SOUTHWEST BORDER
REGIONAL COMMISSION

Economic and Infrastructure Development (EID) Grant Program 2026 Notice of Funding Opportunity (NOFO)

Release date: November 2, 2026

Deadline: December 2, 2026

Summary of Grant Information Economic and Infrastructure Development (EID) Grant Program	
Issuing Agency	Southwest Border Regional Commission (SBRC)
Program Overview	This cycle will fund projects that promote economic development in parts of Arizona, California, New Mexico, and Texas – with a focus on distressed counties – in order to revitalize and transform communities.
Goals	Invest in Critical Infrastructure; Improve Health and Support Services Access and Outcomes; Strengthen Workforce Capacity; Foster Entrepreneurial and Business Development Activities; and Promote Community and Economic Resilience. See Section II, Part D, for objectives associated with these goals. In addition to aligning with one of the strategic goals above, projects should also align with state economic or infrastructure plan(s) of the member state where the projects will be located.
Eligible projects	Public infrastructure projects categorized as transportation, basic public, telecommunications, and healthcare. Additionally, projects to support health care, workforce development, entrepreneurial and business development, environmental conservation, preservation, access and tourism, and community development. Funds may be used in combination with other federal grant programs. (See Section III. Part M)
Eligible applicants	• State governments of Arizona, California, New Mexico, & Texas • Local governments (village, town, city, and county) • Other political subdivisions of States (regional planning commissions, or local economic or community development activities, public colleges & universities or a consortium of political subdivisions) • Federally recognized Indian tribes and Tribal Governments • Non-profit organizations described in Internal Revenue Code section 501(c) and exempt from taxation under section 501(a)
Deadlines	Application: Release date November 2, 2026 Deadline: December 2, 2026
Funding Amount	Total available: $13.2 million. Available per project: $100,000 minimum/$1,000,000 maximum.
Cost Share	• For projects in transitional counties or isolated areas of distress, the federal cost share may not exceed 50%. • For projects in distressed counties, the federal cost share may not exceed 80%. • For multi-county or multi-state projects, the federal cost share may be increased to 60-90% for a project or activity.

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I. Introduction

The Southwest Border Regional Commission (SBRC) is publishing this Notice of Funding Opportunity (NOFO) to solicit applications for grants under the 2026 Economic Development and Infrastructure (EID) Grant Program.

This NOFO provides a general overview of the EID Grant Program and outlines specific requirements needed to complete the application process. Access to the application and additional information can be found on www.sbrc.gov

II. General Information

A. About Southwest Border Regional Commission (SBRC)

The Southwest Border Regional Commission (SBRC) is a federal-state partnership authorized by Congress in the 2008 Food, Conservation, and Energy Act ("the Farm Bill") and Reauthorized in S.4367 Water Resources Development Act of 2024. to promote and encourage economic development in parts of Arizona, California, New Mexico, and Texas. SBRC invests in projects that support basic infrastructure, business development, natural resource preservation and workforce development. SBRC is committed to supporting job creation, building communities, and improving the lives of those who reside in the region.

The commission structure comprises a Federal Co-chair, and governors of the member states, of which one is appointed the state co-chair on a rotating basis. The commission's guiding principles are to assist and invest in underserved and economically distressed communities, eliminate barriers to economic development, build local capacity, provide technical assistance, form partnerships, leverage commission funds, reduce costs, and complete projects.

B. SBRC States, Counties, and Isolated Areas of Distress

State	All Counties Served by the SBRC
Arizona	Cochise, Gila, Graham, Greenlee, La Paz, Maricopa, Pima, Pinal, Santa Cruz, and Yuma
California	Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura
New Mexico	Bernalillo, Catron, Chaves, Cibola, Curry, De Baca, Dona Ana, Eddy, Grant, Guadalupe, Hidalgo, Lea, Lincoln, Luna, Otero, Roosevelt, Sierra, Socorro Torrance, and Valencia.
Texas	Atascosa, Bandera, Bee, Bexar, Brewster, Brooks, Cameron, Coke, Concho, Crane, Crockett, Culberson, Dimmit, Duval, Ector, Edwards, El Paso, Frio, Gillespie, Glasscock, Guadalupe, Hidalgo, Hudspeth, Irion, Jeff Davis, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Live Oak, Loving, Mason, Maverick, McMullen, Medina, Menard, Midland, Nueces, Pecos, Presidio, Reagan, Real, Reeves, San Patricio, Schleicher, Sutton, Starr, Sterling, Terrell, Tom Green, Upton, Uvalde, Val Verde, Ward, Webb, Willacy, Wilson, Winkler, Zapata, and Zavala

C. Economic Distress Designations

Distressed, Transitional, and Attainment Counties
SBRC annually assesses levels of distress throughout the region as dictated by the authorizing statute, 40 U.S.C., Subtitle V, § 15702, which identifies and defines three economic designations – *Distressed, Transitional, and Attainment*. The authorizing statute can be found on here.

SBRC uses an index-based county economic classification system to identify the economic status of each county using three indicators – the *three-year average unemployment rate, per capita market income, and poverty rate*. The results are summed and averaged to create a composite index value for each county. A full list of SBRC counties and county equivalents by economic designation can be found on www.sbrc.gov.

(1) **Distressed counties** — counties that are the most severely and persistently economically distressed and underdeveloped and have high rates of poverty, unemployment, or outmigration. The SBRC can fund up to 80 percent of the costs of a project in distressed counties. The SBRC must also allocate 50 percent of its total appropriations to projects in counties falling within this designation.

(2) **Transitional counties** —counties that are economically distressed and underdeveloped or have recently suffered high rates of poverty, unemployment, or outmigration. The SBRC can fund up to 50 percent of the costs of a project in transitional counties.

(3) **Attainment counties** —counties not designated as distressed or transitional counties. The SBRC is not allowed to fund projects within an attainment county unless the project is within a designated 'isolated area of distress.'

Isolated Areas of Distress
Additionally, 40 U.S.C., Subtitle V, § 15702 directs SBRC to identify Isolated Areas of Distress: areas within attainment counties with high rates of poverty, unemployment, and outmigration. To identify Isolated Areas of Distress, please utilize the EDA-Census Poverty Status Viewer, found here. Additionally, a list of persistent poverty census tracks can be seen **here**. Census tracks located in attainment counties and identified as either high poverty or persistent poverty in either tool are deemed "Isolated Areas of Distress." The SBRC can fund up to 50 percent of the costs of a project in isolated areas of distress.

D. SBRC Strategic Goals

SBRC investments are directed by the authorizing statute and its strategic goals, demonstrating SBRC's commitment to advancing local economies, infrastructure, business expansion, job creation and job retention. Six goals guide EID funding that support programs and/or projects in the region:

SBRC Grant Goals
1) Invest in Critical Infrastructure
a) Expand basic water and sewer infrastructure
b) Expand and improve access to affordable and reliable digital infrastructure
c) Support transportation infrastructure systems and transit services
d) Support the implementation of innovations and efficiencies that reduce the cost of critical infrastructure while improving its performance and resilience

2) Improve Health and Support Services Access and Outcomes

a) Support initiatives that expand access to high-quality healthcare and mental health services
b) Support the construction, acquisition, or alteration of healthcare facilities and infrastructure, including medical equipment, that increases access to healthcare services or improves the effectiveness, efficiency, innovation, or quality of healthcare delivery in Healthcare Professional Shortage Areas. To identify U.S. Department of Health and Human Services (HHS) designated Health Professional Shortage Areas (HPSAs), applicants can search active HPSA designations using the Health Resources and Services Administration (HRSA) HPSA database available at https://data.hrsa.gov/topics/health-workforce/health-workforce-shortage-areas/.
c)Support education, training, and workforce development programs designed to fill positions in healthcare professions experiencing high workforce shortages.

