



# **Wisconsin Office of Energy Innovation Grid Resilience Program**

**Onboarding Webinar  
July 18, 2024  
10:00 am – 11:30 am CST**

*This information is accurate as of July 18, 2024, and is not to be  
considered legal advice.*



## OEI Staff Contacts

- Olivia Shanahan, State Energy Office Supervisor
- Emily Cohen, Grid Resilience Program Analyst
- Kari Heinrich, Energy Security Lead
- Sam Hermanstorfer, Environmental Coordinator

Questions? Contact the shared inbox: [OEI@wisconsin.gov](mailto:OEI@wisconsin.gov)

## Agenda

- Grid Resilience Program Overview
  - Introduction of Office of Energy Innovation Staff
  - Program/Project Timeline Overview
- DOE Subaward Notification Package
- DOE Flow Down Requirements of Infrastructure Investment and Jobs Act (IIJA)
  - National Environmental Policy Act (NEPA)
  - State Historic Preservation Office (SHPO)
  - Build America/Buy American (BABA)
  - Davis Bacon Act (DBA)
- Grant Agreement
  - What information is expected from me AFTER I receive a Grant Agreement?
- Reporting Requirements / Payment Requests
- Reminders and Next Steps
  - Onboarding Questionnaire
  - Questions?

## Background

- Federally Funded through U.S. Department of Energy by the [Infrastructure Investment and Jobs Act](#) (IIJA), section 40101(d), to enhance the reliability of the electric grid
- Five-year state formula funding
- Wisconsin Program Objectives:
  - **Objective One:** Invest in the modernization and hardening of Wisconsin's electric grid, to protect the grid from current and future threats to infrastructure.
  - **Objective Two:** Reduce the frequency and duration of service disruptions in disadvantaged communities, such as those with rural, energy burdened, and/or racial minority populations.
  - **Objective Three:** Increase the skilled workforce able to support these and other resilience-related activities across Wisconsin.

## Quick Facts

- Docket [9713-FG-2022](#)
- 19 projects selected for award, totaling \$8,512,887.35 in grant funds
- Announcement and posting of award is available in the Public Service Commission Order ([PSC REF#: 505322](#))
- Next step: compile DOE Subaward Notification package materials and submit to [PSC Grants System](#) by July 31, 2024.
- **IMPORTANT:** No work may begin, and no costs may be incurred, without an executed grant agreement between your organization and the PSC
- Grant agreement will not be issued until after DOE's review, which could take 90+ days
- 24-month project performance period begins on the date the grant agreement is counter-signed by the PSC

# Grid Resilience Program/Project Timeline

DATE	EVENT
July 31, 2024	Subaward Notification Package materials uploaded in <a href="#">PSC Grants System</a> <ul style="list-style-type: none"><li>• Notify OEI if more time is needed</li></ul>
Summer 2024 (estimated)	U.S. DOE subawardee grant application review
Fall 2024/Winter 2025 (estimated)	Grant Agreement review and execution
Various Project Start Dates – Summer, 2026 (estimated)	Project performance period
Ongoing	Labor reporting, quarterly and annual reporting reporting, and reimbursements
Fall 2026/Winter 2027 (estimated)	Final reimbursements due; project impact reporting will continue into 2028

## Upload by July 31, 2024, in the PSC Grants System:

### Required for all:

- ✓ Resilience Project [Subaward Notification form](#)
- ✓ NEPA [Environmental Questionnaire](#) (EQ) – priority
- ✓ [SF-424 Budget Justification Workbook](#)
- ✓ Cost Match Commitment Letter (see June 27 email)



### Required, if applicable

- ✓ Foreign National Participation [Document](#) and [Request](#)
- ✓ Buy America Requirement Waiver request (see June 27 email)
- ✓ Secretarial Eligible Entity Designation Request (required for App #703 only, see June 27 email)

# DOE Subaward Notification Package

Submit all documents through the [PSC Grants System](#)  
Uploads tab:

**Grant Type:** Grid Resilience Program | **Grant Name:** Grid Resilience Program - Round 1 | **Grant Year:** 2023 | **Project:** Install internet of Things Integrators (iOTI) Nexus for Control-Monitoring of Substation Intel Devs

[Project Details](#) [Contacts](#) [Budget](#) [Reimbursements](#) [Uploads](#) [Related Documents](#) [Project Questions](#) [Project Communities Served](#) [Contribution Details](#)  
[Notes](#) [Status Reports](#)

## Grant Project Details

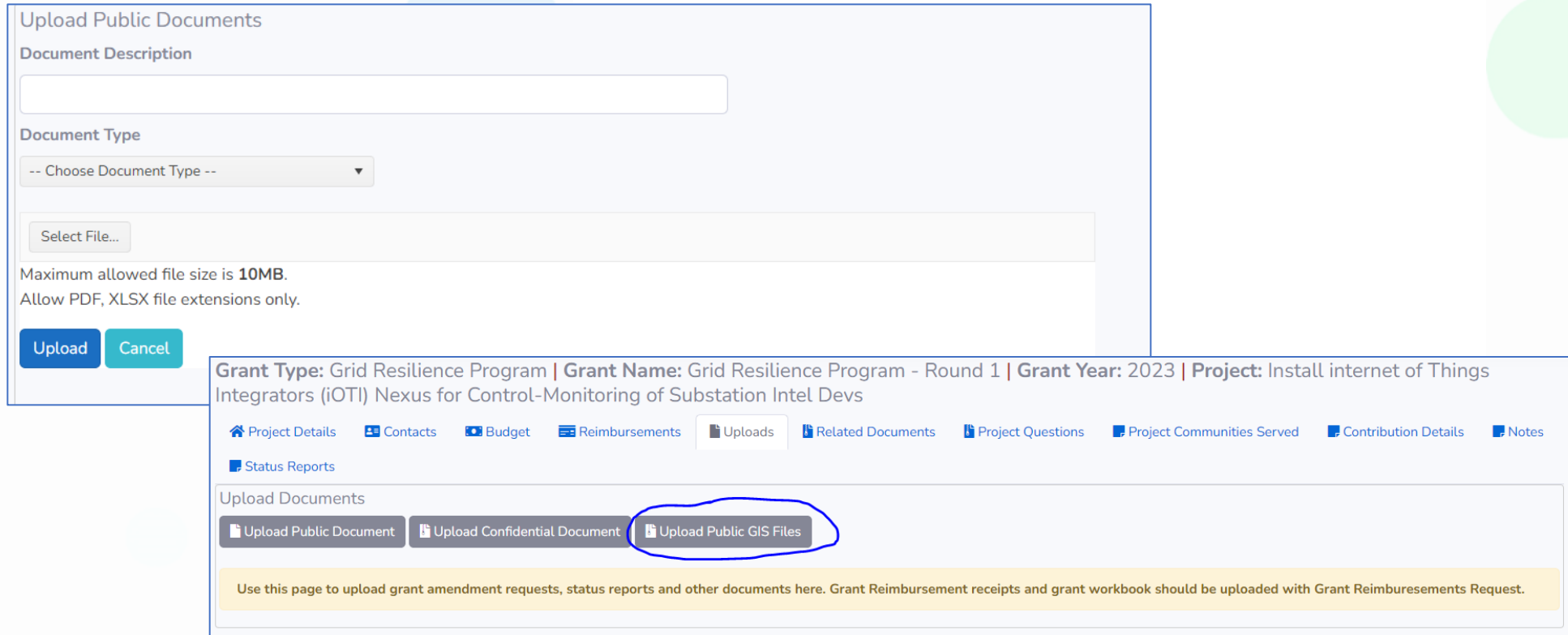
Grant ID *	27
Grant Name	Grid Resilience Program - Round 1
Docket ID	9713-FG-2022
Application ID *	576



