

Clean Ports Program Grants

Questions and Answers: Clean Ports Program Supplement

October 5, 2026

Zero-Emission Technology Deployment Grants AND Climate and Air Quality Planning Grants

This is a supplement to the [Questions and Answers document published by EPA on January 8, 2025](#) and contains new guidance for the benefit of stakeholders seeking information about Clean Ports Program Grants under both the Zero-Emission Technology Deployment program (ZE Tech) and Climate and Air Quality Planning program (CAQP).

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Please note that many questions are variations of each other so your exact question may not be listed; please look for similar questions.

2. Project Eligibility

2.3.51. Is portable charging infrastructure eligible for funding under the Clean Ports Program?

Answer: Under the Clean Ports Program, the EPA may fund portable charging infrastructure if the charging infrastructure otherwise meets program requirements and does not generate onsite emissions.

In instances where the portable charging infrastructure needs to be connected to an emergency back-up power source mandated by safety regulations and the back-up power source generates emissions, the recipient must maintain documentation demonstrating that the back-up power source is necessary to meet safety regulations, as well as documentation showing that it is only used as a back-up power source. The EPA will be conducting audits to review documentation per the terms and conditions of each award. Per the award terms and conditions, failure to fully comply with the program requirements, such as a lack of required documentation, may result in the EPA taking appropriate action, up to and including cancellation of an award.

Grantees with questions about the potential use of portable charging infrastructure in their project should contact their EPA Project Officer or cleanports@epa.gov for assistance.

Date Posted: 03/06/2026

5. Project Administration and Reporting

5.38. Can a grantee draw down funds to repay deposits on equipment orders?

Answer: If a deposit for equipment is part of a written contract and/or the grantee has an invoice for the deposit, then yes, the grantee may draw down the amount for the deposit using the Automated Standard Application for Payments (ASAP). Grantees must retain the written contract and/or invoice for the deposit with their grant records in accordance with 2 CFR Sections 200.334-200.337.

Date Posted: 05/14/2025

5.39. What type of documentation do grantees need to provide to document the purchase of equipment and infrastructure?

Answer: If grantees need to provide a down payment or deposit on new equipment and/or infrastructure to their vendor(s), then they should have an initial invoice showing the amount of the down payment/deposit that they retain with their grant records in accordance with 2 CFR Sections 200.334-200.337. Once the equipment and/or infrastructure are received, grantees must retain the final invoices for their records. Both the initial and final invoices must be made available.

Date Posted: 05/14/2025

5.40. When can grantees draw down grant funds?

Answer: Per the EPA General Terms and Conditions, all grant recipients, including for-profit entities, must draw down funds from Automated Standard Application Payments (ASAP) only for the minimum amounts needed for actual and immediate cash requirements to pay employees, contractors, subrecipients or to satisfy other obligations for allowable costs under this assistance agreement. The timing and amounts of the drawdowns must be as close as administratively feasible to actual disbursements of EPA funds. Disbursement within 5 business days of drawdown will comply with this requirement and the recipient agrees to meet this standard when performing the award. This means

that, for the Clean Ports Program, recipients must draw down upon receipt of invoices (not purchase orders) for equipment (e.g., vehicles, charging infrastructure) and other eligible costs. Note that funds can be drawn down for a downpayment/deposit on equipment when there is an invoice for the downpayment/deposit and the downpayment/deposit is documented in the contractual agreement between the grantee and vendor.

Date Posted: 05/14/2025

5.41. How does EPA define a "visit" to a port for drayage trucks in the context of the Clean Ports Program?

Answer: A single truck "visit" to a port includes entering and exiting a port gate to pick up and/or drop off a load. Truck movements solely within a port (e.g., travel to and from a terminal or between terminals) would not count as separate "visits". For simplicity, grantees may wish to track the number of days per year that a truck visits a port as an indicator of number of visits per year.

Date Posted: 05/14/2025

5.42. What changes to a project would require a formal amendment to grant agreements?

Answer: If a recipient anticipates that a change to the project or award agreement will be needed, then, per the terms and conditions, the recipient should always discuss the proposed changes with the EPA Project Officer, who will determine if the changes are allowable and then recommend the appropriate course of action based on EPA policy. As required by [2 CFR 200.308\(f\)](#), certain revisions to a project and budget require prior written approval by EPA, which often require a formal amendment. Each grant is unique, and so all requested changes and the need for amendments to grant agreements are determined on a case-by-case basis. However, below are listed some reasons that grant agreements are amended.

