



Capital Projects Fund (CPF)
Digital Connectivity Technology Program (DCTP) Application
Review Guide

December 2023

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1. Program Overview

The FloridaCommerce mission is to advance and enable a connected economy in Florida by championing the state's economic development vision and by administering state and federal programs and initiatives. These programs include broadband development to help visitors, citizens, businesses, and communities stay connected and leverage digital technologies. The FloridaCommerce's Office of Broadband ("Office") actively provides guidance and works with entities throughout the state to increase the availability and effectiveness of broadband internet by utilizing mapping initiatives to achieve the goals set forth in the Florida Strategic Plan for Broadband ("Florida Strategic Plan"). The Capital Projects Fund ("CPF") program allows eligible entities to invest in capital assets that meet communities' critical needs in the short and long term. A key emphasis of the CPF is to make funding available for broadband infrastructure, especially in rural America, Tribal communities, and low-and moderate-income communities.

The State of Florida was awarded approximately \$366 million in grant funding for broadband initiatives. Broadband is a critical component in Florida's plan to build a robust and modern infrastructure throughout the state and more specifically in areas where broadband Internet service infrastructure is not yet available. These funds are expected to encourage job creation, capital investment, and the strengthening and diversification of local economies. Through the Digital Connectivity Technology Program ("DCTP"), the Office aims to award funds to eligible entities to make devices and equipment necessary to access the broadband Internet available to households who lack such devices and equipment. The availability and use of the CPF DCTP grant funds is governed by the State of Florida and Federal regulations and guidance.

2. Purpose

Through the CPF DCTP program, the Office aims to distribute digital connectivity equipment and devices to households and multi-purpose community facilities who lack such equipment and devices, and install public wi-fi infrastructure. The FloridaCommerce will use 5% (~\$13,040,063 million) of its allocated CPF funding for the CPF DCTP program.

The primary objective of the CPF DCTP program is to make computers, laptops, and tablets available to qualifying households and multi-purpose community facilities. Eligible entities will be required to provide training on the use of devices, including how to access and use the Internet. Eligible entities will be required to provide installation of equipment and instruction on set-up and use of digital equipment to those qualifying households.

3. Program Schedule

The FloridaCommerce anticipates that eligible entities will be awarded grant funds prior to December 31, 2024, and all projects must be completed by December 31, 2026.

4. Eligibility Review

4.1. Eligible Applicants

Eligibility to apply for the CPF DCTP grant is based on several factors as stated by the Treasury and the FloridaCommerce. Types of applicants that are eligible for CPF DCTP grant awards include but are not limited to:

1. Levels or units of government (e.g., municipalities or counties incorporated under Florida law);

2. Non-profit organizations;
3. Community action agencies (serving high poverty areas); and
4. Multi-purpose community facilities

The CPF DCTP grant application reviewers will follow the guidelines outlined in the Guidance for the Coronavirus Capital Projects Fund, FloridaCommerce CPF manual, and the CPF DCTP application.

4.2. Eligible Projects

Eligible projects under the CPF DCTP program are enabling projects that directly support work, education, and health monitoring in response to the public health emergency. For a project to be eligible for the CPF DCTP grant, it must meet any of the following criteria:

- The project invests in devices and equipment designed to directly enable work, education, and health monitoring.
- The project is designed to address a critical need that resulted from or was made apparent or exacerbated by the public health emergency.
- The project is designed to address a critical need in the community to be served by it.

For more information regarding eligible projects within this program, refer to: https://www.floridajobs.org/docs/default-source/community-planning-development-and-services/broadband/digital-connectivity-program-narrative-final.pdf?sfvrsn=bb3654b0_2

4.3. Eligible Equipment and Devices

Projects funded through the CPF DCTP grant program should provide permitted equipment and devices to the households and multi-purpose community facilities that are in most need. Permitted and eligible devices include laptops, tablets and desktop personal computers. Permitted and eligible equipment includes equipment installed as part of public Wi-Fi infrastructure such access points, repeaters, and routers.

