do not include Legislative Appropriations, applicant funding, the Federal Grant, partner or private contributions or any other sources. Skip if no CDS is involved.
- e. **Has an Arizona Legislative Appropriation been requested for this project?** Do not include applicant funding, Congressionally Directed Spending, the Federal Grant, partner or private contributions or any other sources. Options include:
  - 1) Yes, and we have received an appropriation
  - 2) Yes, but we have not yet received an appropriation
  - 3) No
- f. **Enter the amount of the Arizona Legislative Appropriation requested or received.** Do not include applicant funding, Congressionally Directed Spending, the Federal Grant, partner or private contributions or any other sources. Skip if no Legislative Appropriations are involved.
- g. **Has any other funding been received or awarded for this project?** Do not include applicant funding, Legislative Appropriations, Congressionally Directed Spending, the Federal Grant, or partner or private contributions. If yes, select Other and identify the source of the funds. Options include:
  - 1) No
  - 2) Other
- h. **Enter the amount of the Other funding received or awarded.** Do not include applicant funding, Legislative Appropriations, Congressionally Directed Spending, the Federal Grant, or partner or private contributions. Skip if no Other funding is involved.

## 7. Federal Grant Section

- a. **Identify the Federal Grant for which the Applicant intends to submit the Project** - select one grant only. The Applicant shall identify the federal grant it intends to pursue, or has already been awarded, for the Project. If the desired grant is not listed, select Other and provide the name of the grant and the applicable federal agency. The list does not include all federal discretionary grants and may contain grants that are not currently available or

funded. Applicants are responsible for conducting their own research to identify an appropriate federal grant for their Project, and may wish to consult the USDOT [Discretionary Grants Dashboard](#).

**b. How does the Applicant intend to submit the federal grant application?**

Options are as follows:

- 1) Applicant or Consultant will submit directly. Applications for many road, bridge and rail Federal Grants can be submitted by the Applicant or its grant consultant.
- 2) Applicant requests ADOT to submit. Unless otherwise identified in a NOFO/NOFA, ADOT may be required to submit Federal Grant applications for transit agencies that receive FTA funding only as a subrecipient of ADOT. If the Applicant is not eligible to apply directly, it may request that ADOT submit the Application on behalf of the Applicant as follows:
  - a) At least thirty (30) day prior to the Application deadline in the NOFO/NOFA for the applicable Federal Grant, the Applicant shall submit the [ADOT Grant Coordination Support Request Form](#).
  - b) At least seven (7) days before the NOFO/NOFA deadline, all completed application materials must be provided to the ADOT Grant office for submission.
- 3) Application has already been submitted.

Please note ADOT does not provide grant writing assistance, and ADOT's grant writing contracts are not accessible to other entities. Applicants are responsible for developing, preparing, or generating data, narratives, explanations, charts/graphs, cost estimates or any other information in the format required in the applicable NOFO/NOFA. ADOT will not review, edit, format or otherwise revise the information provided by the Applicant.

An Applicant that is a Direct Recipient for transit purposes may be required to apply for a transit grant directly at <http://grants.gov>. Rail and other projects may have similar requirements.

**c. How does the Applicant intend to administer the Project if awarded a Federal Grant? Options include:**

- 1) Be a direct recipient if allowed in the NOFO/NOFA – *At a minimum*, Direct recipients and Applicants self-administering a Project are responsible for:
  - Procuring all consultants and contractors under solicitations which meet Federal Standards.
  - Making all payments directly to consultants, contractors or other service providers prior to requesting reimbursement from AZ SMART or the federal agency. Reimbursement may take 1-2 months or more.
  - All reporting and compliance requirements related to the Federal Grant.
- 2) Request ADOT administration – PDA and construction administration fees will apply. For certain projects, ADOT may decline to accept the responsibility based on project type, resource capacity or other factors, and will advise the Applicant

if it chooses to decline. Applicants that begin as a direct recipient and later request ADOT administration will be required to pay PDA and construction administration fees as applicable.

- 3) Other – Provide further information on any other administration format; approval from ADOT and the federal agency awarding the Federal Grant may be required.