# DOE Subaward Notification Package

PSC Grants System Upload Tab: Where you will upload the Subaward Notification Package materials

- Document Description: “App [#], Item Name, Version [#]”
- Document Type: “Onboarding Document” for all except the NEPA Environmental Questionnaire (EQ)



The screenshot displays the 'Upload Public Documents' interface within the PSC Grants System. The top section, titled 'Upload Public Documents', contains a 'Document Description' text field, a 'Document Type' dropdown menu (currently showing '-- Choose Document Type --'), and a 'Select File...' button. Below these fields, a note states: 'Maximum allowed file size is 10MB. Allow PDF, XLSX file extensions only.' At the bottom of this section are 'Upload' and 'Cancel' buttons.

The bottom section of the interface shows the project details: 'Grant Type: Grid Resilience Program | Grant Name: Grid Resilience Program - Round 1 | Grant Year: 2023 | Project: Install internet of Things Integrators (IoT) Nexus for Control-Monitoring of Substation Intel Devs'. A navigation bar includes links for Project Details, Contacts, Budget, Reimbursements, Uploads, Related Documents, Project Questions, Project Communities Served, Contribution Details, and Notes. Below the navigation bar, the 'Upload Documents' section features three buttons: 'Upload Public Document', 'Upload Confidential Document', and 'Upload Public GIS Files', which is circled in blue. A yellow banner at the bottom reads: 'Use this page to upload grant amendment requests, status reports and other documents here. Grant Reimbursement receipts and grant workbook should be uploaded with Grant Reimbursements Request.'

## Resilience Project Subaward/Subcontract Notification form

- Updated form from NETL as of 7/9/24: [Resilience Project and Subaward Notification Updated.pdf \(doe.gov\)](#)
- Submitted to OEI as part of the subaward package for DOE
- Align information in the form with the original application submitted to OEI
  - Inform us of any changes to application
- OEI will review the form and certify, as the Technical Project Manager
- Use Subaward Notification Form Instructions as a guide
- Other supporting details:
  - Application Material spreadsheet with project and budget information
    - Impact Metric Workbooks from Phase 1 and Phase 2
  - DOE agreement flow down terms, where necessary
  - Wisconsin Grid Resilience Program Application Instructions

## Resilience Project Subaward/Subcontract Notification form – page 2

Brief description of the project (i.e. overview of the scope of the project, project timeline, list of primary technologies and/or tools (hardware and software) that will be deployed):

- ✓ Scope of project
- ✓ Project Timeline
- ✓ List of technologies/tools

## Resilience Project Subaward/Subcontract Notification form – page 2

Explanation of how the proposed resilience project addresses the community and grid resilience objectives described in the Program Narrative and how it will reduce the likelihood and consequences of disruptive grid events (i.e., events in which operations of the electric grid are disrupted, preventively shut off, or cannot operate safely due to extreme weather, wildfire, or a natural disaster).

- ✓ Invest in the modernization and hardening of Wisconsin's electric grid, to protect the grid from current and future threats to infrastructure.
- ✓ Reduce the frequency and duration of service disruptions in disadvantaged communities, such as those with rural, energy burdened, and/or racial minority populations.
- ✓ Increase the skilled workforce able to support these and other resilience-related activities across Wisconsin.

## Resilience Project Subaward/Subcontract Notification form – page 3

Describe the impact that DOE funding of this project has on any plans related to or involving grid resilience (e.g., capital/investment plans, distribution system plans, grid modernization, resource plans, etc.):

- ✓ Does the project affect your capital/system plans
- ✓ Is the project addressing a risk in your systems

## Resilience Project Subaward/Subcontract Notification form – page 4

iii. Cost Matching: Each State and Indian Tribe is required to match 15 percent of the amount of each grant provided to the State or Indian Tribe under the Program. Further, an eligible entity that receives a subaward under this program is required to match the amount awarded according to the amount of electricity sold in a year. See Section III. B: Cost Matching 40101(d)(8) for a detailed description. Does the eligible entity sell more than 4,000,000 megawatt hours of electricity per year? Add amount below:

(i) Yes – 100% cost match is required:

(ii) No – 1/3 cost match is required: “X” this box

50% for small utility subawardees

(iii) Number of megawatt hours of electricity sold by Eligible Entity:



## Resilience Project Subaward/Subcontract Notification form – page 7, 8

- ii. Is the proposed work to be done an eligible activity identified in IJIA Section 40101(e)(1), also listed below? (Check all that apply) Please see Section I.C of the ALRD.