- **No-cost time extension amendments:** These include time-extensions that modify the period of performance to perform the scope of work. This type of amendment does not add additional funding to an agreement.
- **Changes to work plans, scope of work, or project budgets:** Some changes in scope or workplan modifications may not be allowed, such as those that significantly compromise the goals and impact of the project as originally proposed and awarded. Minor changes to a workplan or minor budget changes (i.e., less than 10% of the total budget) may not always require a formal amendment.
- **Changes in voluntary matched funding**
- **Changes to Terms and Conditions**
- **Supplemental funding amendments for cost increases:** These include amendments to add funds to an agreement for unanticipated and unforeseen increased costs (as opposed to adding funds for additional work), such as those associated with salary and fringe benefit increases and indirect cost rate adjustments, that are within the scope of work of the original agreement but were not included in the total budget period costs in the assistance agreement application or agreement. Supplemental funds for cost increases, including those due to increased equipment costs, are more common later in the grant performance period. Note that EPA does not anticipate supplemental funding for Clean Ports grants.
- **Supplemental funding amendments for additional work:** These include amendments seeking additional funding over and above what was approved in the assistance agreement for a given budget period to perform additional work that is within the scope of the original agreement. Note that EPA does not anticipate supplemental funding for Clean Ports grants.
- **Change in Place of Performance**

- **Funding decrease amendments:** These include de-obligating funds from ASAP at the request of the recipient, such as when the scope of the project changes. When a grant is simply closed out with funds remaining, this does not require an amendment.

Date Posted: 08/22/2025

5.43. What are reasons why a grant agreement may be terminated?

Answer: Per the EPA General Terms and Conditions in effect at the time Clean Ports grants were awarded, EPA may terminate an award in part or its entirety:

- a) If a recipient or subrecipient fails to comply with the terms and conditions of the award, including statutory or regulatory requirements;
- b) With the consent of the recipient when both the recipient and the EPA agree upon the termination conditions, which include the effective date and, in the case of partial termination, the portion to be terminated;
- c) If a recipient sends the EPA a written notification of the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated; however, if the EPA determines that the remaining portion of the Federal award will not accomplish the purposes for which the Federal award was made, the EPA may terminate the award in its entirety; or
- d) Pursuant to the programmatic terms and conditions specified in the Federal award.

NOTE: For any EPA grants awarded or receiving additional EPA funding (supplemental or incremental) after April 3, 2025, the following provision “e” will also apply after the effective date of the EPA action that leads to the revision (EPA will inform the recipient of revised terms and conditions in the action adding additional funds):

- e) By the EPA or pass-through entity to the extent authorized by law, if an award no longer effectuates the program goals or agency priorities. This provision applies to all new awards and funding amendments (incremental and supplemental) made on or after April 3, 2025.

This additional provision “e” will not apply if other types of amendments (which do not involve an increase in EPA funding) occur after April 3, 2025.

Date Posted: 08/22/2025

5.44. To what extent will minor changes to a project require a formal amendment to a grant agreement? For example, if an application said 50 yard tractors and 10 top picks would be purchased, but instead the recipient would like to purchase 70 yard tractors and 5 top picks, would the recipient need to formally amend the grant agreement, even if emissions benefits were projected to be the same or better?

Answer: In this specific example, the workplan would need to be modified but the grant would not necessarily need to be amended unless the change requires a budget revision of 10% or more of the total value of the grant.

Per the Clean Ports Programmatic Terms and Conditions, requests for proposed modifications to the approved workplan or budget, including additions, deletions, or changes in the schedule, must be submitted to the EPA Project Officer for approval. The Project Officer will determine if the proposed changes are allowable and whether or not they require a formal amendment.

For additional information, see [2 CFR 200.308](#) regarding revision of budgets and workplans (which includes a list of changes that require prior approval from the EPA project officer), and see [Module 5 of EPA's Grant Training](#) under the Requesting Changes section.

Date Posted: 08/22/2025

5.45. If one sub-recipient of a grant makes a change to a project that necessitates an amendment to the grant agreement, are other sub-recipients implicated by the change to the agreement, or does the original agreement stand un-amended for sub-recipients not party to the project change?

Answer: When a grant agreement is amended due to a change to a subaward and the amendment does not impact other subawards, then the other subawards do not need to be amended. Depending on the specifics of the change to the subaward, it is possible that the grant amendment could impact other sub-recipients, such as if the budget needs to be revised (i.e., shifting funds from one sub-recipient to another).

