

NOTICE OF FUNDING OPPORTUNITY

STATE AND LOCAL IMPLEMENTATION GRANT PROGRAM (SLIGP) 2.0

EXECUTIVE SUMMARY

A. Federal Agency Name

National Telecommunications and Information Administration, U.S. Department of Commerce

B. Funding Opportunity Title

State and Local Implementation Grant Program (SLIGP) 2.0

C. Announcement Type

Initial

D. Funding Opportunity Number

2018-NTIA-SLIGP-2

E. Catalog of Federal Domestic Assistance (CFDA) Number(s)

11.549, State and Local Implementation Grant Program

F. Key Dates

Applications will be accepted from September 27, 2017 until December 28, 2017 at 11:59 p.m. Eastern Time; or from September 27, 2017 until 11:59 p.m. Eastern Time on the 91st calendar day from the date that the Governor of an applicant State receives notice from FirstNet of its final State Plan, whichever is later.¹ Applicants are encouraged to submit SLIGP 2.0 applications as soon as possible in the application window once their respective Governor has made a decision regarding the FirstNet State Plan for deployment of the Radio Access Network. The earlier submission of applications will assist NTIA with workflow challenges during the abbreviated application review time period.

Complete applications for the SLIGP 2.0 must be submitted electronically through www.grants.gov and received no later than December 28, 2017 or no later than 91 days after the Governor of an applicant State receives notice from FirstNet of its State Plan, whichever is later. The date and time stamp on the validation generated by www.grants.gov will be deemed the official submission date and time. Applications or portions thereof submitted by postal mail, courier, email, or by facsimile will not be accepted. See Section D in the Full Announcement Text of this Notice of Funding Opportunity (NOFO) for detailed information concerning application submission requirements.

¹ 47 U.S.C. 1442(e)(2). All references to "State Plan" herein refer to the final State Plan that each Governor receives from FirstNet.

When developing your submission timeline, please keep in mind that (1) all applicants are required to have a current registration in the System for Award Management (www.SAM.gov); (2) the free annual registration process in the electronic System for Award Management (www.SAM.gov) (see Section D.3.b of this NOFO) generally takes between three and five business days, but may take more than two weeks, so applicants should plan accordingly; (3) all applicants are required to have a current registration in Grants.gov; and (4) applicants will receive a series of e-mail messages from Grants.gov over a period of up to two business days before learning whether a Federal agency's electronic system has received its application. Please note that a federal assistance award cannot be issued if the designated recipient's registration in SAM.gov is not current at the time of the award.

G. Funding Opportunity Description

The National Telecommunications and Information Administration (NTIA) issues this NOFO to describe the requirements under which NTIA will award grants for the State and Local Implementation Grant Program 2.0 (SLIGP 2.0), authorized by section 6302 of the Middle Class Tax Relief and Job Creation Act of 2012 (Act), to assist state, local and tribal governments with planning activities for the nationwide interoperable public safety broadband network.

H. Funding Instrument

Grant.

I. Eligibility

Any State, territory, or the District of Columbia is eligible for a grant under the SLIGP 2.0

J. Cost Sharing/Matching

The SLIGP 2.0 requires cost sharing, also known as a matching fund requirement. By statute, the Federal share of the cost of any activity carried out under the grant program may not exceed 80 percent of the eligible cost of carrying out grant activities.² Thus, NTIA expects that SLIGP grant recipients will provide at least 20 percent non-Federal matching funds toward the total eligible project cost. Applicants must document their capacity to provide matching funds. Matching funds may be in the form of either cash or in-kind contributions consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200.³

NTIA will provide up to 80 percent of the total eligible costs of the project, unless the applicant petitions the Assistant Secretary for Communications and Information (Assistant Secretary) for a waiver of the matching requirement and a full or partial waiver is granted, as discussed below.

² 47 U.S.C. 1442(b).

³ 2 CFR Part 200, available at <http://go.usa.gov/SBYh>.

FULL ANNOUNCEMENT TEXT

A. Program Description

The statutory authority for the SLIGP 2.0 is the Middle Class Tax Relief and Job Creation Act of 2012 (Pub. L. No. 112-96, Title VI, 126 Stat. 256) (codified at 47 U.S.C. 1401 *et seq.*) (Act), which mandated the creation of the nationwide public safety broadband network (NPSBN) dedicated to police, firefighters, emergency medical service professionals and other public safety entities. The Act's governing framework for the development, deployment and operation of the NPSBN created the First Responder Network Authority (FirstNet), an independent authority within the National Telecommunications and Information Administration (NTIA) at the U.S. Department of Commerce. The Act also charged NTIA with establishing a grant program, the State and Local Implementation Grant Program (SLIGP), to assist State, regional, tribal, and local jurisdictions with identifying, planning, and implementing the most efficient and effective means to use and integrate the infrastructure, equipment, and other architecture associated with the NPSBN to satisfy the wireless broadband and data services needs of their jurisdictions. As required by the Act, NTIA consulted with FirstNet in establishing the programmatic requirements for SLIGP.⁴ NTIA awarded \$116.5 million in grant funds to 54 active state and territorial recipients between July 2013 and June 2014.

Currently, active SLIGP grants have a period of performance of up to four and a half years, with all grants expiring by February 28, 2018. However, many recipients have expended their grant funds at a lower rate of spending than the NTIA anticipated. NTIA also recognizes the importance of States' and territories' continued planning and coordination efforts after FirstNet delivers State Plans⁵ in mid- to late-2017 and after SLIGP grants expire between December 2017 and February 2018. NTIA, in consultation with FirstNet, intends to make SLIGP 2.0 awards in order to provide recipients with the necessary resources for coordination efforts during the post-State Plan period as Radio Access Network (RAN) buildout occurs. NTIA will leverage excess funds from original SLIGP grants that recipients with large projected unspent balances voluntarily deobligated to make these awards. In this scenario, States could submit an application for SLIGP 2.0 funding immediately after the Governor transmits a decision to FirstNet or when the 90-day opt-out window elapses.

This NOFO is the initial announcement of this funding opportunity. NTIA issues this NOFO to open the application window for the SLIGP 2.0 grant program, provide further information on the amount of funding available for the award, discuss how NTIA will allocate funds to applicants, give instructions on the application process, and describe the evaluation criteria for application review.

⁴ 47 U.S.C. 1442(c).

⁵ 47 U.S.C. 1442(e).

Program Activities:

The purpose of SLIGP 2.0 is to provide support to States and territories as they further plan for NPSBN deployment and public safety user adoption in the post-State Plan period.

SLIGP 2.0 recipients have the discretion to choose among the allowable activities described in Section D.6.a, as it is not mandatory to perform all of the activities listed in that section. At the highest level, SLIGP 2.0 provides funding to engage and plan with the entity deploying the RAN within the State (either FirstNet, the State itself, or another third party) and to help further plan for public safety user adoption.

Please note that the Governor's designation of a single officer is required under the Act, but recipients are not required to cover associated personnel costs with grant funds. For any State, territory, or the District of Columbia that may choose to officially opt-out of FirstNet's plan to operate a RAN within its borders, allowable activities will differ based on whether the State has entered into a Spectrum Manager's Lease Agreement (SMLA) with FirstNet yet or not.

For full details on allowable and unallowable activities plus costs for Opt-In and for Opt-Out States please see section D.6.a and D.6.b of this NOFO. Original SLIGP recipients should note that this list of activities and costs differs from the list of program priority areas and allowable and unallowable activities under original SLIGP grants.

B. Federal Award Information

1. Funding Availability

NTIA will make up to \$43.4 million available for Federal assistance under the SLIGP 2.0. NTIA will utilize an incremental funding mechanism for SLIGP 2.0 awards and will only fund the first increment with the initial awards. The first increment will provide funding for the initial 9 months (anticipated: March 1, 2018 to November 30, 2018), and the second increment will provide funding for the next 15 months (anticipated: December 1, 2018 to February 29, 2020) for a two-year period of performance. The ceiling amount available for the first increment of funding is \$15.5 million. The second increment of funding is contingent upon the availability of funds. The second increment of funds will be awarded at NTIA's discretion.

In FY 2018 through FY 2020, NTIA anticipates a total of up to \$43.4 million may be available to fund awards with project performance periods of up to two (2) years.