Weatherization technologies and equipment	<input type="checkbox"/>	Vegetation and fuel-load management	<input type="checkbox"/>
Battery-Storage Components: Use of distributed energy resources for enhancing system adaptive capacity during disruptive events	<input checked="" type="checkbox"/>	Battery-Storage Components: Use or construction of distributed energy resources for enhancing system adaptive capacity during disruptive events	<input type="checkbox"/>
Monitoring and control technologies	<input type="checkbox"/>	Adaptive protection technologies	<input type="checkbox"/>
The undergrounding of electrical equipment	<input type="checkbox"/>	Advanced modeling technologies	<input type="checkbox"/>
Utility Pole Management	<input type="checkbox"/>	Hardening of power lines, facilities, substations, of other systems	<input type="checkbox"/>
The Relocation of Power Lines	<input type="checkbox"/>	The Replacement of old Overhead Conductors and Underground Cables	<input type="checkbox"/>
Fire-resistant Technologies and Fire Prevention Systems	<input type="checkbox"/>	Microgrids: Use of existing DERs for Enhancing System Adaptive Capacity During Disruptive Events	<input type="checkbox"/>
Reconductoring of Power Lines with Low-Sag, Advanced Conductors	<input type="checkbox"/>	Other (as approved by DOE)	<input type="checkbox"/>

- iv. Does the recipient acknowledge that the primary purpose of the proposed project is not cybersecurity but that the implementation of the proposed project will adhere to any applicable cybersecurity requirements, and where possible, best practices in deploying technologies under their subaward?

v. Yes ☐ No ☐

Provide a brief description below:

Leave description blank

No reason to check the "Other" box.  
Training is referenced on page 8 of the form

## Resilience Project Subaward/Subcontract Notification form – page 10

**C. Please ensure that the following documentation is provided:**

- i. A completed Environmental Questionnaire covering the subaward activity;  
Yes ☐ No ☐
- ii. cost match commitment letter from the eligible entity committing to meet the cost matching as required in IJA Section 40101(h);  
Yes ☐ No ☐
- iii. the proposed metrics that will be collected and reported in the Quarterly Progress Report to measure and demonstrate the beneficial impact of the resilience project on the resilience of the grid and to the community served (can use Appendix A of this document to satisfy this requirement);  
Yes ☐ No ☐
- iv. Performance of Work in the United States waiver (if applicable);  
Yes ☐ No ☐
- v. Buy America for Infrastructure Projects waiver (if applicable);  
Yes ☐ No ☐
- vi. Listing of Foreign Nationals for subrecipients/eligible entities and technical assistance contractors in accordance with the Foreign National Participation.  
Yes ☒ No ☐
- vii. The budget for the proposed project (using the required Budget Justification template) was provided by the subrecipient and by any other subrecipients or subcontractors under the prime subrecipient for subawards or subcontracts over \$250,000, and these budgets were reviewed by the Recipient for reasonableness, allocability and allowability.  
Yes ☐ No ☐

Current quarterly  
report template

Select "Yes" for vi.,  
even if no Foreign  
National participants

Skip this, and no  
signature required



## Resilience Project Subaward/Subcontract Notification form – Appendix A: Project Build and Resilience Impact Metrics

- Use Impact Metrics tables from Phase 1 and 2 application submittal to complete
- Select items for Tables 1-3
- These items will be reported annually: [Current Annual Report template](#)

## SF-424 Budget Justification Workbook

- Follow instructions on spreadsheet and use budget details submitted in application to OEI
  - Approved budget found on the “Budget” tab of the Application Materials spreadsheet
  - **Notify us of any changes to budget**
- Instructions and Summary Tab:

Instructions and Summary	
Award Number: _____	Date of Submission: _____
Award Recipient: _____	Form submitted by: _____ <small>(May be award recipient or sub-recipient)</small>

- Award Number: DE-GD0000050
- Award Recipient: Public Service Commission of Wisconsin
- Form Submitted by: [Name of Subawardee]

## SF-424 Budget Justification Workbook

- We have a few clarifications to the instructions in this workbook:
  - This form is required of all subrecipients, regardless of the award amount.
  - Any activities you subcontract out should be detailed in the “contractual” tab, unless the cost is related to per-item equipment that is \$5,000 or more, in which case, you’ll present that information in the “Equipment” tab.
  - OEI staff is seeking clarification from DOE on the SOPO task # columns. Leave blank until otherwise directed.

A	B	C	D	E	F	G	H	I	J
<b>Please read the instructions on each worksheet tab before starting. If you have any questions, please ask your DOE contact!</b>									
<p>1. If using this form for award application, negotiation, or budget revision, fill out the blank white cells in workbook tabs a. through j. with total project costs. If using this form for invoice submission, fill out tabs a. through j. with total costs for just the proposed invoice and fill out tab k. per the instructions on that tab.</p> <p>2. Blue colored cells contain instructions, headers, or summary calculations and should not be modified. Only blank white cells should be populated.</p> <p>3. Enter detailed support for the project costs identified for each Category line item within each worksheet tab to autopopulate the summary tab.</p> <p>4. The total budget presented on tabs a. through i. <u>must include both Federal (DOE) and Non-Federal (cost match) portions</u>.</p> <p>5. All costs incurred by the preparer's sub-recipients, vendors, and Federal Research and Development Centers (FFRDCs), should be entered only in section f. Contractual. All other sections are for the costs of the preparer only.</p> <p>6. Ensure all entered costs are allowable, allocable, and reasonable in accordance with the administrative requirements prescribed in 2 CFR 200, and the applicable cost principles for each entity type: FAR Part 31 for For-Profit entities; and 2 CFR Part 200 Subpart E - Cost Principles for all other non-federal entities.</p> <p>7. Add rows as needed throughout tabs a. through j. If rows are added, formulas/calculations may need to be adjusted by the preparer. Do not add rows to the Instructions and Summary tab.</p> <p>8. <b>ALL application period cost categories are rounded to the nearest dollar.</b></p> <p><b>BURDEN DISCLOSURE STATEMENT</b> Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Office of Information Resources Management Policy, Plans, and Oversight, AD-241-2 - GTN, Paperwork Reduction Project (1910-5162), U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, DC 20585; and to the Office of Management and Budget, Paperwork Reduction Project (1910-5162), Washington, DC 20503.</p>									
<b>SUMMARY OF BUDGET CATEGORY COSTS PROPOSED</b> <b>The values in this summary table are from entries made in subsequent tabs, only blank white cells require data entry</b>									
Section A - Budget Summary									
Application Period	Federal Share	Cost Match	Total Project Costs	Cost Match % of Federal Share	Proposed Application Period Dates				
	\$0	\$0	\$0	0%	Example!!! 01/01/2014 - 12/31/2014				
Section B - Budget Categories									
CATEGORY	Total Costs	% of Project	Comments (as needed)						
a. Personnel	\$0	0.00%							
b. Fringe Benefits	\$0	0.00%							
c. Travel	\$0	0.00%							
Instructions and Summary   a. Personnel   b. Fringe   c. Travel   d. Equipment   e. Supplies   f. Contractual   g. Construction   h. Other   i. Indirect   j. Cost Match   k. Cost Match Budget Cat.									