When a grant is being considered for an amendment, the project officer will notify the recipient of any new versions or revisions to the EPA General Terms and Conditions (T&Cs) that may apply to the grant once the amendment takes effect. For example, revisions to the [October 1, 2024 EPA General Terms and Conditions](#) that were made on April 3, 2025 include:

- 2 T&C updates that only apply to new awards as well as incremental and supplemental **funding amendments** made on or after April 3, 2025:
 - T&C #3 – added a new termination provision if the award no longer effectuates the program goals or agency priorities.
 - T&C #54 – added a new T&C on Federal anti-discrimination laws
- 4 T&Cs were revised and apply to all new awards and **any amendments** (even amendments that do not involve an increase in EPA funding) made on or after April 3, 2025:
 - T&C # 8 – Establishing and Managing Subawards (provision 5(a) of this section, related to discrimination, was edited)
 - T&C #27 – Utilization of Disadvantaged Business Enterprises (provisions 5, 6 and 7 of this section were edited to suspend the listed requirements related to procurement activities)
 - T&C #42 – Civil Rights Obligations (provision (b)(4) of this section, which prohibits discrimination, was edited)
 - T&C #47 – Resource Conservation and Recovery Act (changed requirement to procure, purchase and use products, where possible, that are reused, refurbished or recycled or which can be reused, refurbished or recycled).

There are three other minor revisions to the October 1, 2024 version of the EPA General Terms and Conditions as of the date of this publication, all of which are summarized in the Revision History at the beginning of [the EPA General Terms and Conditions document](#).

Date Posted: 08/22/2025

5.46. Will EPA consider an extension to the three- or four-year timeline for project performance in light of delays to grant administration in early 2025? Will extending the performance period necessitate amendments to grant agreements?

Answer: EPA may approve no cost time extension requests when appropriate. Typically, extensions are approved in the final year of a grant, and EPA considers program performance up to that date in determining whether to approve the extension request. An extension requires an amendment.

Clean Ports grant recipients should discuss any project delays, as well as the need for amendments such as time extensions, with the EPA project officer as early as possible, but no later than 10 days prior to the end of the performance period.

For additional information, please see question 5.4 in our [Clean Ports Program Competitions Questions and Answers](#) document.

Date Posted: 08/22/2025

5.47. What is the maximum amount or percentage of funds that a recipient can withdraw for purposes of a down payment to equipment manufacturers?

Answer: There is not a specified maximum amount of funding that can be drawn for a down payment. Per [2 CFR 200.404](#), it is generally based on what is considered reasonable for that market. Grantees are encouraged to consult with their POs for further clarification on what is considered reasonable. Please see questions 5.38, 5.39, and 5.40 in this document for related information.

Date Posted: 08/22/2025

5.48. If grant agreements include non-profit organizations that are sub-recipients of the grantee, are grantees allowed to withdraw funds to be transferred to non-profit sub-recipients, who intend to spend said funds over the course of the project performance period?

Answer: Per the [EPA General Terms and Conditions](#) (see Financial Information, paragraph 5), all recipients other than states (including both for-profit and non-profit entities) must adhere to the following requirements that relate to advance payments:

(a) As required by [2 CFR 200.305\(b\)](#), the recipient must draw funds from ASAP only for the minimum amounts needed for actual and immediate cash requirements to pay employees, contractors, subrecipients or to satisfy other obligations for allowable costs under this assistance agreement. The timing and amounts of the drawdowns must be as close as administratively feasible to actual disbursements of EPA funds. Disbursement within 5 business days of drawdown will comply with this requirement and the recipient agrees to meet this standard when performing this award.

(f) If the recipient believes that there are extraordinary circumstances that prevent it from complying with the 5-business day disbursement requirement throughout the performance period of this agreement, recipients may request an exception to the requirement by following the procedures specified in [RAIN-2018-G06-R](#). EPA will grant exceptions to the 5-business day disbursement requirement only if the recipient demonstrates that compliance places an undue administrative or financial management burden or EPA determines that granting the exception is in the public interest.

Date Posted: 08/22/2025

5.49. What information is sufficient to confirm that equipment is “serving a port” under EPA’s programmatic definition? For instance, is a signed agreement sufficient or will GPS tracking data be needed?

