

DOT ANNOUNCES \$225 MILLION IN PORT GRANT OPPORTUNITIES

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Earlier this week, the U.S. Department of Transportation (DOT) announced a Notice of Funding Opportunity to apply for \$225 million in discretionary grant funding through the newly implemented Port Infrastructure Development Program (PIDP). Applications for this highly competitive program must be submitted by May 18, 2020 for consideration. Interested parties would be well advised to seek guidance on their submissions. K&L Gates has previously directed multiple clients through the complexities of the federal grant process.

The National Defense Authorization Act and Further Consolidated Appropriations Act for Fiscal Year 2020 authorized and appropriated \$225 million for projects within a port's boundaries, directly related to port operations, or intermodal projects that improve the safety, efficiency, or reliability of the movement of goods.

Eligible applicants for a PIDP grant include port authorities; subdivisions of a state, local, or tribal government; special purpose districts; multistate or multijurisdictional entities; and private entities working in cooperation with an eligible public group. Projects eligible for PIDP consideration include port gate improvements; road improvements; rail improvements; berth improvements; projects addressing environmental mitigation measures; and development phase activities.

The minimum award size for PIDP grants is \$1 million, and the federal cost share is limited to 80 percent. Additionally, the program imposes several additional restrictions on PIDP awards, including:

- No more than 25 percent of the available funds can be awarded to a single state;
- At least \$200 million is reserved for coastal seaport projects or Great Lakes port projects; and
- No more than \$22.5 million development phase activities that do not result in construction

This latest funding notice presents a unique opportunity for industry stakeholders with projects that benefit coastal ports who are seeking federal partners. In addition to marine terminal operators, port authorities, and traditional shoreside infrastructure interests, eligible projects also include highway or rail infrastructure that develops or extends intermodal connectivity, intermodal facilities, marine terminal equipment, wharf construction, and various other projects.

Demand for this competitive grant program is expected to be significant, and applicants are encouraged to act quickly to meet the lengthy application requirements. In recent years, K&L Gates has provided counsel on the complex DOT grant application process for clients, and can provide guidance for any potential applicants.

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