## Cost Match Commitment Letter

- Optional template included in onboarding email for use
  - Add organization letterhead
  - Reference for required items, if creating own letter
- Dollar amount should align across:
  - Original application
  - Subaward Notification Form
  - SF-424 Budget Justification Workbook
  - Cost match commitment letter

## DOE Flow Down Requirements

Must be done prior to your project/grant agreement execution

- ☑ National Environmental Policy Act Review (NEPA)
- ☑ State Historic Preservation (SHPO)

Tracking and reporting during project performance period

- ☑ Build America/ Buy America (BABA) Requirements for Infrastructure Projects
- ☑ Davis Bacon and Related Acts

All Subrecipients will need to complete and submit to OEI staff the following to initiate a NEPA review:

- ✓ Completed [Environmental Questionnaire](#) (Provided June 27th, 2024)
- ✓ FINAL copy of the project's Statement of Work or Statement of Project Objective ([Sample SOW](#))
- ✓ Project site location map
- ✓ **Optional:** GIS Data can be uploaded to the PSC Grants System

## Irreversible Actions

Irreversible actions are unallowable prior to a final NEPA determination.

Obvious	Not as Obvious
<ul style="list-style-type: none"><li>• Site preparation</li><li>• Infrastructure/building modifications</li><li>• Construction/installations</li></ul>	<ul style="list-style-type: none"><li>• Final design</li><li>• Capital equipment</li></ul>

**\*Change in Scope? STOP and UPDATE OEI STAFF**

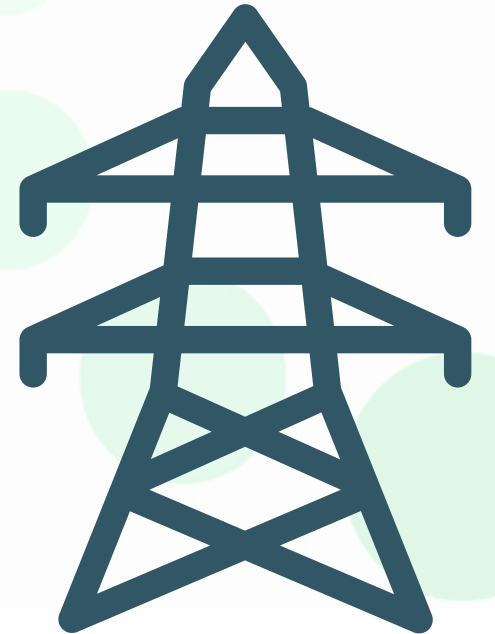
# IJA Requirements: NEPA

We may have follow-up questions based on the information provided and type of project.

Completion of the Environmental Questionnaire in addition to receiving NEPA Concurrence from DOE is **required** prior to the grant negotiation process and irreversible project actions.

The level of environmental review and documentation depends on the potential significance of the anticipated environmental impacts associated with the proposed action. If you need additional space for any of your responses, **attach additional pages as needed.**

Most projects are expected to fall into **Categorical Exclusion.**





## What is a Categorical Exclusion?

- Categorical exclusions are actions that DOE has determined normally do not have a significant effect on the human environment and therefore, neither an environmental assessment nor an environmental impact statement is normally required.
- All awardee projects will be screened by a National Energy Technology Laboratory Project Officer (PO) to determine if the project can be categorically excluded
- **Examples:** Repair and replacing existing meters, upgrading existing powerlines under 20 miles, etc.



To qualify for a Categorical Exclusion, a project cannot:



Threaten a violation of  
environment, safety, and  
health requirements



Have the potential to  
cause significant impacts  
on environmentally  
sensitive or culturally  
important resources



Disturb hazardous  
substances, pollutants, or  
contaminants

## What is a Connected Action?

Actions are connected if they:

1. Automatically trigger other actions
2. Cannot or will not proceed unless other actions are taken previously or simultaneously
3. Are interdependent parts of a larger action and depend on the larger action for their justification



## What is a **Connected Action**? Example:

The proposed project is the installation of **underground transmission lines**



Requires **trenching** and removal of **existing poles**



The trenching and removal of existing poles would not occur if not for the undergrounding of transmission lines, therefore they are considered "**connected actions**"



NETL's NEPA analysis must include an evaluation of the impacts associated with the undergrounding of the transmission lines, even if they are not included in the scope of work funded by the DOE

**Provide as much detail in the Environmental Questionnaire as possible.** The more information provided that is relevant to the project, the less potential for delay. **For some questions, it is acceptable to write "[X] will not apply to this project because..."**

## Environmental Questionnaire Contents (1 of 2)

### A. **Project Summary:** General information and Group Designation

A. The awardee is the sub-recipient and the Principal Investigator

### B. **Proposed Project Alternatives:** provide a simple description of any alternatives to the project that were considered

### C. **Project Location:** Brief but detailed description of project location with a site location map of the project work area. Submitting multiple maps is acceptable

## Environmental Questionnaire Contents (2 of 2)

**D. Environmental Impacts:** Complete all sections to the best of your ability. OEI Staff will review each subsection.

- **Historic/Cultural Resources:** Under the National Historic Preservation Act, some projects may be subject to additional review by the State Historic Preservation Office

**E. Regulatory Compliance:** OEI Staff created a table as a point of reference. This document does not constitute legal advice and does not represent PSC opinion or interpretation of law. **For some questions, it is acceptable to write "[X] will not apply to this project because..."**

**F. to I.** Public controversy, additional development, significant impacts, decommission actions. **These sections rely on your expertise.** Please be detailed if necessary.



# DOE Subaward Notification Package: NEPA Environmental Questionnaire (EQ) Section E Resources

OEI staff created the following table for grant recipients solely as a point of reference to assist in completing the NEPA Environmental Questionnaire Section E. The table below shows an overview of federal environmental law and may fail to capture state, county, and municipal policy. This is not an exhaustive list of potential permits, responsibilities, and resources. **It does not constitute legal advice and does not represent a Commission opinion or interpretation of law.**

Submission of the Environmental Questionnaire is due **July 25, 2024**.

