



GRANT ANNOUNCEMENT
Capital Projects Fund
Flexible Facilities Program

Issued: April 26, 2024

Applications Due:
2:00PM CDT, July 11, 2024

Grant Announcement Flexible Facilities Program

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ATTACHMENTS*	
	GRANT APPLICATION (online)
ATTACHMENT A	Project Budget Form
ATTACHMENT D	Designation of Confidential and Proprietary Information Form (FFP_DOA 3027)
ATTACHMENT E	Subrecipient Survey Form
ATTACHMENT F	Applicant 2 ND Authorized Representative Signature Form

*Attachment B of the application is the applicant's Match funding documentation and Attachment C and Attachment C(2) of the application are the applicant and subrecipient SAM.gov UEI records. These attachments are to be obtained and submitted by the applicant.

1.0 GENERAL INFORMATION

1.1 Introduction

The federal American Rescue Plan Act of 2021 appropriated \$10 billion to the U.S. Department of Treasury (Treasury) to provide payments to states, territories, freely associated states, and Tribal Governments to carry out critical capital projects directly enabling work, education, and healthcare monitoring in response to the Coronavirus (“COVID-19”) pandemic public health emergency. This established the Coronavirus Capital Projects Fund (“CPF”) program, which aims to:

- Directly support recovery from the COVID-19 public health emergency by strengthening and improving the infrastructure necessary for participation in work, education, and healthcare monitoring that will last beyond the pandemic;
- Enable investments in capital assets designed to address inequities in access to critical services; and
- Provide the modern infrastructure necessary to access critical services, including a high-quality and affordable broadband internet connection.

The State of Wisconsin was awarded \$107 Million from Treasury for the Capital Projects Fund Flexible Facilities Program (“FFP” or “Program”) to provide grants to local and Tribal governments for purposes of enabling work, education, and healthcare monitoring, including remote options, in Public Libraries, Community Centers, and Multi-purpose Community Facilities to address the needs of residents living in communities disproportionately impacted by the COVID-19 pandemic. Eligible projects include construction and/or renovation of buildings and purchase of equipment for remote services that will directly enable Public Libraries, Community Centers, and Multi-purpose Public Facilities to provide work, education, and healthcare monitoring in response to the COVID-19 pandemic. General construction or improvement of traditional schools (e.g., public and private K-12 schools, institutions of higher education (i.e., colleges, universities)) are not eligible projects under FFP. Highest scoring Public Library projects will receive prioritization of funding for up to \$20 million of the FFP funds available. The remaining amount of the \$107 million FFP funds available will be awarded to the highest scoring projects, regardless of category, that include the construction of, expansion or renovation to a Public Library, Community Center or Multi-purpose Community Facility and that meet the requirement of providing high speed internet and other digital connectivity equipment/devices that will enable work, education, and healthcare monitoring.

To be eligible for grant award consideration, the proposed project must

- be for the construction of a new or the expansion or renovation of an existing Public Library, Community Center, or Multi-purpose Community Facility that is open and accessible to the general public; *and*
- provide for high-speed internet (defined as internet that reliably meets or exceeds 100 Mbps download speeds and between 20 Mbps and 100 Mbps upload speeds and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds), including the purchase and/or installation of digital connectivity technology, devices and/or equipment to facilitate broadband internet access, *and*
- directly enable or provide access to work, education *and* healthcare monitoring.

Examples of eligible projects include, but are not limited to, the construction of a new Community Center or expansion of a Public Library, which includes providing publicly accessible computer labs with public Wi-Fi that allow users to:

- access job workshops, work programming, virtual job fairs, meetings with workforce development groups, virtual job interviews, accessing job interview guidance and materials, or compose resumes and apply for jobs;

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- attend telehealth or wellness appointments, virtually meet with a healthcare provider, access online materials relating to a health condition, or review instructions for an upcoming health appointment; and
- build educational opportunities by attending online classes/sessions, access available educational and work partnerships such as internships, apply for college, register for classes, virtually visit with an academic advisor, review study materials, or conduct research as needed for educational classes.

“Expansion” or “renovation” under this Program shall mean structural additions and/or other structural modifications to an existing building for the purpose of improving capacity and/or functionality.

The purpose of this document is to provide Units of General Local Government (“UGLGs”) and Tribal governments with information to prepare and submit a grant application for the Program. The State of Wisconsin, as represented by the Department of Administration (“DOA”), intends to use the results of this Grant Announcement to establish one or more grant agreements.

1.2 Granting Agency

This Grant Announcement is issued by DOA, which is the sole point of contact for the State of Wisconsin during the selection process. All communications with DOA should be sent to the following email address:

FlexibleFacilitiesProgram@wisconsin.gov.

The agreement(s) resulting from this Grant Announcement will be administered by DOA.

1.3 Definitions

Applicant/Grantee	The legal entity that will enter into a Grant Agreement with DOA in the event of an award.
Broadband	High-speed Internet access using high-speed transmission technology where service reliably meets or exceeds 100 Mbps download speeds and between 20 Mbps and 100 Mbps upload speeds and be scalable to a minimum of 100 Mbps symmetrical for download and upload speeds (source: FCC).
Capital Projects Fund Program	Coronavirus Capital Projects Fund , as defined by the U.S. Department of the Treasury.
Community Center or Multi-purpose Community Facility	Any public meeting place that provides academic, cultural, educational, or social services, such as those under the statutory definitions of “senior citizen center,” “youth center,” or “community center” <i>[Exception: traditional schools (e.g., public and private K-12 schools, institutions of higher education (i.e., colleges, universities)) are ineligible for FFP funding.]</i>
DOA	Wisconsin Department of Administration.
Public Library	A <u>permanent</u> location where library services, including a collection of library materials, are offered by paid library employees as part of a federated public library system, consolidated county public library, etc. <i>(Exception: school libraries are ineligible for FFP funding.)</i>
State	State of Wisconsin.

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Subrecipient	A non-profit or government entity that will implement the project (<u>or a portion of the project</u>) on behalf of the State and the Applicant/Grantee. Subrecipients are subject to the same policies, rules, and regulations of the Flexible Facilities Program (FFP) as the Grantee.
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1.4 Clarifications and/or Revisions to the Grant Announcement

If an Applicant discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this Grant Announcement, the Applicant should notify DOA of such error at: FlexibleFacilitiesProgram@wisconsin.gov and request modification or clarification of the Grant Announcement. If it becomes necessary to provide additional clarifying data or information, or to revise any part of this Grant Announcement, revisions/amendments and/or supplements will be posted to the Program website.

DOA may accept questions during a scheduled webinar presentation or by email to: FlexibleFacilitiesProgram@wisconsin.gov.