3) Strengthen Workforce Capacity

a) Promote workforce development programs that are paired with local, high-demand trades, industries and job opportunities.
b) Increase enrollment and completion of critical training programs, and registered apprenticeships, consistent with Executive Order 14278, "Preparing Americans for High-Paying Skilled Trade Jobs of the Future" and America's Talent Strategy.
c) Expand pathways to high-wage occupations that fill high need, and high skilled workforce shortages

4) Foster Entrepreneurial and Business Development Activities

a) Support the expansion of access to business capital to support innovation, entrepreneurship, and economic equity
b) Invest in programs and business opportunities that address critical challenges facing communities while attracting and retaining talent

5) Expand Affordable Housing Access

a) Invest in efforts to improve the affordability and availability of quality housing across the region

6) **Promote Community and Economic Resilience**

a) Assist in development of infrastructure projects and predevelopment studies that improve community and economic resilience, such as flood mitigation or water management.
b) Support revitalization and adaptive reuse of vacant or dilapidated buildings.
c) Build local technical, managerial and financial capacity tied to specific project development.

E. State Economic and Infrastructure Development Strategies

In addition to alignment with the authorizing statute and SBRC strategic goals, applicants must ensure projects align with the State economic and infrastructure development plan(s). where the project will be implemented. These plans prioritize SBRC economic and infrastructure development activities for each state. https://sbrc.gov/strategic-plans/ Tribes are exempt from this requirement.

Ultimately, the focus of the Economic and Infrastructure Development Grant program is on investments that directly impact and are transformational in helping revitalize communities and spur economic development.

III. Program Information

A. Background on SBRC

The Southwest Border Regional Commission (SBRC) receives annual appropriations from the U.S. Congress to invest in economic and infrastructure development projects to reduce the effects of poverty, unemployment, and outmigration.

This Notice of Funding Opportunity (NOFO) makes $13.2 million in grant funds available for awards through the competitive Economic and Infrastructure Development (EID) Grant Program. This includes $10.2 million in SBRC annual appropriations from FY26 (P.L. 119-75) and prior years (P.L. 119-4 and P.L. 118-42), as well as $3 million in FY26 Department of Transportation highway infrastructure funds (P.L. 119-75).

SBRC's authorizing statute, 40 U.S.C., Subtitle V, §15501(b)(c)(d), indicates how much and where grant funds must be spent. At least 50% of grant funds must be allocated to economically distressed counties and isolated areas of distress. At least 40% of grant funds must be allocated to infrastructure projects tackling basic public infrastructure, telecommunications, and transportation.

B. Funding Availability and State Allocations

The EID program is designed to encourage and support economic and infrastructure development activities across the Southwest Border region. In 2026, the grant program will make available for competition $13.2 million. Each state's grant allocation is calculated via a formula using components of equal distribution, number of distressed counties, and total distressed population.

Grant Allocations by State

Arizona	$ 2,755,562.00
California	$ 3,381,826.00
New Mexico	$ 2,630,309.00
Texas	$ 3,757,585.00
Federally Recognized Tribes	$ 659,225.00
Total	$13,184,507.00

EID Grant Awards
EID grant awards will fund construction and non-construction projects ranging from a state certification amount of $100,000 (minimum) to $1,000,000 (maximum), as detailed below. With justification, states may recommend awards that exceed the maximum to the Commission. Recommendations exceeding the maximum with insufficient justification may be reduced to the state-certified maximum or denied.

C. Period of Performance

The period of performance for EID grant awards is 48 months. The anticipated start date for awards made under this announcement is . All proposed projects should be completed on or before December 2, 2030. Projects may be granted two extensions, for one year each, when reasonable justification is demonstrated. All extensions must be approved by the Federal Co-Chair and the state(s) where the project is located.

D. Eligible Applicants

Eligible applicants are:

- State governments of Arizona, California, New Mexico, and Texas;
- Local governments (village, town, city, and county);
- Other political subdivisions of States (local development districts, regional planning commissions, special purpose districts of a state or local government engaged in economic or community development activities, public colleges and universities or a consortium of political subdivisions);
- Federally recognized Indian tribes (2 CFR 200.1). Indian tribe means any federally recognized Indian tribe, band, nation or other organized group or community whose geographic area lies within the commission's region, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians (25 U.S.C.A. § 5304(e)). See annually published Bureau of Indian Affairs list of Indian Entities Recognized and Eligible to Receive Services; OR
- Non-profit entities, including community and faith-based organizations. The term 'nonprofit entity' means any organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code.
- This grant program supports the objectives of Executive Order 14205 by promoting equitable access to Federal funding for faith-based, community, and nonprofit organizations.
- All primary applicant must be located within the Commission's region, and the primary applicant may partner with entities outside the region. Service area must be completely within the Commission's region.

E. Ineligible Applicants

Entities ineligible to apply include:

- For-profit entities, LLCs, and other entities that are not a 501(c), nonprofit entity, as defined in 40 U.S.C. §15101(5);
- Entities that are debarred, suspended, proposed for debarment, or otherwise excluded from participation in Federal assistance programs under 2 CFR Part 180 and the awarding agency's implementing regulations are not eligible to receive a Federal grant award.
- A non-profit identified by a state that does not have a federally recognized 501(c) status is not an eligible applicant.

F. Eligible Activities

All activities may only take place within the commission's region in the following locations:

- Distressed counties
- Transitional counties
- Multijurisdictional locations involving at least one distressed county
- Isolated areas of distress

1. Infrastructure Projects

Congressional appropriations will support economic investments into SBRC communities. The EID Grant program addresses infrastructure needs and priorities, allocating at least 40% of grant funds to public infrastructure projects categorized as basic public, telecommunications, and transportation. Grant recipients must maintain ownership/control over all investments made with SBRC funds. Ownership of

physical equipment and/or structures may not transfer to any other entity, unless fully depreciated, in which case documentation will be required.

Eligible Project Definitions:

Basic Public Infrastructure:
Basic public infrastructure shall mean construction, alteration, or repair, including services generally necessary to conduct business. Public infrastructure are facilities, systems, and structures that are owned or available for use by the public to catalyze economic development and includes core infrastructure (such as water, wastewater, and energy), critical infrastructure (such as those required to maintain public health and economic vitality) and community infrastructure (such as those required to improve health outcomes and increase community connectedness). This definition includes specific projects such as collection and distribution systems, treatment plants, and other infrastructure that collects, treats, and delivers drinking water and wastewater-related services; electric power generation and transmission to include storage; solid waste to include recycling, disposal and waste-to-energy via incineration; systems for heat and cooling distribution through sources such as co-generation, biomass, geothermal heating, heat pumps, and central heating; childcare facilities, outdoor recreation infrastructure and public meeting spaces such as community centers that facilitate and improve health outcomes and physical activity.

Telecommunications Infrastructure:
Telecommunications infrastructure shall mean construction, alteration, or repair to accommodate the use of, or connection with, a telecommunications network, including lines, equipment, apparatus, towers, antennas, etc., and/or cyberinfrastructure (routing and switching software, operational support systems, etc.) necessary to transmit information from one location to another. Investments in telecommunications infrastructure support reliable and affordable broadband to provide local businesses access to digital, facilitate online learning and workforce development. Additionally, activities are eligible under each state's Broadband, Equity, Access & Deployment Program.

Transportation Infrastructure:
Transportation infrastructure shall mean construction, alteration, or repair for the purpose of transporting people and goods, including fixed installations and rights of way necessary for transporting from one point to another. This includes infrastructure that improves economic mobility for individuals and may include roads, railways, airways, waterways, canals, and terminals such as airports, railway stations, bus stations, parking, refueling depots (including fueling docks and fuel stations), E.V. charging stations, E.V. Make Ready infrastructure, seaports, and land ports of entry. Additionally, activities are eligible under each state's State Transportation Improvement Program (STIP).

Healthcare Infrastructure:
Healthcare infrastructure shall mean construction, alteration, or repair for the purpose of providing health and support services. This includes infrastructure that improves access to healthcare services for not-for-profit medical facilities and Federally Qualified Health Centers.