Regulation	Summary	Potential Permits Required and Compliance Responsibilities	Projects Possibly Subject to Regulation	Available Applicant Resources
<a href="#">Clean Air Act (CAA)</a>	The U.S.'s primary federal air quality law intended to reduce and control air pollution. The CAA regulates air quality standards, hazardous or toxic air pollutants, provisions for acid rain, chemical emissions, and greenhouse gas emissions.	Construction Permits (State), Operation Permits if emitting potential pollutants in project completion. <a href="#">CAA Compliance Monitoring Program</a>	If completed project involves emission of waste products, resides in an area of recognized environmental justice area, or project construction involves significant emission.	<ul style="list-style-type: none"><li><a href="#">Plain English Guide to the Clean Air Act</a></li><li><a href="#">EIScreen: Environmental Justice Screening and Mapping Tool</a></li></ul>
<a href="#">Clean Water Act (CWA); National Pollutant Discharge Elimination System (NPDES); Wisconsin Pollutant Discharge Elimination System (WPDES)</a>	Establishes basic structure for regulating discharges of pollutants into the waters of the U.S. and regulates surface water quality standards, wetland integrity, and improvement of wastewater treatment.	CWA Section 404 Permit (USACE), National Pollutant Discharge Elimination System, Wisconsin Pollutant Discharge Elimination System (State), Hydroelectric licenses (FERC). <a href="#">CWA Compliance Monitoring Program</a>	Projects that involve discharge of dredged or fill material into waters of the United States (including wetlands), in progress or completed projects that involve discharge of any kind, hydroelectric projects.	<ul style="list-style-type: none"><li><a href="#">Waters of the United States</a></li><li><a href="#">EIScreen: Environmental Justice Screening and Mapping Tool</a></li></ul>
<a href="#">Coastal Zone Management Act (CZMA)</a>	Encourages coastal states to develop and implement coastal zone management	If taking place in a county that borders Lake Michigan or Lake Superior, various	Projects that possibly impact coastal wetlands, nonpoint	<ul style="list-style-type: none"><li><a href="#">National Oceanic and Atmospheric</a></li></ul>

Resources include background information, possible permits, and available screening tools.

**Projects Possibly Subject to Regulation** provide examples of actions that may be subject to certain regulations.

For some questions, it is acceptable to write "[X] will not apply to this project because..."

- **The Final Statement of Work (SOW) or Statement of Project Objective (SOPO)** will describe the project construction and/or installation activities **in detail**, and include the following information:
- Planned construction/installation schedule and connected actions if applicable
- Location of project activities (include a map showing all work areas)
- Additional details, project-specific data, or information that could assist in the environmental review process





# Quick Tips for Map Organization

Maps are easier to interpret when they have:



Legend



Scale Bar



North Arrow



## Free, Publicly Available Map Tools:

- Google Earth Online or Google Maps
- PSC Office of Energy Map Tool
- Scribble Maps

## Other Tips

- Use imagery or topographic basemaps
- Utilize screenshots/Snipping Tools as needed
- Text boxes/labels on the map are helpful when used sparingly
- Can the public understand your map?

## Sample Project Layout:

Proposed layout for PV installation, Battery Energy Storage System, and Electric Vehicle Charging Station.



**Red** = 100 kW panels

**Blue** = Battery Energy Storage System

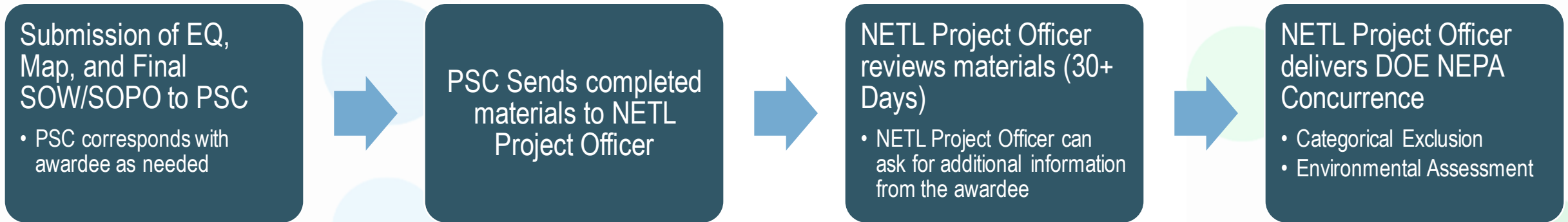
**Green** = Electric Vehicle Charging Station

**Orange** = Tree to be removed

**Purple** = Existing transformer

**White Line** = Approximately 90 feet of trenching for underground conduit

# IIJA Requirements: NEPA



PSC will handle contact with the Wisconsin State Historic Preservation Office (SHPO) to meet NHPA Section 106 Review if a project needs additional concurrence to meet compliance. Experts at the PSC are happy to answer any questions you may have regarding Section 106 compliance.

If your project takes place on **federal land, state land, or within a historic district**, the Department of Energy **requires** a permission letter from the Wisconsin SHPO.

If your project takes place on **federal land, state land, or within a historic district**, contact Sam Hermanstorfer ([samuel.hermanstorfer1@wisconsin.gov](mailto:samuel.hermanstorfer1@wisconsin.gov)) at your earliest convenience. The awardee is responsible for retrieving the permission letter, but the PSC can assist the awardee as necessary.

## Build America, Buy American (BABA)

- [DOE flow down terms](#) beginning on page 23
- See Office of Management and Budget (OMB) [Memorandum M-24-02](#) for implementation guidance
- Other compliance resources:
  - [A Desk Guide to Buy American Provisions of the American Recovery and Reinvestment Act of 2009 \(energy.gov\)](#)
  - [FEMA Best Practices for Documenting Compliance with BABA](#)

### Proof of Compliance:

- A reimbursement will not be processed without all necessary documentation.



## Build America, Buy American (BABA)

[DOE flow down terms](#) beginning on page 24

None of the funds provided under this award may be used for a project for infrastructure unless:

1. All iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. All manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. All construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

## Build America, Buy American (BABA)

### Temporary Materials at the Job Site:

[DOE flow down terms](#) page 25

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

## Build America, Buy American (BABA) Waiver Request

- [DOE flow down terms](#) detail waivers beginning on page 25
- Requested via Subaward Notification Package or once bidding is complete
  - Optional template provided in onboarding email
  - Upload waiver request to PSC Grants System
- Subject to DOE and OMB review; OEI submits request to DOE
  - DOE review may take up to 90 days
  - Includes public comment period of at least 15 calendar days
- [DOE Buy America Requirement Waiver Request](#) website