- d. **Which phase(s) of the Project will be submitted in the Federal Grant application?** Applicants are responsible for determining the eligibility of each phase under the selected Federal Grant. Check the boxes for each applicable phase. Options include:

- 1) Design – includes final design, right of way, environmental, or other clearances, etc.
- 2) Right of Way Acquisition
- 3) Utilities
- 4) Construction
- 5) Other – provide further information regarding other phases such as studies and planning.

## 8. Other Required and Supplementary Documents Section

- a. **Is any of the data, information or documents provided with or in this application considered confidential?** Confidential data, information or documents include trade secrets or other proprietary information. All such information must be clearly marked as CONFIDENTIAL. ADOT must concur the information is indeed confidential. No public records may be deemed confidential. Check either yes or no.
- b. **Identify the confidential data, information or documents below.** Clearly identify all confidential documents and information, including the page(s) on which it may be listed. Skip if not applicable.
- c. **Upload signed Offer and Acceptance form.** This document is required and must be signed by the Authorized Representative. If the Board makes an award, ADOT will countersign and provide an executed version of the Offer and Acceptance to the Applicant. Limited to a single PDF up to 1 MB
- d. **If applicable, upload document authorizing the Authorized Representative to sign the Offer and bind the Applicant in the RFGAA.** This document is required if the governing body resolution does not contain the necessary authorization. A delegation of authority or other authorization shall clearly identify the authority of the Representative to bind the Applicant contractually. Limited to a single PDF up to 1 MB
- e. **Non-governmental Entities ONLY - Upload legal organizing document, such as Articles of Incorporation.** This item is required for Non-governmental Entities. Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered. Limited to a single PDF up to 10 MB.
- f. **Non-profit corporations ONLY - Upload the Determination Letter from the Internal Revenue Service conveying tax-exempt status.** This item is required for Non-profit corporations. Failure to provide this information will result in an

incomplete application which will not be reviewed, retained or considered. Limited to a single PDF up to 1 MB.

- g. **Letters of Support** – up to 5 letters of support may be submitted. Applicants for rail projects should include a letter from the host railroad and potential operator(s).
  - 1) **Upload Letter of Support #1.** Optional. Up to 5 letters of support for the Project may be submitted. Limited to 1 PDF file; 1 MB maximum
  - 2) **Upload Letter of Support #2.** Optional. Up to 5 letters of support for the Project may be submitted. Limited to 1 PDF file; 1 MB maximum
  - 3) **Upload Letter of Support #3.** Optional. Up to 5 letters of support for the Project may be submitted. Limited to 1 PDF file; 1 MB maximum
  - 4) **Upload Letter of Support #4.** Optional. Up to 5 letters of support for the Project may be submitted. Limited to 1 PDF file; 1 MB maximum
  - 5) **Upload Letter of Support #5.** Optional. Up to 5 letters of support for the Project may be submitted. Limited to 1 PDF file; 1 MB maximum

## **XIX. SAMPLE AZ SMART FUND APPLICATION FORM**

This document is intended to assist Applicants in preparing data, information and assembling documents required to submit an Administratively Complete application. It is not to be used to apply for an AZ SMART grant. All applications must be submitted online.

# Arizona State Match Advantage for Rural Transportation (AZ SMART) Fund Application Form

**Please read the Request for Grant Applications and Agreement ("RFGAA") before starting this Application.** The Application must be completed in a single sitting; the RFGAA contains a PDF version of this application to assist in developing the required responses, information and documents. The Application Instructions provide additional information and guidance, and should be consulted in completing the Application. To ensure the Application is Administratively Complete and will be presented to PPAC and the Board, please respond to all questions and submit all requested documents.

Each application may address only one Project and one Federal Grant. Additional Projects and/or Federal Grants require a separate application.

**Required Documents:** Consult the Application Checklist in the RFGAA to identify the documents required to be uploaded while completing this application. The documents should be assembled in advance of completing this application.

**Non-governmental entities:** Clearly identify any trade secrets or other proprietary information which is to remain confidential. Stamp or mark the pages/information with "**CONFIDENTIAL**" in bold capital letters.

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\* Indicates required question

1. Email \*

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## Applicant Information

Please answer all of the questions below.