2. Non-Infrastructure Projects

SBRC will allocate funds for non-infrastructure projects to support basic health care, community development, business and workforce development, , tourism, and recreation.

Health and Support Services Access and Outcomes
Activities designed to train, recruit, and retain health professionals in federally designated Health Professional Shortage Areas. Support includes expanding access to basic healthcare facilities, remote

clinical services, telemedicine, and provider training. Eligible activities include strengthening the community's capacity to assess, monitor, and respond to acute and chronic public health needs. Funding may support equipment, medical devices, and vehicles for healthcare facilities and rural clinics, including mobile clinics and ambulances. The program also supports initiatives that improve nutrition and food security and disease prevention and management. Eligible activities also include strengthening health data and information systems and supporting research to address community health challenges. Basic health care services shall include treatment of mental illness and substance abuse.

Workforce Development
Workforce Development shall mean job training or employment-related education for a specific employer or industry to fill immediate job openings or retain current jobs, which are documented as such by that specific employer or industry group. Such training shall be delivered using the region's existing public educational facilities (EPEFs), community colleges and universities. Training and education may include industry-recognized certifications, developing customized training programs, such as pre-employment training, and connecting to apprenticeship programs with a mix of instruction and on-the-job training.

Entrepreneurial and Business Development
Business Development shall mean those areas of business development which include the creation of new businesses or the retention or expansion of existing businesses in the local communities and are deemed eligible. Projects shall document job creation or job retention. Funding of start-up projects, such as business incubators or industrial parks, must have committed business tenants. Expansion of existing business incubators and industrial parks is also allowed. Business incubation shall mean a business support process that accelerates the successful development of start-up and early-stage companies by providing entrepreneurs with an array of targeted resources. This grant program supports projects in consultation with industry groups, chambers of commerce, colleges and universities, and public-private partnerships to encourage private investment in industrial, commercial, and other economic development projects in the Commission's region.

Environmental Conservation, Preservation, and Access
Projects that promote environmental conservation, preservation, and access, including those that foster the benefits of physical activity, ensuring access to safe places to be active, and preservation of open space, such as access roads, bridges, and signage, are eligible. Programs that plan, develop, and manage tourism in a natural resource setting, applying environmentally sound, and economically sustainable principles. While easements and land purchases are eligible under the Federal criteria, an economic development case must be made to substantiate funds used for this purpose.

Community Development
Community Development shall mean activities serving distressed or transitional counties, isolated areas of distress, or primarily low-income individuals, designed to increase economic development, build more resilient communities, and aid in preventing or eliminating slums and blight. Activities include (1) planning and administrative activities; (2) public improvement activities; (3) housing-related activities; (4) public services; (5) economic development; and (6) acquisition, demolition, and disposition of real property. Additional eligible activities are activities listed under each state's Consolidated Plan approved under 24 CFR Part 91 by the Department of Housing and Urban Development under Consolidated Submissions for Community Planning and Development Programs.

Administrative Partnerships with Local Development Districts
In accordance with 40 USC §15505, an applicant may partner with a Local Development District (LDD) to assist in qualified grant administrative work. No more than 30 percent of the total grant may be used for this purpose. LDDs applying to provide administrative support may be located in attainment areas

but must serve a project in a distressed county, a transitional county, or an isolated area of distress.

G. Ineligible Activities

Activities ineligible for funding include:

- Pass-through funding will not be awarded. Eligible entities may not be conduits for entities such as private-sector businesses or other entities that are not listed as co-applicants.
- Property purchased with SBRC funding cannot be sold or donated.
- Financial assistance to assist in relocating from one area of the region to another.
- Funds to supplant existing federal, state, or local programs.
- Projects that promote unfair competition between businesses within the same immediate service area are not eligible.
- Operating and maintenance costs for facilities.
- Political campaigns, lobbying, and political advocacy.

H. Eligible Costs

Eligible costs include:

- Fees to contractors, but not any fee or profit to the recipient or subrecipient.
- Construction and pre-construction costs, such as for architectural/engineering work.
- Indirect costs for work performed by the recipient staff. Indirect cost must be documented by a Federal Cognizant Agent or an entity acting on their behalf and documentation of the same submitted with the application. See below for guidance on indirect costs.
- Applicable and allocable costs as outlined in the Federal Cost Principles. (Uniform Guidance 2 CFR Part 200).
- Costs of administrative support including project evaluations, operations and implementing evidence-based practices, applicants are encouraged to include these types of costs in their proposed budgets.
- Funds to match other federally funded projects (when both federal agencies allow) only when the total funds from SBRC and other federal funders do not exceed 80% of the total project budget. (40 USC §15506(e).)

I. Ineligible Costs

Ineligible costs include:

- Application preparation
- Duplicative administrative activities
- Meals and lodging
- Entertainment
- Alcohol
- Luxury Items
- Appraisals of property to be purchased or used as a match
- Routine and deferred maintenance, and short-term operational needs
- Any committed or incurred costs prior to receiving a Notice to Proceed (this includes SBRC funds, and any funds committed as match to the project)
- Allowance or payment of debts
- Food and beverages

J. Regional Projects (Multi-County and/or Multi-State)

Multi-jurisdictional applications are acceptable. Within the project narrative, multi-jurisdictional applicants must detail the specific financial request for each location (municipality, county, state) involved in the application. If a multi-state or multi-county project, include a comprehensive list of the counties and states in which the project will occur. If this information is not clearly provided within the scope of work of the materials submitted, your project will not meet the definition of multi-jurisdictional. If the project is multi-state, each state will review the application independently. It is possible to be funded in one state and not another. The commission will not fund any costs not approved as part of a funded project's scope of work.

Grant amounts may change based on the identified needs and priorities of individual states. Please review the State economic and infrastructure development strategies applicable to the location of your project for details regarding state specific priorities.

K. Match Requirements and Cost Sharing

County economic designations also determine the percentage of match required for SBRC funded projects. SBRC expects an EID Grant recipient to contribute additional resources to a project to the extent it can do so and to seek additional non-SBRC funding assistance.

SBRC's statute has cost sharing/match requirements on grants as described below:

- For projects in SBRC-designated transitional counties or isolated areas of distress, the federal cost share may not exceed 50%.
- For projects in SBRC-designated distressed counties, the federal cost share may not exceed 80%.
- For multi-county or multi-state projects, the federal cost share can be raised to 60-90% for a project or activity.
- SBRC funding is not available for projects located in SBRC-designated attainment counties unless the project is located in an isolated area of distress or part of a multi-county project.

Distressed Counties	Up to 80% SBRC funding / 20% match required
Transitional Counties/ Isolated Areas of Distress	Up to 50% SBRC funding / 50% match required
Attainment Counties	Not eligible for SBRC funding unless it meets the criteria listed in the section below.
Regional Projects (Multi-County and/or Multi-State)*	Up to 60-90% SBRC funding /10-40% match required

**Regional Projects must include three or more counties or two or more states to qualify for increased funding and lower match requirements.*

To determine match requirements for multi-jurisdictional projects, take the average match of the counties benefiting from the project. Applicants can meet their cost share/match requirement via cash and/or in-kind contributions by non-SBRC sources. Matching sources may be non-federal, other federal,* or a combination of sources.

L. Exceptions to Use of Funds in Attainment Counties

SBRC funds may only be used for projects located within an attainment county if one exception below is met:

- Isolated Areas of Distress
  - Isolated Areas of Distress have high rates of poverty, unemployment, or outmigration. The Commission has identified isolated areas of distress within attainment counties where SBRC funds can be used for projects. If a project is located within an isolated area of distress, an application may be submitted. The applicant must identify the isolated area in the application.

- Multi-County or Multi-State Projects
  - Projects within an attainment county may be funded if the project is a part of a multi-county project that includes an attainment county and at least one or more distressed or transitional counties. Match for multi-county projects consists of the average of all the counties involved in the project. An exception exists for projects located within an attainment county that bring significant economic benefit to SBRC distressed counties.