Questions posed to the Program will be published in a question and answer (Q & A) document on the Program website only after DOA has had the opportunity to formulate response(s). All Applicants are encouraged to check the Program website on a regular basis for posted Q & A.

Each application shall stipulate that it is predicated upon the requirements and terms and conditions of this Grant Announcement and any supplements or revisions thereof.

1.5 Reasonable Accommodations

DOA will provide reasonable accommodations, including the provision of informational material in an alternate format, for qualified individuals with disabilities upon request. Any Applicant in need of reasonable accommodations should contact the Program via email at FlexibleFacilitiesProgram@wisconsin.gov.

1.6 Calendar of Events

Listed below are specific and estimated dates/times of actions related to this Grant Announcement. The actions with specific dates must be completed as indicated unless otherwise changed by the State. If the State finds it necessary to change any of these dates and/or times, it will do so by issuing an amendment(s) to this Grant Announcement. There may or may not be formal notification issued for changes to target dates and times.

EVENT	DUE DATE (TENTATIVE)
Performance Period	Award Date through October 31, 2026
Grant Announcement Issue Date	April 26, 2024
Application Training Webinar	May 9, 2024
Application Questions Due	June 27, 2024 at 2:00 PM CDT
Applications Due	July 11, 2024 at 2:00 PM CDT
Notification of Awards	October 1, 2024 (<i>anticipated on or before this date</i>)
Grant Agreement Execution	December 30, 2024 (<i>anticipated on or before this date</i>)
Construction Period Start Date	<i>Date that is on or after the execution of the FFP Grant Agreement and DOA approval of the Grantee's Environmental Review. It also must be on or after the date that property acquisition activities (if applicable to the project) are complete.</i>
Construction Period End Date	September 30, 2026
Quarterly Reports	See Part 1.8 of this Grant Announcement

1.7 Grant Agreement Term

The grant agreement shall be effective on the execution date and shall be in force until all eligible activities are completed and all required documents are submitted to DOA. The grant “performance period” will be the award date through October 31, 2026. Costs may only be incurred according to the dates specified for each type of cost to be eligible to be reimbursed or paid with the FFP funds. Details on eligible and ineligible costs can be found in Section 5 of Part 5 of this Announcement.

1.8 Quarterly Reports Required

Grantees shall submit quarterly reports to DOA summarizing the use of funds and describing the impact on the community(ies) targeted by the grantee. DOA will supply a reporting document for completion by grantees and prescribe the dates upon which the quarterly reports are due. The timing and conditions of grantee reporting are subject to change based on [published reporting guidance for the Capital Projects Fund \(CPF\) from the U.S. Department of Treasury](#).

2.0 PREPARING AND SUBMITTING AN APPLICATION

2.1 General Instructions

The evaluation and selection of a grantee will be based on the information submitted in the grantee’s application. Failure to respond to each of the requirements in the Grant Announcement may be the basis for rejecting an application. Elaborate applications (e.g., having extensive graphics, descriptions exceeding the word and character limits specified, documents included with the attachments that are not required or requested) beyond that sufficient to present a complete and effective application are not necessary or desired.

2.2 Incurring Costs

The State of Wisconsin is not liable for any cost incurred by Applicants in replying to this Grant Announcement.

2.3 Submitting the Application

Applicants must submit one (1) electronic copy of all materials no later than **July 11, 2024 at 2:00 PM CDT** through the online application located on the DOA website at <https://energyandhousing.wi.gov/Pages/AgencyResources/FlexibleFacilities.aspx>.

Applicants may opt to receive confirmation that the application has been submitted via the application instructions. The Program will not provide confirmation of completeness of applications. Applicants are responsible for ensuring the application is completed in its entirety before submitting the application.

DOA **will not** accept applications by email, mail, hand delivery or facsimile machine (fax).

2.4 Application Organization and Format

All applications shall adhere to the form, format and organization of the posted application form.

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The application contains the following sections. All sections are required. Any alteration of the forms or attachments is prohibited and may result in disqualification of the application.

Section 1	Applicant Information
Section 2	Project Overview
Section 3	Project Narrative
Section 4	Community Engagement
Section 5	Project Budget
Section 6	Match Funding
Section 7	Financial Audit Information
Section 8	SAM Unique Entity Identification (UEI)
Section 9	Designation of Confidential and Proprietary Information (DOA-3027)
Section 10	Subrecipient Survey
Section 11	Attestations and Required Signature

2.5 Multiple Applications

An Applicant may submit no more than one (1) application for a Category A project (for construction of a new facility) and no more than one (1) application for a Category B project (for the expansion or renovation of one or more existing facilities). The maximum award is \$4,250,000.00 for each project.

2.6 Oral Presentations

Applicants may be required to participate in interviews to support and clarify their applications, if requested by DOA. DOA will make every reasonable attempt to schedule each presentation at a time that is agreeable to the Applicant. Failure of an Applicant to interview on the date scheduled may result in rejection of the Applicant's application.

2.7 Withdrawal of Applications

Applicants may withdraw an application at any time by submitting a request via email from an authorized representative of the Applicant to the Program email inbox as follows: FlexibleFacilitiesProgram@wisconsin.gov. If a previously submitted application is withdrawn prior to the application submission due date and time, the Applicant may submit another application on or before the Grant Application submission due date and time.

3.0 APPLICATION SELECTION AND AWARD PROCESS

3.1 Preliminary Evaluation

Applications will be reviewed initially to determine if Eligibility Requirements (Section 4.0) are met. Failure to meet Eligibility Requirements will result in rejection of the application. DOA reserves the right to evaluate and select application(s) which most closely meet the requirements specified in this Grant Announcement as allowed by law.

3.2 Application Evaluation

Accepted applications will be reviewed by an evaluation committee ("Committee").

Applicants may **not** contact members of the Committee except at DOA's specific direction.

The Committee will review all eligible applications against the Evaluation Criteria stated in Section 3.3. The Committee's scoring will be tabulated and applications will be ranked based on the numerical scores received.

3.3 Evaluation Criteria

Applications will be evaluated on quality of proposals to fund projects that will directly enable Public Libraries and Community Centers to provide work, education, and healthcare monitoring in response to the COVID-19 pandemic.

Applicants must identify the impact of COVID-19 that the project will respond to and demonstrate how the project is reasonably likely to respond to it.

Applicants must certify that the proposed or existing project site has or will have enabled new or improved Broadband (high-speed internet) connectivity upon project completion.

There are two categories of funding. The maximum award for a project is \$4,250,000.00. An application may only be for one category type. An Applicant is eligible to submit one application per category.