Devices, such as phones and televisions, that do not permit users to fully participate in work (for example, providing access to fully functional remote video conferences, and necessary work applications), or in educational activities in schools, libraries, etc. (for example, allowing full participation in remote video classrooms and group projects, as well as the ability to draft and edit complex writing assignments), or in health monitoring activities, do not qualify as eligible devices under the CPF DCTP grant program.

4.4. Eligible and Preferred Locations

Household eligibility will be based on participation in Federal income assistance programs, such as free or reduced school lunch, supplemental security income, social security disability income, Supplemental Nutrition Assistance Program (“SNAP”), and other public assistance programs.

Preference will be given to rural communities with demonstrated economic distress factors identified in section 288.0656(2)(c), Florida Statutes, including low per capita income, low per capita taxable values, high unemployment, high underemployment, low weekly earned wages compared to the state average, low housing values compared to the state average, high percentages of the population receiving public assistance, high poverty levels compared to the state average, and a lack of year-round stable employment opportunities. This includes the 29 Florida counties within three Rural Areas of Opportunity designated by

the Governor under section 288.2656, Florida Statutes, a county under section 288.0656(2)(e), Florida Statutes, or a community designated as rural under section 288.0656(2)(e)(4), Florida Statutes.

When determining the individuals and communities with a critical need that will be served by the CPF DCTP program, recipients may choose to consider any available data, including federal and/or state collected data; interviews with community members and business owners; reports from community organizations; documentation of existing facilities providing similar or identical services to those the CPF DCTP is intended to provide; and any other information they deem relevant.

4.5. Eligible and Ineligible Costs

4.5.2 Eligible costs

- Cost of purchase and repair of equipment and devices;
- Ancillary costs necessary to operationalize and put the devices and equipment to full use;
- Cost associated with providing training courses and educational material for the devices;
- Costs associated with monitoring of and reporting on Capital Projects in compliance with the Treasury requirements, including award closeout costs; and
- Project specific costs associated with collecting and measuring data and conducting activities needed to establish and maintain a performance management and evaluation regime.

4.5.3 Ineligible costs

- Costs associated with completing or filing an application for the grant;
- Any expense incurred prior to the formal acceptance and execution of the grant agreement; and
- Satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring plan in a judicial, administrative, or regulatory proceeding.

5. Technical Assistance

The FloridaCommerce staff are available to provide support throughout the application process. Applicants are strongly encouraged to attend scheduled webinars and any technical assistance opportunities provided by the FloridaCommerce. Applicants can find current information about the CPF DCTP Program at www.FloridaJobs.org/Broadband. Questions regarding the program should be sent to Broadband@commerce.fl.gov.

Technical Assistance Web Portal: The FloridaCommerce maintains the following website (<https://FloridaJobs.org/Broadband>) to provide potential applicants resources and guidance on the program. In addition, the FloridaCommerce will continue to host technical assistance webinars. The schedule and related links to past recordings of these webinars will be posted here (<https://FloridaJobs.org/Broadband>). The FloridaCommerce will provide technical assistance throughout the CPF DCTP program through virtual meetings. Information and process will be provided in the links provided above.

6. No Maximum Limits

There is no limit on the requested grant award amount per application. In addition, there is no limit on the cumulative grant award per applicant across awards. This is a competitive grant application and eligibility for funding is based on scoring a minimum of 250 points out of a maximum 500 points. Based on the number of applicants, the amounts applied for and awarded, and the score given to each application, the potential exists that not all applicants scored as eligible for grant funding will be awarded funding.

7. DCTP Application Evaluation

7.1. Evaluation Process

7.1.1 Overview

The evaluation of an application to the CPF DCTP and selection of an Applicant for an award will be based on the information submitted in the application including any required attachments and documentation. Failure to respond to each of the requirements in the application may be the basis for rejecting a response. The FloridaCommerce will accept applications for the DCTP through a competitive process that results in awards to Applicants proposing projects that meet defined objectives for the FloridaCommerce.

