



Memorandum

Subject: **ACTION:** Recovery Act Ferry Boat Discretionary Program
Solicitation for FY 2009 Project Applications
(Electronic Reply Due: May 15, 2009)
CFDA # 20.205- Highway Planning and Construction

Date: March 30, 2009

From: Jeffrey F. Parfati
Acting Deputy Administrator

Reply to
Attn. of: HIPA-10

To: Division Administrators

The American Recovery and Reinvestment Act of 2009, Public Law 111-5 (Recovery Act), authorized \$60 million for the Ferry Boat Discretionary (FBD) program for the construction of ferry boats and ferry terminal facilities. I am asking you to contact your State department of transportation (DOT) counterpart as soon as possible to solicit applications as outlined in this memorandum. Applications should be submitted to Washington Headquarters by May 15, 2009.

Title XII of the Recovery Act authorized the funds for the FBD program to reimburse up to 100 percent of project costs at the option of the recipient. Priority is to be given to projects that can be completed by February 17, 2011, and to projects in economically distressed areas as defined by Section 301 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3161). All FBD program requirements also will apply to the Recovery Act FBD funds, with the exception of the set-asides in 23 U.S.C. 147(d).

The Recovery Act included additional requirements as outlined in the attached program information (Attachment 1). Those requirements include, but are not limited to, the reporting requirements in Sections 1201 and 1512 of the Recovery Act. The Recovery Act also requires recipients and their subawardees to provide a D-U-N-S number (www.dnb.com) and to have a current registration in the Central Contractor Registration (www.ccr.gov).

We have issued implementing guidance that discusses the requirements for the use of any Recovery Act funds, including special reporting requirements (see "Selection Criteria" in Attachment 1 and for further information, go to www.fhwa.dot.gov/economicrecovery). For ease of reference, I also am attaching a list showing the items to be addressed in each application for the Recovery Act FBD program (Attachment 2).

Separately, SAFETEA-LU authorized FY 2009 FBD program funds. In the omnibus appropriations act signed into law by President Barack Obama on March 11, Congress designated some FBD funding and provided some for discretionary allocation. We will solicit applications separately for the discretionary portion of this funding in the near future.

Project applications may be initiated by any public entity, including the States, cities, counties, transit authorities or other ferry operators, but all applications must be reviewed, prioritized, and submitted by the State DOT, including the U.S. Territories, to the appropriate FHWA division office. Please ensure that the applications submitted by your State DOT are for projects that can advance expeditiously. Because the Recovery Act emphasizes “ready-to-go” projects and the FBD provision gives priority to projects that can be completed by February 17, 2011, we prefer making awards to projects that can be obligated during FY 2009 if the requested FBD funding is provided. Work and expenditures on the project are expected to commence as soon as practicable following obligation.

The applications must be submitted electronically in MS Word format (see Attachment 2). Project applications for the Recovery Act FBD program should be received in Headquarters no later than May 15, 2009. Please transmit the State’s project applications via e-mail to Tony DeSimone (Anthony.Desimone@fhwa.dot.gov) of our Office of Program Administration. Your e-mail should include:

- a) A statement from the division office that the State’s submittal has been reviewed by the division office and that it meets the submission and eligibility requirements;
- b) The State transportation department’s submission e-mail or letter to the FHWA division office, including the prioritization of projects; and
- c) Each MS Word application as an attachment.

This memorandum will be posted on our Web site at www.fhwa.dot.gov/discretionary and at www.fhwa.dot.gov/economicrecovery.

The Recovery Act FBD funding is one part of a major Federal initiative to stimulate the economy in this very difficult period. I encourage you to work closely with your State counterparts to ensure we receive applications for eligible candidates that can move to construction promptly, generate many jobs, and leave behind a vitally needed service facility.

If you have any questions, please contact Mr. DeSimone by e-mail or telephone (317-226-5307).

2 Attachments