- Local Development Districts (LDD)
  - An LDD located in an attainment county can apply for funds if it is applying as an administrative partner for an eligible applicant in a distressed county, transitional county, or isolated area of distress.

M. Supplements to Federal Grant Programs

Commission funds under this NOFO may be utilized in combination with other federal funds in accordance with and under the limitations of 40 USC §15506.

Congress has found that certain states and local communities of the region, including local development districts, may be unable to take maximum advantage of federal grant programs for which the states and communities are eligible because—

(1) they lack the economic resources to provide the required matching share; or
(2) there are insufficient funds available under the applicable federal law with respect to a project to be carried out in the region.

The Commission, with the approval of the Federal Co-chair, may use amounts made available to carry out activities for any part of the basic federal contribution to projects or activities under other federal grant programs authorized by federal laws; and to increase the federal contribution to projects and activities under the programs above the fixed maximum part of the cost of the projects or activities otherwise authorized by the applicable law.

Applicants may request to utilize commission grant funds to increase the federal contribution to projects under other federal programs. The applicant must acquire prior written approval from the originating grant agency. The responsible federal official administering the originating grant program must authorize the federal contribution and certify that the program, project, or activity meets the applicable requirements of the federal law and could be approved for federal contribution under that law if amounts were available under the law for the program, project, or activity.

N. Federal Funding Ceiling

If SBRC funds are combined with other federal funds, the combined total may not exceed 80% of the total project cost. (E.g., if an applicant receives $100,000 from a federal source, such as the U.S. Department of Agriculture, and the total project cost is $200,000, the total SBRC award cannot exceed $60,000). It is important for applicants to check with other federal sources, as each federal agency may have its own restrictions. (See 40 USC §15506(e).)

O. Indirect Costs

Applicants must use one of the following indirect cost rates:

- If the applicant has a Negotiated Indirect Cost Rate Agreement (NICRA), they must provide an explanation of how the indirect costs are calculated in the Budget Information section of the application narrative. This explanation should include which portion of each line item, along with the associated costs, are included in your cost allocation base. Also, applicants must attach a current version of their NICRA to the application.
- Any organization that does not currently have a federally negotiated indirect cost rate, except for those entities described in 2 CFR Part 200, may elect to charge a de minimis rate of up to 15% based on modified total direct costs, as defined in 2 CFR § 200.414(f). No documentation is required to justify the up to 15% de minimis indirect cost rate, which may be used indefinitely. However, costs must be consistently charged as either indirect or direct costs and may not be double-charged or inconsistently charged as both. If you choose this option, this methodology must be used consistently for all federal awards until such time as you choose to negotiate for an indirect cost rate, for which you may apply at any time. (See 2 CFR § 200.414(f) for more information on use of the de minimis rate.)

IV. Application and Submission Information

A. How to Apply

Application
The application window will open on November 2, 2026 at 12pm EST. applicants can access the application portal and required forms at https://sbrc.gov/grants-programs-2/. Applicants must register prior to applying. To be eligible for funding, the applicant must respond to each question. The due date for the final application is December 2, 2026 at 11:59pm EST.

B. System for Award Management (SAM) and Unique Entity Identifier (UEI)

1. SAM Registration Requirement. Applicants must be registered with https://www.sam.gov/ before submitting their application. Applicants must maintain current information in SAM on immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded a federal contract or grant within the last three years, if applicable. Information in SAM must be current for all times during which the applicant has an active Federal award or an application or plan under consideration by the SBRC.

2. UEI Requirement. Applicants must provide a valid UEI, registered and active at /www.sam.gov/ in the application. For more information click here.

C. SBRC Grants Management System

Final applications (including required and optional attachments) must be submitted electronically via the portal located on sbrc.gov. Neither mail, facsimile nor email transmissions of applications will be accepted. SBRC strongly recommends you submit your applications at least 48 hours before the deadline and during regular business hours to allow enough time to correct errors or overcome other problems. All application materials are available through sbrc.gov. You must access and review all available application materials. You must submit your application electronically via sbrc.gov.

You can request a waiver from the requirement for electronic submission if you demonstrate good cause. An example of good cause may include: a lack of available Internet access in the geographic area in which your business offices are located. However, lack of SAM registration or valid UEI is not good cause. If you cannot submit your application electronically, you must ask in writing for a waiver of the electronic application submission requirements. SBRC will not grant a waiver if you fail to submit to SBRC by email or postmark by mail a request for a waiver at least 5 calendar days before the application deadline. If SBRC grants a waiver, a paper application must be received before the deadline for this NOFO. To request a waiver, you must contact:

Email: info@sbrc.gov

D. Final Application

Eligible entities invited to apply for an EID Grant must submit a final application via the SBRC grant portal to be considered for funding. The full application is due by 11:59pm EST on December 2, 2026. The final application includes a narrative and required forms.

The application consists of a narrative adhering to the following formatting guidelines.

- Double spaced 12-point (minimum) Times New Roman font on letter sized paper (8 1/2 x 11 inches) with at least 1-inch margins on all sides must be submitted as a narrative, maximum two pages, single spaced, Times New Roman.

The narrative must include:

- Legal name of applicant
- Point of contact name
- Entity type
- Applicant EIN
- SAM.gov registration/UEI#
- Co-applicant information (if applicable)
- Project state(s)
- Project county(ies)
- Project summary
- Major activities
- Project timeline
- Alignment with SBRC strategic goals
- Alignment with State economic and infrastructure development strategies

- Budget information (SBRC funds requested, matching funds, and total project cost)
- Optional attachments
- Project Need – Description of Project Service Area and Community Needs
- Project Need - Inclusion of Distressed County/County Equivalent(s) and/or Isolated Areas of Distress
- Applicant Capacity – Experience of Project Team
- Applicant Capacity - Demonstration of Local and Regional Partnerships
- Project Type
- Budget, Project Design, and Outcomes – Demonstration of Cost Share/Match Requirement
- Project Design
- Project Outcomes

Required Forms and Attachments to upload to the SBRC Grant portal.

- All Projects
    - Evidence of cost share/match requirement (e.g., executed grant agreement, commitment letter on funder's letterhead, etc.)
    - Letter(s) of engagement from significant project partners
- Non-construction projects only
    - SF-424B "Assurances Non-Construction Programs"
- (Construction projects only)
    - SF-424D "Assurances Construction Programs"

E. Certification by State Member

In accordance with 40 U.S.C. § 15503, applications for grant assistance shall be made through and evaluated for approval by the state member representing the applicant. Only EID grant applications that have been certified by the state member are eligible for funding consideration. The state members shall certify that the project:

- complies with SBRC strategic goals and applicable state economic and infrastructure development strategies.
- meets applicable program criteria under 40 U.S.C. § 15504;
- adequately ensures that the project will be properly administered, operated, and maintained; and
- meets all other requirements for assistance.

V. Application Review Information

A. State Application Priority Rankings

In accordance with 40 U.S.C. § 15504, when considering programs and projects to receive funding, member states shall establish priority rankings of the requests for assistance that follow to the maximum extent practicable, consideration of the following:

- Relationship of the project or class of projects to overall regional development.
- Per capita income, poverty, unemployment, and outmigration rates in an area.
- Financial resources available to the applicants for assistance seeking to carry out the project, with emphasis on ensuring that projects are adequately financed to maximize the probability of successful economic development.
- Importance of the project or class of projects in relation to the other projects or classes of projects that may be in competition for the same funds.

- Projections that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income or the economic development of the area to be served by the project; and
- Extent to which the project design provides for detailed outcome measurements by which grant expenditures and the results of the expenditures may be evaluated.

The SBRC Executive Director reserves the right to negotiate all budget costs with applicants that have been selected to receive awards, which may include requesting that the applicant remove or adjust certain proposed costs. Additionally, the Executive Director may request that the applicant modify outcomes or work plans and provide supplemental information pertaining to any aspect of the application.