All applications will undergo an initial review for eligibility and completeness, followed by a scoring review based upon the FloridaCommerce scoring guidelines (as reflected herein). To maximize chances of receiving an award, Applicants must be mindful of two key objectives while preparing the application:

- Level of Responsiveness: Provide all required information along with the specified attachments. Responses provided should be comprehensive, detailed, and clear.
- Grant Selection Criteria: Review this section to ensure that the application comprehensively addresses all requirements listed in the Evaluation Criteria and Consideration Factors section.

7.1.2 Responsiveness process

All applications will go through a responsiveness review to ensure each application has provided the necessary information required for further evaluation and scoring.

7.1.3 Scoring Review

Applications meeting the eligibility requirements will undergo a screening against the scoring criteria outlined herein and subsequently assigned a calculated score. The scoring criteria focuses on the following categories:

1. Project Need
2. Project Readiness, Deployment, and Asset Plans
3. Community Impact
4. Project Budget
5. Project Sustainability and Organizational Capability

8. Evaluation Criteria and Consideration Factors

8.1. Evaluation Criteria Overview

This section sets forth the specific scoring and evaluation criteria that will be used to evaluate and rank applications to potentially receive funding from the CPF DCTP program. There is no score that guarantees funding of an application. Scoring will be made on a competitive basis. Eligible Applicants must obtain a minimum evaluation score of 250 points to be considered for funding; however, this does not guarantee an award. Only the highest scoring applications may earn funding and total applications funded will be limited based on available funds to the program.

The funding application scoring system will include weighting factors that will result in selection of grantees most likely to achieve the specific program goals.

Table – Application Evaluation Criteria

Evaluation Criteria	Maximum Points (500)
<i>A. Project Need</i>	275
A.1 Project Justification	75
A.2 Targeted Communities	75
A.3 Targeted Service Area(s)	75
A.4 Community Support	50
<i>B. Project Readiness, Deployment, and Asset Plans</i>	75
B.1 Project Schedule	25
B.2 Training and Deployment	25
B.3 Assets Plan	25
<i>C. Community Impact</i>	50
C.1 Benefits to Community	50
<i>D. Project Budget</i>	50
D.1 Project Budget	50
<i>E. Project Sustainability and Organizational Capability</i>	50
E.1 Project Sustainability	25
E.2 Organizational Capability	25

8.2. Evaluation Criteria Consideration Factors

8.2.1. Project Need (275 Points)

The evaluation criteria in this section assess how well the Applicant makes a compelling case for the project through a project plan that is comprehensive and covers how the project targets communities, service area(s), and the community's needs. In addition, this criterion measures the

level of community support and outreach within the proposed project area. Applicants who provide substantive evidence of community support and outreach will score higher.

A.1 Project Justification (Maximum 75 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • The extent to which the project meets the following criteria. <ul style="list-style-type: none"> ○ Enable work, education, and health monitoring services. ○ Address a critical need that resulted from or was made apparent or exacerbated by the public health emergency. ○ Address a critical need of the community to be served by the project. • Clear evidence of need for the project in the targeted communities. 	<ul style="list-style-type: none"> ✓ Applicant has developed a compelling narrative to justify the need for the project including approach to identify the need. ✓ Applicant has demonstrated that the project meets the following three criteria: <ul style="list-style-type: none"> ○ Directly enable work, education, and health monitoring services. ○ Address a critical need that resulted from or was made apparent or exacerbated by the public health emergency. ○ Address a critical need of the community to be served by it. ✓ Applicant has used evidence such as lack of broadband Internet access and/or equipment to justify the project need.

A.2 Targeted Communities (Maximum 75 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • The extent to which economic conditions (e.g., household income, poverty rates, unemployment data, etc.) were factored into identifying the targeted communities. • Other evidence of factors considered in selection of the targeted communities, including rural communities, historically disadvantaged communities, etc. 	<ul style="list-style-type: none"> ✓ Evidence of economic conditions of the targeted communities below the state's average. Examples of indices include unemployment, poverty, Low to Moderate Income Factor, etc. ✓ Evidence of rural communities with demonstrated economic distress factors identified in section 288.0656(2)(c), Florida Statutes. ✓ Evidence indicating affordability as a barrier to Internet access for the targeted communities.