Category A: Capital projects for the construction of a new Public Library or Community Center or Multi-purpose Community Facility and the purchase *and* installation of digital connectivity equipment for Broadband that directly enable work, education, and healthcare monitoring in response to the COVID-19 pandemic.

Category B: Capital projects for the renovation or expansion of one or more existing Public Libraries, Community Centers, or Multi-purpose Community Facilities *and* the purchase and installation of digital/broadband connectivity equipment for Broadband that directly enable work, education, and healthcare monitoring in response to the COVID-19 pandemic.

Applications submitted will be scored against the following criteria: (Maximum score is **100** points).

1. **Project Description and Mission, Goals and Experience** – The Applicant shall describe the proposed project scope and the Applicant's (and subrecipient's, if applicable) mission, goals, and experience as they relate to the community services proposed for the project. Applicants that demonstrate how their mission and goals directly relate to the community services proposed and have extensive experience pertaining to the scope of the project will receive the highest scores. **(10 possible points)**
2. **Project Need** – The Applicant shall describe the existing problem that demonstrates the critical need for the proposed project and a description of the population(s) intended to benefit from the project; how the population(s) intended to benefit from the proposed project experienced disadvantages and/or challenges in accessing services for work, education, and healthcare monitoring as a result of the COVID-19 pandemic; and how the population(s) intended to benefit from the proposed project was/were disproportionately impacted by COVID-19 compared to other populations. Applicants that provide the necessary information, most significant and relevant data, and cited sources to demonstrate a high critical need among the intended beneficiaries and a significant impact of the COVID-19 pandemic on the population that is notably disproportionate to others will receive the highest scores. **(40 possible points)**
3. **Project Reach** – The Applicant shall describe how this funding will directly provide work, education and healthcare monitoring in response to the COVID-19 pandemic;

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how the project will improve the intended primary beneficiaries' access to the types of facility and/or equipment improvements proposed for work, education, and healthcare monitoring, and any other accessibility improvement factors considered in the project design; and how innovative approaches, if any (in the nature of the design, method(s) and/or location(s) of service(s) delivery, type(s) of equipment, implementation, collaboration(s), etc.), will be used for addressing all three criteria (work, education, and healthcare monitoring). Applicants that provide the necessary, most significant and relevant information and data to demonstrate that the project and FFP funding will be used to directly provide new and/or significantly improved access to Broadband, which directly improves the intended primary beneficiaries' access to all three areas (work, education, and healthcare monitoring); is shown to be feasible; and incorporates innovation in the project design and/or implementation will receive the highest scores.

(30 possible points)

4. **Sustainability Plan** – The Applicant shall describe the plan and capacity for the Applicant to maintain and sustain the services and access proposed for at least five years after the completion of the proposed project. Applicants shall consider all costs, including staffing, facility operations, equipment maintenance, supplies, subscriptions if needed, etc. Applicants that provide the necessary information to confirm that the Applicant has a specific, clear, complete plan for sustaining, and has demonstrated the capacity to sustain the services and access proposed through the project for at least five (5) years after the completion of the project will receive the highest scores. **(10 possible points)**.
5. **Match Funding** – If the Applicant's total project cost exceeds the Flexible Facilities Program grant amount requested, then the Applicant shall attach Match Funding Source(s) Supporting Documentation as record of the status of the additional funding that is needed to cover the remaining costs of the project, including funds secured, committed, pending, or having another status. Applicants for which no Match funding is needed to complete the project will receive 10 points. Applicants for which Match funding is required to cover the costs of the project above the requested grant award amount, that have official supporting documents for the highest percentage of Match funds secured (e.g., bank statement(s), bank loan promissory note(s), official bank loan confirmation letter(s), other grant award letter(s), etc.), and for the highest percentage of Match funds committed (e.g., governing body resolution in a public meeting, subrecipient commitment letter, if applicable, etc.) specifically to the proposed project will receive the highest scores. Note: Funds "secured" refers to those on hand or otherwise confirmed by the funding source that they are readily available for use. Funds "committed" refers to the funds that have been set aside and assigned to be used for the specific project. The Applicant shall demonstrate any funding needed from other financial sources is secured and committed to the project so it is ready to proceed immediately upon award, if the Applicant is awarded Flexible Facilities Program grant funds. Projects must be funded sufficiently to complete the entire project according to the timeline specified in Section 1.7 of this Grant Announcement. **(10 possible points)**

3.4 Right to Reject Applications and Negotiate Grant Agreement Terms

DOA reserves the right to reject any and all applications. DOA reserves the right to negotiate the terms of the grant agreement(s) that result from this Grant Announcement, including the award amount, with the selected Applicant prior to entering into a grant agreement.

3.5 Award Amounts

The maximum award for a project will be \$4,250,000.00.

DOA reserves the right to negotiate, limit or amend awards in accordance with objectives of the Program and available funding.

3.6 Method of Award

DOA will conduct standard internal reviews for application completeness, Applicant eligibility, and the potential eligibility of proposed costs. Further, DOA will conduct an administrative review of project documentation and project information to determine each application's potential to maximize impact in relation to the Program's objectives. DOA will determine final evaluations for each application (see Section 3.3). The State intends to award multiple grant agreements. Awards will be based upon the highest scoring responsive and responsible application(s) and each application's potential in achieving the greatest impact in relation to the Program's objectives. Award decisions are final and not subject to appeal.

3.7 Notification of Award

All Applicants who respond to this Grant Announcement by submitting an application will be notified in writing of DOA's award of one or more grant agreements that result from this Grant Announcement.

After a Notice of Award is made, copies of the accepted applications, excluding materials deemed to be confidential and proprietary information on Attachment D: Designation of Confidential and Proprietary Information (FFP_DOA-3027), may be made available for public inspection in accordance with applicable Wisconsin law.

4.0 ELIGIBILITY

4.1 Eligible Applicants

- Wisconsin local governmental units as defined in Wis. Stats. §323.02(15) as a county, city, village or town
- Federally recognized Wisconsin Tribal governments

4.2 Ineligible Applicants

- For-profit organizations
- Non-profit organizations
- Individuals
- Lobbying organizations as defined by the IRS
- Political organizations subject to tax under IRC section 527 such as political parties; campaign committees for candidates for federal, state or local office; and political action committees
- Federally recognized state government agencies
- Public, private, Tribal, or 501(c)(3) accredited local education agencies
- Public, private, Tribal, or 501(c)(3) accredited institutions of higher education
- Other organizations which are not explicitly eligible as defined in Section 4.1 as determined by the Department

5.0 APPLICATION SECTIONS 1 – 11 GUIDANCE

5.1 Application Guidance

Guidance for Sections 1 – 11 of the Application form are provided on the pages that follow.