The Commission also reserves the right to reject an application where information is uncovered that raises a reasonable doubt as to the applicant's ability to successfully fulfill the objectives and requirements of the grant award. The Commission, under its complete and sole discretion, may select to award some, all or none of the applications received under this solicitation. Budget amendments will be made in consultation with the state where the project is located.

B. Criteria and Scoring Rubric

SBRC has established a technical review process to provide an objective evaluation of all applications. The criteria set forth aligns with the Commission's statutory purpose, strategic goals, state, and federal administration priorities.

Application Scoring Rubric (100 Points Possible)		
I.	**Project Alignment with SBRC Strategic Goals and State Plans**	**20 Points**
II.	**Project Need**	**25 Points**
a)	*Description of Project Service Area and Community Needs*	*10*
b)	*Inclusion of Distressed County*	*15*
III.	**Applicant Capacity**	**15 Points**
a)	*Experience of Project Team*	*10*
b)	*Community Partnerships*	*5*
IV.	**Project Type**	**10 Points**
a.	*This score will be based on the type of project*	
V.	**Budget, Project Design, and Outcomes**	**30 Points**
a)	*Budget*	*10*
b)	*Project Design*	*10*
c)	*Outcomes*	*10*

Application Scoring Information

I. Project Alignment with SBRC Strategic Goals andState Plans – 20 Points Possible

Alignment with SBRC Strategic Goals

The applicant demonstrates alignment with one or more of SBRC's Strategic Goal(s).

Alignment with State Economic and Infrastructure Development Plan(s)

The applicant demonstrates alignment with one or more of the investment priorities identified in their SBRC State Economic and Infrastructure Development Plan(s).

This factor is based on the statutory criteria found in §15504 – "*(1) the relationship of the project or class of projects to overall regional development."* This score is based on the alignment of the project with SBRC strategic goals and State Plans.

20 Points – Application aligns with both the SBRC strategic goals and the priorities of the respective State Economic and Infrastructure Development Plan(s).

10 Points – Application aligns with the SBRC strategic goals or the Priorities of the respective State Economic and Infrastructure Development Plan(s), but not both.

0 Points – Application does not align with the SBRC strategic goals or the Priorities of the respective State Economic and Infrastructure Development Plan(s).

II. Project Need – 25 Points Possible

This factor is based on the statutory criteria found in §15504 – "*(2) the per capita income and poverty and unemployment and outmigration rates in an area."* This score is calculated based on existing economic indicators for the county. Multi-county projects will receive a score based on a weighted average of each county.

Description of Project Service Area and Community Needs (10 points)

The extent to which the applicant describes the project service area and population to be served by the proposed project. Applicants must describe the project service area's demographics and economic challenges, including the population, median household income, unemployment rate, poverty rate and labor force participation rate. Demographic and economic data indicators should come from primary sources, such as the U.S. Census Bureau, U.S. Bureau of Labor Statistics or U.S. Bureau of Economic Analysis.

Inclusion of Distressed County/County Equivalent(s) and/or Isolated Areas of Distress (15 points)

The applicant must show project activities occurring in one or more distressed counties/county equivalents and/or isolated areas of distress.

III. Applicant Capacity – 15 Points Possible

This factor is based on the statutory criteria found in §15504 – "*(3) the financial resources available to the applicants for assistance seeking to carry out the project, with emphasis on ensuring that projects are adequately financed to maximize the probability of successful economic development."* This score is based on the staffing capacity described in the narrative and matching funds shown in the budget.

Experience of Project Team (10 points)

The applicant must identify key members of the project team and describe their roles and responsibilities as a part of the project. To be considered for full points, the applicant must demonstrate the project team has relevant experience and the organizational capacity to manage and implement the proposed project, including but not limited to prior experience in or demonstrated capacity for managing federal grant requirements. Staff resumes and/or job descriptions (for positions the applicant is proposing to fill with grant funds) must be included as attachments to the application.

Demonstration of Local and Regional Partnerships (5 points)

The extent to which the applicant demonstrates partnerships with local and regional entities representing the public, private and nonprofit sectors. To be considered for full points, the applicant must describe the role and responsibilities of each partner and identify any leveraged resources (i.e., cash, in-kind, other). Letters of engagement are required. Letters of engagement must describe how the partner will be involved in the proposed project, the extent to which a partnership between them and the applicant has evolved, and/or how it will be strengthened. Letter of support from local, state, and federal representatives are encouraged.

IV. Project Type – 10 Points Possible

The Project type must be clearly defined in the narrative. This factor is based on the statutory criteria found in §15504 – "*(4) the importance of the project or class of projects in relation to the other projects or classes of projects that may be in competition for the same funds;"* and priority categories described in §15501(b). This score will be based on the type of project. This subfactor is based on the review of the applicant's narrative.

10 Points: Lower Colorado Basin Projects

- Projects located in the Lower Colorado Basin that support the Administration's objective to improve drought resilience, reduce infrastructure and delivery risks, lower demand on existing water sources, and strengthen the long-term reliability and affordability of water throughout the Lower Colorado Basin (HERE is a link to a Department of Interior map that shows the region).
- The overall objective is to better conserve, store, treat, reuse, and efficiently move water to improve reliable water supply in the Lower Colorado Basin. Key priorities include expanding and optimizing water storage and conveyance; developing desalination and advanced water-treatment facilities; increasing water recycling and reuse; supporting groundwater recharge and recovery; rehabilitating aging infrastructure such as dams, canals, pipelines, and pumping systems; and improving agricultural and municipal water efficiency. Activities may span studies, design, research and construction.

7 Points

- Transportation infrastructure
- Basic public infrastructure
- Telecommunications infrastructure
- Advanced Manufacturing and Reshoring
- Domestic production of critical minerals
- Projects that support Artificial Intelligence (AI) innovation and infrastructure in alignment with America's AI Action Plan.

3 Points

- Job skills training, skills development and employment-related education that is paired with active job opportunities
- Entrepreneurship, technology, and business development
- Assistance to severely economically distressed and underdeveloped areas of its region that lack financial resources for improving basic health care and other public services
- Resource conservation, tourism, recreation, and preservation of open space in a manner consistent with economic development goals
- Grow the capacity for successful community economic development

2 Points – All Other Projects

V. Budget, Project Design, and Outcomes – 30 Points Possible

This factor is based on the statutory criteria found in §15504 – "*(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic development of the area to be served by the project*. [And] (6) *the extent to which the project design provides for detailed outcome measurements by which grant expenditures, and the results of the expenditures may be evaluated*." This score is based on the budget, budget narrative, and project narrative.

Budget – 10 Points Possible

- **Demonstration of Cost Share/Match Requirement – 5 Points**
  The applicant must demonstrate they can fulfill the cost share/match requirement for their project through non-SBRC sources, such as other public or private contributions (e.g., cash, in-kind, or both). To receive full points, the applicant must attach documentation (e.g., grant agreement, letter of commitment, etc.) of committed funds to their application.

- **Budget Alignment with Project Narrative – 5 Points**
  The extent to which the applicant's budget and budget narrative aligns with the project narrative. This subfactor is based on the review of the applicant's SF-424-A and/or SF-424-C form(s).

Project Design - 10 Points Possible

The extent to which the applicant describes a coherent and feasible approach for successfully implementing the proposed project. The project design must describe all grant activities by demonstrating how the applicant will implement its proposed project and how each activity is tied to the project's goals, including all start-up activities. This section must also include a timeline of the key milestones. The applicant must address factors that could impact the project's success and a related contingency plan. This subfactor is based on the review of the applicant's narrative.

Project Outcomes – 10 Points Possible

This is based on the level of detail in the description of the expected outcomes and method of outcome measurement, including a timeline. This subfactor is based on the review of the applicant's narrative.