A.3 Targeted Service Areas(s) (Maximum 75 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Project location and clear identification of the targeted service area(s) of the project. 	<ul style="list-style-type: none"> ✓ Applicant has identified targeted service area(s) that will be served by the project either partially or fully.

A.3 Targeted Service Areas(s) (Maximum 75 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Evidence of targeting households / multi-purpose community facilities, libraries, or schools that lack access to digital devices and equipment necessary to access the broadband Internet. • Evidence that households / multi-purpose community facilities with no computers are prioritized over those receiving laptops from school districts and other programs. 	<ul style="list-style-type: none"> ✓ Applicant has provided evidence demonstrating that the proposed area lacks equipment and/or devices to access the broadband Internet. ✓ Types of households targeted (demographics i.e., age, ethnicity, education, etc.) and segments of the workforce (example individuals with past criminal records, etc.). ✓ Detailed narrative on how households / multi-purpose community facilities with lack of devices and equipment will be prioritized over those receiving laptops from school districts and other programs.

A.4 Community Support (Maximum 50 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • The extent to which the project need is demonstrated through community support. • The extent to which Local Technology Planning Teams and other surveys / interviews were factored into defining the project to address specific needs identified. 	<ul style="list-style-type: none"> ✓ Evidence of community outreach efforts to demonstrate the need for the project. ✓ Other community feedback that shows compelling need and project support. ✓ If available, recent survey or other similar community-focused analyses regarding level of need, gaps, and project support. ✓ Degree to which teams conducted community-level activities including participating in Local Technology Planning Teams and research to determine the community's need for the project. ✓ Evidence of planning and aligning with the targeted service area's representatives to promote the program among residents.

8.2.2. Project Readiness, Deployment, and Asset Plans (75 Points)

This evaluation criteria assesses the readiness of a project by evaluating the project schedule, details of the project deployment and training requirements (including the training for use of equipment), and asset plans in terms of tagging, distributing, tracking (keeping an inventory of), maintenance, and ownership and disposition.

The following factors will be taken into consideration for evaluation and scoring process.

B.1 Project Schedule (Maximum 25 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details of the project development activities carried out by the Applicant to date. • Reasonableness of the project schedule. • Identification of government approvals / permits required (if needed). • The extent to which the project schedule meets or is expected to meet requirements of the program. 	<ul style="list-style-type: none"> ✓ List of activities carried out by the Applicant to date. ✓ The degree to which the project schedule is detailed, structured, clear, and consistent with committed timelines for key activities and approvals/permits (if applicable). ✓ Detailed narrative on project schedule confirming that project completion will be prior to December 31, 2026. ✓ Identification of key execution risks and mitigation plan.

B.2 Training and Deployment (Maximum 25 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details of the digital literacy training and support services to be performed by the Applicant. • Details of installation support to be provided by the Applicant to households and communities that require assistance regarding how to access and use the Internet. 	<ul style="list-style-type: none"> ✓ Detailed narrative on digital literacy training and support services (e.g., number of training sessions, type(s) of training, locations, target participants, other support services, etc.) that will be provided to the residents / households on the use of computers, tablets and devices, including digital literacy and how to access and use the Internet. ✓ Detailed narrative on support services and instructions regarding set-up and use of equipment/device(s), including routers and wi-fi devices.

B.3 Assets Plan (Maximum 25 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details regarding how the Applicant will support and maintain the assets in working conditions, including how the Applicant plans to replace broken devices or equipment if it cannot be fixed. • Details regarding the plan to tag, distribute, track (keep an inventory of), and maintain the equipment/ devices and other assets funded by the program. 	<ul style="list-style-type: none"> ✓ Detailed narrative on how the Applicant plans to operate a system of tagging, distributing, tracking (keeping an inventory of), and maintaining the equipment/ devices and other assets funded by the program throughout the term of the agreement. ✓ Detailed narrative on how the Applicant plans to maintain, replace if necessary, and insure equipment and devices during their useful life. Details of how such activities be funded.