SECTION 1: APPLICANT INFORMATION

This section is NOT scored.

The purpose of this section is to provide DOA with Applicant's contact information, the application contact, and the subrecipient(s) contact information if applicable. The Applicant shall provide the local or tribal government's officials, contact information, and Unique Entity Identification ("UEI") number and registration expiration date, as issued within the Federal System for Award Management ("SAM") [at <http://SAM.gov/content/home>]. Refer to section 8 of this Grant Announcement and the Application form for guidance regarding the UEI number and attaching the required SAM record. Also provide in Section 1 of the Application the name and contact information for the person DOA should contact for requests or questions pertaining to the application; and the subrecipient name, contact information, and UEI number and registration expiration, if the Applicant is applying for funds on behalf of a non-profit or another governmental entity that will be implementing the project. If there is more than one subrecipient, provide the information for each subrecipient entity. The address(es) of the project site location(s) where the project activities will be occurring must also be entered.

SECTION 2: PROJECT OVERVIEW

This section is NOT scored.

The purpose of this section is to provide DOA with a brief overview of the project, including the project type/category, facility type, project title, facility features, equipment type(s), number of beneficiaries, facility location in relation to where beneficiaries live and accessibility through public transportation; and program fees disclosure.

The Applicant shall check the appropriate box to indicate the project type of either Category A (for capital projects for the construction of a new facility and the purchase and installation of digital connectivity equipment for broadband that directly enable access to work, education, and healthcare monitoring in response to the COVID-19 pandemic) or Category B (for capital projects for the expansion or renovation of one or more existing facilities and the purchase and installation of digital connectivity equipment for broadband that directly enable access for work, education, and healthcare monitoring in response to the COVID-19 pandemic). The Applicant is to also check the box for the type of facility(ies) being constructed or improved through the project, indicating whether it is a Public Library, Community Center, and/or Multi-purpose Community Facility. If it is a Community Center or Multi-purpose Community Facility, the Applicant is to specify the type (e.g., general recreational or meeting center, senior center, youth center, etc.) in the space provided.

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The Applicant shall enter a short phrase as the project title that briefly describes the nature of the project (e.g., City of Yourville Library Expansion & Broadband Upgrades Project); check the appropriate box(es) to indicate the project features (Classroom[s], Computer lab[s], Multi-purpose space[s] – and specify the space/facility, Tele-medicine room[s], and/or Other – and specify the additional “other” feature type[s]); and check the appropriate box(es) to indicate the type(s) of equipment that will be purchased (e.g., desktop computer[s]/PCU[s], laptop computer[s], printer[s], other computer equipment, or other digital technology connectivity items/equipment). The number of each type of feature and square footage of added space (as applicable – if space will be created/constructed or improved/expanded) for each feature type; and the number of each type of equipment are also to be entered. Enter the specific other computer equipment or other digital technology connectivity items/equipment in the space provided.

The Applicant shall also enter the estimated number of individuals who are the intended primary beneficiaries, and the method of calculation for the number of beneficiaries, including the data source(s) used for estimating and calculating the number of beneficiaries. While websites may be listed as sources, the data obtained from any websites must be presented in the space provided in the application. The Applicant is responsible for locating and obtaining the data and presenting it within the application form.

The proximity (in miles) of the location of the project site/facility proposed in relation to where the majority of the intended primary beneficiaries of the project live, and whether the facility is accessible through public transportation is also to be entered.

The Applicant shall consider any fees that will be charged to users of these services. If users will be charged for these services, the Applicant shall estimate and describe fees. All fees charged are subject to [2 CFR § 200.307](#). Program income generated by Capital Projects Fund (CPF)/Flexible Facilities Program (FFP) grant funding investments must be invested throughout the CPF/FFP period of performance (ending October 31, 2026). In addition, the State and FFP Grantees are required to add program income to the CPF/FFP award amount pursuant to [2 CFR 200.307\(e\)\(2\)](#). Program income must be utilized and applied to benefit the same project from which it was generated.

SECTION 3: PROJECT NARRATIVE

This section IS scored. (90 points possible)

The purpose of this section is to provide DOA with a basis for determining an Applicant's specific qualifications and capacity to conduct this work and meet the requirements and advance the goals of the Flexible Facilities Program. Be specific when answering the questions within Section 3. Applicants shall provide a thorough and concise response detailing how the Applicant intends to use the funds, how the proposed project will meet the requirements and goals of the Flexible Facilities Program, and the Applicant's capacity and preparedness to complete the proposed project and sustain the services after completion of the scope of work for the grant.

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Eligibility for funding requires Applicants to demonstrate a project that addresses a critical need in response to the COVID-19 pandemic pertaining to access to work, education, and healthcare monitoring through the use of new and/or improved digital connectivity for Broadband.

Section 3. Project Narrative is to be completed with the following information:

3.1 Project Description (10 possible points)

The Applicant shall describe the proposed project scope and the Applicant's mission, goals, and experience as they relate to the community services proposed for the project.

Basis of Scoring: The extent to which and the level of specificity to which the applicant's mission and goals relate to the scope of the community services proposed, and extent to which the demonstrated relevant experience specifically relates to the scope of community services proposed.

3.2 Project Need (40 possible points)

The Applicant shall describe:

- 1) the existing problem that demonstrates the critical need for the proposed project and a description of the population(s) intended to benefit from the project (i.e., primary beneficiaries) (including information such as targeted economic, socioeconomic, age, race/ethnicity, and/or other relevant demographic group(s), residence status, and/or other population characteristics, as applicable);
- 2) how the population(s) intended to benefit from the proposed project (i.e., primary beneficiaries) experienced disadvantages and/or challenges in accessing services for work, education and healthcare monitoring as a result of the COVID-19 pandemic; and
- 3) how the population(s) intended to benefit from the proposed project (i.e., primary beneficiaries) was/were disproportionately impacted by COVID-19 compared to other populations.

Relevant data and information and associated sources are to be included, as available, to quantify and qualify the disadvantages/challenges and disproportionate impact. This may include, but is not limited to:

- Federal and/or State collected data such as the American Community Survey (ACS) or the U.S. Department of Housing and Urban Development's (HUD's) Qualified Census Tracts, related to internet use, device ownership, income, poverty, health, education, and employment;
- Information gathered from interviews with community members and business owners and/or reports from community organizations;
- Information from existing facilities providing similar or identical services to those the FFP project is intended to provide; and
- Any other information deemed relevant.

Basis of Scoring: The extent to which the critical need(s) is/are demonstrated; the extent of the existing historical disadvantages and/or challenges facing the population to be served by the project; the extent of the project's impact on the

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population to be served by the project has experienced in accessing services for work, education and healthcare monitoring as a result of the COVID-19 pandemic; and the extent to which supporting data and information (including cited sources) are provided in the space provided.