The proposed allocation of funds listed in the table below is based on a formula accounting for each state and territory's population reflected in the 2010 Census as a likely indicator of the number of public safety entities within that State, territory or District of Columbia. Based on the Census data, States will be placed into one of three tiers. The most populous States and territories are eligible for Tier One funding which is a maximum of \$425,000 in the first increment. The States and territories eligible for Tier Two funding are eligible for a maximum of \$250,000 in the first increment. Tier Three States and territories are eligible for a maximum of \$200,000 in the first increment.

Each State and territory will remain in the same tier for both increments. Funding allocated to Tier One represents 33 percent of the total amount of funds possibly available. Funding allocated to Tier Two represents 52 percent of the total amount of funds possibly available. And funding allocated to Tier Three represents 15 percent of the total amount of funds possibly available. Since the second increment is subject to the availability of funds and the exact amount available is unknown at this time, NTIA will proportionally allocate the available second increment funding into the above-stated proportions and will equitably allocate the second increment funding across the grantees placed within those three respective tiers.

If a State or territory received supplemental funding with its original SLIGP award, NTIA will subtract the amount of the supplemental award from the first increment of SLIGP 2.0 funding as a corresponding offset to its SLIGP 2.0 grant award.

The second increment funding is contingent on funds recovered from current SLIGP grants during the close-out period, and as a result, NTIA has built in a variance to the anticipated funding ceiling to account for any additional recovered funds. The table below represents the allocated amounts in the first increment and the anticipated ceiling amount for the second increment for each State; however, funding in the second increment will be based on the availability of funding.

SLIGP 2.0 Funding Allocation Table

State/Territory	1st Increment Federal Share (9 months)*	2nd Increment NTE Federal Share Ceiling (15 months)	Total Federal Share
California	\$425,000	\$775,000	\$1,200,000
Florida	\$425,000	\$775,000	\$1,200,000
Georgia	\$425,000	\$775,000	\$1,200,000
Illinois	\$425,000	\$775,000	\$1,200,000
Michigan	\$425,000	\$775,000	\$1,200,000
New Jersey	\$425,000	\$775,000	\$1,200,000
New York	\$425,000	\$775,000	\$1,200,000
North Carolina	\$425,000	\$775,000	\$1,200,000
Ohio	\$425,000	\$775,000	\$1,200,000
Pennsylvania	\$425,000	\$775,000	\$1,200,000
Texas	\$425,000	\$775,000	\$1,200,000
Virginia	\$425,000	\$775,000	\$1,200,000
Alabama	\$250,000	\$450,000	\$700,000
Arizona	\$250,000	\$450,000	\$700,000
Arkansas	\$250,000	\$450,000	\$700,000
Colorado	\$250,000	\$450,000	\$700,000

State/Territory	1st Increment Federal Share (9 months)*	2nd Increment NTE Federal Share Ceiling (15 months)	Total Federal Share
Connecticut	\$250,000	\$450,000	\$700,000
Hawaii	\$250,000	\$450,000	\$700,000
Idaho	\$250,000	\$450,000	\$700,000
Indiana	\$250,000	\$450,000	\$700,000
Iowa	\$250,000	\$450,000	\$700,000
Kansas	\$250,000	\$450,000	\$700,000
Kentucky	\$250,000	\$450,000	\$700,000
Louisiana	\$250,000	\$450,000	\$700,000
Maine	\$250,000	\$450,000	\$700,000
Maryland	\$250,000	\$450,000	\$700,000
Massachusetts	\$250,000	\$450,000	\$700,000
Minnesota	\$250,000	\$450,000	\$700,000
Mississippi	\$250,000	\$450,000	\$700,000
Missouri	\$250,000	\$450,000	\$700,000
Nebraska	\$250,000	\$450,000	\$700,000
Nevada	\$250,000	\$450,000	\$700,000
New Hampshire	\$250,000	\$450,000	\$700,000
New Mexico	\$250,000	\$450,000	\$700,000
Oklahoma	\$250,000	\$450,000	\$700,000
Oregon	\$250,000	\$450,000	\$700,000
Puerto Rico	\$250,000	\$450,000	\$700,000
Rhode Island	\$250,000	\$450,000	\$700,000
South Carolina	\$250,000	\$450,000	\$700,000
Tennessee	\$250,000	\$450,000	\$700,000
Utah	\$250,000	\$450,000	\$700,000
Washington	\$250,000	\$450,000	\$700,000
West Virginia	\$250,000	\$450,000	\$700,000
Wisconsin	\$250,000	\$450,000	\$700,000
Alaska	\$200,000	\$350,000	\$550,000
American Samoa	\$200,000	\$350,000	\$550,000
CNMI	\$200,000	\$350,000	\$550,000
Delaware	\$200,000	\$350,000	\$550,000

State/Territory	1st Increment Federal Share (9 months)*	2nd Increment NTE Federal Share Ceiling (15 months)	Total Federal Share
District of Columbia	\$200,000	\$350,000	\$550,000
Guam	\$200,000	\$350,000	\$550,000
Montana	\$200,000	\$350,000	\$550,000
North Dakota	\$200,000	\$350,000	\$550,000
South Dakota	\$200,000	\$350,000	\$550,000
US Virgin Islands	\$200,000	\$350,000	\$550,000
Vermont	\$200,000	\$350,000	\$550,000
Wyoming	\$200,000	\$350,000	\$550,000
Total State Allocation	\$15,500,000	\$27,900,000	\$43,400,000

* If a State or territory received supplemental funding with its original SLIGP award, NTIA will subtract the amount of the supplemental award from the first increment of SLIGP 2.0 funding as a corresponding offset to its SLIGP 2.0 grant award.

2. Project/Award Period

The period of performance for all awards under the SLIGP 2.0 will be two years. A no-cost extension may be considered based on demonstrated need.

3. Award Amount

States and territories eligible for Tier One funding in the first increment will be eligible for \$425,000. States and territories eligible for Tier Two funding in the first increment will be eligible for \$250,000. States and territories eligible for Tier Three funding in the first increment will be eligible for \$200,000. NTIA anticipates awarding a maximum of 56 SLIGP 2.0 grants. In the second increment, award amounts for each of the tiers will be consistently proportional to each other based on remaining available funds.

SLIGP 2.0 grants will be funded through incremental obligations. When an application for a multi-year award is approved, funding will usually be provided for only the first part of the project. If a project is selected for funding, NTIA has no obligation to provide any additional funding in connection with that award. Continued funding will be contingent upon the availability of funds. Under this NOFO, NTIA may elect to fully fund awards or to partially fund awards.

4. Renewal or Supplementation

NTIA does not anticipate soliciting or accepting applications for renewal or supplementation of existing projects for this grant program, but retains discretion to make further supplemental or renewal awards as appropriate.

5. Type of Funding Instrument

The funding instrument for awards made pursuant to the NOFO will be a grant.

C. Eligibility Information

Any State, territory or the District of Columbia is eligible to apply for the SLIGP 2.0.

1. Eligible Applicants

A designated State or territory-level agency that meets the description above is eligible to apply for the SLIGP 2.0. Please note the applicant agency for the SLIGP 2.0 does not necessarily need to be the same agency as the original SLIGP recipient.

2. Cost Sharing or Matching

The SLIGP 2.0 requires cost sharing, also known as a matching fund requirement. By statute, the Federal share of the cost of any activity carried out under the grant program may not exceed 80 percent of the eligible cost of carrying out grant activities.⁶ Thus, NTIA expects that SLIGP 2.0 grant recipients will provide at least 20 percent non-Federal matching funds toward the total eligible project cost. Applicants must document their capacity to provide matching funds. Matching funds may be in the form of either cash or in-kind contributions consistent with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200.⁷

In-kind contributions, which include third party in-kind contributions, are non-cash donations of property, goods or services, which benefit a Federally-assisted project, and which may count toward satisfying the non-Federal matching requirement of a project's total budgeted costs when such contributions meet certain criteria.⁸ In-kind contributions must be allowable project expenses. The rules governing allowable in-kind contributions are very detailed and encompass a wide range of properties and services. NTIA encourages applicants to consider thoroughly potential sources of in-kind contributions that, depending on the particular property or service and the applicable Office of Management and Budget (OMB) cost principles, could include: employee or volunteer services; equipment; supplies; indirect costs; computer hardware and software; and use of facilities.