B.3 Assets Plan (Maximum 25 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Confirmation that the Applicant (subrecipient) will own the equipment, devices and other assets that are funded by the program. • Confirmation that the Applicant will properly dispose equipment/devices in accordance with 2 CFR 200.312 and section 274.05, F.S. 	<ul style="list-style-type: none"> ✓ Details regarding how the Applicant will be maintaining ownership of the devices throughout the term of agreement. ✓ Detailed narrative on asset disposition plan indicating that upon termination of the program / end of the useful life of the equipment/devices, the Applicant will properly dispose of the equipment and devices in accordance with 2 CFR 200.312 and section 274.05, F.S.

8.2.3. Community Impact (50 Points)

This evaluation criteria measures the potential benefits that the project would have on the proposed community. Specifically, this criterion measures the degree to which the project will increase access to work, education, and health services, and promote community and economic development within the project area/community.

C.1 Benefits to Community (Maximum 50 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Details on how the proposed project will work to address the current need and improve connectivity of the targeted community from a work, education, and health monitoring perspective. • Details on the benefits that the project will have on the targeted community. 	<ul style="list-style-type: none"> ✓ Detailed narrative on how the distribution and/or installation of equipment/devices to households and/or multi-purpose community facility that lack equipment and/or devices for access to the Internet will help address work, education, and health monitoring services. ✓ The number of new jobs created in the targeted community directly related to procurement, installation and maintenance of the equipment, devices, or public wi-fi infrastructure, and digital literacy training. ✓ Approach to ensure qualifying households and Multi-Purpose Community Facilities will have access to equipment/devices through a long-term, no-cost loan program administered by the Applicant.

8.2.4. Project Budget (50 Points)

Applicant should provide information on the budget narrative and should identify all major expenditure categories and the total sums for categories. Applicant should also provide details on the annual operating and maintenance cost of the equipment, devices, and/or public wi-fi infrastructure, and digital literacy training program.

D.1 Project Budget (Maximum 50 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • List of assets considered for the project and the ability to maintain the devices/equipment procured as part of the project. • Narrative explaining the various cost categories and providing the rationale for the project costs. • Reasonableness of the capital budget for the project. • Reasonableness of the costs allocated for digital literacy training programs. • Reasonableness of the annual operating budget for the project. 	<ul style="list-style-type: none"> ✓ Level of detail provided in the budget narrative for the project. ✓ Level of detail of the total project costs including a narrative on all major capital expenditure categories and the total sums for those categories. ✓ Level of detail provided on the budget for the digital literacy training programs. ✓ Level of detail provided on the annual costs for operating and maintaining equipment, devices, and/or public wi-fi infrastructure. ✓ Details on the number and types of devices and equipment that will be provided to households/communities and/or multi-purpose community facilities.

8.2.5. Project Sustainability and Organizational Capability (50 Points)

Application should clearly demonstrate that the proposed project is financially and operational sustainable, and the Applicant organization has necessary resources and experience to deliver the proposed project within budget and schedule, and that the Applicant organization has experience successfully executing similar project(s).

E.1 Project Sustainability (Maximum 25 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Applicant's financial capacity consistent with the project size and operations proposed. • The Applicant's ability to obligate and expend funds by program deadlines. • Details how the Applicant plans to fund the maintenance and/or replacement of equipment, devices, and/or public wi-fi infrastructure. 	<ul style="list-style-type: none"> ✓ Clear identification of funding sources to meet the project costs. ✓ Evidence that the Applicant has the financial capacity to operate and maintain equipment, devices, and/or public wi-fi infrastructure funded by the program. ✓ Detailed narrative explaining how the grant recipient will obligate and spend funds in compliance with the program deadlines. ✓ Discussion of key financial risks that could impede sustainability (e.g., cost overruns) and mitigation strategies.