3.3 Project Reach (30 possible points)

The Applicant shall describe the project's reach for work, education, and healthcare monitoring, including the following in the response:

- 1) how the project will provide work, education, and healthcare monitoring in response to the COVID-19 pandemic;
- 2) how the project will improve the intended primary beneficiaries' access to the types of facility and/or equipment improvements proposed for work, education, and healthcare monitoring, and any other accessibility improvement factors considered in the project design; and
- 3) how innovative approaches, if any (in the nature of the design, method(s) and/or location(s) of service(s) delivery, type(s) of equipment, implementation, collaboration(s), etc.), will be used for addressing all three criteria (work, education, and healthcare monitoring).

Basis of Scoring: The extent to which the new facility or expanded or renovated existing facility(ies) and broadband resources are incorporated and the amount of FFP funds will be used to address needs pertaining to the three criteria of work, education, and healthcare monitoring; the extent to which the project proposed will result in improved accessibility to the type of facility(ies) and equipment proposed to address the three criteria and is demonstrated as feasible; and the extent to which and level of innovation incorporated into the applicant's approach to fulfilling each criterion.

3.4 Sustainability Plan (10 possible points)

The Applicant shall describe the capacity and plan for the Applicant to maintain and sustain the services proposed for at least five years after the completion of the proposed project.

Basis of Scoring: The specificity and scope of the applicant's plan and the applicant's demonstrated level of operational and financial capacity to maintain and sustain the project facility(ies), services and equipment for at least five years after the completion of the project, with consideration for all costs (for staffing, operations, maintenance, supplies, subscriptions, etc.).

SECTION 4. COMMUNITY ENGAGEMENT

This section is NOT scored.

The purpose of this section is for DOA to verify that the Applicant has made efforts and will continue to solicit community input on the proposed project.

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The Applicant shall describe how the Applicant solicited community input on the proposed project prior to application submission and provide a community engagement plan to ensure community input during the project implementation.

SECTION 5. BUDGET

This section is NOT scored.

The Applicant shall complete this section and complete and attach a Project Budget Form, identifying all costs of the proposed project. Only eligible expenses are to be included for the proposed grant funded activities. All FFP awards will be contingent upon DOA verifying the eligibility of costs, and award amounts may be reduced if any cost listed in the project budget is deemed ineligible.

5.1 Attachment A – Project Budget

Download and fill out the Project Budget Form from the Flexible Facilities Program website at:

<https://energyandhousing.wi.gov/Pages/AgencyResources/FlexibleFacilities.aspx> (under “Application Materials” section). Save and upload the file within the Application where specified, with the following file name:

(Applicant Name)_Attachment_A_Budget

Guidance regarding eligible and ineligible uses of the FFP funds is provided below and within this section of the Grant Announcement.

a. Eligible Use of Funds

All use of funds shall be compliant with applicable provisions of the federal American Rescue Plan Act (“ARPA”) and Program requirements. Program requirements are specified within materials on the [U.S. Treasury Capital Projects Fund website](#) and within this Grant Announcement for Wisconsin’s FFP. Additional requirements and guidance will be posted on the Wisconsin [Flexible Facilities Program website](#).

The procurement and contracting requirements of [2 CFR § 200.320](#) (methods of procurement), 2 CFR § 200 Subpart E, and Wisconsin State statutes on public works construction projects are applicable to FFP projects. Grantees must also demonstrate compliance with their local procurement policies. Competitive procurement is required unless the purchase or contract qualifies as a micro-purchase under the provisions of [2 CFR § 200.320\(a\)\(1\)](#) or it is approved for non-competitive procurement by DOA under the provisions of [2 CFR § 200.320\(c\)](#). Non-competitive/sole source procurement requests for purchasing and/or contracting (other than micro-purchases) will be reviewed by DOA on a case-by-case basis. DOA will provide a request form to grantees after award to complete and submit to make a request for non-competitive procurement of professional services.

Construction activities and equipment/material/supply purchases and installation must be completed no later than September 30, 2026. Program/facility services or activities that directly enable work, education, and healthcare monitoring must be provided for at least five (5) years from the completion of the project. Grant administration and other professional services for the project may be eligible

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depending upon the timing of when the costs were incurred, the amount of costs (limits apply to grant administration), and compliance with FFP procurement and contracting requirements.

For a capital project to be eligible, it must meet each of the following criteria:

- The capital project invests in capital assets and equipment designed to provide new or improved access to Broadband that directly enables work, education, and healthcare monitoring.
- The capital project is designed to address a critical need that resulted from or was made apparent or exacerbated by the COVID-19 public health emergency.

Examples of eligible uses of funding include:

- Construction or renovation of Public Libraries to provide internet access that offers digital skills programs and support for members of the public engaging in virtual learning for education, health, and employment monitoring (must be accompanied by new and/or improved equipment for improved Broadband access)
- Construction or renovation to improve Community Centers or Multi-purpose Community Facilities that provide access to high school diploma or GED completion, job counseling, and health education classes and/or internship programs for medical professionals (must be accompanied by new and/or improved equipment for improved Broadband access)
- Purchase of computers or tablets to facilitate virtual job interviews and seminars, online educational programming, and virtual healthcare appointments (must also include improved Broadband access and a capital project for constructing a new community building or improving an existing community building)
- Construction of a community classroom space that provides education to members of the public (must be accompanied by new and/or improved equipment for improved Broadband and address education, health, and employment monitoring; and this excludes classroom space for traditional schools, e.g., public and private K-12 schools and institutions of higher education (i.e., colleges and universities))
- Purchase of wireless access points, routers and repeaters in a Public Library or Community Center or Multi-purpose Community Facility that improves Broadband access and enables work, education, and healthcare monitoring (must also include a capital project for constructing a new community building or improving an existing community building; note that licenses, subscriptions and other costs of operation and maintenance are *not* eligible)
- Architectural/Engineering (A/E) services costs incurred for the FFP project March 15, 2021 through October 31, 2026
- Grant administration** and other non-A/E professional services costs incurred for the FFP project from the FFP award date through October 31, 2026

***The amount of the FFP grant allowed to be used towards administrative costs is the greater of \$10,000.00 or 2% of the grant award up to (not to exceed) \$50,000.00, contingent upon the grantee providing the required documentation to verify the costs were incurred and are reasonable (i.e., detailed itemization of costs, including hourly rates, dates, number of hours, and nature of tasks), and meeting all other FFP requirements.*

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b. Ineligible Use of Funds

Ineligible costs for the State of Wisconsin's Flexible Facilities Program (FFP) include but may not be limited to:

- Funds requested for expenses reimbursed from any other program;
- Funds used for acquisition of licenses, subscriptions, any other operating expenses;
- Leases;
- Costs to improve traditional schools (e.g., public and private K-12 schools, institutions of higher education (i.e., colleges and universities));
- Payment of interest or principal on outstanding debt or other debt services costs incurred prior to award;
- Fees or issuance costs associated with issuance of new debt;
- Fees incurred in applying to the FFP;
- Taxes (except sales taxes on eligible expenses);
- Funding advocacy, collective bargaining, and lobbying activities;
- All costs incurred prior to March 15, 2021 and/or after October 31, 2026;
- Costs for grant administration and other non-architectural/engineering (non-A/E) professional services for the project incurred prior to the grant award date;
- Costs for contracts, services, and other items (e.g., equipment, materials, supplies, etc.) that were purchased without compliance with the FFP procurement and contracting requirements; and
- All other uses specified as ineligible under the American Rescue Plan Act of 2021.

Costs for construction, acquisition/relocation, and purchasing (for equipment, materials, supplies, etc.) for the project that are incurred prior to the FFP grant agreement being executed, prior to the environmental review activities required for the project being confirmed as complete by DOA, *and* prior to the property to be acquired for the project (if applicable to the project) being acquired in accordance with applicable acquisition/relocation state and federal regulations will be deemed ineligible.

5.2 Budget Summary

Enter the information requested, copying the subtotal rows of the FFP Budget Form in the spaces provided in section 5.2, and check the box provided if the budget includes Match Funds. The Applicant must provide match from its local funds or other match sources if the total project cost will exceed the FFP grant amount requested.

5.3 Professional Services Contract Costs

In the spaces provided within the table in section 5.3 of the application form, list the types of professional services contracts that have been or potentially will be executed for the FFP project and provide the procurement information requested. Indicate whether a request for non-competitive procurement will be made if the Applicant is

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awarded funds.

Refer to section 5.1 within this section of the application form guidance regarding procurement requirements and requests for non-competitive procurement for professional services contracting. Please note the following:

- Professional services costs that were/are incurred between March 15, 2021 and October 31, 2026 for the project and procured through a competitive process consistent with the specifications in 2 CFR § 200.320 (if the services were contracted through and provided by a third-party entity) may be considered eligible to be paid or reimbursed with FFP funds (if the Applicant is awarded FFP funds), contingent upon all other FFP requirements being met, including but not limited to the required documentation being submitted to and approved by DOA. The documentation required to be submitted for grant payment disbursements will be specified in the FFP policy manual.
- Requests for non-competitive procurement of professional services are to be submitted after award using the form that will be provided by DOA to grantees during the pre-agreement process.
- The grantee must follow/have followed their own local procurement policies in securing the professional services to be eligible for consideration of non-competitive procurement.
- Requests for non-competitive procurement of professional services will be reviewed by DOA on a case-by-case basis.
- The Applicant may include the professional services costs in the project budget within their FFP application, with the understanding that cost eligibility will be determined upon award.
- Any professional services contracts for the project that do not qualify as a micro-purchase or are not approved for non-competitive procurement by DOA must be covered by the Applicant/grantee using their own funds and/or other match funding source(s).

SECTION 6. MATCHING FUNDS

This section is scored. (10 possible points)

The purpose of this section is to provide DOA with a basis for determining an Applicant's project readiness in terms of financial capacity, funding availability, and financial risk to complete the entire project as proposed in the grant application.

No minimum match is required for the Flexible Facilities Program. However, if the Applicant's total project cost (as presented in the Budget in the attachment for Section 6 of the Application) exceeds the Flexible Facilities Program grant amount requested, then documentation is needed to confirm the Applicant has the financial capacity and funds readily available to complete the project as proposed. The Applicant shall attach Match Funding Source(s) Supporting Documentation as record of the status of the additional funding that is needed to cover the remaining costs of the project. This includes documentation of match funds on hand in the Applicant's existing financial account(s), approved as secured or awarded from a financial institution or other funding source, officially committed to the project by the Applicant's governing body and/or from another source, pending from another source, and/or having another status.

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Gather all supporting documentation for match funds in one file. Then save and attach the file here with the following file name:

(Applicant Name)_Attachment_B_Match_Funds_Documentation

The Applicant shall demonstrate any funding needed from other financial sources is secured and committed to the project so it is ready to proceed immediately upon award, if the Applicant is awarded Flexible Facilities Program grant funds. Projects must be funded sufficiently to complete the entire project according to the timeline specified in Section 1.7 of this Grant Announcement. The Applicant must have 100 percent (100%) of the matching funding necessary to complete the project secured and committed to the project prior to a grant agreement being executed, if awarded Flexible Facilities Program grant funds.

Basis of Scoring: The percentage of Match secured and officially committed specifically to the applicant's proposed project and the extent to which documentation is provided to verify the funds are secured and officially committed to the project. Applicants who apply for more than the maximum award under FFP that demonstrate 100% of the Match required is secured and committed to the proposed project with supporting documentation receive the maximum 10 points. If no Match is required, then no Match supporting documentation is required and the Applicant receives the maximum 10 points.

SECTION 7. FINANCIAL AUDIT INFORMATION

This section is NOT scored.

The purpose of this section is to provide DOA with information about the Applicant's financial management audit history and responsibility.

Generally, a non-Federal entity that expends \$750,000.00 or more in federal funds during a calendar year must have a single audit (i.e., a federally funded program(s)-specific audit) conducted for the calendar year in accordance with the provision of [2 CFR § 200.501](#). If subject to a single audit, the entity must submit a single audit report for the calendar year to the Federal Audit Clearinghouse ("FAC") within 30 days of the single audit being completed and no later than September 30th in the year following the calendar year that was subject to the single audit.

The Applicant shall check the appropriate box to indicate whether the Applicant submitted a single audit report for calendar year 2021 and/or 2022 to the Federal Audit Clearinghouse (FAC), and if so, the date(s) of submission. If the Applicant was not subject to a single audit or has not yet submitted a single audit report to the FAC for CY2021 or CY2022, then the date of the most recent standard financial audit (i.e., a general audit by a certified external professional entity of the Applicant's financial records, procedures and processes) shall be entered.

SECTION 8. SAM UNIQUE ENTITY IDENTIFICATION (UEI)

This section is NOT scored.

The purpose of this section is to verify the Applicant has an active registration in the Federal System for Award Management (SAM) with an assigned Unique Entity Identification (UEI) number.