2. Name of Applicant \*

**NOTE:** Provide the full legal name of the Applicant. This must be the entity that has provided the governing body resolution, is entering into this Request for Grant Application and Agreement, is financially responsible for the Project, and *will be applying for the Federal Grant identified in this application*. AZ SMART awards are specific to the Applicant and may not be transferred from one entity to another without further governing body and State Transportation Board approval.

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3. Applicant type - select only one. \*

**NOTE:** Non-governmental entity means individuals, associations, clubs, corporations, any other private entity, or any organizations which are not cities/towns, counties, Tribal Nations, political subdivisions of this State, or ADOT. A non-governmental entity must be identified in the NOFO or federal statute as an eligible applicant for the Federal Grant identified in this application.

*Check all that apply.*

- ☐ Municipality
- ☐ County
- ☐ Tribal Nation
- ☐ MPO
- ☐ Other Political Subdivisions
- ☐ Non-governmental entity (including Councils of Government)
- ☐ Other: \_\_\_\_\_

4. Select the COG/MPO in which the Project is located. If Project crosses COG/MPO boundaries, \* select the one in which the greatest percentage of the Project is located.

*Mark only one oval.*

- ☐ Bullhead City Metropolitan Planning Organization (BHCMPPO)
- ☐ Central Arizona Governments (CAG)
- ☐ Central Yavapai Metropolitan Planning Organization (CYMPO)
- ☐ Flagstaff Metropolitan Planning Organization (MetroPlan)
- ☐ Lake Havasu Metropolitan Planning Organization (LHMPO)
- ☐ Maricopa Association of Governments (MAG)
- ☐ Northern Arizona Council of Governments (NACOG)
- ☐ Sierra Vista Metropolitan Planning Organization (SVMPO)
- ☐ Southeastern Arizona Governments Organization (SEAGO)
- ☐ Sun Corridor Metropolitan Planning Organization (SCMPO)
- ☐ Western Arizona Council of Governments (WACOG)
- ☐ Yuma Metropolitan Planning Organization (YMPO)

5. Has Applicant received a **Federal Discretionary Grant** since January 1, 2023? Please identify the grant(s), amount(s) awarded, and the applicable project(s) below or enter "NA." \*

**NOTE:** Federal Discretionary Grants **do not include** Congressionally Directed Spending (federal earmarks) of formula federal aid such as Highway Safety Improvement Program (HSIP) or Transportation Alternatives (TA). Limited to 500 characters, including punctuation and spaces.

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6. Has Applicant sponsored a Project(s) funded with **formula federal aid** (HSIP, TA, STBGP, etc.) since January 1, 2023? Please identify the type of funding, amount(s) received, and the applicable project(s) below or enter "NA." \*

**NOTE:** Do not include Congressionally Directed Spending (federal earmarks) or Federal Grants. Limited to 500 characters, including punctuation and spaces.

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7. Provide links to Applicant's financial statements for the previous 3 fiscal years. \*

**NOTE:** Data from the financial statements will be used to calculation the Quick Ratio **for** Applicants requesting approval from ADOT to self-administer design and those intending to be Direct Recipients for Federal Grants. Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered.

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8. **Non-governmental entities only** - Upload the entity's legal organizing documents, such as Articles of Incorporation. Limited to a single PDF up to 10 MB.

**NOTE:** Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered.

Files submitted:

9. **Non-governmental entities only** - If a non-profit, upload the IRS Determination Letter. Limited to a single PDF up to 10 MB.

**NOTE:** Determination Letters may be available online at the [IRS website](#). Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered.

Files submitted:

### Applicant Contacts

All contact information must be provided with the exception of the Consultant.

10. **Authorized Representative Name and Title \***

**NOTE:** This individual must have the legal authority to sign binding contracts, including this Request for Grant Application and Agreement, on behalf of the Applicant.

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11. Authorized Representative 10-digit office phone number, including area code and extension, \*  
if any.

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12. Authorized Representative work email address \*

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13. Authorized Representative Certification \*

**NOTE:** The Questions and Answers page on the AZ SMART website is the only official source of updates, clarifications and revisions to the RFGAA and will be incorporated into the RFGAA.

*Check all that apply.*

☐ I have read and understand the RFGAA and the Questions and Answers on the AZ SMART website.