Generally, Federal funds may not be used as matching funds, except as provided by Federal statute.⁹ As provided in 48 U.S.C. 1469a, NTIA waives the requirement for local matching funds under \$200,000 (including in-kind contributions) for the Territorial governments in Guam, American Samoa, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

NTIA will provide up to 80 percent of the total eligible costs of the project, unless the applicant petitions the Assistant Secretary for a waiver of the matching requirement and a full or partial waiver is granted, as discussed below.

⁶47 U.S.C. 1442(b).

⁷See 2 CFR 200.306.

⁸See id.

⁹See id

3. Cost Match Waiver Process

The Act provides that the Assistant Secretary may waive, in whole or in part, the matching requirement for good cause shown if the Assistant Secretary determines that such a waiver is in the public interest.¹⁰ NTIA fully anticipates that recipients will provide the full 20 percent cost match; thus, the Assistant Secretary will grant full or partial waivers of the cost match requirement only when the applicant demonstrates good cause that warrants such action.

An applicant requesting a waiver of all or part of the 20 percent non-federal matching share contribution must present its justification for a waiver with its application submission.¹¹ The applicant must show good cause to warrant the grant of a full or partial waiver by fully explaining its inability to provide the required cost match and documenting its attempts to obtain sources of matching funds. The applicant may document its lack of revenue options to supply the cost match by, for example, describing how it faces severe budgetary imbalances or expenditure cutbacks resulting in significant reductions in state services, has experienced extraordinary or unanticipated non-recurring expenses, or exceptionally high unemployment, relative to other States.

The Assistant Secretary will evaluate the information provided by the applicant in support of its matching waiver request and determine whether there is good cause shown and the public interest is served by granting a full or partial waiver.

D. Application and Submission Information

Applications will be accepted from September 27, 2017 until December 28, 2017 at 11:59 p.m. Eastern Time; or from September 27, 2017 until 11:59 p.m. Eastern Time on the 91st calendar day from the date that the Governor of an applicant State receives notice from FirstNet of its State Plan, whichever is later.¹² Applicants are encouraged to submit SLIGP 2.0 applications as soon as possible in the application window once their respective Governor has made a decision regarding the FirstNet State Plan for deployment of the Radio Access Network. The earlier submission of applications will assist NTIA with workflow challenges during the abbreviated application review time period.

1. Address to Request Application Package

Application forms and instructions are available on the Grants.gov website (www.grants.gov). To access these materials, go to <http://www.grants.gov>, select “Apply for Grants,” and then select “Download Application Package.” Enter the funding opportunity number 2018-NTIA-SLIGP-2. Select “Download Application Package,” and then follow the prompts. To download the instructions, go to “Download Application Package” and select “Instructions.” We recommend applicants visit Grants.gov prior to

¹⁰ 47 U.S.C. 1442(b)(2).

¹¹ States may subsequently petition NTIA for a waiver upon determining that good cause warrants such a request. The Assistant Secretary will retain this waiver authority throughout the entire grant program.

¹² 47 U.S.C. 1442(e)(2).

filing their applications so that they fully understand the process and requirements. Failure to properly register and apply for the SLIGP 2.0 grants by the deadline established in this NOFO may result in forfeiture of the grant opportunity. Applications are accepted until the deadline and are processed as received. Applications submitted by e-mail, paper, or facsimile will not be accepted. Applicants may also request an application package by contacting the Federal Awarding Agency contact listed in Section G of this NOFO.

With respect to electronic methods for providing information about funding opportunities or accepting applicants' submissions of information, NTIA is responsible for compliance with Section 508 of the Rehabilitation Act of 1973, as amended by the Workforce Act of 1998.

2. Content and Form of Applications

a) Required Forms and Documentation

Applications must be complete and follow the format described in this NOFO. The application consists of the following forms and required submissions, which are discussed in more detail below.

The following elements are required for a complete application package:

i. Letter of Designation

The Act states that the Assistant Secretary shall require each State to certify in its application for grant funds that the State has designated a single officer or governmental body to serve as the coordinator of implementation of the SLIGP grant funds. To implement this statutory requirement, NTIA requires applicants to provide a Letter of State Designation signed by the Governor or equivalent chief executive of the State, or his duly authorized designee, that reaffirms the existing, or identifies a new, State officer or governmental body designated as the coordinator of the implementation of the grant funds. This individual must be a current government employee, not a contractor or consultant. If the Governor designates a governmental body, NTIA requires a point of contact for that body.

ii. Standard Form 424, Application for Federal Assistance

This form (and all additional forms requiring a signature) must be signed by the applicant's AOR. Electronic signatures submitted through www.grants.gov satisfy this requirement.

- SF-424, Item 8.d. Zip/Postal Code field, should reflect the Zip code + 4 (#####-####) format.
- SF-424, Item 12, should list the NOFO number as 2018-NTIA-SLIGP-2.

SF-424, Item 18, should list the total Federal budget amount requested for the entire project.

For SF-424, Item 21, the list of certifications and assurances is contained in the SF-424B.

iii. Standard Form 424A, Budget Information—Non-Construction Programs

Applicants must complete this form and provide an accompanying Budget Narrative and Detailed Budget Justification.

Please carefully follow the directions found at: <http://www.grants.gov/web/grants/form-instructions/sf-424a-instructions.html> when filling out this form.

- iv. Standard Form 424B, Assurances for Non-Construction Programs (SF-424B)**
- v. CD-511 Certification Regarding Lobbying. Enter “2018-NTIA-SLIGP-2 in the Award Number field. Enter the title of the application used in field 15 of the SF-424, or an abbreviation of that title, in the Project Name field.**
- vi. Standard Form LLL, Disclosure of Lobbying Activities (if applicable)**
- vii. Application Narrative**

The Application Narrative is a word-processed document of no more than ten (10) single or double-spaced pages responsive to the program description (see Full Announcement Text, section A. Program Description, of this NOFO), and the evaluation criteria (see Full Announcement Text, section E. Application Review Information, 1. Evaluation Criteria, of this NOFO). The Narrative must contain the following information:

- a comprehensive explanation of the allowable activities that will be conducted using SLIGP 2.0 funds, how the applicant aims to resource and conduct these activities, the objectives and outcomes of these activities, and how conducting these activities will support the deployment of the NPSBN in their State. Note that applicants have the discretion to choose among the allowable activities described in section D.6.a, as it is not mandatory to perform all activities listed in that section;
- a description of capacity to manage and conduct programmatic activities of the award and ability to adhere to NTIA grant reporting and compliance requirements described in section F.3.; and
- a high-level staffing plan that clearly designates which individuals or positions will be responsible for fulfilling programmatic and grant management requirements.

viii. Budget Narrative and Detailed Budget Justification

In addition to the Standard Form 424A Budget Information form, applicants must include a Detailed Budget Justification in the form of a spreadsheet as well as a detailed Budget Narrative in the form of a word document. All budget information submitted with the application must match the dollar amounts on required Standard Form 424 and Standard Form 424A. The Budget Narrative must be accompanied by a spreadsheet listing itemized costs by category (*e.g.*, salary, fringe, supplies, contractual, etc.) and supporting

how the budget request was calculated. The spreadsheet must be formatted to fit letter-sized paper (8.5" x 11"). A budget justification in narrative form must also be provided to explain and justify all project costs, including contractual costs. This narrative must be organized to clearly correspond to the information provided in the budget table or spreadsheet. Detail provided in the spreadsheet and/or the narrative must also be sufficient so that reviewers can interpret how costs were estimated or calculated, especially for costs over \$5,000 (including any contractual costs). The Budget Narrative (and the Standard Form 424A form) and spreadsheet must clearly distinguish those costs proposed to be supported with Federal funds. (*Budget Narrative not to exceed 5 pages. Budget Detail must be in the form of a spreadsheet.*)

ix. Indirect Cost Rate Agreement (as applicable)

If indirect costs are included in the proposed budget, provide a copy of the approved negotiated agreement if this rate was negotiated with a cognizant Federal audit agency. If the rate was not established by a cognizant Federal audit agency, provide a statement to this effect. If the successful applicant includes indirect costs in the budget and has not established an indirect cost rate with a cognizant Federal audit agency, the applicant will be required to obtain such a rate in accordance with the Department of Commerce Financial Assistance Standard Terms and Conditions.¹³ This does not count toward the page limit.