Answer: While it is a good practice to include contract language that requires attestations and agreements from subrecipients, such documents alone are not sufficient to ensure compliance with Clean Ports Program grant requirements. Specifically, mobile equipment purchased with these funds must serve the port(s) identified in the grant for at least three years. Additionally, the equipment must meet specific annual operating parameters during this period, which vary by category. For example, a piece of cargo handling equipment must be used for at least 90% of its annual hours at the port(s) specified in the workplan, while dray trucks need to make at least 100 visits annually to the port(s). See

the [Clean Ports Program: Zero-Emission Technology Deployment Competition](#) NOFO section III.D for additional details regarding the “serving a port” requirement.

Equipment owners and operators should keep manual and/or digital records of activity and location data to comply with these Clean Ports Program requirements. The EPA recommends developing a data collection plan by following the [Clean Ports Program: Guide for Vehicle, Equipment, and Infrastructure Activity Data Collection](#). To collect activity and location data, equipment owners and operators can use a variety of sources, including, but not limited to: telematic systems, truck appointment/gate management systems, GPS devices, hour meters, odometers, driver/operator logs, maintenance logs, port activity logs, and other fleet tracking and management systems or software. Note: Equipment owners and operators should consider which methods of tracking activity and location data may be most appropriate depending on the type of vehicle or equipment and other considerations (i.e., on-road vehicles vs non-road equipment). As required by [2 CFR 200.334](#), grantees and subrecipients must retain all relevant award records for three years from the date of the submission of the final financial report.

To assist with data collection, grantees should consider including requirements for telematic/automated data reporting systems and other reporting mechanisms in contracts or memoranda of understanding with equipment dealers and manufacturers.

Date Posted: 08/22/2025

5.50. The progress reporting template asks for information on the percentage of activities taking place at each project location. How should recipients attribute oversight and project management costs or planning activity costs across locations?

Answer: Recipients should attribute any oversight and project management costs to locations where equipment is deployed (ZE Tech) or locations that are included in the planning activities. If equipment is being deployed or planning activities are being conducted across multiple locations, recipients should divide it proportionally in a way that makes sense (e.g., in proportion to the amount of equipment being deployed or the amount of planning activity at each location). For additional guidance on your particular situation, please reach out to your Project Officer and/or cleanports@epa.gov.

Date Posted: 08/22/2025

5.51. When filling out a progress report, should grantees include expenses, such as personnel costs, that have been incurred during the reporting period but for which they have not yet been reimbursed?

Answer: Only funds that have been drawn down during the reporting period for expenses incurred should be included in the progress report for that period. Thus, personnel or other lagging costs should be reported during the reporting period when funds are drawn down to pay for the expenses, which is not necessarily in the same reporting period as when they occur.

Date Posted: 08/22/2025

5.52. What role should subawardees play in the progress reporting process?

Answer: The primary grant recipient is responsible for submitting progress reports. The primary recipient should work with subawardees to submit information for progress reports to EPA, as needed.

Date Posted: 08/22/2025

5.53. Do grantees need to submit a progress report if they have not yet reached key milestones in their projects (such as making drawdowns or executing subaward agreements)?

Answer: Yes, all grantees must submit semiannual progress reports regardless of how much progress has been made.

Date Posted: 08/22/2025

5.54. Given the deadline extension on the first Clean Ports Program Progress Report (extended to August 29, 2025), should the report include grant activities through the end of June or the end of July?

Answer: The first progress report for Clean Ports grant recipients, due by August 29, 2025, should encompass project activities that occurred from the project period start date to June 30, 2025.

The second progress report should include activities from July 1, 2025 to December 31, 2025, and it will be due on January 30, 2026.

Date Posted: 08/22/2025

5.55. Is it mandatory for a grantee to have an approved QAPP prior to submitting their progress report?

Answer: Grantees should communicate with their EPA Project Officer regarding QAPP progress and/or any concerns with timing of the QAPP approval relative to the progress report submission deadline. They must complete a QAPP before beginning Environmental Information Operations (EIO). For the first progress report, if a grantee is including activity data from a scrapped or deployed vehicle, or deployed infrastructure, in a progress report before a QAPP is approved, they should include a note in the email used to submit the progress report that the data included in the report is preliminary and that they are waiting for QAPP approval. The reporting template should not be modified. Grantees can note their work on the QAPP as part of their progress report in CPP's CAQP 'Table 10c. Do you have any other comments or feedback?', or CPP ZE Tech's 'Table 9c. Do you have any other comments or feedback?'.