14. Name and Title of the Contact Person for **Project Administration** \*

**NOTE:** This is the individual who will work with ADOT on study, design, or construction of the Project identified in this Request for Grant Application and Agreement.

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15. Project Administration Contact's 10-digit office phone number, including area code and extension, if any \*

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16. Project Administration Contact's work email address \*

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17. Name and Title of the Contact Person for **Agreement Administration** \*

**NOTE:** This individual is the individual ADOT will contact regarding contractual matters related to this Request for Grant Application and Agreement.

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18. Agreement Administration Contact's 10-digit office phone number, including area code and extension, if any \*

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19. Agreement Administration Contact's work email address \*

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20. Name and Title of the Contact Person for **Financial Administration** \*

**NOTE:** This individual is the individual ADOT will contact regarding invoices and other financial matters related to this Request for Grant Application and Agreement.

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21. Financial Administration Contact's 10-digit office phone number, including area code and extension, if any. \*

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22. Financial Administration Contact's work email address. \*

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23. **Consultant** Name, Title and Company (if AZ SMART application is being prepared by a consultant). If not applicable, enter "NA".

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24. Consultant 10-digit office phone number, including area code and extension, if any. If not applicable, enter "NA".

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25. Consultant work email address. If not applicable, enter "NA".

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### Project Details

26. Enter the name of street, route, area, etc. Include beginning and ending termini or other limits. Limited to 250 characters, including spaces and punctuation. \*

**NOTE:** Please follow the FHWA Project Naming Guidelines included in the RFGAA.

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27. Project Type - select one only. If the desired project type is not listed, select Other and provide a description. \*

**NOTE REGARDING MULTIMODAL PROJECTS:** AZ SMART may only fund road, bridge, transit or rail components of a Multimodal project. The rest of the application should focus only on these elements of a multimodal project, including the Project Budget.

*Check all that apply.*

- ☐ Road
- ☐ Bridge
- ☐ Transit
- ☐ Rail
- ☐ Multimodal
- ☐ Bike/pedestrian
- ☐ Plan, Study, etc.
- ☐ Other: \_\_\_\_\_

28. Project Location - If Project crosses jurisdictional boundaries, select the one in which the greatest percentage of the Project is located. \*

*Check all that apply.*

- ☐ Municipality over 10K population
- ☐ Municipality under 10K population
- ☐ County over 100K population
- ☐ County under 100K population
- ☐ ADOT system (reserved for ADOT applications only)

29. Project Map - Upload a map showing Project location or study area (PDF format only). Limited to a single PDF up to 10 MB. \*

Files submitted:

30. Upload the required COG/MPO approval letter. Limited to a single PDF up to 1 MB. \*

Files submitted:

31. Evidence of Public Support - Identify the document(s) which include the Project. Select all that apply. \*

*Mark only one oval.*

- ☐ Current approved Regional or Tribal Transportation Improvement Program
- ☐ Current ADOT 5-yr Program
- ☐ Current Municipality or County General Plan, Capital Improvement Program or other current, publicly adopted jurisdictional capital plan
- ☐ Minutes of a public meeting or study session within the last 12 months of jurisdiction in which Project is located
- ☐ None of the above

32. Provide a link to each document identified in previous question and identify the page number on which the project is listed. \*

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33. Upload the required governing body resolution. Limited to a single PDF up to 1 MB. \*

**NOTE:** Resolution must be approved, dated and signed. Failure to provide this document will result in an incomplete application which will not be reviewed, retained or considered. Limited to 1 PDF file; 1 GB maximum

Files submitted:

34. Project Purpose - what is the problem this project will address? \*

**NOTE: This is one of the most important elements of the application.** Information should be as succinct and objective as possible. Limited to 1000 characters, including punctuation and spaces. See FHWA's [Purpose, Need and Alternatives](#) for further information and guidance.

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35. Project Need - discuss the data substantiating the problem. \*

**NOTE: This is one of the most important elements of the application.** Information should be as succinct and objective as possible. Limited to 1000 characters, including punctuation and spaces. See FHWA's [Purpose, Need and Alternatives](#) for further information and guidance.