Alternatively, in accordance with 2 CFR 200.414(f), applicants that have never received a negotiated indirect cost rate may elect to charge indirect costs to an NTIA award pursuant to a de minimis rate of 10 percent of modified total direct costs, in which case a negotiated indirect cost rate agreement is not required. In order to request indirect costs under a de minimis rate, the applicant agency must not receive more than \$35 million a year in direct Federal funding. As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. Once chosen, this methodology must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time. Applicants proposing a 10 percent de minimis rate pursuant to 2 CFR 200.414(f) must note this election as part of the budget portion of the application.

x. Opt-Out letter from Governor (as applicable)

The applicant must submit a copy of the official opt-out notification from the Governor if that applicant has chosen to opt-out.

xi. Cost Match Waiver Letter (as applicable)

¹³ See U.S. Department of Commerce, Department of Commerce Financial Assistance Standard Terms and Conditions (Mar. 31, 2017), *available at* http://osec.doc.gov/oam/grants_management/policy/documents/Department%20of%20Commerce%20Standard%20Terms%20&%20Conditions%2031%20March%202017.pdf (Standard Terms and Conditions).

If the applicant is requesting a full or partial waiver of the cost matching requirement, a letter that addresses the necessary elements must be provided.

When submitting the application electronically via Grants.gov, items D.2.a.ii through D.2.a.vi above are part of the standard application package in Grants.gov and can be completed through the download application process. Items D.2.a.i and D.2.a.vii through ix must be completed and attached by clicking on “Add Attachments” found in item 15 of the SF-424, Application for Federal Assistance. This will create a zip file that allows for transmittal of the documents electronically via Grants.gov.

Applicants should carefully follow specific Grants.gov instructions at www.grants.gov to ensure the attachments will be accepted by the Grants.gov system. A receipt from Grants.gov indicates only that an application was transferred to the Grants.gov system. It does not provide details concerning whether all attachments (or how many attachments) transferred successfully. Applicants using Grants.gov will receive a series of e-mail messages over a period of up to two business days before learning whether a Federal agency’s electronic system has received its application.

The Grants.gov Online Users Guide available at the Grants.gov site (<http://go.usa.gov/cjaEh>) provides vital information on checking the status of applications. See especially the “Check My Application Status” option, found by clicking first on Applicants, and then by clicking on Applicant Actions.

Applicants can track their submission in the Grants.gov system by following the procedures at the Grants.gov site (<http://go.usa.gov/cjamz>). It can take up to two business days for an application to fully move through the Grants.gov system to NIST, however, applicants can immediately check that they properly submitted the application in Grants.gov by following the Grants.gov tracking procedures cited above.

Agency Tracking Numbers will not be issued. The Tracking Numbers assigned by Grants.gov are sufficient.

b) Additional application materials

No additional application materials are required, beyond what is enumerated above.

c) Application Format

i. E-mailed and facsimile (fax) submissions

Will not be accepted.

ii. Figures, graphs, images, and pictures

Should be of a size that is easily readable or viewable and may be landscape orientation.

iii. Font

Easy to read font (10-point minimum). Smaller type may be used in figures and tables but must be clearly legible.

iv. Line spacing

Applicants may use single spacing or double spacing.

v. Margins

One (1) inch top, bottom, left, and right.

vi. Page layout

Portrait orientation except for figures, graphs, images, and pictures. Paragraphs are to be clearly separated from each other by double spacing, paragraph formatting or equivalent.

vii. Page limit

The Application Narrative is limited to 10 pages.

Page limit includes: The text of the Application Narrative, as described in section D.2.a.vii of this NOFO. A separate 5 page limit exists for the Budget Narrative.

Page limit excludes: Designation Letter, SF-424, Application for Federal Assistance; SF-424B, Budget Information – Non-Construction Programs; CD-511, Certification Regarding Lobbying; SF-LLL, Disclosure of Lobbying Activities; Detailed Budget Justification, Indirect Cost Rate Agreement; Opt-out letter from Governor; and Request to Waive the Matching Requirement.

viii. Page numbering

Number pages sequentially.

ix. Page size

21.6 centimeters by 27.9 centimeters (8 ½ inches by 11 inches).

x. Application Language

English.

xi. Pre-Applications, white papers and letters of intent

Pre-Applications, white papers and letters of intent are not required and nor will they be accepted for this program.

xii. Typed document

All applications, including forms, must be typed

d) Application Replacement Pages

Applications should be submitted by the submission deadline in full. If revisions or replacement pages are necessary, applicant may submit pursuant to NTIA's request as described in Section E (Application Review Information).

e) Certifications Regarding Federal Felony and Federal Criminal Tax Convictions, Unpaid Federal Tax Assessments and Delinquent Federal Tax Returns

In accordance with Federal appropriations law, an authorized representative of the selected applicant(s) may be required to provide certain pre-award certifications

regarding Federal felony and Federal criminal tax convictions, unpaid Federal tax assessments, and delinquent Federal tax returns.

3. Dun & Bradstreet Number (DUNS number) and System for Award Management (SAM)

Pursuant to 2 CFR Part 25, applicants and recipients (as the case may be) are required to: (i) be registered in SAM before submitting its application; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which they have an active Federal award or an application or plan under consideration by a Federal awarding agency, unless otherwise excepted from these requirements pursuant to 2 CFR 25.110. NTIA will not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time that NTIA is ready to make a Federal award pursuant to this NOFO, NTIA may determine that the applicant is not qualified to receive a Federal award.

a) DUNS Number

All applicants must supply a DUNS number. Applicants can receive a DUNS number at no cost by calling the dedicated toll-free DUNS number request line at 1-866-705-5711 or via the Internet at <http://fedgov.dnb.com/webform>.

b) System for Award Management

All applicants must register in the SAM before submitting an application. Additionally, the applicant must maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. Applicants can register for the SAM at <https://www.sam.gov/>.

4. Submission Dates and Times

Complete applications for SLIGP 2.0 must be electronically submitted through www.grants.gov, under announcement 2018-NTIA-SLIGP-2. Applications or portions thereof submitted by mail, courier, email or by facsimile will not be accepted. Applications submitted electronically through the online www.grants.gov system must be received no later than December 28, 2017 or no later than 91 days after the Governor of an applicant State receives notice from FirstNet of its State Plan, whichever is later. All application forms and documents must be included with an applicant's submission via www.grants.gov.

Applicants should be aware, and factor in their application submission planning, that the Grants.gov system routinely closes for maintenance. Applications cannot be submitted when Grants.gov is closed.

Submitters of electronic applications should carefully follow specific Grants.gov instructions to ensure the attachments will be accepted by the Grants.gov system. A receipt from Grants.gov indicating an application is received does not provide

information about whether attachments have been received. For further information or questions regarding applying electronically for the announcement, contact the Federal Awarding Agency contact listed in Section G of this NOFO.

Applicants are strongly encouraged to start early and not wait until the approaching due date before logging on and reviewing the instructions for submitting an application through Grants.gov. The Grants.gov registration process must be completed before a new registrant can apply electronically. If all goes well, the registration process takes three (3) to five (5) business days. If problems are encountered, the registration process can take up to two (2) weeks or more. Applicants must have a valid unique entity identifier number and must maintain a current registration in the Federal government's primary registrant database, the System for Award Management (<https://www.sam.gov/>), as explained on the Grants.gov Web site. See also Section D.3.b of this NOFO. After registering, it may take several days or longer from the initial log-on before a new Grants.gov system user can submit an application. Only authorized individual(s) will be able to submit the application, and the system may need time to process a submitted application. Applicants should save and print the proof of submission they receive from Grants.gov. If problems occur while using Grants.gov, the applicant is advised to (a) print any error message received and (b) call Grants.gov directly for immediate assistance. If calling from within the United States or from a U.S. territory, please call 800-518-4726. If calling from a place other than the United States or a U.S. territory, please call 606-545-5035. Assistance from the Grants.gov Help Desk will be available around the clock every day, with the exception of Federal holidays. Help Desk service will resume at 7:00 a.m. Eastern Time the day after Federal holidays. For assistance using Grants.gov, you may also contact support@grants.gov.

To find instructions on submitting an application on Grants.gov, Applicants should refer to the "Applicants" tab in the banner just below the top of the www.grants.gov home page. Clicking on the "Applicants" tab produces two useful sources of information, Applicant Actions and Applicant Resources, which applicants are advised to review.

Applicants will receive a series of e-mail messages over a period of up to two business days before learning whether NTIA's electronic system has received its application. Closely following the detailed information in these subcategories will increase the likelihood of acceptance of the application by the NTIA's electronic system.

