

**WITT O'BRIEN'S**  
PART OF THE AMBIPAR GROUP

WITH YOU WHEN IT COUNTS

 **NCLM & ARP**

# Maximizing Federal Funds: New Treasury ARPA Flexibilities, IIJA, IRA, and More!

October 25, 2023

[wittobriens.com](http://wittobriens.com)

# WELCOME! TODAY WE WILL:

- Overview of recent flexibilities provide by Treasury and through the Uniform Guidance
- Explore current and potential funding opportunities within the American Rescue Plan Act (ARPA), the Infrastructure Investment and Jobs Act (IIJA)/Bipartisan Infrastructure Law (BIL), and Inflation Reduction Act (IRA)
- Discover best practices for preparing and applying for funding
- Understand the benefits of intergovernmental coordination

**WITT O'BRIEN'S**  
PART OF THE AMBIPAR GROUP

 **NCLM & ARP**

©2023 WITTO'BRIENS ALL RIGHTS RESERVED.

# Overview of the Coronavirus State & Local Fiscal Recovery Funds (SLFRF) August 2023 Interim Final Rule (IFR) - Effective September 20,2023

- **Emergency Relief from Natural Disasters:** SLFRF funds are now available to aid emergency relief efforts stemming from natural disasters. A two-step process ensures the relief corresponds to the scale of the disaster.
- **Surface Transportation Projects:** SLFRF funds are applicable for twenty-six specific transportation programs under the 2023 CAA, categorized into three pathways.
- **Title I Projects:** Activities under section 105(a) of the Housing and Community Development Act of 1974 are now eligible for SLFRF funds, covering a broad scope within the Community Development Block Grant (CDBG) and Indian Community Development Block Grant (ICDBG) programs.