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36. Safety Improvements - what safety improvements are addressed by the Project? Check all that apply. If Project addresses a safety improvement not listed below, select Other and identify the improvement. \*

**NOTE:** Specific safety improvements should also be identified in the Project Scope.

*Check all that apply.*

- ☐ Safety of non-motorized users
- ☐ Intersection safety
- ☐ Roadway lane departures
- ☐ Project does not address safety improvements
- ☐ Other: \_\_\_\_\_

37. Project Scope \*

**NOTE: This is one of the most important elements of the application.** Information should be as succinct and objective as possible and is limited to 2000 characters, including punctuation and spaces. See the Application Instructions in the RFGAA for further information and guidance.

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38. Project Schedule - check only one box in each row to indicate the current status of each phase. Non-infrastructure projects - check the boxes under Not Applicable for each row. \*

*Check all that apply.*

	Not started	In progress	Completed	Not Applicable
<b>Scoping</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Design/Final Design</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Right of Way</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Environmental</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Utilities</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Construction</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

39. Is the Project contained entirely within the Applicant's Right of Way? \*

**NOTE:** Applicants are responsible for identifying Right of Way ownership and issues before applying. For non-infrastructure Projects, check "Not applicable."

*Mark only one oval.*

- ☐ Not applicable (non-infrastructure projects only)
- ☐ Yes
- ☐ No

40. If Project involves Right of Way owned by others, identify the owners, status of approvals from each owner and any known issues. Skip if not applicable.

**NOTE:** Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered.

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41. Upload the Project Budget. Limited to a single file of up to 10 MB. \*

**NOTE: This is one of the most important elements of the application.** For infrastructure projects, Project Budgets must be prepared using the ADOT Cost Estimate Tool located on the AZ SMART webpage. Non-infrastructure cost estimates may use another format but should be broken out by component. Lump sum budgets will not be accepted. See the Application Instructions in the RFGAA for important information and guidance.

Files submitted:

42. How were the cost estimates in Project Budget developed? \*

*Check all that apply.*

- ☐ Developed by the Applicant  
☐ Developed by an engineering consultant  
☐ Other: \_\_\_\_\_

43. Are the costs in Project Budget estimated based on Federal Standards as defined in the RFGAA? For GDS requests only, select Not Applicable. \*

**NOTE:** All DOES and Match expenditures must be procured under solicitation(s) which meet Federal Standards as defined in the RFGAA in order to be eligible for AZ SMART.

*Mark only one oval.*

- ☐ Yes  
☐ No  
☐ Not applicable

44. Does the Project Budget reflect costs on a YOY basis? \*

**NOTE:** See the Application Instructions in the RFGAA for further guidance about developing realistic timeframes and the impact on determining YOY, particularly for construction phases.

*Mark only one oval.*

- ☐ Yes  
☐ No

45. Does the Project Budget include initial ADOT Project Development (PDA) Fees? Applies to applications for DOES or Match on a federal grant application which will fund design. All others select "Not applicable." \*

**NOTE regarding PDA fees:** Initial ADOT PDA fees of \$30,000 are eligible for AZ SMART funding only when included in an Application for Design and Other Engineering Services or Match on a federal grant application which will include design. The initial \$30,000 is an estimate only and may be more or less, depending on the Project. By submitting this application, the Applicant understands the Project may require, and ADOT may bill, additional PDA fees and agrees to pay such fees. Any fees not required for the Project will be refunded to the Applicant upon approval of the Project final voucher.

*Mark only one oval.*

- ☐ Yes
- ☐ No
- ☐ Not applicable

46. Long-term impacts of the Project \*

**NOTE:** Limited to 1000 characters, including punctuation and spaces.

- **Infrastructure Projects** - Describe the estimated costs to operate and maintain the Project and the sources of the funding for these activities. If costs have not been estimated, enter "NA."
- **Non-infrastructure Projects** - Describe the anticipated long-term impacts of the Project.

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### AZ SMART Request

ARS §28-339.D requires DOES and Match expenditures to meet Federal Standards, which has been defined in the RFGAA. Applicants should not request funding for expenditures that do not, or will not, meet Federal Standards. Applicants are required to provide contract(s) or solicitation(s) under which DOES or Match expenditures were procured.