Applicants should pay close attention to the guidance under "Applicant FAQs," as it contains information important to successful submission on Grants.gov, including essential details on the naming conventions for attachments to Grants.gov applications.

All applicants should be aware that adequate time must be factored into applicants' schedules for delivery of their application. Applicants are advised that volume on Grants.gov may be extremely heavy as the deadline date approaches.

The application must be both received and validated by Grants.gov. The application is "received" when Grants.gov provides the applicant a confirmation of receipt and an application tracking number. If an applicant does not see this confirmation and tracking number, the application has not been received. After the application has been received, it

must still be validated. During this process, it may be “validated” or “rejected with errors.” To know whether the application was rejected with errors and the reasons why, the applicant must log in to Grants.gov, select “Applicants” from the top navigation, and select “Track my application” from the drop-down list. If the status is “rejected with errors,” the applicant may still seek to correct the errors and resubmit your application before the deadline. If the applicant does not correct the errors, the application will not be forwarded to NTIA by Grants.gov.

5. Intergovernmental Review

Applications under this program are subject to Executive Order 12372, “Intergovernmental Review of Federal Programs,” which requires intergovernmental consultation with State and local officials. All applicants are required to submit a copy of their applications to their designated State Single Point of Contact (SPOC) offices.

6. Funding Restrictions

Grantees may only use funds awarded under the SLIPG 2.0 to pay for eligible costs. Eligible costs are consistent with the cost principles identified in 2 CFR Part 200, including Subpart E of such regulations.¹⁴ In addition, costs must be reasonable, necessary and allowable for the proposed project, and conform to generally accepted accounting principles. Grant funds may be used to cover only eligible costs incurred by the grantee during the period of performance, and for allowable costs incurred by the grantee during the grant closeout process.

a) Eligible Costs

SLIGP 2.0 funds are available to states that opt-in and opt-out of FirstNet’s plan to deploy and operate a RAN in their state. As outlined below, SLIGP 2.0 will have different allowable activities and costs based on the State’s opt-in or opt-out status. For any State or Territory that chooses to officially opt-out of FirstNet’s plan to deploy and operate a RAN in their State, activities may focus on public safety outreach to further plan for public safety user adoption until such time that the State enters into a Spectrum Manager’s Lease Agreement (SMLA) with FirstNet. After the State successfully executes an SMLA to operate the RAN in the State, grant funded activities will be similar to those performed by Opt-In States, except these activities will be performed either by the State or with a possible State RAN Partner instead of by FirstNet and its partner. Should the State not receive approval of its alternative plan upon submittal to the FCC, FirstNet assumes responsibility for the building of the State RAN. At that point, the State can submit revised application documents to be subject to the allowable activities and costs that apply to Opt-In States. If such revised application documents are approved, such a state will receive a Special Award Condition (SAC) modifying its SLIGP 2.0

¹⁴ The government has established a set of principles for determining eligible or allowable costs. Allowable costs are determined in accordance with the cost principles applicable to the entity incurring the costs. For example, the allowability of costs incurred by State, local or Federally-recognized Indian tribal governments is determined in accordance with the provisions of 2 CFR Part 200, Subpart E.

award to incorporate the allowable Opt-In activities and costs to its award. This same criteria will apply should the State be unsuccessful in its application to NTIA's State Alternative Planning Program (SAPP) for the authority to enter into a required lease of spectrum capacity, or if a State cannot come to agreement with FirstNet on the SMLA itself. As part of their final award package, recipients will receive a SAC noting eligible activities and costs for the period prior to the signing of the SMLA and then for the remaining period of performance.

i. Allowable activities for States where FirstNet is deploying the RAN (Opt-In States)

- Single officer (or governmental body) and staff to, at a minimum, provide for ongoing coordination with NTIA and implementation of grant funds.
- Existing governance body to provide input to the single officer and to contribute towards planning activities to further identify potential public safety users of the NPSBN and prepare for data sharing.
- Data collection in specific areas identified to be helpful as requested by FirstNet.
- Development of policies and agreements to increase sharing of data between existing public safety systems across various agencies within the State or territory using the NPSBN.
- Individuals, such as the single officer and governing body members, to perform planning activities to help FirstNet and its partner further identify potential public safety users of the NPSBN.
- Planning efforts to help FirstNet gain inclusion on applicable statewide contract vehicles.
- Planning activities to prepare for emergency communications technology transitions.
- Activities to identify and plan for the transition of public safety applications, software, and databases.
- Identifying and documenting on-going coverage needs/gaps within the State.
- Activities to convene stakeholder outreach events to continue planning for NPSBN implementation, as requested by FirstNet.

ii. Allowable costs for States where FirstNet is deploying the RAN (Opt-In States)

- Personnel costs, including salaries and fringe benefits, associated with individuals responsible for programmatic and reporting activities for the SLIGP 2.0 grant and providing planning and strategic advice to FirstNet and its partner, including a single officer, program managers, grants managers, supervisors, or other staff members contributing to the project.

- Travel costs including airfare, ground transportation, lodging, meals, and incidental expenditures associated with stakeholder attendance at governance body meetings, FirstNet meetings, data collection, or other allowable program activities.
- Supply costs necessary for implementation, management, and performance of the award and program activities, including but not limited to information technology (IT) expenses, software, phone service, printing, office supplies, or other items. Please note that an item may only be classified under “Supplies” if its value is under \$5,000.
- Contractual costs associated with carrying out programmatic activities of the SLIGP 2.0 grant, including requested data collection, data sharing, or other allowable activities. SLIGP 2.0 recipients are responsible for monitoring the activities and expenditures of vendors and are responsible for ensuring that all solicitation documents reflect activities within the scope of the SLIGP 2.0 program.
- Other miscellaneous costs associated with implementing the SLIGP 2.0, including but not limited to donated stakeholder time at governance meetings, meeting or office space, or other program costs associated with the allowable activities such as costs to convene stakeholder outreach events as requested by FirstNet.
- Administrative services costs, equipment costs and supplies necessary to prepare for and manage the grant award.
- Legal costs related to managing the grant award.
- Indirect costs associated with managing and implementing the SLIGP 2.0 program, including overhead, office space, salaries of individuals employed by the recipient agency who are indirectly involved in program or grants management, or other approved indirect costs. Recipients who charge indirect costs to the grant must submit an active Negotiated Indirect Cost Rate Agreement (NICRA) with a cognizant Federal agency or request the 10 percent de minimis rate if the agency does not have a NICRA and meets the requirements for the de minimis rate.
- Pre-award costs may be authorized by the Grants Officer for any allowable and allocable costs incurred exclusively during the period of when the NOFO opened on Grants.gov through the award start date of the SLIGP 2.0 grant.

iii. Allowable activities for States deploying the RAN (Opt-Out States) prior to the execution of SMLA (pre-SMLA)

At the initiation of the grant until the execution of an SMLA with FirstNet, allowable activities under the SLIGP 2.0 for States that chose to opt-out include the following:

- Single officer (or governmental body) and staff to, at a minimum, provide for ongoing coordination with NTIA and implementation of grant funds.

- Conducting education and outreach for all relevant stakeholders, including local, rural, and tribal stakeholders.
- Preparing or enhancing a comprehensive plan as part of the Statewide Communications Interoperability Plan (SCIP), or a plan complementary and similar to the SCIP, describing the public safety needs that each State expects the NPSBN to address.
- Establishing a governance structure, or expanding an existing structure, to plan for the NPSBN, and ensuring that local, rural, and tribal interests are represented within this structure.
- Performing data collection activities that were allowable under the initial SLIGP 1.0 grant award.
- Development of policies and agreements to increase sharing of data between existing public safety systems across various agencies within the State or territory using the State-operated RAN to connect to the NPSBN.
- Identifying potential users of the public safety broadband network, including local, rural, and tribal users.
- Planning activities to prepare for emergency communications technology transitions.
- Activities to identify and plan for the transition of public safety applications, software, and databases.
- Identifying and documenting on-going coverage needs/gaps within the State.

iv. Allowable costs for States deploying the RAN (Opt-Out States) prior to the execution of SMLA (pre-SMLA)

- Personnel and contract costs, including salaries for staff and consultants required for the planning process (such as Single Points of Contact (SPOCs), Statewide Interoperability Coordinators (SWICs), project managers, program directors, subject matter experts, grant administrators, financial analysts, accountants and attorneys).
- Costs associated with planning meetings with State agencies, local and tribal stakeholders, and regional partners.
- Travel costs for State, local and tribal representatives to attend planning meetings (such as attending State, regional, and national meetings that address public safety broadband issues).
- Costs to perform data collection activities allowable under the initial SLIGP 1.0 grant award.
- Costs to develop, modify or enhance SCIPs to include planning for public safety broadband.