E.2 Organization Capability (Maximum 25 points)	
Key Areas	Factors for Consideration
<ul style="list-style-type: none"> • Demonstration that the Applicant is well positioned to procure, install, and maintain equipment, devices and/or public wi-fi infrastructure. • Demonstration of the Applicant's experience and track record to execute similar project(s). • If applicable, demonstration of viable partnerships including public-private partnerships for digital literacy training and maintenance of equipment, devices, and/or public wi-fi infrastructure. 	<ul style="list-style-type: none"> ✓ Details regarding the Applicant's ability to procure, install, and maintain digital equipment/devices and/or public wi-fi infrastructure throughout the term of agreement. ✓ Details on the Applicant's key personnel experience in areas similar to the project. ✓ Details that the Applicant has delivered projects of similar size in the last 5 years. ✓ Details regarding partnerships including public-private partnerships or coordination between the Applicant and local entities to procure, install and maintain the digital equipment, devices and/or public wi-fi infrastructure.

9. Grant Agreement and Terms and Conditions

Once the Office validates the CPF DCTP application's completeness and the applicant eligibility for funding by achieving the threshold score, and is identified as an awarded applicant, the applicant's authorized representative will execute a Grant Agreement with the FloridaCommerce.

The Grant Agreement will, among other things, contain terms and conditions related to the following:

1. Description of the services;
2. Roles and responsibilities;
3. Grant payment schedule;
4. Eligible uses of funds;
5. Period of performance;
6. Accounting and reporting requirements;
7. Compliance requirements;
8. Remedies for noncompliance including but not limited to return of funds;
9. Audit practices;
10. Recording keeping;
11. Internal controls, and;
12. Other terms required by Federal law.

10. Compliance and Reporting Requirements

Guidance provided in this document is meant to be used as a helpful resource but is not intended to be exhaustive and does not guarantee compliance with the federal requirements. Federal requirements included here are those that may be of particular importance to subrecipients who may receive federal funding for broadband programs. The descriptions below are only general summaries and all recipients and subrecipients are advised to carefully review the full requirements as well as any additional regulatory and statutory requirements applicable to the program from the respective sources. In addition to meeting the federal requirements outlined below, the subgrantee needs to meet applicable state and local requirements as well.

10.1. Specific Guidance

10.1.1. Procurement Standards

Recipients and subrecipients must follow the procurement requirements outlined in [2 C.F.R. Parts 200.317 through 200.326](#) for the acquisition of property or services required under a federal award or subaward. Non-federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

The Uniform Guidance establishes that all procurement transactions for property or services must be conducted in a manner providing full and open competition consistent with standards outlined in [2 C.F.R. Part 200.320](#). 2 CFR 200.320 describes methods of procurement based on two procurement thresholds: the Micro purchase threshold (MPT) and the Simplified Acquisition Threshold (SAT).

Micro-purchase threshold (MPT) - 2 CFR 200.320(a)(1): Purchase of supplies and services for a price below the MPT, currently set at \$10,000, are not required to be solicited competitively. However, there are circumstances when a recipient may have an MPT that is greater than \$10,000. For example, all non-federal entities may increase their MPT up to \$50,000 if they follow the protocols described in 200.320(a)(1)(iv). Additionally, non-federal entities such as metropolitan cities, counties, non-entitlement units of local government, and Tribes may use their own MPT if they follow the protocols described in 200.320(a)(1)(iv).

Simplified Acquisition Threshold (SAT) - 2 CFR 200.320(a)(2): Purchases of property and services at a price above the recipient's MPT and below the SAT, currently set at \$250,000, may be made following the small purchase procedures described in the definition of SAT in 2 CFR 200.1 and 2 CFR 200.320(a)(2). Procurement of property and services.

Small purchase procedures. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-Federal entity.

10.1.2. Labor Agreements and Standards

Awardees must comply with all applicable federal labor laws and regulations, and with all requirements for state, and local laws and ordinances to the extent that such requirements do not conflict with federal laws. Recipients and subrecipients of federal funds will be required to comply with federal labor standards, including but not limited to:

- a) Labor Standards Provisions of [29 C.F.R. Part 5](#)

- b) Contract Work Hours and Safety Standards Act of 1962, as amended ([40 U.S.C. 3701- 3708](#))
- c) Federal Fair Labor Standards Act of 1938, as amended ([29 U.S.C. 201-219](#))
- d) Copeland “Anti-Kickback” Act ([18 U.S.C. 874](#)).