Date Posted: 08/22/2025

5.56. Can grantees submit attachments to accompany their progress reports?

Answer: No, grantees should not submit additional attachments with their reports. All information, including financial details and vehicle and equipment specifications, should be entered into the provided progress reporting template.

Date Posted: 01/21/2026

5.57. What is the EPA's preferred approach for reporting budget and expenditure data in progress reports when figures are not final at the time of submission? How should grantees handle adding or correcting budget information from prior reporting periods in later reports?

Answer: When submitting numbers that are not final, such as estimated costs of equipment, please report current estimates based on your budget and final workplan. If the estimates change, please update the value in the subsequent report and briefly describe the reason for the update in the "Progress Notes" for that activity in the relevant yearly update tab (e.g., "Year 1", "Year 2").

Date Posted: 03/06/2026

5.58. What level of detail does the EPA expect in progress reports for the "Other" category of expenses (e.g., "Year 1" tab), specifically costs associated with subawards?

Answer: Please list each subaward in the "Other" category on a separate line and include a description of the type(s) of expenditures in the "Line Item Description" column. For complex subawards with multiple types of activities, you can use a separate line for each activity.

Date Posted: 03/06/2026

5.59. Does separate activity data need to be reported for each individual vehicle, piece of equipment, and infrastructure group?

Answer: Yes, separate activity data should be reported for each row on tabs 15-21 of the progress reporting template.

Date Posted: 03/06/2026

5.60. What is an eligible use of Participant Support Costs (PSCs) for equipment under the Clean Ports Program?

Answer: The EPA intends that PSCs are used in limited situations. PSCs can be used for rebates or other subsidies provided to program beneficiaries to purchase commercially available, standard (“off the shelf”) pollution control equipment or program-approved vehicles where the program participant, rather than the recipient, owns the equipment. PSCs are **not** to be used for custom equipment. For example, engine replacements, customized cargo handling equipment, vessels, locomotives, and shore power projects are not eligible as PSCs. PSCs are for the one-time cost of purchasing and installing pollution control equipment or program-approved vehicles. Large subsidies to private entities are more appropriate as a subaward.

PSCs cannot be used for project administration and overhead (including personnel, contracting, and indirect costs), operations and maintenance, design and engineering services, construction, travel, and post-installation sampling or monitoring activities. Labor costs are only eligible for consideration as PSCs if necessary for equipment installation and the installation is required as part of the equipment acquisition cost from the equipment vendor.

PSCs are subject to the “Basic Considerations” for the allowability of costs described in [2 CFR Part 200, Subpart E – Cost Principles \(Cost Principles\)](#). The costs must be reasonable, incurred within the project period and otherwise allocable to the EPA assistance agreement, and adequately supported by accounting records.

Program beneficiaries may include individual owner-operators, private fleet owners (e.g., dray truck owners), or public fleet owners (e.g., school districts, municipal sanitation departments); however, program beneficiaries cannot be a contractor or recipient/subrecipient under the respective award, or anyone who would otherwise create a conflict of interest under the [EPA’s Financial Assistance Conflict of Interest Policy](#).

For more information, please see the [EPA’s Guidance on Participant Support Costs](#).

Date Posted: 06/10/2026

5.61. NEW What source documentation do grantees need to record or retain for the generation or expenditure of program income?

Answer: Per the CPP terms and conditions, recipients must retain adequate accounting records throughout the period of performance to document that program income (as defined at [2 CFR 200.1](#)) complies with regulatory requirements (see [2 CFR 200.302](#) for information on financial management requirements).

Any source documentation for the generation or expenditure of program income should have as much relevant information as possible. The specific documentation is dependent on the specifics of the transaction; however, in all cases the documentation must be sufficiently detailed for an auditor to

determine that all costs were reasonable, allocable, and allowable under the grant. The document trail (including any contractual agreements, monthly statements, or invoices) relating to gross income generated, calculation of program income, and/or expenditures of program income should be clear to the EPA Project Officer (PO) and easily understood by someone unfamiliar with the project, such as an auditor. Grantees can consult with their PO about any questions on documentation for program income generation or expenditure, or grant funding expenditures more broadly.