## Davis-Bacon Act (DBA)

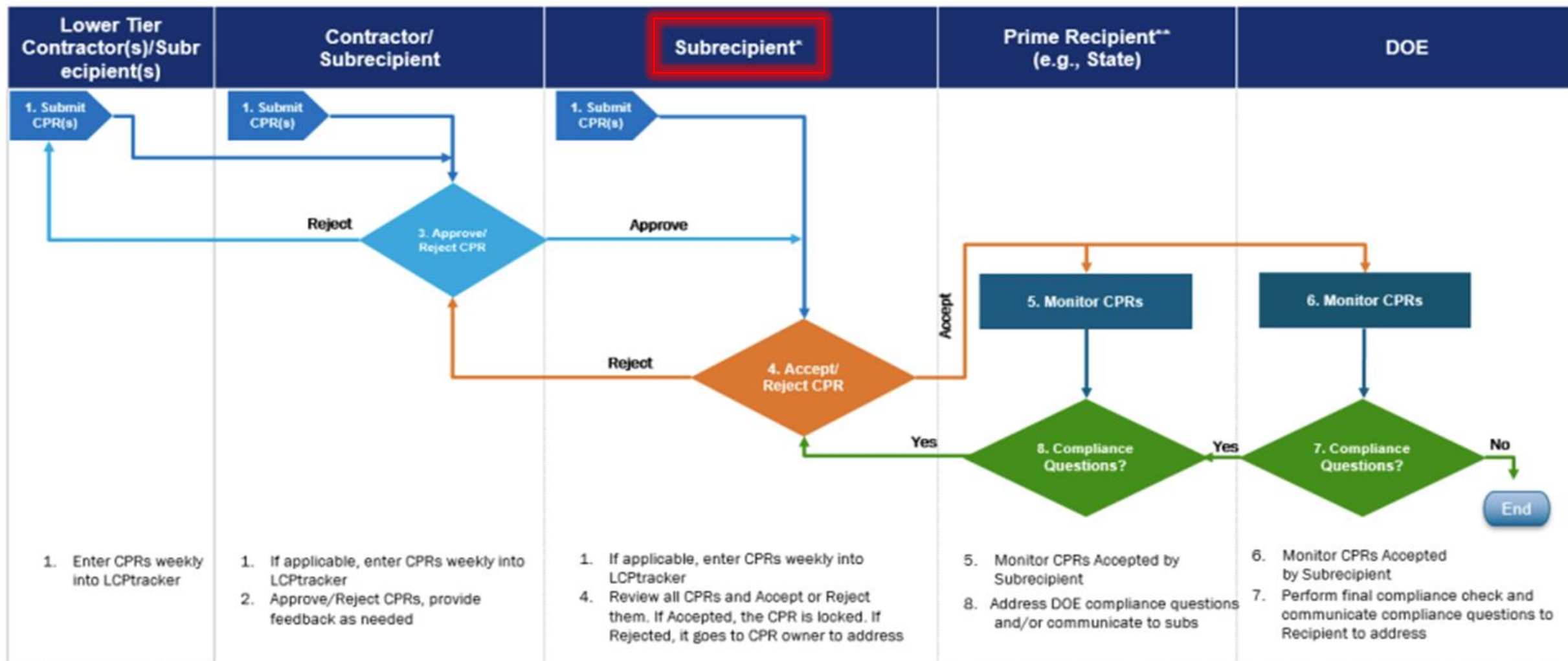
- [DOE flow down terms](#) beginning on page 27
- This Award is funded under Division D of the Bipartisan Infrastructure Law (BIL).
- All laborers and mechanics employed in the performance of construction, alteration, or repair work >\$2,000 using funds under this Award must be paid prevailing wages, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code commonly referred to as the “Davis-Bacon Act” (DBA).
- Wages for specific locations by county and construction type: [SAM.gov Wage Determinations](#) (search by state or county [here](#))
- [DOE Davis-Bacon Act Requirements for Recipients of Bipartisan Infrastructure Law Funding](#)

## Davis-Bacon Act (DBA)

- Subrecipients and their contractors must submit certified payrolls **weekly**. This ensures that employers are following the law by paying applicable workers the required prevailing wage and benefits on a weekly basis.
- DOE has contracted with a third-party to make tracking and submission as accessible as possible. Use of the software—**LCPtracker**—is mandatory.
- The process is currently being established. Account creation for YOU and YOUR CONTRACTORS/SUBCONTRACTORS will take place once you are invited by OEI staff (as part of execution of a grant agreement)
- LCPtracker trainings and guidance on the **LCPtracker website**
  - See Contractor Webinars and Training Documentation
- Live training will also be provided by LCP Tracker staff

# DOE Flow Down Requirements

## Davis-Bacon Act (DBA): Certified Payroll Report (CPR) Roles



## Foreign National Participation

- For the purposes of this program, a “foreign national” is defined as any person who is not a United States citizen by birth or naturalization.
  - DOE may elect to deny a foreign national’s participation in the award. Likewise, DOE may elect to deny a foreign national’s access to a DOE sites, information, technologies, equipment, programs, or personnel.
- Subrecipient and subcontractors must provide information to DOE about each foreign national participating in the project and access approvals.
  - [Foreign National Participation Document](#)
  - [Request for Unclassified Foreign National Access](#)
- Reference [DOE flow down terms](#), page 10

## Domestic Entity

- To qualify as a domestic entity, the entity must be organized, chartered or incorporated (or otherwise formed) under the laws of a particular state or territory of the United States; have majority domestic ownership and control; and have a physical place of business in the United States.
  - We believe all applicants qualify, but there is a waiver available upon request.
- Reference [DOE flow down terms](#), page 9

## Procurement

### Federal requirements:

- **Grant Agreement Special T&C's (DOE Flow Down Terms):**
  - Requires compliance with [2 CFR 200.318](#), General Procurement Standards

### State requirements:

- **Grant Agreement General T&C's, Article 32, Competitive Procurement Practices:**  
*The Grant Recipient shall utilize State of Wisconsin competitive procurement practices for products and services purchased as a result of this award. Where state and local procurement practices differ, state rules, standards, policies and practices shall take precedence.*
- [DOA Procurement Manual](#)

Can I start any clearing, trenching, or construction activities before I receive my NEPA Determination?



- No work may begin, and no costs may be incurred, before a NEPA determination and without an executed grant agreement between your organization and the PSC

What expenses can be incurred for reimbursement or match during the time prior to my grant agreement being executed?