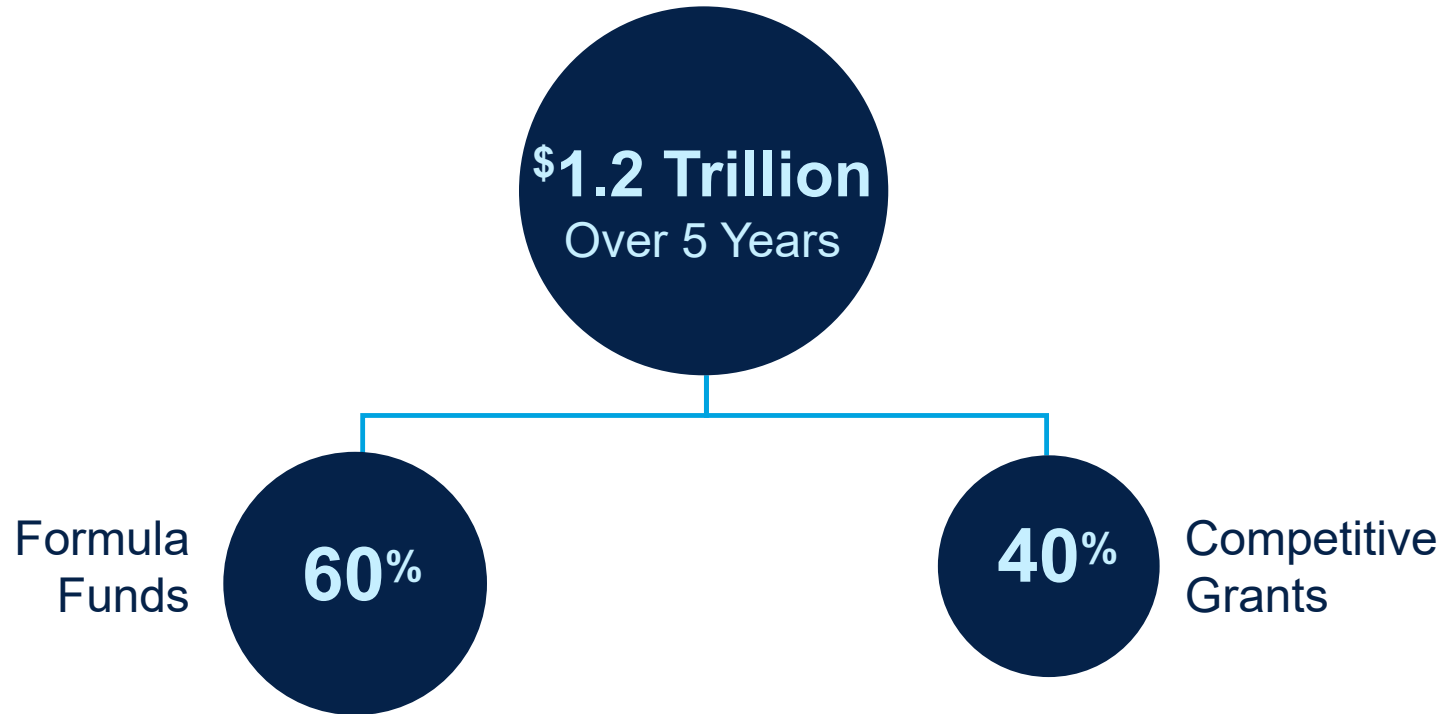
# ABOUT BIL AND IRA

---

- On November 15, 2021, President Biden signed the [Infrastructure Investment and Jobs Act](#) (P.L. 117-58), officially enacting the Bipartisan Infrastructure Law (BIL). The BIL provides \$973 billion over five years from FY 2022 through FY 2026, including \$550 billion in new investments for all modes of transportation, water, power and energy, environmental remediation, public lands, broadband and resilience. In addition to providing authorizations for a wide variety of programs, the BIL also makes advanced appropriations over a number of years to several federal agencies.
- On August 16, President Biden signed the [Inflation Reduction Act \(IRA\)](#) into law. The IRA, which aims to reduce the federal deficit, cut carbon emissions and address several issues related to healthcare. **According to an estimate from the nonpartisan Congressional Budget Office (CBO), the IRA would reduce federal deficits by \$102 billion between 2022 and 2031 - the lifespan of the bill - through the implementation of measures intended to reduce inflationary pressures.** In addition to addressing the federal deficit, the IRA aims to reduce carbon emissions by 40 percent below 2005 levels by 2030. It does so by making significant investments in climate and environment programs and providing tax incentives to boost the development and deployment of clean energy.

# BIPARTISAN INFRASTRUCTURE LAW: OVERVIEW FOR STATE AND LOCAL GOVERNMENTS

---



# BIPARTISAN INFRASTRUCTURE LAW: OVERVIEW FOR STATE AND LOCAL GOVERNMENTS

---

>**375** unique programs at over a dozen federal agencies

>**125** new programs across 9 federal agencies representing >**25%** of total spending

>**90%** of these investments will be delivered by non-federal partners

~**60%** flowing through formula programs

~**38%** of funding contains provisions that allow for expanded federal cost sharing arrangements – particularly for rural and disadvantaged communities.

> **\$100 Billion** in first 100 Days announced, allocated or headed to states, territories, and local governments.

# **BIPARTISAN INFRASTRUCTURE LAW: TRANSPORTATION**

---

- The BIL includes five-year reauthorization (FY22-26) of surface transportation programs and direct advanced appropriations
- Total transportation funding in this five-year package is over \$660 billion
- Includes framework in EPW's Surface Transportation Reauthorization Act and Commerce's Surface Transportation Investment Act
- Transfers \$118 billion from the U.S. Treasury's general fund (GF) to the Highway Trust Fund (\$90 billion to highway account and \$28 billion to Mass Transit account)



# BIPARTISAN INFRASTRUCTURE LAW: TRANSPORTATION

Total potential funding over five years includes:

**\$110B** Federal Highway  
Administration

**\$25B** Federal Aviation  
Administration

**\$107B** Federal Transit  
Administration

**\$8B** National Highway Traffic  
Safety Administration

**\$102B** Federal Railroad  
Administration

**\$5B** Federal Motor Carrier  
Safety Administration

**\$43B** Office of the  
Secretary

**\$2B** Maritime Administration



# BIPARTISAN INFRASTRUCTURE LAW: EXPANSION OF EXISTING PROGRAMS

---

- BIL expands existing grant and financing programs that provide funding to local governments
- **\$15 Billion** Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grants
- **\$14 Billion:** Infrastructure for Rebuilding America (INFRA) Grants
- Transportation Infrastructure Finance and Innovation Act (TIFIA) program and Railroad Rehabilitation & Improvement Financing (RRIF) program: Expanded transit-oriented development eligibilities BIL includes formula programs with expanded eligibilities and increased funding which will benefit local governments.