- Costs to develop and manage governance structures, including efforts to adapt existing public safety governance authorities.
- Costs for communications, education and outreach activities with State, local, tribal and regional stakeholders.
- Costs to identify potential public safety users for the public safety broadband network.
- Administrative services costs, equipment costs and supplies necessary to prepare for and manage the grant award.
- Legal costs related to managing the grant award.
- Pre-award costs may be authorized by the Grants Officer for any allowable and allocable costs incurred exclusively during the period of when the NOFO opened on Grants.gov through the award start date of the SLIGP 2.0 grant.

v. Allowable activities for States deploying the RAN (Opt-Out States) subsequent to the execution of SMLA (post-SMLA)

After the State successfully executes an SMLA to operate the RAN in the State, the following allowable activities will replace the activities allowed during the earlier period of performance:

- Single officer (or governmental body) and staff to, at a minimum, provide for ongoing coordination with NTIA and implementation of grant funds.
- Maintaining an existing governance body to provide input to the single officer and to contribute towards planning activities that further identify potential public safety users of the NPSBN and prepare for data sharing.
- Data collection in specific areas identified to be helpful as determined and documented by either the State and/or the State RAN Partner.¹⁵
- Development of policies and agreements to increase sharing of data between existing public safety systems across various agencies within the State or territory using the State-operated RAN to connect to the NPSBN.
- Individuals, such as the single officer and governing body members, to perform planning activities to further identify potential public safety users of the NPSBN.
- Planning efforts to help a State RAN partner gain inclusion on applicable statewide contract vehicles.

¹⁵ Opt-Out States must develop a Determination Memorandum for its own records to perform any data collection performed during the post-SMLA phase. The memorandum must identify what data is being collected, in specific areas or statewide, and for what purpose. NTIA will not approve nor disapprove the collection of information or collection procedures, but may request the Determination Memorandum during routine grant monitoring.

- Planning activities to prepare for emergency communications technology transitions.
- Activities to identify and plan for the transition of public safety applications, software, and databases.
- Identifying and documenting on-going coverage needs/gaps within the State.
- Activities to convene stakeholder outreach events to continue planning for NPSBN implementation.

vi. Allowable costs for States deploying the RAN (Opt-Out States) subsequent to the execution of SMLA (post-SMLA)

After the State successfully executes an SMLA to operate the RAN in the State, the following allowable costs will replace the costs allowed during the earlier period of performance:

- Personnel costs, including salaries and fringe benefits, associated with individuals responsible for programmatic and reporting activities for the SLIGP 2.0 grant and providing planning and strategic advice to State officials and/or its State RAN partner to further identify potential public safety users of the NPSBN, including a single officer, program managers, grants managers, supervisors, or other staff members contributing to the project.
- Travel costs including airfare, ground transportation, lodging, meals, and incidental expenditures associated with stakeholder attendance at governance body meetings, NPSBN-focused conferences/meetings, or other allowable program activities.
- Supply costs necessary for implementation, management, and performance of the award and program activities, including but not limited to information technology (IT) expenses, software, phone service, printing, office supplies, or other items. Please note that an item may only be classified under “Supplies” if its value is under \$5,000.
- Contractual costs associated with carrying out programmatic activities of the SLIGP 2.0 grant, including documented data collection needs, data sharing, or other allowable activities. SLIGP 2.0 recipients are responsible for monitoring the activities and expenditures of vendors and are responsible for ensuring that all solicitation documents reflect activities within the scope of the SLIGP 2.0 program.
- Other miscellaneous costs associated with implementing the SLIGP 2.0, including but not limited to donated stakeholder time at governance meetings, meeting or office space, or other program costs associated with the allowable activities, such as costs to convene stakeholder outreach events.
- Indirect costs associated with managing and implementing the SLIGP 2.0 program, including overhead, office space, salaries of individuals employed by

the recipient agency who are indirectly involved in program or grants management, or other approved indirect costs. Recipients who charge indirect costs to the grant must submit an active NICRA with a cognizant Federal agency.

- Legal costs for managing the grant award.

b) Ineligible Costs.

i. Ineligible costs for States where FirstNet is deploying the RAN (Opt-In States)

- Education of the FirstNet and partner network solution, marketing of service, user subscription activities that would fall under FirstNet's partner's contractual obligations as publicly described by FirstNet or its partner.
- Any FirstNet or FirstNet Partner fees including user fees and acquisition costs related to FirstNet service or devices.
- Further data collection other than any activities specifically requested in writing by FirstNet.
- User adoption activities, including, but not limited to, the subscription of users.
- Deploying and operating demonstration networks, even for outreach purposes.
- Radio Access Network (RAN) design, engineering and architecture; constructing, operating, maintenance, and improvement costs for a RAN.

SLIGP 2.0 recipients may suggest additional activities as part of their program that are subject to NTIA approval, as recipients must receive permission from NTIA to perform any activities not listed as allowable under this NOFO.

ii. Ineligible costs for States deploying their own RAN (Opt-Out States)

In any State deploying its own RAN, SLIGP 2.0 funds cannot be used on the following activities and costs. Please note that ineligible costs may not be included as matching funds.

- Deploying and operating demonstration networks, even for outreach purposes.
- Radio Access Network (RAN) design, engineering and architecture; constructing, operating, maintenance, and improvement costs for a RAN.
- Any additional data collection activities, except performing data collection activities allowed under SLIGP 1.0 in the pre-SMLA phase, and as determined and documented in the post-SMLA phase.
- Developing a State RAN business plan.
- Research and development of public private partnerships.
- Developing and releasing procurements documents (RFI, RFP, RFQ) seeking a State RAN Partner.

- Developing alternative State RAN plans.
- User fees and acquisition costs related to the State’s public safety broadband RAN service or devices.
- User adoption activities, including, but not limited to, the subscription of users.

SLIGP 2.0 recipients may suggest additional activities as part of their program that are subject to NTIA approval, as recipients must receive permission from NTIA to perform any activities not listed as allowable under this NOFO.

7. Other Submission Requirements

a) Material Representations

The application, including certifications, and all forms submitted as part of the application, will be treated as a material representation of fact upon which NTIA will rely in awarding grants. Applicants should be aware that all or portions of their application may be made publicly available by NTIA or as required under applicable Federal laws. Please be mindful if providing any law enforcement sensitive or otherwise non-public information within the grant application. See Section H.5 of this NOFO for additional information concerning the confidentiality of information contained in an application.

E. Application Review Information

1. Evaluation Criteria

NTIA will evaluate applications for SLIGP 2.0 grants on the basis of the following criteria. The relative weight of each criterion is identified in parentheses.

a) Allowable Activities, Objectives, and Outcomes (20 points)

Reviewers will assess the applicant’s narrative description of allowable activities, objectives, and outcomes based on the following criteria:

1. The applicant adequately describes activities they plan to conduct using SLIGP 2.0 funds. (5 points)
2. The planned activities are allowable and allocable to SLIGP 2.0. (5 points)
3. The applicant adequately describes how they will resource the implementation of the planned SLIGP 2.0 activities (e.g. State personnel, contracts, existing vehicle, etc.). (5 points)
4. The applicant describes the objectives and outcomes of their SLIGP 2.0 activity and how this activity will support NPSBN deployment in their State. (5 points)

b) Applicant Capacity, Knowledge, and Experience (5 points)

Reviewers will assess whether the applicant possesses the necessary qualifications to complete the proposed project within Program standards and to effectively manage the grant. In performing this assessment, reviewers will consider the applicant’s organizational capacity and its specific knowledge and experience, along with associated personnel, in conducting projects of similar scope and scale. Reviewers will assess the

qualifications and past experiences of the key personnel, partners and other staff assigned to the project in designing, implementing, and effectively managing and overseeing the projects that provide telecommunications or broadband services to public safety agencies.

c) Staffing (5 points)