All grant recipients must comply with the recordkeeping requirements in their award terms and conditions and be prepared to undergo an audit. We recommend the following best practices:

- To ensure that the cost summary has adequate detail, include tables that clearly show all costs and transactions under each budget category.
- In grants where program income (or costs incidental to generating program income) is apportioned based on grant funding of infrastructure or based on the percentage of use by EPA-funded equipment, additional documentation such as a cover letter can be attached to any invoices, to clearly show any calculations or the percentage of costs from an invoice that will be paid from program income (or deducted from gross income to determine program income).
- Grantees should keep detailed records of any costs incidental to generating program income and used to calculate program income as a portion of gross income. Some program income costs may be documented in monthly revenue and cost reports, but projections are not acceptable documentation.
- There are several activities that may generate program income as part of CPP grants, including but not limited to: vehicle or equipment charging, vessel use of shore power, and the sale of scrap metal or parts after equipment or vehicles are scrapped. Documentation of program income generated or expended needs to be specific to the activity that is generating the income, so grantees may need to confirm with the PO the adequacy of documentation that a grantee plans to use to properly document the generation or expenditure of program income.

Please see the grant terms and conditions to review all program specific requirements related to program income.

Additional program income requirements that apply to EPA grants are listed in [2 CFR 200.307](#) and [2 CFR 1500.8\(b\)](#).

Date Posted: 10/05/2026

6. Terms and Conditions

6.6. How rigid are the QAPP guides and outlines?

Answer: A Quality Assurance Project Plan (QAPP) is your organization's planning document for conducting a specific project involving environmental information. It is an overview of your organization's specific business rules, policies, and quality assurance/quality control (QA/QC) procedures for conducting the project's activities that involve Environmental Information Operations (EIO). The QAPP helps to focus and define some of the key project details and decisions - WHO is doing WHAT, WHERE are they doing it, WHEN are they doing it, HOW are they doing it, and WHY are they doing it.

EPA provides QAPP guides and outlines as technical assistance for QAPP development, however grantees are not required to use them. These materials include a framework for developing QAPPs consistent with the EPA's [Environmental Information Quality Assurance Project Plan \(QAPP\) Standard](#). Helper questions and example text is provided under each element of the outline. These example approaches are optional, and grantees are free to independently develop their QAPP elements consistent with the EPA's published guidance for QAPPs, commensurate with the complexity and type of work, how the results will be used, the available resources, and unique needs of the grantee.
Date Posted: 05/14/2025

6.7. The initial draft of the QAPP is due soon. Will this be an iterative process where we can address comments on our initial submission?

Answer: Yes. If the EPA QA staff have questions or comments on your QAPP, they will return it for you to address. In addition, if you need to amend your QAPP after it is approved, you may do so. Please work with your Project Officer to understand the details of the review process for your grant.
Date Posted: 05/14/2025

6.8. What clauses should grantees include when placing a public announcement for a Request for Proposals under a Clean Ports Program grant?

Answer: According to the [EPA Best Practice Guide for Procuring Services, Supplies and Equipment](#) (see section entitled, "Competition"):

"Procurement by competitive proposals is appropriate when conditions for sealed bidding are not met and the recipient will award either a firm fixed-price or cost-reimbursement contract. This technique is typically used for acquisition of services where the offerors' qualifications or technical approaches may be more important than price considerations.

(a) Requests for proposals (RFP) must be publicized and identify evaluation factors. Publication techniques include website announcements, pre-qualified or general offeror lists that comply with 2 CFR 200.319(e), or similar transparent means to solicit proposals.

(b) The RFP would need to remain open at least 30 days as provided in 40 CFR 33.301(b) and the recipient should make the U.S. Small Business Administration and the U.S. Minority Business Development Agency aware of the solicitation per 40 CFR 33.301(e).

(c) Recipients must have a written method for conducting technical evaluations.

(d) Detailed requirements for procurement by competitive proposals are set forth at 2 CFR 200.320(b)(2)

(e) Note that as authorized by 2 CFR 200.320(b)(2)(iv), recipients may use qualification based competitive selection techniques for Architecture and Engineering services where price is not a selection factor, provided the recipient negotiates fair and reasonable compensation with the A/E firm.

Note that EPA's position is that the "qualifications based" procurement procedures described in 2 CFR 200.320(b)(2)(iv) may be used when acquiring services that can only be provided by a licensed A/E firm such as when state or local law requires that a licensed A/E firm prepare technical specifications for a construction project. As stated in the regulation: "The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms that are a potential source to perform the proposed effort."