# **BIPARTISAN INFRASTRUCTURE LAW: EXPANSION OF EXISTING PROGRAMS**

---

## **Surface Transportation Block Grants (STBG): \$72 b**

- Local governments will see a **24%** increase in STBG funding
- BIL also increases the set-aside within STBG for the Transportation Alternatives Program (TAP) and increases the minimum percentage of TAP funding that is sub-allocated by population to **59%**
- Carbon Reduction Program: **\$6 billion**
- **65%** suballocation to local areas

# **BIPARTISAN INFRASTRUCTURE LAW: NEW GRANT OPPORTUNITIES – LOCAL GOVERNMENTS**

---

**The BIL includes over \$45 billion in new competitive grants for which local governments can apply:**

- \$ 6B** Safe Streets and Roads for All
- \$ 15.77B** Bridge Investment Program
- \$ 5.5B** Railroad Crossing Elimination
- \$ 1B** Reconnecting Communities
- \$ 5B** National Culvert Removal, Replacement and Restoration
- \$ 500M** Healthy Streets
- \$ 1.4B** Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation
- \$ 2B** Wildlife Crossings Pilot Program: \$350 million Rural Surface Transportation Program
- \$ 2.5B** MEGA Projects: \$15 billion Charging and Fueling Infrastructure Discretionary Grants
- \$ 1B** Strengthening Mobility and Revolutionizing Transportation Grant Program

# HONEST SELF ASSESSMENT

---

**How prepared are you to understand needs and available funding opportunities, go after and secure available funds, and then successfully implement priority projects compliantly?**

- Organizational Capacity
- Systems & Processes
- Partnerships & Intergovernmental Relationships



# ASSESS YOUR EXISTING CAPACITY & CAPABILITIES

---

## Understand your current needs and organizational capacity.

- Resources
- Infrastructure
- Knowledge & Skills
- Culture & Climate
- Engagement & Partnership

# BUILDING INTERNAL CAPACITY

---

## Why should organizations consider enhancing grant and project management capacity?

- **Structure:** Focused, coordinated approach; formalized process; transparency
- **Strategy:** Maximize funding and greater impact
- **Compliance:** Monitoring and auditing; reporting; waste, fraud, and abuse



# BUILDING INTERNAL CAPACITY

---

## How can jurisdictions build internal capacity?

- Identify needs to support grant writing and project management: technology, association memberships, certifications/trainings
- Create grant procedures to capture structure in administrative code where feasible
- Identify funding needs across departments with a strategic plan and a Capital Improvement Plan
- Develop program and service overviews
- Establish a “grant team” that can review and assess the suitability of grant opportunities, which includes a representative from each of the various programs and operations

# BUILD FOR THE FUTURE




---

Grants is the name of the game with ARPA and BIL funding opportunities, but is also the bedrock of sustainable funding opportunities for years to come.

Use this historic funding opportunity to build for the future starting with developing a comprehensive grants management framework that cross-cuts departments & functions.



# OVERVIEW OF GRANT MANAGEMENT MODELS

Decentralized	Hybrid	Centralized
<ul style="list-style-type: none"><li>• Departments go their own route with minimal to no coordination</li><li>• Least desirable model, given lack of overall coordination</li></ul> 	<ul style="list-style-type: none"><li>• Centralized function provides some coordination across various aspects of grants management lifecycle</li><li>• Responsibility and accountability is ultimately placed on department</li></ul> 	<ul style="list-style-type: none"><li>• Grants management office; oversees / manages grants entity wide</li><li>• Responsible for partnering with departments on grants management lifecycle</li></ul> 
<b>Considerations:</b>		
<ul style="list-style-type: none"><li>• Centralized and Hybrid models create greater coordination across departments, leading to greater success</li><li>• Decentralized model inhibits the ability to approach the grants management lifecycle holistically</li></ul>		

# PLAN, SECURE, EXECUTE!

---

Leverage existing & new resources & infrastructure to properly plan for, apply & secure competitive grants