5 Points – Description is detailed
2 Points – Description minimal
0 Points – Description is limited or non-existent

C. Administrative Program Requirements

Administration of SBRC awards is subject to the same regulations, restrictions, and requirements as other federal awards. These include but are not limited to Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards at 2 CFR Part 200, as currently updated; Freedom of Information Act (FOIA); past performance and non-compliance; restrictions on making awards to corporations convicted of felony criminal violations and unpaid federal tax liabilities; environmental and historic preservation; and national policy requirements, including but not limited to those protecting free speech, religious liberty, public welfare, the environment, and prohibiting discrimination, e.g., Equal Employment Opportunity and the Americans with Disabilities Act (ADA). SBRC reserves the right to change the reporting time periods and, depending on the nature of the project, may request additional relevant data.

SBRC may terminate all or part of your award as described under 2 CFR 200.340 through 200.343 pursuant to the terms and conditions of your award, including, to the extent authorized by law:
• if an award no longer effectuates the program goals or agency priorities; or
• in the case of a partial termination, if SBRC determines that the remaining portion of the award will not accomplish the purposes for which the SBRC award was made. SBRC may also impose specific conditions on your award or take other remedies as described by 2 CFR 200.339 through 200.343, if you do not comply with your award terms and conditions.

In addition, SBRC requires grantees to cooperate with post-award evaluations, which require maintaining records for at least three years after project closeout. All SBRC awards are subject to audit. If the applicant's organization has been subject to a federal audit within the past five years, the applicant must include in the application, recommendations made and the response(s) to those recommendations. Additional program requirements can be found in Appendix I: Award Administration.

D. Reimbursement

Funds are reimbursed to awardees for eligible expenses as determined by 2 CFR Part 200. Payments made outside of the reimbursement process may be considered with proper justification. The required supporting documentation (e.g., itemized bills, invoices and receipts, detailed accounting of personnel costs, copies of contracts and/or a contractor's partial pay estimate, etc.) should be provided to the grant administrator or staff responsible for reporting. The grant reporter will review the materials and associated budget balances before uploading the request into the funding portal. As outlined in the approved project budget, there can be SBRC costs and non-SBRC costs; invoices should be provided for ALL costs. All funding sources should be drawn down as approved in the budget. Budget items that include both SBRC and non-SBRC sources will be drawn down at the predetermined pro-rata share. Other budget items may be dedicated 100 percent to SBRC or a non-SBRC source.

- All reimbursement requests, scope changes, modifications, etc., will be received by or emailed directly to the Critical Infrastructure team using the proper forms,
- Reimbursement requests will not be paid unless the project is in compliance with reporting requirements and project performance period and has remedied any other contractual or other deficiencies.
- Any questions or feedback regarding actions taken by the Critical Infrastructure staff should be directed back to the same team.

Upon receipt, review and approval of the request, funds will be transferred electronically to the account established for the project by the awardee or basic agency and as identified in the Automated Clearing House (ACH) form (SF-3881), provided by SBRC. The information provided on all ACH forms must match the banking information, which is registered on SAM.gov. Further information for SAM.gov. SBRC's reimbursement process generally takes fourteen business days to complete. However, delays may occur if errors in the documentation are found or there is a lack of sufficient supporting details, the SBRC staff will work with and through the grant administrator to make necessary corrections. This does not take into consideration the amount of time needed by the grant administrator to collect, review, and upload the request.

E. SBRC Contact Information

Questions can be directed to the Southwest Border Regional Commission (SBRC) via email at info@SBRC.gov. Additional information can be found on the official website at www.sbrc.gov.

VI. Appendix I. Award Administration

I. Administrative Program Requirements

All grantees will be subject to all applicable federal and state laws and regulations, including the OMB Uniform Guidance, and the terms and conditions of the award. The grant(s) awarded under this NOFO will be subject to the following administrative standards and provisions.

a) Non-Profit Organizations, Educational Institutions, For-profit entities, and State, Local, and Indian Tribal Governments–2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards)
b) All recipients must comply with the applicable provisions of the Workforce Innovation and Opportunity Act (WIOA), Public Law No. 113-328, 128 Stat. 1425 (codified as amended at 29 U.S.C. 3101 et seq.) and the applicable provisions of the regulations at 20 CFR Part 675 et seq.
c) All entities must comply with 29 CFR Part 93 (New Restrictions on Lobbying), 29 CFR Part 94 (Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)), 2 CFR Part 180 (OMB Guidance to Agencies on Government-wide Debarment and Suspension (Non-procurement)), and, where applicable, 2 CFR Part 200 (Audit Requirements).
d) All entities must comply with the Build America, Buy America Act (the Act), Pub. L. No. 117-58, §§ 70901-52, as well as the Executive Memorandum M-22-11, dated April 18, 2022, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

II. Build America, Buy America Act Requirements

All grantees must comply with the Build America, Buy America Act (the Act), Pub. L. No. 117-58, §§ 70901-52., including the implementing requirements at 2 CFR Part 184 and M-24-02, as summarized here None of the funds provided under this award may be used for an infrastructure project unless:

a) All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
b) All manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.
c) All construction materials are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States. The construction material standards are listed in the definitions section below.

d) Incorporation into an infrastructure project - The Buy America preference only applies to articles, materials and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

e) Waivers Recipients–When necessary, a recipient may submit a written waiver request to SBRC to waive the preference Buy America P. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. When SBRC has determined that one of the following exceptions applies, a final determination of the waiver request will be made:
   i) applying the preference Buy America P would be inconsistent with the public interest.
   ii) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
   iii) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

Before applying a Buy America preference to a covered program that will affect Tribal Communities, SBRC will follow the consultation policies established through Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, and consistent with policies set forth in the Presidential Memorandum of January 26, 2021, on Tribal Consultation and Strengthening Nation-Nation Relationships.

See the definitions section of Buy America terms.

GENERAL DISCLOSURES The 2026 grant program awards will be made only to the extent that funds are available. Publication of this NOFO does not obligate SBRC to award any specific grant or cooperative agreement or to obligate all or any part of available funds. Applicants intending to contract with a specific individual, consulting group, or organization with SBRC funding must have a competitive procurement policy in place. This NOFO does not commit SBRC to award a contract, procure or contract for services or supplies. Notwithstanding any other provisions of the NOFO, SBRC reserves the right to award grants, cooperative agreements, or contracts to communities or regions that best meet the requirements of the NOFO and not necessarily to the lowest-cost proposers. SBRC reserves the right to accept or reject any or all responses received as a result of this NOFO, to negotiate with all qualified sources, or to cancel in part or in its entirety this NOFO if it is in the interests of SBRC to do so.

III. Other Federal Requirements

- **a.** Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.
- **b.** Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the SBRC pursuant to the Age Discrimination Act of 1975, as amended. The Act prohibits discrimination on the basis of age by recipients of Federal financial assistance and in federally assisted programs or activities but permits the use of certain age distinctions and factors other than age that meet the requirements of the Act and this part.
- **c.** Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance pursuant to Title IX of the Education Amendments of 1972, as amended (except sections 904 and 906 of those Amendments) 20 U.S.C. 1681, 1682, 1683, 1685, 1686, 1687, 1688, which is designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity receiving Federal financial assistance, whether or not such program or activity is offered or sponsored by an educational institution as defined in these Title IX regulations.
- **d.** Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.

e. Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.

f. SBRC will follow the procedures outlined in the agency's Freedom of Information Act (FOIA) policy. If SBRC receives a FOIA request for your application, the procedures in SBRC's FOIA policies for responding to requests for commercial/business information submitted to the government will be followed, as well as all FOIA exemptions and procedures. See generally 5 U.S.C. § 552.