Here are links to EPA trainings related to procurement contracts on the [EPA Grants Policy Resources website: EPA Grants Management Training for Applicants and Recipients | US EPA](#) (Module 5) and the recorded [Procurement, Subawards and Participant Support Costs Webinar](#).

Please note that effective April 7, 2025, and until further notice, the EPA has suspended multiple provisions of 40 CFR Part 33. For details, please refer to RAIN-2025-G02.

Date Posted: 01/21/2026

6.9. Does the EPA have a method of determining useful life of a vehicle/equipment if it is a type that is not mentioned in [40 CFR 86.1805-17 -- Useful life](#)? For example, is there guidance for determining the useful life of various nonroad equipment? If not through EPA, is there another commonly used method for determining useful life of nonroad equipment?

Answer: It is recommended that grant recipients estimate the useful life of vehicles/equipment based on manufacturer data, owner/operator experience with similar equipment, evidence from prior deployments, and/or use in similar climate and operational conditions.

For new vehicles, equipment, and infrastructure, the progress reporting template includes fields on tabs 15 and 17-21 that ask grantees to provide the "Expected Useful Life" and the "Basis for Expected Useful Life." The second field should be used to describe the basis for the estimate provided in the first field.

For current vehicles or equipment being scrapped, the progress reporting template includes a field on tab 16 that asks grantees to provide the "Remaining Life of Current Engine/Vehicle." The *EPA Clean Ports Program: Guide for Vehicle, Equipment, and Infrastructure Activity Data Collection* (available at: <https://www.epa.gov/ports-initiative/clean-ports-program-grantee-resources#documents>) includes additional information related to this field.

Date Posted: 01/21/2026

6.10. What are the usage requirements for equipment and infrastructure funded by the Clean Ports Program?

Answer: Equipment and infrastructure must directly serve at least one port for a minimum of three years based on the parameters in the [Clean Ports Program: Zero-Emission Technology Deployment Competition](#) NOFO section I.B. Please note that locomotives, harbor craft and other vessels, and other eligible mobile source equipment must meet **one** of the minimum parameters listed, not all of them:

- Locomotives (switchers, railcar movers): (1) at least 75% of its annual usage (hours) will take place at the port(s) identified in the application, (2) shall visit the port(s) identified in the award on a minimum of 200 days per year, **OR** (3) must exclusively perform short-haul runs between the port(s) identified in the award and a second point of rest, *e.g.*, a terminal, interchange, or yard.
- Harbor craft and other vessels (commercial and Tribal fishing vessels, tugs, ferries, patrol boats, workboats, dredges, pilot boats, barges, etc.): at least 60% of its annual usage (hours **OR** port visits) will take place at the port(s) identified in the award.
- Other eligible mobile source equipment: at least 90% of annual usage (hours **OR** operating days) must take place at the port(s) identified in the award.

Date posted: 08/03/2026

6.11. Can a recipient or subrecipient dispose of (most commonly through the sale of the equipment and transfer of title) or encumber (most commonly through a lien) the grant-funded equipment during the project period?

Answer: No, recipients and subrecipients cannot dispose of or encumber grant-funded equipment during the project period unless the recipient has explicitly described these activities in the EPA-approved workplan or has otherwise received formal approval. Per [2CFR200.313\(a\)\(2\)](#), “While the equipment is being used for the originally-authorized purpose, the recipient or subrecipient **must not dispose of or encumber its title** or other interests **without the approval** of the Federal agency or pass-through entity.”

Recipients and subrecipients seeking approval to dispose of or encumber grant-funded equipment during the project period must provide a compelling justification. The justification must demonstrate that the action is necessary for the project and that sufficient guardrails are in place to mitigate risk and ensure all grant requirements are met. If a subrecipient is seeking approval from the pass-through entity providing them the subaward (*i.e.*, the recipient or, in certain cases, another subrecipient), the pass-through entity should consider the risks and consult the EPA before approving the disposition or encumbrance of grant-funded equipment during the project period. Note that some awards include an Equipment Disposition Term and Condition that requires all recipients to obtain instructions from the EPA; in those cases, the recipient must first obtain EPA approval before the recipient approves a subrecipient’s disposal of grant-funded equipment.

If approved, documentation regarding the equipment disposition or encumbrance must be retained by the recipient and, where relevant, the subrecipient. Equipment disposition or encumbrance must also be documented in the grant progress report(s) and final report.

Date posted: 08/03/2026