**NOTE:** AZ SMART funding requests must align with, and be based on, costs identified in the Project Budget submitted with this Application.

47. Enter amount requested for Grant Development (GDS) and Submission (GDS). The amount should be no greater than 50% of the cost to develop and submit the Federal Grant. Skip if not requesting GDS.

**NOTE:** This Eligible Use is limited to Projects located in counties with population under 100,000 and municipalities with under 10,000. Enter in whole dollars (for example, 250,000).

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48. Are you requesting reimbursement for prior GDS expenditures for this Project or will the funds be used to develop a future Federal Grant application? Skip if not requesting GDS.

**NOTE:** Eligible Expenditures for GDS are those incurred after September 14, 2024. Failure to request any reimbursement for GDS awards within 6 months of the Date of Award will result in the obligation becoming inactive.

*Mark only one oval.*

- ☐ All GDS funds will be used to reimburse prior expenditures incurred after September 14, 2024.
- ☐ All GDS funds will be used to develop and submit a future Federal Grant application.

49. Enter amount requested to REIMBURSE eligible Design and Other Engineering Services (DOES) expenditures:

1) incurred after September 14, 2024, **AND**

2) are for services procured under a solicitation which meets Federal Standards as defined in the RFGAA. Enter in whole dollars (for example, 250,000). Skip if not requesting DOES.

**NOTE:** The amount must align with, and be based on, costs identified in the Project Budget submitted with this Application. Such expenditures may include costs to develop scope, schedule or budget, or other preliminary engineering costs that were incurred under a solicitation which meets Federal Standards. Do not include any amounts for expenditures incurred prior to September 14, 2024 or which do not meet Federal Standards.

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50. Upload the contract or solicitation under which the DOES expenditures to be reimbursed were incurred. Limited to a single PDF up to 10 MB.

**NOTE:** Required if requesting reimbursement. Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered.

Files submitted:

51. Enter amount requested for future estimated DOES expenditures. The amount must align with, and be based on, costs identified in the Project Budget submitted with this Application. Skip if not requesting DOES.

**NOTE:** The amount must align with, and be based on, costs identified in the Project Budget submitted with this Application.

**NOTE regarding PDA fees:** Initial ADOT PDA fees of \$30,000 are eligible for AZ SMART funding only when included in an Application for Design and Other Engineering Services or Match on a federal grant application which will include design. The initial \$30,000 is an estimate only and may be more or less, depending on the Project. By submitting this application, the Applicant understands the Project may require, and ADOT may bill, additional PDA fees and agrees to pay such fees. Any fees not required for the Project will be refunded to the Applicant upon approval of the Project final voucher.

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52. Enter amount requested for Match for expenditures that meet Federal Standards as defined in the RFGAA. Enter in whole dollars (for example, 250,000). Skip if not requesting Match.

**NOTE:** The amount requested must align with, and be based on, costs identified in the Project Budget submitted with this Application. If no match is required by the Federal Grant, AZ SMART will not provide the funding. Match funds to improve the competitive position of a project is the Applicant's responsibility.

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53. What is the status of the Federal Grant application associated with this request for Match funding? Skip if not requesting Match.

*Mark only one oval.*

- ☐ We have already been awarded the Federal Grant.
- ☐ We have applied for the Federal Grant but have not yet been awarded.
- ☐ We plan to apply for the Federal Grant within the next 6 months.
- ☐ We plan to apply for the Federal Grant more than 6 months from now.

54. Will the Project be able to proceed if awarded less AZ SMART Funds than requested? \*

**NOTE:** The Board has authority to modify award amounts and may do so based on limited funding in any Funding Category. In such cases, the Applicant will be required to provide the remaining funding for the project. Applicants should be aware that projects receiving reduced DOES awards are still required to submit a federal grant application within 2 years of the Date of Award.

*Mark only one oval.*

☐ Yes

☐ No

### Other Project Funding Sources

This section is focused on project funding other than AZ SMART. Do not include any amounts requested from AZ SMART in responding to the following questions.

55. Enter amount of funding provided by the Applicant from its own funds for the Project. Enter in whole dollars (for example, 250,000). Enter 0 if none. \*

**NOTE:** Do not include Legislative Appropriations, Congressionally Directed Spending, the Federal Grant, partner or private contributions or any other sources.