IV. Other Legal Requirements

a. Religious Activities - SBRC notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 2000bb, applies to all federal law and its implementation. If an applicant organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled to receive federal financial assistance under this grant solicitation and maintain that hiring practice. Religious organizations are eligible on the same basis as any other organization, to seek SBRC support or participate in SBRC programs for which they are otherwise eligible.

b. Lobbying or Fundraising the U.S. Government with Federal Funds - In accordance with Section 18 of the Lobbying Disclosure Act of 1995 (Public Law 104-65) (2 U.S.C. § 1611), non-profit entities incorporated under Internal Revenue Service Code section 501(c)(4) that engage in lobbying activities are not eligible to receive federal funds and grants. No activity, including awareness-raising and advocacy activities, may include fundraising for, or lobbying of, U.S. federal, state, or local governments (see 2 CFR § 200.450 for more information).

c. Transparency Act Requirements - Ensure that the necessary processes and systems are in place to comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. Law 109-282, as amended by the Government Funding Transparency Act of 2008, Pub. Law 110-252, Title VI, Chap. 2, § 6202), as follows.

i. Except for those excepted from the Transparency Act under subparagraphs 1, 2, and 3 below, you must ensure that you have the necessary processes and systems in place to comply with the subaward and executive total compensation reporting requirements of the Transparency Act, should you receive funding.

ii. Upon award, you will receive detailed information on the reporting requirements of the Transparency Act, as described in 2 CFR Part 170, Appendix A, which can be found at https://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf.

V. Types of Awards Not Subject to the Federal Funding Accountability and Transparency Act.

a. Federal awards to individuals who apply for or receive federal awards as natural persons (e.g., unrelated to any business or non-profit organization he or she may own or operate in his or her name).

b. Federal awards to entities that had a gross income, from all sources, of less than $300,000 in the entities' previous tax year.

c. Federal awards, if the required reporting would disclose information.

VI. Safeguarding Data Including Personally Identifiable Information (PII)

Applicants submitting applications in response to this NOFO must recognize that confidentiality of PII and other sensitive data is of paramount importance to the Southwest Border Regional Commission and must be observed except where disclosure is allowed by the prior written approval of the Grant Officer or by court order.

i. By submitting an application, you are assured that all data exchanges conducted through or during the course of performance of this grant will be conducted in a manner consistent with applicable federal law and TEGL 39-11 (issued June 28, 2012). All such activity conducted by recipient(s) will be performed in a manner consistent with applicable state and federal laws.

ii. By submitting a grant application, you agree to take all necessary steps to protect such confidentiality by complying with the following provisions that are applicable in governing the handling of confidential information: You must ensure that PII and sensitive data developed, obtained, or otherwise associated with SBRC funded grants is securely transmitted.

iii. To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc., must be encrypted using a Federal Information Processing Standards (FIPS) 140-2 compliant and National Institute of Standards and Technology (NIST) validated cryptographic module. You must not e-mail unencrypted sensitive PII to any entity, including SBRC or contractors.

iv. You must take the steps necessary to ensure the privacy of all PII obtained from participants and/or other individuals and to protect such information from unauthorized disclosure. You must maintain such PII in accordance with the SBRC standards for information security and any updates to such standards we provide to you. Grantees who wish to obtain more information on data security should contact their Federal Project Officer.

v. You must ensure that any PII used during the performance of your grant has been obtained in conformity with applicable federal and state laws governing the confidentiality of information.

vi. You further acknowledge that all PII data obtained through your SBRC grant must be stored in an area that is physically safe from access by unauthorized persons at all times and the data will be processed using recipient-issued equipment, managed information technology (IT) services and designated locations approved by SBRC. Accessing, processing, and storing of SBRC grant PII data on personally owned equipment, at off-site locations, (e.g., employee's home), and non-recipient managed IT services, (e.g., Yahoo mail), is strictly prohibited unless approved by SBRC.

vii. Your employees and other personnel who will have access to sensitive / confidential / Proprietary / private data must be advised of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in federal and state laws.

viii. You must have policies and procedures in place under which your employees and other personnel, before being granted access to PII, acknowledge their understanding of the confidential nature of the data and the safeguards with which they must complying their handling of such data, as well as the fact that they may be liable to civil and criminal sanctions for improper disclosure.

ix. You must not extract information from data supplied by SBRC for any purpose not stated in the grant agreement.

x. Access to any PII created by the SBRC grant must be restricted to only those employees of the grant recipient who need it in their official capacity to perform duties in connection with the scope of work in the grant agreement.

xi. All PII data must be processed in a manner that will protect the confidentiality of the records/ documents and is designed to prevent unauthorized persons from

retrieving such records by computer, remote terminal, or any other means. Data may be downloaded to, or maintained on, mobile or portable devices only if the data are encrypted using NIST validated software products based on FIPS 140-2 encryption. In addition, wage data may be accessed only from secure locations. PII data obtained by the recipient through a request from SBRC must not be disclosed to anyone but the individual requestor, except as permitted by the Grant Officer or by court order.

xii. You must permit SBRC to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure that you are complying with the confidentiality requirements described above. In accordance with this responsibility, you must make records applicable to this Agreement available to authorized persons for the purpose of inspection, review, and/or audit.

xiii. You must retain data received from SBRC only for the period required to use it for assessment and other purposes, or to satisfy applicable federal records retention requirements, if any. Thereafter, you agree that all data will be destroyed, including the degaussing of magnetic tape files and deletion of electronic data.

VII. Record Retention

You must follow federal guidelines on record retention, which require that you maintain all records pertaining to grant activities for a period of at least three years from the date of submission of the final expenditure report. See 2 CFR §§ 200.333-.337 for more specific information, including information about the start of the record retention period for awards that are renewed quarterly or annually, and when the records must be retained for more than three years.

VIII. Use of Contracts and Subawards

You must abide by the following definitions of contract, contractor, subaward, and subrecipient.

a. Contract: Contract means a legal instrument by which a non-federal entity (defined as a state or local government, Indian tribe, institution of higher education (IHE), non-profit organization, for-profit entity, foreign public entity or a foreign organization that carries out a federal award as a recipient or subrecipient) purchases property or services needed to carry out the project or program under a federal award. The term used in this NOFO does not include a legal instrument, even if the non-federal entity considers it a contract when the substance of the transaction meets the definition of a federal award or subaward (see definition of Subaward below).

b. Contractor: Contractor means an entity that receives a contract as defined above in Contract.

c. Subaward: Subaward means an award provided by a pass-through entity (defined as a non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program) to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

d. Subrecipient: Subrecipient means a non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency. You must follow the provisions at 2 CFR §§ 200.330-.332 regarding subrecipient monitoring and management. Also see 2 CFR § 200.308(c)(6) regarding prior approval requirements for

subawards. When awarding subawards, you are required to comply with provisions on government-wide suspension and debarment found at 2 CFR Part 180 and codified at 2 CFR Part 2998.

IX. Closeout of Grant Award

a. Any entity that receives an award under this Announcement must close its grant with SBRC at the end of the final year of the grant.

b. The goal of the Grants Oversight and New Efficiency (GONE) Act is to close out expired grants. The GONE Act requires the Office of Management and Budget (OMB) to instruct each agency, in coordination with the Department of Health and Human Services (HHS), to submit to Congress and HHS by December 31 of the first calendar year beginning after this Act's enactment a report that:

- **i.** Lists each federal grant award held by such agency,
- **ii.** Provides the total number of federal grant awards, including the number of grants by time of expiration, the number with zero-dollar balances and the number with undisbursed balances,
- **iii.** Describes the challenges leading to delays in grant closeout, and,
- **iv.** Explains, for the 30 oldest federal grant awards, why each has not been closed out.

The covered grants are those within an agency's cash payment management system that have expired for two or more years and have not been closed out. No later than one year after the head of an agency submits its report, the agency head will notify HHS whether the agency has closed out the covered grants discussed in its report. HHS is required to compile this information and provide it to Congress.

X. Administrative Requirements

a. Award Announcements - SBRC will coordinate award announcements with appropriate federal and state entities. The Commission will inform grantees once cleared to share award announcements with media outlets.

b. Notice to Proceed - The Commission will issue a Notice to Proceed letter to each grantee once grant agreements have been executed. Grantees shall not incur any project-related expenses funded by their SBRC award until a Notice to Proceed letter has been signed by the Federal Co-Chair and received by the grantee's authorized organizational representative. Costs incurred before the Notice to Proceed letter has been received will not be eligible for reimbursement by SBRC grant funds.