Reviewers will review a high-level staffing plan clearly designating which individuals or positions will be responsible for fulfilling programmatic requirements and will assess whether the planned staffing levels are reasonable and necessary to accomplish the tasks proposed in the SLIGP 2.0 application. Reviewers will consider whether additional staff beyond the applicant's current staff are necessary.

d) Detailed Budget Justification (20 Points)

This criterion evaluates whether the applicant presents a budget that is both reasonable and cost efficient, considering the nature and full scope of the project. Reviewers will also consider whether the applicant has demonstrated adequate and appropriate budget resources to execute the proposed activities of the grant. Specifically, reviewers will assess:

1. The applicant adequately provides a budget detail. (5 points)
2. The budget detail reflects the allowable programmatic activities as outlined in the application narrative. (5 points)
3. The applicant provides a budget narrative. (5 points)
4. The applicant adequately describes the budget resources identified in the budget detail and these resources reflect reasonableness in comparison to market and/or government costs. (5 points)

2. Review and Selection Process

To address challenges of an abbreviated time period to perform application review, NTIA may initiate the review and selection process for any submitted application even if the NOFO has not yet closed on Grants.gov. The review process will be divided into stages as outlined below:

a) Initial Administrative Review of Applications

An initial review of timely received applications will be conducted to determine eligibility, completeness, and responsiveness to this NOFO and the scope of the stated program objectives. Applications determined to be ineligible, incomplete, and/or non-responsive may be eliminated from further review. However, NTIA, in its sole discretion, may continue the review process for an application that is missing information that can easily be rectified or cured. In order to continue the review process, NTIA may request missing or incomplete information from the applicant as needed. However, NTIA has no affirmative obligation to notify applicants of a deficient application and will not be held responsible for any deficiencies that are not remedied in a timely manner.

b) Merit Review

Each eligible application will be reviewed by at least three (3) peer reviewers who have demonstrated expertise in the programmatic aspects of SLIGP. The peer reviewers will individually evaluate and score applications according to the evaluation criteria provided in Section E.1 of this NOFO and provide individual score sheets and technical comments for each applicant to Program staff. Should an application not achieve an average score of at least 30 points during the Merit Review, Program staff will contact the applicant regarding the need to revise the application based on peer/technical review feedback. Revisions are intended to resolve material weaknesses and/or deficiencies with the application as identified by the peer reviewers, which may include but are not limited to proposed implementation plans and proposed budget items. Program staff may also request additional clarifying information and/or corroborating documentation from applicants. Once Program staff receives application revisions, the same peer reviewers will again assess and score the application. Revised applications that fail to achieve an average score of at least 30 points by the peer reviewers may be subjected to additional rounds of requested revisions by Program staff and rescoring by the peer/technical reviewers in accordance with this subsection. NTIA may use its sole discretion to terminate the peer review revision process for an applicant if, after multiple opportunities for revision, NTIA determines that the applicant is not sufficiently remedying the application based upon peer review comments. Each peer reviewer will be required to sign and submit a nondisclosure and confidentiality form to prevent the dissemination of confidential information, and to prevent financial and other conflicts of interest.

c) Programmatic Review and Award Recommendations

Following the merit review process and for each eligible application that obtains an average score of at least 30 points from the peer reviewers, Program staff will review the application for conformity with programmatic objectives. Program staff will analyze applications considered for award and may request necessary revisions from applicants during the programmatic review process as well.

Once this programmatic review is complete, and based on the individual merits of each application, Program staff will provide a list of all applications received and those applications recommended for funding to the Selecting Official, along with copies of all applications, all the scores and technical assessments of the reviewers, and all information obtained from the applicants during the evaluation, review and application revision processes. The Selecting Official will generally select and recommend applications for funding based on the recommendations from Program staff. The Selecting Official, however, retains the discretion to select and recommend an application for funding that was not recommended by Program staff based on one of the selection factors set forth in Section E.1 of this NOFO and/or not to select an application that was recommended for funding by Program staff. The Selecting Official's recommendation to the Grants Officer shall set forth the bases for the selection decisions.

The Assistant Secretary or his delegate will serve as the Selecting Official and, in accordance with this subsection, will recommend approval of applications selected for funding. The final approval of selected applications and the issuance of awards will be

made by the National Institute of Standards and Technology (NIST) Grants Officer, who serves as the Grants Officer for the SLIGP 2.0. The award decisions of the NIST Grants Officer are final.

d) Federal Awarding Agency Review of Risk Posed by Applicants

After applications are proposed for funding by the Selecting Official, the NIST Grants Management Division (GMD) performs pre-award risk assessments in accordance with 2 CFR 200.205, which may include a review of the financial stability of an applicant, the quality of the applicant's management systems, the history of performance, and/or the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities. In addition, prior to making an award where the total Federal share is expected to exceed the simplified acquisition threshold (currently \$150,000), NIST GMD will review and consider the publicly available information about that applicant in the Federal Awardee Performance and Integrity Information System (FAPIIS). An applicant may, at its option, review and comment on information about itself previously entered into FAPIIS by a Federal awarding agency. As part of its review of risk posed by applicants, NIST GMD will consider any comments made by the applicant in FAPIIS in making its determination about the applicant's integrity, business ethics, and record of performance under Federal awards. Upon completion of the pre-award risk assessment, the Grants Officer will make a responsibility determination concerning whether the applicant is qualified to receive the subject award and, if so, whether appropriate special conditions that correspond to the degree of risk posed by the applicant should be applied to an award.

e) Anticipated Announcement and Award Dates

SLIGP 2.0 grants are anticipated to be awarded on or around March 1, 2018 with an award start date of March 1, 2018.

F. Federal Award Administration Information

1. Federal Award Notices

Applicants will be notified in writing by the NIST Grants Officer if their application is selected for an award. If the application is selected for funding, the NIST Grants Officer will issue the grant award (Form CD-450), which is the authorizing financial assistance award document. By signing the Form CD-450, the grantee agrees to comply with all award provisions, terms, and conditions.

If an applicant is awarded funding, neither the DOC/NIST nor NTIA is under any obligation to provide any additional future funding in connection with that award or to make any future award(s). Amendment of an award to extend the period of performance is at the discretion of NTIA and the Grants Officer.

2. Administrative and National Policy Requirements

a) Uniform Administrative Requirements, Cost Principles and Audit Requirements

Through 2 CFR 1327.101, the Department of Commerce adopted the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200, which apply to awards made pursuant to this NOFO.¹⁶

b) Department of Commerce Financial Assistance Standard Terms and Conditions

The Department of Commerce will apply its Financial Assistance Standard Terms and Conditions dated March 31, 2017 to this award. If the Department of Commerce publishes revised Standard Terms and Conditions prior to issuance of awards under this NOFO, the revised Standard Terms and Conditions will be incorporated into the grant awards. Refer to Sections G and H of this NOFO, Federal Awarding Agency Contacts, Grant Rules and Regulations, if you need more information.

c) Department of Commerce Pre-Award Notification Requirements

The Department of Commerce will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements dated December 30, 2014 (79 FR 78390). If the Department of Commerce publishes revised Pre-Award Notification Requirements prior to issuance of awards under this NOFO, the revised Pre-Award Notification Requirements will apply.

d) Funding Availability and Limitation of Liability

Funding for the program listed in this notice is contingent upon the availability of appropriated funds. In no event will NTIA or the Department of Commerce be responsible for proposal preparation costs if these programs fail to receive funding or are cancelled because of agency priorities. Publication of this announcement does not obligate NIST or the Department of Commerce to award any specific project or to obligate any available funds.

3. Reporting

To ensure compliance with Federal regulations and collect systemic evaluation data on each project, successful grant applicants have a number of basic reporting requirements once they are awarded a grant.

a) Reporting Schedule

During the project period of this grant, the grantee shall submit performance progress and financial reports on a calendar year quarterly basis for the period ending March 31, June 30, September 30, and December 31, or any portions thereof.