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56. Enter amount of funding to be contributed by any Project partners. Enter in whole dollars (for example, 250,000). Enter 0 if none. \*

**NOTE:** Do not include Legislative Appropriations, Congressionally Directed Spending, the Federal Grant, applicant funding or any other sources.

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57. Has Congressionally Directed Spending (CDS) been requested for this project? \*

**NOTE:** Do not include Legislative Appropriations, applicant funding, the Federal Grant, partner or private contributions or any other sources.

*Mark only one oval.*

☐ Yes, and we have received an award

☐ Yes, but we have not yet received an award

☐ No

58. Enter the amount of CDS requested or received. Skip if no CDS is involved.

**NOTE:** Do not include Legislative Appropriations, applicant funding, the Federal Grant, partner or private contributions or any other sources.

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59. Has an Arizona Legislative Appropriation been requested for this project? \*

**NOTE:** Do not include applicant funding, Congressionally Directed Spending, the Federal Grant, partner or private contributions or any other sources.

*Mark only one oval.*

- ☐ Yes, and we received an appropriation
- ☐ Yes, but we have not yet received an appropriation
- ☐ No

60. Enter the amount of the Legislative Appropriation requested or received. Skip if no Legislative Appropriations are involved.

**NOTE:** Do not include applicant funding, Congressionally Directed Spending, the Federal Grant, partner or private contributions or any other sources.

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61. Has any other funding been received or awarded for this project? If yes, select Other and identify the source of the funds. \*

**NOTE:** Do not include applicant funding, Legislative Appropriations, Congressionally Directed Spending, the Federal Grant, or partner or private contributions.

*Mark only one oval.*

- ☐ No
- ☐ Other: \_\_\_\_\_

62. Enter the amount of the Other funding received. Skip if no Other funding is involved.

**NOTE:** Do not include applicant funding, Legislative Appropriations, Congressionally Directed Spending, the Federal Grant, or partner or private contributions.

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## Federal Grant

**NOTE:** Federal grants eligible for the AZ SMART Fund are federal discretionary grant programs administered by any federal agency for surface transportation purposes. Please note Congressionally Directed Spending is not a federal grant and will not fulfill the requirement for DOES applicants to apply for a federal grant within 2 years of the Date of Award of the DOES funding.

63. Identify the Federal Grant for which the Applicant intends to submit the Project - select one grant only. \*

**NOTE:** If the desired grant is not listed, select Other and provide the name of the grant and the applicable federal agency. This list does not include all federal discretionary grants and may contain grants that are not currently available or funded. Applicants are responsible for conducting their own research to identify an appropriate federal grant for their Project.

*Check all that apply.*

- ☐ Bridge Investment Program
- ☐ Defense Community Infrastructure Pilot
- ☐ Grants for Charging and Fueling Infrastructure
- ☐ Local and Regional Project Assistance (RAISE)
- ☐ Multi State Freight Corridor Planning
- ☐ National Culvert Removal, Replacement and Restoration Grant Program
- ☐ National Infrastructure Project Assistance (MEGA)
- ☐ Nationally Significant Freight and Highway Projects (INFRA)
- ☐ PROTECT Grant Program
- ☐ Reconnecting Communities Pilot Program
- ☐ Rural Surface Transportation Grant Program
- ☐ Safe Streets and Roads for All Program (SS4A)
- ☐ Strengthening Mobility and Revolutionizing Transportation Grant Program
- ☐ Wildlife Crossing Safety
- ☐ Rail - Consolidated Rail Infrastructure and Safety Improvements Grants
- ☐ Rail - Fixed Guideway Capital Investment Grants
- ☐ Rail - Restoration and Enhancement Grants
- ☐ Rail - Railroad Crossing Elimination Program
- ☐ Transit - All Stations Accessibility
- ☐ Transit - BUILD Transportation Discretionary Grants Program
- ☐ Transit - Buses and Bus Facilities Program
- ☐ Transit - Low-No Emission Vehicle Program
- ☐ Transit - Public Transportation Innovation Program
- ☐ Transit - State of Good Repair Grants Program
- ☐ Other: \_\_\_\_\_

64. How does the Applicant intend to submit the federal grant application? \*

**Note:** If requesting ADOT to submit, the following time frames apply:

A. At least thirty (30) day prior to the application deadline in the NOFO for the applicable federal discretionary grant, the Applicant is required to submit the ADOT Grant Coordination Support Request Form at <https://apps.azdot.gov/files/mvd/mvd-forms-lib/42-0103.pdf>.