XI. Other Administrative Standards and Provisions

Except as specifically provided in this NOFO, acceptance of an application and an award of federal funds to sponsor any program(s) does not provide a waiver of any grant requirements and/or procedures. For example, the OMB Uniform Guidance requires that an entity's procurement procedures ensure that all procurement transactions are conducted, as much as practical, to provide full and open competition. If an application identifies a specific entity to provide goods or services, the award does not provide the justification or basis to sole source the procurement (i.e., avoid competition).

XII. Special Program Requirements

a. SBRC Evaluation - As a condition of grant award, grantees are required to participate in an evaluation, if undertaken by SBRC. The evaluation may include an implementation assessment across grantees, an impact and/or outcomes analysis of all or selected sites within or across grantees, and a benefit/cost analysis or assessment of return on investment. Conducting an impact analysis could involve random assignment (which

involves random assignment of eligible participants into a treatment group that would receive program services or enhanced program services, or into control group(s) that would receive no program services or program services that are not enhanced). Applicants are required to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grantees must agree to:

i. make records available to the evaluation contractor on participants, employers, and funding.
ii. provide access to program operating personnel, participants, operational and financial records, and any other relevant documents to calculate program costs and benefits.
iii. in the case of an impact analysis, facilitate the assignment by lottery of participants to program services, including the possible increased recruitment of potential participants; and
iv. follow evaluation procedures as specified by the evaluation contractor under the direction of SBRC.

Performance Goals - Please note that applicants will be held to outcomes provided, and failure to meet those outcomes may result in technical assistance or other intervention by SBRC and may also have a significant impact on decisions about future grants with SBRC.

b. c. Definitions

i. Construction materials means articles, materials, or supplies that consist of only one of the items listed in paragraph (1) of this definition, except as provided in paragraph (2) of this definition. To the extent one of the items listed in paragraph (1) contains as inputs other items listed in paragraph (1), it is nonetheless a construction material. (1) The listed items are: (i) Non-ferrous metals; (ii) Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); (iii) Glass (including optic glass); (iv) Fiber optic cable (including drop cable); (v) Optical fiber; (vi) Lumber; (vii) Engineered wood; and (viii) Drywall. (2) Minor additions of articles, materials, supplies, or binding agents to a construction material do not change the categorization of the construction material. Domestic “Buy America Preference” means the ”d content procurement preference” set forth in section 70914 of the Build America, Buy America Act, which requires the head of each Federal agency to ensure that none of the funds made available for a Federal award for an infrastructure project may be obligated unless all of the iron, steel, manufactured products, and construction materials incorporated into the project are produced in the United States.
ii. Infrastructure: means public infrastructure projects in the United States, which includes, at a minimum, the structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property; and structures, facilities, and equipment that generate, transport, and distribute energy.

VII. Appendix II. Match & Cost Sharing Qualifications & Exceptions

With the following qualifications and exceptions, SBRC matching, or cost sharing requirements may be satisfied by any of the following:

- Applicant is providing cost share: Letter from the appropriate authority stating that the entity will provide the cost share. A letter is required to have the following elements:
    - state the amount of the commitment;
    - the dates the commitment will cover, consistent with the period of performance;
    - the funds are for the purpose outlined in the application; and
    - document hours dedicated to project as differentiated from their "normal employment" responsibilities.

If the funds will be used for paying staff within the applicant's organization, the letter should also state the following:

- the # of hours staff are anticipated for work on the project;
- the pay of those staff (hourly rate); and
- the indirect cost rate that will be used (if applicable).

- Municipal lending: SBRC requires proof of authorization to spend. This may be different for different states, and may take the form of city council approval, town or city manager approval, or demonstration of town meeting approval. It is the applicant's responsibility to ensure that they have the appropriate authority to loan/bond funds for the project, but there must be some sort of authorization documented.

- Commitment from project partner: A letter is required to have the following:

    - state the amount of the commitment;
    - the date that the award was made; and
    - the purpose of the funds must match the scope outlined in the application.
      Please note - A letter of submission, or status notification of 'application received' or 'pending' is NOT a letter of commitment.

- Volunteer Services: Provide a written plan of how the volunteer donation amount will be calculated. (Ex: 4 meetings a year, taking place quarterly that are expected to last 1.5 hours and 5 volunteers will participate. 4X1.5X5 = 30 hours x 24.14 = $723.60.) Applicants may use the state or national rate. The volunteer rate may be used as cost share and should be consistent with the national average (www.independentsector.org/volunteer_time) or consist of the professional fee charged in any situation. Volunteers may not be counted for the same activity in a different project (counted twice) or be federal employees.

You may include any Indirect Cost Rate in addition to the volunteer rate. Note: the rate that is calculated at the time of the grant agreement will be the rate for the remaining project period until project completion. It is not feasible to renegotiate these rates during the project period. In-kind services in the form of volunteers on a construction site are highly discouraged.

- Municipal Force Accounts: Applicants must document that they have experienced staff. Force account work is limited to work that the municipality can demonstrate is within the technical skill and managerial ability of the applicant and its forces. The applicant must provide an accounting of time and costs and provide appropriate documentation of indirect costs, if used. Both salaries

of staff and cost of mobilization and fees for vehicles may be counted as cost share when those costs are appropriately documented.

- Land or other donated real property or equipment: A Letter of Intent from the current property owner stating that they will provide the land to the project stating the sale and 'appraised' value of the land, the anticipated date of transaction and identification of the property. Even if the property is being donated, a MAI appraisal is required. NOTE: A municipal assessment is NOT an appraisal. An appraisal of the property must be completed within the past 18 months, or an appraisal must be made prior to issuing a Notice to Proceed if the project is being donated. RE EQUIPMENT: The entity that is donating equipment must provide a letter with the following elements:

    - date that the equipment will be transferred to the grantee;
    - market value of the equipment;
    - a description of the equipment; and
    - a statement that the donation is for the purpose of the project as detailed in the grant agreement. [NOTE: 2 CFR § 200.306(i)(1) does not address the timing of the donation of property]

- Cost sharing or matching requirements may be met by other federal grants when authorized by the other agencies, but only up to 80% of the total project cost for single county project or 90% for multi-county or multi-state projects.

- Neither costs nor the value of third-party in-kind contributions may count towards satisfying a cost sharing requirement of a grant agreement if they have been or will be counted towards satisfying a cost sharing requirement of another federal grant agreement, a federal procurement contract, or any other award of federal funds in another project.

- Unless SBRC expressly approves use of program income under the additive alternate contained in 2 CFR § 200.307(e)(2) or the cost share alternative in 2 CFR § 200.307(e)(3), it is required to treat program income under the deductive method as outlined in 2 CFR § 200.307(e)(1). This means that if program income is received it will reduce the SBRC award amount.

- Costs and third-party in-kind contributions counting towards satisfying a cost sharing requirement must be verifiable from the records of the applicant. These records must show how the value placed on third party in- kind contributions were derived. To the extent feasible, volunteer services will be supported by the same methods that the organization uses to support the allocability of regular personnel costs.

- If an applicant includes matching funds/cost share in their application, cost share must be committed by September 30 of the year following the award year. This date allows for extraordinary situations that may occur. If this date cannot be met, the applicant should consider postponing the application until the subsequent year.

VIII. Appendix III. EID Forms/Documents

- All projects
  - Evidence of cost share/match requirement (e.g., executed grant agreement, commitment letter on funder's letterhead, etc.)
  - Letter(s) of engagement from significant project partners
  - Certification Regarding Debarment, Suspension, and Other Responsibility Matters Primary Covered Transactions
  - Staff resumes and/or job descriptions (for positions the applicant is proposing to fill with grant funds)
- Non-construction projects only
  - SF-424B "Assurances Non-Construction Programs" Y:\\Pam_Ward\\Grant.Gov\\Originals\\Batch 2 - SF424 Family - Core\\SF424B-V1.1.xfd (grants.gov)
- Construction projects only
  - SF-424D "Assurances Construction Programs" https://apply07.grants.gov/apply/forms/sample/Mandatory_SF424D-V1.1.pdf