Recipients of federal funds are required to be registered with a UEI number within SAM. The UEI number replaces the DUNS number that was previously required for recipients of federal funds. SAM registration is free. If an Applicant does not have a UEI, such an Applicant is encouraged to complete the entity registration process in SAM [at <https://sam.gov/content/home>]. If an Applicant's registration has expired, it must be renewed prior to application submission. If it expires prior to the award date (if awarded funds), the Applicant will be required to renew it prior to execution of the grant agreement.

The SAM UEI number and registration expiration date for the Applicant and subrecipient(s) (if applicable) are to be entered in Section 1 of the application. The Applicant shall attach a printed PDF of the SAM record(s) that show(s) the entity name, address, UEI number, and registration expiration date, as verification that the Applicant and subrecipient(s) (if applicable) has an active registration in SAM. If there are multiple subrecipients, save the SAM records for all of them in one document and upload it. Save and attach the file(s) with the following file name(s):

Applicant: (Applicant Name)_Attachment_C_SAM_UEI_Record_Applicant

Subrecipient: (Applicant Name)_Attachment_C(2)_SAM_UEI_Record_Subrecipient

SECTION 9. DESIGNATION OF CONFIDENTIAL AND PROPRIETARY INFORMATION

This section is NOT scored.

The Applicant shall complete and attach the Designation of Confidential and Proprietary Information (FFP_DOA-3027) form if necessary and applicable to the Applicant's project. An Applicant shall check the box to indicate the form is attached, download the form that is linked on the [FFP website](#), complete it, and attach the completed form where specified in the application, if applicable.

Save and attach the file with the following file name:

(Applicant Name)_Attachment_D_Designation of CPI

SECTION 10. SUBRECIPIENT SURVEY

The Applicant shall check the box provided in Section 10 of the Application if applying for funds on behalf of one or more nonprofit organization(s) or another government entity

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that will be the subrecipient of the funds to implement the project. Then complete the subrecipient survey in this section. If there are multiple subrecipients, download the Subrecipient Survey (Attachment E) linked on the [FFP website](#) and complete the survey for each subrecipient. Include the additional survey form(s) in the completed Application.

The Applicant is required to complete a Subrecipient Survey form for each subrecipient for the project. If there are multiple subrecipients, the Applicant must compile all of the surveys into one file and attach the document where specified in the application.

Save and attach the file with the following file name:

(Applicant Name)_Attachment_E_Additional_Subrecipient_Survey

SECTION 11. ATTESTATIONS AND REQUIRED SIGNATURES

This section is NOT scored.

The Applicant's authorized representative(s) must initial all attestations and sign the application.

In accordance with applicable provisions of the Federal American Rescue Plan Act of 2021 and Capital Projects Fund Grant Announcement provisions, eligible Applicants must certify compliance with all statements in the attestation. Applicants shall review each attestation (#1-11) and enter the Applicant's authorized representative's initials to certify agreement and acceptance of such requirements and the terms of the grant application and funding (if awarded funds).

The authorized representative is also to sign the application to certify that to the best of their knowledge and belief, the information contained in its ARPA Capital Projects Fund – Flexible Facilities Program grant application, including all attestations and attachments, is true, accurate and complete; certifies that they have the authority to make the attestations listed and have the intent and legal authorization to agree to them on the Applicant's behalf. The Applicant shall add the second authorized representative information in Section 11 only if the Applicant's local policy or governing body requires that a second authorized representative sign and approve the content and/or submission of the application. If required, the Applicant must download the 2nd Authorized Representative Signature Form on the [FFP website](#), have the representative complete and sign it, and upload it where specified in the application.

Save and attach the file with the following file name:

(Applicant Name)_Attachment_F_Additional_Authorized_Signature

Notice regarding other applicable laws and regulations:

The Applicant will comply with all other State of Wisconsin and Federal regulations applicable to the project upon implementation, including but not limited to:

- [Uniform Relocation Assistance and Real Property Acquisition Act](#) (URA), as provided for in 49 CFR § 24 and which will be summarized in policy documents to be issued by DOA prior to the FFP awards being made along with State of Wisconsin acquisition

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and relocation requirements [at

<https://doa.wi.gov/Pages/AboutDOA/RelocationAssistance.aspx>].

- Federal-competitive procurement and contracting requirements in accordance with [2 CFR § 200.320](#) (methods of procurement), unless qualified as a micro-purchase under the provisions of [2 CFR § 200.320\(a\)\(1\)](#) or approved by DOA for non-competitive procurement under the provisions of [2 CFR § 200.320\(c\)](#); and demonstrated compliance with the local procurement policy requirements.
- Federal and State environmental review requirements, including completing the activities listed in the U.S. Treasury Capital Projects Fund [Environmental Checklist](#) and additional environmental review documents as required by DOA.
- Fair labor practices – Grantees, subrecipients, prime contractors, and subcontractors will be required to incorporate provisions in contracts and complete actions to ensure fair labor practices for work on FFP projects, including compliance with the following:
 - 1) Contract Work Hours and Safety Standards Act (CWHSSA) – All contracts over \$100,000.00 must include and follow provisions of the CWHSSA, 40 USC secs. 3702 and 3704, as supplemented by U.S. Department of Labor (USDOL) regulations ([29 CFR § 5.5\(b\)](#); [29 CFR § 5.5\(c\)](#); and [USDOL CWHSSA General Guidance](#)). These requirements include:
 - a) The wages of every laborer and mechanic employed by any contractor or subcontractor in the performance of work on a contract shall be computed on the basis of a standard workweek of 40 hours.
 - b) For each workweek the laborer or mechanic is employed, wages at a rate not less than one and one-half times the basic rate of pay, for all hours worked in excess of 40 hours in the workweek.
 - c) No contractor or subcontractor shall require any laborer or mechanic employed to work in surroundings or under working conditions that are unsanitary, hazardous, or dangerous to health or safety, as established under construction safety and health standards the Secretary of Labor prescribes by regulation.
 - 2) Fair Labor Standards Act (FLSA) – The Grantee, subrecipient, and contractors must comply with the [Fair Labor Standards Act](#) and all other labor laws applicable to the company/entity and industry.
 - 3) Equal Opportunity/Affirmative Action related laws - Grantees, subrecipients, and contractors must comply with the Equal Opportunity/Affirmative Action laws applicable to the project (as set forth in the [U.S. Treasury Guidance for the Coronavirus Capital Projects Fund](#) document, page 19), including: [Title VI of the Civil Rights Act of 1964](#), 42 U.S.C. 2000d-1 et seq., and 31 CFR § 22; [Section 504 of the Rehabilitation Act of 1973](#), 29 U.S.C. 794; Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. 1681 et seq., and [31 CFR § 28](#); and Age Discrimination Act of 1975, 42 U.S.C. 6101 et seq., and [31 CFR § 23](#). Such entities are encouraged to prioritize hiring local workers and/or workers from historically disadvantaged communities to demonstrate efforts for meeting the goals and objectives of EO/AA regulations.
 - 4) Competitive Wages & Documentation Requirements for Construction Laborer and Mechanic Job Classifications –Workers in a laborer or mechanic job classification must be paid wages and benefits in accordance with the applicable provisions summarized as follows:
 - a) [Davis-Bacon and Related Acts \(DBRA\)](#) and the [Federal Wage Determinations](#) do **not** apply to FFP projects **unless** the FFP project is partially funded with other funding sources that are subject to the DBRA requirements, in which case all DBRA requirements must be met for the FFP project.
 - b) If DBRA is confirmed to **not** apply to the contract for the FFP project, the requirement to have fair labor practices will still apply as follows:

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- If the laborer or mechanic is a member of a collective bargaining agreement, the laborer or mechanic shall be paid wages and benefits in accordance with the collective bargaining agreement.
 - If the laborer or mechanic is not a member of a collective bargaining agreement, the laborer or mechanic is entitled to wages and benefits in accordance with whichever is the higher of:
 - Their regular hourly wage and fringe benefits rate for other similar work they perform for the contractor;
 - An hourly wage plus fringe benefits rate consistent with the specifications of Federal [Executive Order 14026](#) for work performed on or in connection with covered federal contracts (which is \$17.20 per hour as of January 1, 2024; subject to annual inflation increases). The State and Grantees must demonstrate fair wages are being paid for work on the FFP project.
 - Apprentices shall be compensated according to the provisions of their Federal or State recognized apprenticeship documentation.
 - Prime contractors and subcontractors for construction activities will be required to submit payroll documentation to verify fair labor practices, due to the Grantee (or subrecipient) no later than five (5) business days after the conclusion of each payroll period for all pay periods in which their employees worked on the FFP project. The payroll documentation must include the name of the prime contractor or subcontractor, the payroll period, the name of each laborer or mechanic working on the FFP project, each employee's unique identification (i.d.) number (the assigned employee i.d. number or last four digits of their social security number), the hours worked per day per employee, the hourly rate of pay (the hourly wage rate and hourly fringe benefits rate) for straight-time hours (hours worked that total 40 hours and less during the work week) and overtime hours (hours worked over 40 in the work week), the total gross wages amount earned, and net wages amount paid to the employee.
 - Prime contractors and subcontractors must have additional payroll supporting documentation related to wages, fringe benefits plans and rates, records of payments made to employees and fringe benefits plans, and deductions (types, employee authorizations, etc.) on file, which must be provided upon request to the Grantee, subrecipient, DOA, the U.S. Department of Treasury, and/or other state and federal regulatory agencies.
- 5) Prime contractors and subcontractors must be eligible to work on federally funded projects (i.e., they cannot be debarred or suspended from contracting for a federally assisted project, as verified in the Federal System for Award Management (SAM) [\[http://sam.gov/content/home\]](http://sam.gov/content/home)).
- 6) Prime contractors and subcontractors must retain all documents verifying fair labor practices for three (3) years after their work is completed on the FFP project.

6.0 SPECIAL GRANT AGREEMENT TERMS AND CONDITIONS

6.1 Recordkeeping

The Applicant will maintain for at least five (5) years records sufficient to demonstrate that the expenses to be incurred and obligated under its project are compliant with applicable American Rescue Plan Act of 2021 provisions.

6.2 Order of Precedence

In the event of an award(s), the contents of this Grant Announcement (including all attachments), Grant Announcement addenda and revisions, and the application of the successful Applicant(s), and additional terms agreed to in writing by DOA and the Applicant(s) shall become part of the grant agreement. Failure of the successful Applicant(s) to accept these as a contractual agreement may result in a cancellation of award. The following priority for grant agreement documents will be used if there are conflicts or disputes:

1. American Rescue Plan Act provisions
2. Applicable State of Wisconsin statutes and regulations.
3. The terms of the resulting grant agreement.
4. The terms of the Applicant's response as accepted by the State.
5. The terms of the Grant Application as amended.

6.3 Grant Agreement

A grant agreement between an Applicant and DOA will cover, among other things, the period of performance, payment requirements, document requirements, reporting requirements, and budget. Grant agreements cover a pre-determined period after the date DOA signs the contract. Applicants must agree to abide by applicable state and federal rules and regulations.

6.4 Public Disclosure

Copies of the application materials, excluding materials deemed to be confidential and proprietary information on Attachment D: Designation of Confidential and Proprietary Information (FFP_DOA-3027), will be made available for public inspection in accordance with applicable Wisconsin law.

6.5 Compliance with the Federal American Rescue Plan Act

An Applicant is solely responsible for demonstrating that payments it receives under the Program, if awarded funds, meet the eligibility requirements set forth under this document, state law, federal law, and federal guidance. The Applicant will hold DOA and the State harmless for any audit disallowance related to the eligibility of costs or revenues, irrespective of whether the audit is ordered by federal or state agencies or by the courts and will be solely responsible for repaying the ineligible amounts (plus any assessed interest, costs, or fees) to the State or the federal government.

6.6 Miscellaneous

The State of Wisconsin reserves the right to audit any Applicant that receives funding under this Program. The Applicant will cooperate and provide any relevant information or records requested by DOA, any of its authorized representatives, the State of Wisconsin Legislative Audit Bureau, or the U.S. Department of the Treasury Office of Inspector General at any time relating to the expenses.

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6.7 American Rescue Plan Act Funding

The Program utilizes federal funds provided under the American Rescue Plan Act of 2021. DOA provides the following information regarding the source of funds:

Federal Award Identification Number: N/A

Federal Award Date: N/A

CFDA #: 21.029 Coronavirus Capital Projects Fund

Federal Awarding Agency: Department of the Treasury

Total Amount of the Federal Award: \$189,354,516.00

Amount of Federal Funds Obligated by this Award: Refer to Allocation Amount

Total Amount of Federal Funds Obligated: Refer to Allocation Amount

Research & Development: No

Indirect Cost Rate: N/A

6.8 Indemnity

By providing funds to Applicant, the State assumes no liability for any acts or omissions of the Applicant or any of its officers, employees, contractors, or agents which are in any way related to the costs for which the Applicant seeks funding. The Applicant will indemnify and hold harmless the DOA and the State and all of its officers, agents, and employees from all suits, actions, or claims of any character brought for or on account of any injuries or damages received by any persons or property resulting from the operations of the Applicant, or of any of its contractors, in performing the activities for which the Applicant seeks funding.