10.2. General Guidance

Applicability: Under 2 C.F.R. Part 200.101, the terms and conditions of federal awards generally flow down to subcontracts and subawards. This means that non-federal entities must comply with requirements regardless of whether the non-federal entity is a recipient or subrecipient of a federal award.

Internal Controls: Per 2 C.F.R. Part 200.303, all non-federal entities must establish effective internal controls to ensure that funding decisions constitute eligible uses of funds and document determinations.

Allowable Costs: As outlined in the Uniform Guidance at 2 C.F.R. PART 200, Subpart E regarding Cost Principles, allowable costs are based on the premise that a recipient is responsible for the effective administration of federal awards, application of sound management practices, and administration of federal funds in a manner consistent with the program objectives and terms and conditions of the award. Any costs reimbursed with program funds must be reasonable and allocable, as described in 2 C.F.R Parts 200.404 and 200.405, respectively.

Real Property and Equipment: Equipment and real property acquired with federal funds must be used for the originally authorized purpose. Consistent with 2 C.F.R. Part 200.311 and 2 C.F.R. Part 200.313, any equipment or real property acquired using federal funds shall vest in the non-federal entity. A non-federal entity must request disposition instructions for real property from the awarding agency, which may include the retention of the title, sale of the property, or transfer of the title. In the event that original or replacement grant-funded equipment is no longer needed for the original project or program, the non-federal entity must dispose of the property in accordance with 2 C.F.R. Part 200.313.

The Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (42 U.S.C. 4601-4655) (URA) and implementing regulations in 49 C.F.R. Part 24 are also applicable.

Prohibition on Certain Telecommunications and Video Surveillance Services, Equipment, and Costs. Recipients and subrecipients may not use grant funds to procure or obtain certain telecommunications and video surveillance services or equipment provided or produced by designated entities, including certain entities owned or controlled by the People’s Republic of China, 2 C.F.R. Part 200.216. Under 2 C.F.R. Part 200.471, certain telecommunications and video surveillance costs associated with 2 C.F.R. Part 200.216 are unallowable.

Closeout: Any funds not obligated or expended for eligible uses in the eligible cost timeframe must be returned to the federal agency.

SAM.gov Registration: Pursuant to 2 C.F.R. Part 25, each Applicant must obtain a Unique Entity Identifier from the federal System for Award Management (SAM) prior to receiving a subgrant agreement.

10.3. Reporting Requirements

Monitoring and Reporting: Pursuant to 2 C.F.R. Part 200.332, recipients are responsible for monitoring and overseeing subrecipients’ use of funds and other activities related to the award to ensure that subrecipients comply with the applicable statutory and regulatory requirements, and the terms and conditions of the award.

Financial Reporting: Financial and performance information will be required at least annually, using OMB-approved standard government-wide information collections, as per 2 C.F.R. Part 200.328.

Access to Records: Pursuant to 2 C.F.R. Part 200.337, representatives have the right of access to any documents, papers, or other records of the non-federal entity which are pertinent to the federal award, in order to make audits, examinations, excerpts, and transcripts. The rights of access in this section are not limited to the required retention period but last as long as the records are retained.

10.4. Other Requirements

The requirements and regulations above provide a broad overview of the requirements and regulations that apply to federally funded broadband programs and are not meant to be an exhaustive list of all the requirements and regulations that subrecipients will be subject to. Other requirements include, but are not limited to:

- a) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200) in general.
- b) The Hatch Act (5 U.S.C. 1501-1508 and 7324-7328).
- c) Governmentwide Requirements for Drug-Free Workplace (31 C.F.R. Part 20).
- d) New Restrictions on Lobbying (31 C.F.R. Part 21).
- e) Protections for Whistleblowers (41 U.S.C. 4712).
- f) False Claims Act (31 U.S.C. 3729-3733).
- g) Rules and Procedures for Efficient Federal-State Funds Transfers (31 C.F.R. Part 205).
- h) Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507).