¹⁶ See 2 CFR 1327.01, available at <http://go.usa.gov/SBg4>. See generally 2 CFR Part 200, available at <http://go.usa.gov/SBYh>.

b) Reporting Requirements

i. Performance Progress Reports

The quarterly performance progress reports must contain the following information: (a) a comparison of actual accomplishments during the reporting period with goals and dates for the reporting period; (b) a description of any problems that have arisen or the reasons why established goals have not been met; and (c) actions taken to remedy any failures to meet goals. The performance progress report is due 30 calendar days following the end of each calendar quarter (April 30, July 30, October 30, and January 30).

ii. Federal Financial Report

Each quarter, grantees must report on obligations and expenditures using the Federal Financial Report (Standard Form 425). The report is due 30 calendar days following the end of each calendar quarter. A report must be submitted for each calendar quarter that the grant is active, including partial calendar quarters or when no financial activity occurs.

iii. Closeout Report

At project completion, grant recipients must also provide a closeout report. This report is due 90 days following the final award end date.

c) Recipient Integrity and Performance Matters

In accordance with section 872 of Public Law 110-417 (as amended; see 41 U.S.C. 2313), if the total value of a recipient's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of an award made under this NOFO, then the recipient shall be subject to the requirements specified in Appendix XII to 2 CFR Part 200,¹⁷ for maintaining the currency of information reported to SAM that is made available in FAPIIS about certain civil, criminal, or administrative proceedings involving the recipient.

d) Audit Requirements

2 CFR Part 200 Subpart F, adopted by the Department of Commerce through 2 CFR 1327.101, requires any non-Federal entity (e.g., non-profit institutions of higher education and other non-profit organizations) that expends Federal awards of \$750,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Subpart. Applicants are reminded that NIST, the Department of Commerce Office of Inspector General, or another authorized Federal agency may conduct an audit of an award at any time.

¹⁷ See 2 CFR Part 200, Appendix XII, available at <http://go.usa.gov/cTBwC>.

e) Federal Funding Accountability and Transparency Act of 2006

In accordance with 2 CFR Part 170, all recipients of a Federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282). In general, all recipients are responsible for reporting sub-awards of \$25,000 or more. In addition, recipients that meet certain criteria are responsible for reporting executive compensation. Applicants must ensure they have the necessary processes and systems in place to comply with the reporting requirements should they receive funding.¹⁸

G. Federal Awarding Agency Contact(s)

1. Please direct programmatic inquiries to:

Michael E. Dame
Program Director
National Telecommunications and Information Administration (NTIA)
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230
Phone: (202) 482-1181
Email: mdame@ntia.doc.gov

2. Please direct grant management inquiries to:

Dean Iwasaki
NIST Grants Officer
Grants Management Division
100 Bureau Drive, MS 1650
Gaithersburg, MD 20899
Phone: (301) 975-8449
E-mail: dean.iwasaki@nist.gov

3. Please direct media inquiries to:

Stephen Yusko
Office of Public Affairs
National Telecommunications and Information Administration, Room 4897
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230
Phone: (202) 482-7002
Email: press@ntia.doc.gov

¹⁸ See Office of Management and Budget, Requirements for Federal Funding Accountability and Transparency Act Implementation, Interim final guidance to agencies with opportunity to comment, 75 FR 55663 (Sep. 14, 2010), available at <http://go.usa.gov/hKnQ>.

4. Please direct Grants.gov application submission inquiries to:

Christopher Hunton
Management and Program Analyst
Grants Management Division
100 Bureau Drive, MS 1650
Gaithersburg, MD 20899
Phone: (301) 975-5718
E-mail: grants@nist.gov

H. Other Information

1. Protected and Proprietary Information

The applicant acknowledges and understands that information and data contained in applications for financial assistance, as well as information and data contained in financial, performance and other reports submitted by applicants, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs. For this purpose, applicant information and data may be accessed, reviewed and evaluated by Department of Commerce employees, other Federal employees, Federal agents and contractors, and/or by non-Federal personnel, all of whom enter into appropriate confidentiality and nondisclosure agreements covering the use of such information. As may be provided in the terms and conditions of a specific financial assistance award, applicants are expected to support program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperating with Department of Commerce and external program evaluators. In accordance with 2 CFR 200.303(e), applicants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

In addition, Department of Commerce regulations implementing the Freedom of Information Act (FOIA), 5 U.S.C. 552, are found at 15 CFR Part 4, Public Information. These regulations set forth rules for the Department regarding making requested materials, information, and records publicly available under the FOIA. Applications submitted in response to this NOFO may be subject to requests for release under the FOIA. In the event that an application contains information or data that the applicant deems to be confidential commercial information that is exempt from disclosure under FOIA, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law.

2. Discretionary Awards

The Federal government is not obligated to make any award as a result of this NOFO, and will fund only projects that are deemed likely to achieve the Program's goals and for which funds are available.

3. Third Party Beneficiaries

SLIGP 2.0 is a discretionary grant program that is not intended to and does not create any rights enforceable by third party beneficiaries.

4. Environmental and National Historic Preservation Requirements

Applicants seeking Federal funding may be required to provide environmental information and gather information from Federal and State regulatory agencies, including the designated State Historic Preservation Office and Indian tribes, as appropriate. The failure to provide such information, when requested by NTIA, shall be grounds for not selecting an application. In some cases, if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a Special Award Condition requiring the grantee to submit additional environmental compliance information sufficient to enable NTIA to make an assessment of any impacts that a project may have on the environment.

Regulations implementing the National Environmental Policy Act of 1969 (NEPA), as amended, require NTIA to provide public notice of the availability of project-specific environmental documents, as appropriate. Detailed information on NTIA compliance with NEPA may be found on the National Oceanic and Atmospheric Administration website under "DOC Categorical Exclusions and Administrative Record":

<http://www.nepa.noaa.gov/>.

5. Confidentiality of Applicant Information

Applicants are encouraged to identify and label any confidential and proprietary information contained in their applications. NTIA will protect confidential and proprietary information from public disclosure to the fullest extent authorized by applicable law, including the FOIA, the Trade Secrets Act, as amended (18 U.S.C. 1905), and the Economic Espionage Act of 1996 (18 U.S.C. 1831 *et seq.*).

Additionally, some of the information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under Federal control is subject to request made pursuant to the FOIA, all determinations concerning the release of information of this nature are made on a case-by-case basis and may fall within one or more of the available exemptions under the FOIA. The applicant is encouraged to consult its own State and local laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application. The applicant should be familiar with the regulations governing Protected Critical Infrastructure

Information (6 CFR Part 29) and Sensitive Security Information (49 CFR Part 1520), as these designations may provide additional protection to certain classes of homeland security information.

6. Waiver Authority

It is the general intent of NTIA not to waive any of the requirements set forth in this NOFO. However, when it is in the best interest of the Federal government, NTIA, upon its own initiative or when requested by an applicant or recipient, may waive certain requirements contained in this NOFO. Waivers may only be granted for requirements that are discretionary and not mandated by statute or other applicable law. Any request for a waiver must set forth the good cause for that request.

7. Executive Order 12866

NTIA has determined that this NOFO is not economically significant for purposes of Executive Order 12866. Executive Order 12866 defines a significant regulatory action as one that is likely to result in a rule that may: (1) have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive order. SLIGP 2.0 is a matching grant program that will award up to \$43,400,000 in grants over a two-year period of performance to States and territories to fund planning, consultation, governance, and data collection activities associated with the implementation of the nationwide public safety broadband network. Based on the overall funding amount, the nature of the funded activities, and the two-year period of performance, the factors specified above as relevant in determining whether a regulatory action is significant are not applicable to the SLIGP 2.0 programmatic requirements; thus, this NOFO does not meet the criteria to be deemed economically significant.

8. Executive Order 13132 (Federalism)

NTIA has determined that this NOFO does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

9. Administrative Procedure Act/Regulatory Flexibility Act

Prior notice and an opportunity for public comments are not required by the Administrative Procedure Act (APA) or any other law for rules concerning grants, benefits, and contracts (5 U.S.C. 553(a)(2)). In addition, because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

10. Paperwork Reduction Act

This NOFO contains an information collection requirement subject to the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501 *et seq.*). The PRA requires each Federal agency to seek and obtain Office of Management and Budget (OMB) approval before collecting information from the public. Federal agencies may not collect information unless it displays a currently valid OMB control number. NTIA's proposed use of Standard Forms 424, 424A, 424B, SF-LLL, and SF-425 has been approved previously by OMB under the respective control numbers 4040-0004, 4040-0006, 4040-0007, 4040-0013, and 4040-0014. NTIA also proposes to use Form CD-511, which is a certification regarding lobbying that does not OMB clearance under the PRA.

NTIA will seek OMB approval for new information collection instruments for the SLIGP 2.0 performance progress and closeout reporting obligations.