- None. If this is a hardship, please email us with your circumstances



## What are some items included in a contract/agreement?

- **Scope of Work:** Includes information relating to all the necessary personnel, equipment, and materials to accomplish the tasks.
  - In the event of conflicts between the grant agreement and the application, the grant agreement shall supersede the application.
  - Changes to the Scope of Work shall be by written agreement of both the OEI and the Grant Recipient.
- **Budget:** “Attachment B” in the contract/agreement. Line-item detail of costs associated with the proposed project, including match funds.
  - OEI Grant Coordinator may be in contact to review your budget for eligibility and confirming/determining line-item costs.
- **Special Provisions** (DOE Flow Down Terms) related to work funded under IIJA
- **Commission Order** awarding the grant

## ATTACHMENT B BUDGET

Category	Contract Amount	Match	Total Project Costs
1) Personnel	\$35,000.00	\$0.00	\$35,000.00
2) Fringe Benefits	\$0.00	\$4,500.00	\$4,500.00
3) Equipment	\$0.00	\$0.00	\$0.00
4) Supplies	\$101,000.00	\$0.00	\$101,000.00
5) Contractual	\$78,000.00	\$0.00	\$78,000.00
6) Other	\$0.00	\$0.00	\$0.00
Total Direct Costs	\$0.00	\$0.00	\$0.00
7) Indirect	\$0.00	\$25,000.00	\$25,000.00
<b>TOTALS:</b>	<b>\$214,000.00</b>	<b>\$29,500.00</b>	<b>\$243,500.00</b>
<i>Percentage of costs</i>	<i>88%</i>	<i>12%</i>	<i>100%</i>

- This data will be transferred from your grant application into the grant agreement and the PSC Grants System
- You will be held to the grant funded/match ratio (88%/12%) if total projects costs increase/decrease (not to exceed the original grant award amount - \$214,000)

## What information is expected from me AFTER I receive a Grant Agreement?

Upon execution of a Grant Agreement, you may be asked for the following:

- Fiscal Information (do we have everything we need to send you a reimbursement?)
  - DOA Form 6460 - New Supplier Form
  - W9 Form
  - DOA 6456 – Authorization for Direct Deposit
    - Instructions will be provided for Forms to be completed and returned through a secure email portal
  - Involve internal fiscal staff when filling out these forms

## What information is expected from me AFTER I receive a Grant Agreement?

Within 15 days of an executed Grant Agreement, you will be required to provide:

- Affirmative Action Plan & Related Forms (must be compliant to receive reimbursement)

Affirmative Action Required Documentation Summary		
NO EXEMPTION	Forms needed	Who Completes?
	Affirmative action plan must include: Policy statement Workforce analysis Program goals Plan dissemination Internal monitoring	Grantee  Subcontractor if over \$50k
	<a href="#">DOA 3784 (AA plan contractor data)</a>	Grantee, Subcontractor
	<a href="#">DOA 3023 (subcontractor form)</a>	Grantee, Subcontractor
EXEMPTION	Forms needed	Who Completes?
	<a href="#">3024 (request for exemption)</a>	Grantee, Subcontractor
	<a href="#">3023 (subcontractor form)</a>	Grantee, Subcontractor
ADD TO DOA CCP LIST	Forms needed	
	<a href="#">3001 (recommendation form)</a>	OEI Grant Coordinator
	<a href="#">3024 (request for exemption, if exempt)</a>	Grantee
	51 <a href="#">3784 (contractor data, if not exempt)</a>	Grantee

## What information is expected from me AFTER I receive a Grant Agreement?

For subrecipients meeting certain spending thresholds, within 180 days after the close of your fiscal year, you will be required to provide:

- **Single Audit** (must be compliant to receive reimbursement)

- 📄 **Non-Federal Grant Recipients**, or their assignees, that expend \$750,000 or more during their fiscal year in Federal awards shall comply with the Wisconsin State Single Audit Guidelines issued by the Wisconsin Department of Administration and 2 CFR 200.500 through .521.
- 📄 **A Non-Federal Grant Recipient** that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, but records must be available for review or audit, and shall confirm in writing that the above audit requirements are not applicable.
- 📄 **For-profit Grant Recipients**, or their assignees, that expend \$750,000 or more during their fiscal year in U.S. Department of Energy awards must have a compliance audit conducted for that year in accordance with the provisions of 2 CFR 910.500 through 910.521

- **State and Federal reporting requirements.** Subrecipients are expected to submit quarterly, annual, final, and on-request reports to the PSC on project activities, progress, and costs to satisfy state and federal requirements. Certain reporting requirements shall continue to be required post-disbursement.
- Submit reports through the PSC Grants System.
- **DOE Required Property Equipment Inventory.** This form is to provide detailed individual item information in connection with required reports of tangible personal property under Federal assistance awards. (2 CFR part 200.313)
  - See [2 CFR Part 200.313](#) for additional requirements pertaining to equipment acquired under a Federal award.

## Eligible Costs

- Eligible costs are those costs which can be audited, and which are directly attributable to contracted activities and identified and approved in the Grant Agreement. All costs are reviewed by OEI staff prior to reimbursement and determined as eligible or ineligible, whether or not an applicant had included them in their application.
- Grant/Match ratio must be maintained throughout the reimbursement process. For example, in the sample budget shown below, the contract amount (reimbursement) shall not exceed \$214,000.00 or 88% of the total project costs.

Category	Contract Amount	Match	Total Project Costs
1) Personnel	\$35,000.00	\$0.00	\$35,000.00
2) Fringe Benefits	\$0.00	\$4,500.00	\$4,500.00
3) Equipment	\$0.00	\$0.00	\$0.00
4) Supplies	\$101,000.00	\$0.00	\$101,000.00
5) Contractual	\$78,000.00	\$0.00	\$78,000.00
6) Other	\$0.00	\$0.00	\$0.00
Total Direct Costs	\$0.00	\$0.00	\$0.00
7) Indirect	\$0.00	\$25,000.00	\$25,000.00
<b>TOTALS:</b>	<b>\$214,000.00</b>	<b>\$29,500.00</b>	<b>\$243,500.00</b>
<i>Percentage of costs</i>	<i>88%</i>	<i>12%</i>	<i>100%</i>

- Costs only as identified in the Budget and described in the Scope of Work are allowed. A Grant Recipient may request from the OEI an amendment to the budget summary of its Grant Recipient Agreement to add to or revise the list of purchases, expenses, and other activities eligible for reimbursement, not to exceed the original grant amount approved by the Commission.