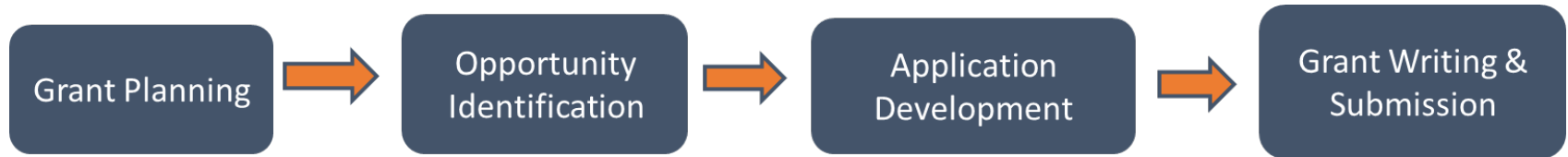


# INTRODUCTION TO GRANT PLANNING

---

## A successful pre-award grants management approach:

- Requires agency departments to work in coordination with each other and a central office
- Prioritizes grant planning and aligns it with organizational wide priorities and policies
- Engages stakeholders in the community
- Closely tracks and evaluates grant opportunities, including ability to implement
- Thoroughly addresses the NOFO's points of emphasis



# GRANT PLANNING

---

## Establish an Intelligence Network

- Ever expanding set of funding conduits - need to look beyond federal sources
- Need to develop an increased understanding of funding conduits
- Increase focus on state and philanthropic grant opportunities

## Develop a grants plan that reflects entity wide priorities

- Documented grants plan helps define and prioritize opportunities
- Create grants plan in coordination with budget and capital plan development; continuously monitor and update plan
- Key elements include: Elected officials' priorities; current and expected grants; grant funding landscape; strategies and approaches for building and managing the city's grant funds



# GRANT PLANNING

---

## Keep inventory of community needs and desired projects

- Focus pursuits based on inventory, regularly update to align with new priorities
- Identify needs that cannot or should not be funded by the general fund

## Develop tools and processes to identify a potential “capital stack”

- Few significant projects rely on a single funding source
- Determine how to properly layer funds and optimize funding
- Understand the timing considerations associated with all funds in the stack as well as any potential costs (e.g., interest)

# OPPORTUNITY IDENTIFICATION

---

## Track funding opportunities on a regular basis

- Know where NOFOs are posted and register for notifications
- Application timelines are short - team should meet at least once a month
- Track grantor's funding rhythm to prioritize projects
- Consider automation via grants management technology

# OPPORTUNITY IDENTIFICATION

---

## Establish a decision criteria

- Ensure grant pursuits align with priorities
- Define key elements to use for vetting opportunities
- Consider ability to implement when making pursuit decisions
- Build off prior successful experiences (internal & past awardees)
- Share grant opportunities that may not be an internal fit with external partners

# GRANT APPLICATION DEVELOPMENT

---

## Break down the process

- Establish team to understand funding opportunity and map the response
- Closely read NOFO and identify key dates and required information
- Assess prior awardees - attend debriefings, analyze successful applicants, and review grantor websites
- Maintain library of prior responses; identify those relevant to current grant pursuit
- If using partners or subrecipients, ensure all parties are aware of process, understand their role, and provide required information

# GRANT WRITING AND SUBMISSION

---

## Thoroughly address grantor's points of emphasis

- Understand grantor's priorities and their perspective on the grant program
- Create an outline to ensure prompts are answered thoroughly
- Review prior library of responses
- Use data and graphics to support arguments where appropriate

## Follow directions and take care of the little things

- Direct and action-oriented writing
- Pay attention to page counts, presentation styles, deadlines, and method of delivery
- If submission is electronic, make sure organization is properly registered and has access to portal