B. At least seven (7) days before the NOFO/NOFA deadline, the completed application materials must be provided to the ADOT Grant office for submission.

*Mark only one oval.*

- ☐ Applicant or Consultant will submit directly
- ☐ Applicant requests ADOT to submit
- ☐ Application has already been submitted

65. How does the Applicant intend to administer the Project if awarded a Federal Grant? \*

**NOTE:** At a minimum, Direct Recipients and Applicants self-administering a Project are responsible for:

1. Procuring all consultants and contractors under solicitations which meet Federal Standards.
2. Making all payments directly to consultants, contractors or other service providers prior to requesting reimbursement from AZ SMART or the federal agency. Reimbursement may take 1-2 months or more.
3. All reporting and compliance requirements related to the Federal Grant.

*Mark only one oval.*

- ☐ Be a direct recipient if allowed in the NOFO
- ☐ Request ADOT administration (PDA and/or construction administration fees will apply)
- ☐ Other: \_\_\_\_\_

66. Which phase(s) of the Project will be submitted in the Federal Grant application? Check the boxes for each applicable phase. \*

**NOTE:** The Applicant is responsible for determining the eligibility of each phase under the selected Federal Grant.

*Check all that apply.*

- ☐ Design
- ☐ Right of Way Acquisition
- ☐ Utilities
- ☐ Construction
- ☐ Other: \_\_\_\_\_

### Other Required and Supplementary Documents

67. Is any of the data, information or documents provided with or in this application considered confidential? \*

**NOTE:** Confidential data, information or documents includes trade secrets or other proprietary information. All such information must be clearly marked as CONFIDENTIAL.

*Check all that apply.*

- ☐ Yes
- ☐ No

68. Identify the confidential data, information or documents below. Skip if not applicable.

**NOTE:** Clearly identify all confidential documents and information, including the page(s) on which it may be listed.

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69. Upload signed Offer and Acceptance form. Limited to a single PDF up to 1 MB. \*

Files submitted:

70. If applicable, upload document authorizing the Authorized Representative to sign the Offer and bind the Applicant in the RFGAA. Limited to a single PDF up to 1 MB.

**NOTE:** If such authorization is provided in the required governing body resolution uploaded earlier in this application, please skip this question. If not covered in the resolution, this information is required. Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered.

Files submitted:

71. Non-governmental Entities ONLY - Upload legal organizing document, such as Articles of Incorporation. Limited to a single PDF up to 1 MB.

**NOTE:** This item is required for Non-governmental Entities. Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered.

Files submitted:

72. Non-profit corporations ONLY - Upload the Determination Letter from the Internal Revenue Service conveying tax-exempt status. Limited to a single PDF up to 1 MB.

**NOTE:** This item is required for Non-profit corporations. Failure to provide this information will result in an incomplete application which will not be reviewed, retained or considered.

Files submitted:

73. Upload Letter of Support #1. Limited to a single PDF up to 1 MB.

**NOTE:** A maximum of 5 support letters may be submitted with the Application.

Files submitted:

74. Upload Letter of Support #2. Limited to a single PDF up to 1 MB.

**NOTE:** A maximum of 5 support letters may be submitted with the Application.

Files submitted:

75. Upload Letter of Support #3. Limited to a single PDF up to 1 MB.

**NOTE:** A maximum of 5 support letters may be submitted with the Application.

Files submitted:

76. Upload Letter of Support #4. Limited to a single PDF up to 1 MB.

**NOTE:** A maximum of 5 support letters may be submitted with the Application.

Files submitted:

77. Upload Letter of Support #5. Limited to a single PDF up to 1 MB.

**NOTE:** A maximum of 5 support letters may be submitted with the Application.

Files submitted:

Thank you for your application.

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