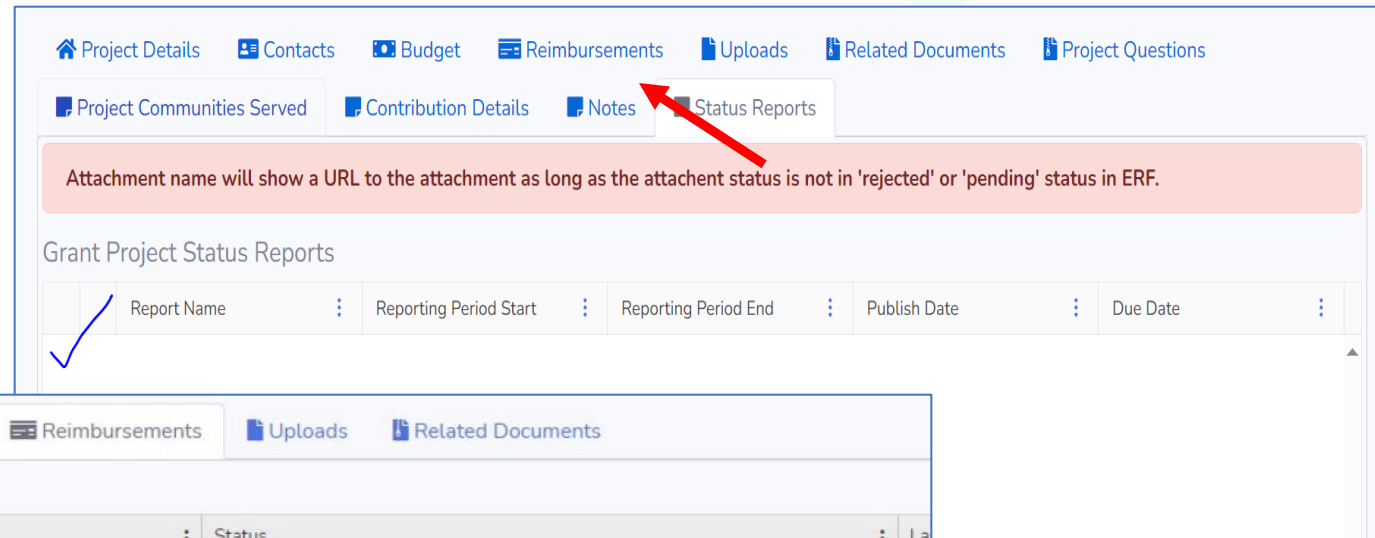


## Reporting and Request For Payment:

- Payments are to be used exclusively for eligible costs incurred **during** the Performance Period.
- The OEI will make a reimbursement payment to the Subrecipient upon receipt of a request for payment with satisfactory documentation. **Payments are issued as reimbursements only.**  
**Must be paid by grant subrecipient first.**
  - Multiple requests for payment may be processed and shall correspond with the Quarterly Reports.
  - Each request for payment must include a copy of an invoice for each eligible cost item for which reimbursement is requested.
    - Satisfactory Documentation: The invoice will be used to document the actual purchase price of the eligible cost item. Invoices must be accompanied by a proof of payment, as appropriate. This includes receipts, invoices, and internal accounting records. A request for payment must provide an independent and auditable basis for the actual purchase price of each eligible cost item.

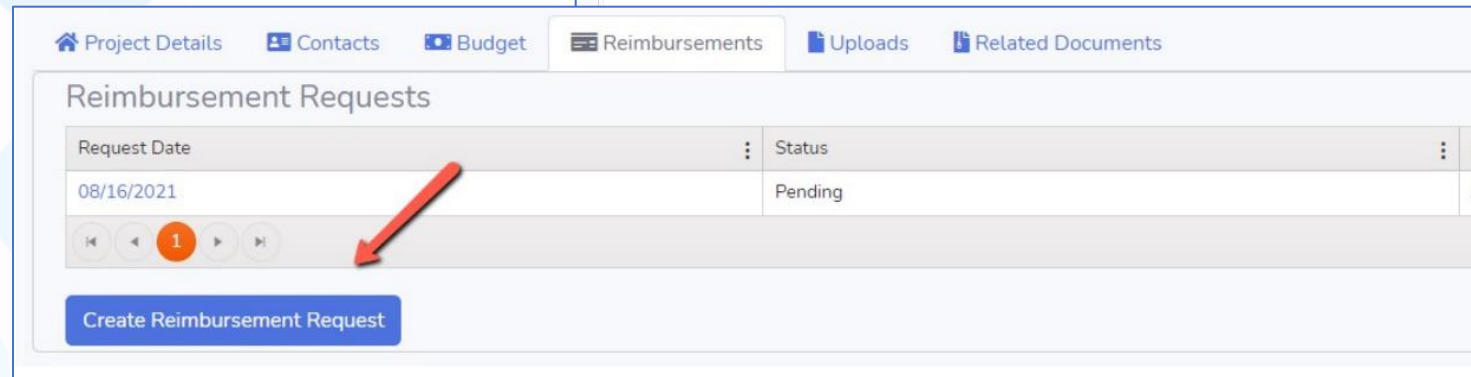
## Reporting Materials for Current Grant Recipients

- Status Reports (QPRs and Annual)



The screenshot shows the 'Status Reports' tab selected in the navigation menu. A red arrow points to the 'Status Reports' tab. Below the navigation menu, a red banner contains the text: 'Attachment name will show a URL to the attachment as long as the attachment status is not in 'rejected' or 'pending' status in ERF.' Below this, the 'Grant Project Status Reports' section is visible, showing a table with columns: Report Name, Reporting Period Start, Reporting Period End, Publish Date, and Due Date. A blue checkmark is visible in the first row of the table.

- Reimbursements



The screenshot shows the 'Reimbursement Requests' tab selected in the navigation menu. A red arrow points to the 'Reimbursement Requests' tab. Below the navigation menu, the 'Reimbursement Requests' section is visible, showing a table with columns: Request Date, Status, and Last Updated. The first row shows a request date of 08/16/2021 and a status of Pending. Below the table, there is a 'Create Reimbursement Request' button.

- Follow instructions in the [PSC Grants System Users Guide](#) (last updated 6/12/2023, updates forthcoming)

## Next Steps

- Submit Subaward Package Materials in [PSC Grants System](#) by July 31, 2024
  - Email [OEI@wisconsin.gov](mailto:OEI@wisconsin.gov) if your organization is unable to meet this deadline. Include:
    - Estimated submittal date
    - Reason for delay
- OEI will host two virtual office hours, dedicated to questions on these materials on:
  - July 24, 2024: 12:30-1:30 pm CST
  - July 29, 2024: 11:00 am-12:00 pm CST
  - An email with calendar invites will be sent to primary contacts
- Onboarding Questionnaire

## Questions?

- Any questions on today's presentation?
- Submit follow-up questions to [OEI@wisconsin.gov](mailto:OEI@wisconsin.gov)