# GRANT PURSUANCE MATRIX

<p style="text-align: center;"><b>CONSIDER APPLYING</b></p> <ul style="list-style-type: none"> <li>o Formula grant</li> <li>o Fits agency's mission, vision, and values</li> <li>o Incorporated into agency's strategic plan</li> <li>o Agency is eligible?</li> <li>o Realistic deadlines - aware of application with strong interest</li> <li>o Appropriate funding amount available</li> <li>o Appropriate funder</li> <li>o Normal application, requirements and grant terms</li> <li>o Agency capacity - moderate staffing needed</li> <li>o Sustainable beyond the grant period</li> <li>o Administrative/indirect costs allowed</li> <li>o Match requirement - minimal agency investment</li> <li>o Partners - already in onboard if needed</li> <li>o Approved internally (agency policy)</li> </ul>	<p style="text-align: center;"><b>PURSUE APPLICATION</b></p> <ul style="list-style-type: none"> <li>o Continuation grant</li> <li>o Fulfills agency's mission, vision, and values</li> <li>o Already incorporated into agency's strategic plan</li> <li>o Agency still eligible?</li> <li>o Realistic deadlines - preparations already in place</li> <li>o Appropriate funding amount still available</li> <li>o Still an appropriate funder</li> <li>o No changes in application, requirements, and grant terms</li> <li>o Agency capacity - strong, committed</li> <li>o Sustainable beyond the grant period</li> <li>o Administrative/indirect costs allowed</li> <li>o No match requirements/matching funds in place</li> <li>o No partners needed/warranted</li> <li>o Approved internally (agency policy)</li> </ul>
<p style="text-align: center;"><b>TENTATIVE ABOUT APPLYING</b></p> <ul style="list-style-type: none"> <li>o Pass-through grant</li> <li>o No alignment with agency's mission, vision, and values</li> <li>o No alignment to agency's strategic plan</li> <li>o Agency is eligible?</li> <li>o Realistic deadlines - unprepared for grant</li> <li>o Inappropriate funding amount - limits</li> <li>o Inappropriate funder - political, conflict of interest, etc.</li> <li>o Agency capacity - limited to no staffing resources</li> <li>o Complex application, requirements, and/or grant terms</li> <li>o No sustainability beyond the grant period</li> <li>o Administrative/indirect costs are not allowed</li> <li>o Match requirement - major agency investment</li> <li>o New partners are required</li> <li>o Approved internally (agency policy)</li> </ul>	<p style="text-align: center;"><b>ENCOURAGED TO APPLY</b></p> <ul style="list-style-type: none"> <li>o Competitive grant</li> <li>o Odds - &lt;25%, 25-50%, &gt;50%</li> <li>o Matches elements of agency's mission, vision, and values</li> <li>o Considering incorporating into strategic plan</li> <li>o Agency is eligible?</li> <li>o Realistic deadlines - aware of application and interested</li> <li>o Appropriate funding amount available</li> <li>o Appropriate funder</li> <li>o Is this a speculative proposal by the agency?</li> <li>o Complex application, requirements, and/or grant terms</li> <li>o Sustainable - questionable short- and long-term potential</li> <li>o Administrative/indirect costs allowed</li> <li>o Match requirement - marginal agency investment</li> <li>o Partners (collaboration) would make for a stronger application</li> <li>o Approved internally (agency policy)</li> </ul>



# WORK SMARTER, NOT HARDER

---

- We have seen time and time again that counties and states squander administrative **'easy buttons'** and lose funding optimization opportunities
- Use these shortcuts to prepare best for the future



# WAYS TO LEVERAGE ARPA FUNDS NOW

---

ARPA State and Local Fiscal Recovery Fund provides 2 simple ways to use funding in a highly flexible manner to invest in building your capacity and infrastructure

- Revenue loss (automatic \$10M presumption regardless of size, for larger jurisdictions it is stackable)
- Improving public sector capacity IS an eligible category

## BUT WAIT, THERE'S MORE!

- ARPA and many IIJA funded initiatives allow for administrative cost recovery through a streamlined mechanism – leveraging a federally approved indirect cost rate – or – a de minimis 10%.

# HOW TO USE ARPA FUNDS

---

## Build Capacity

- Centralized & Enterprise Grant Management
- Hire/Train Staff focused on maximizing your organization's chances for securing state and federal grants

## Don't simply rely on existing Capital Improvement Plan unfunded projects –

- “Dust off” by completing new studies & plans
- Investment in community engagement to better understand problems, priorities or emerging pressures

# INTERGOVERNMENTAL COORDINATION IS KEY

---

**Most formula programs and many competitive programs will be distributed at the State level.**

It is critical that you develop strong understanding of which State agencies will be administering many of these federal funding opportunities. Attending plenary sessions, conferences, summits will elevate your jurisdiction's profile with these State agencies.

Many of these grant programs will look for interjurisdictional coordination and collaboration.

- Build coalition with adjacent counties and municipal entities
- Take lead on driving regional summits to understand needs and how pooling funding can leverage greater cost efficiency

# EQUITY AND RESILIENCY ARE MORE THAN JUST TALKING POINTS

Recipients of local fiscal recovery funds – and future recipients of IIJA Funds have already agreed to Title VI / Civil Rights Act Assurances

If this is the first time you're hearing this, it's not too late to quickly fully understand what that means and what your organization should be doing to ensure compliance

Future federal funding can be impacted by noncompliance!





# QUESTIONS

**WITT O'BRIEN'S**  
PART OF THE **AMBIPAR** GROUP

 **NCLM & ARP**

©2023 WITT O'BRIENS ALL RIGHTS RESERVED.

[wittobriens.com](http://wittobriens.com)