Grant Award Number: 55-10-S13055
Recipient Organization: Wisconsin Department of Justice

National Institute of Standards and Technology
State and Local Implementation Grant Program
Special Award Conditions

1. The National Institute of Standards and Technology hereby enters into this Grant Agreement number 55-10-S13055 with Wisconsin Department of J to support the work described in the Recipient's proposal entitled 2013 State and Local Implementation Grant Program (SLIGP) dated 03/19/2013 and revisions dated 09/04/2013 which are hereby incorporated into this award by reference. Where the terms of this award and the proposal differ, the terms of this award shall prevail.

2. The Recipient's Contact's name, title, address, and telephone number are:

   J.B VanHollen
   Attorney General
   Wisconsin Department of Justice
   17 W. Main Street
   Madison, WI 53737-7857
   Phone: (608) 266-1671
   Email: vanhallenjb@doj.state.wi.us

3. The Federal Program Officer's name, address, and telephone number are:

   David Buchanan
   National Telecommunications and Information Administration
   US Department of Commerce
   1401 Constitution Ave., NW, Ste. 4897
   Washington, DC 20230
   Phone: (202) 482-2706; Fax: (202) 501-8009
   Email: dbuchanan@ntia.doc.gov

4. The Grants Officer's name, address, and telephone number are:

   Jannet Cancino
   National Institute of Standards and Technology
   Grants and Agreements Management Division
   Bldg. 411, Room B-100
   100 Bureau Drive, Mail Stop 1650
   Gaithersburg, Maryland 20899-1650
   Phone: (301) 975-6544
   E-mail: jannet.cancino@nist.gov

5. The Grant Specialist's name, address, telephone and fax number and email address:

Ebony Simmons
National Institute of Standards and Technology
Grants and Agreements Management Division
Bldg. 411, Room B-100
100 Bureau Drive, Mail Stop 1650
Gaithersburg, Maryland 20899-1650
Phone: (301) 975-4166
E-mail: ebony.simmons@nist.gov

6. Automated Standard Application for Payments System

Notwithstanding Section A.02 of the Department of Commerce (DOC) Financial Assistance Standard Terms and Conditions, dated January 2013:

a. The advanced method of payment shall be authorized unless otherwise specified in a special award condition.
b. Payments will be made through electronic funds transfers, using the Department of Treasury's Automated Standard Application for Payment (ASAP) system and in accordance with the requirements of the Debt Collection Improvement Act of 1996.
c. The following information is required when making withdrawals for this award: (1) ASAP account identification (id) = award number found on the cover sheet of this award; (2) Agency Location Code (ALC) = 13060001; and (3) Region Code = 02. Recipients do not need to submit a "Request for Advance or Reimbursement" (SF-270) for payments relating to this award.
d. All non-ASAP Recipient Organizations must enroll electronically. The ASAP system no longer accepts paper forms for enrollment. If you are not currently enrolled in the ASAP system you must provide the Federal Awarding Agency with a Point of Contact name, e-mail address, mailing address, telephone number, EIN and DUNS numbers of your organization in order for the Federal Awarding Agency Enrollment Initiator (EI) to begin the on-line enrollment.
e. If you have questions on this requirement please contact the Grant Specialist responsible for this award. If you have questions on the electronic process step-by-step instructions you may contact your responsible Regional Finance Center.

Advances taken through the ASAP shall be limited to the minimum amounts necessary to meet immediate disbursement needs. Advanced funds not disbursed in a timely manner must be promptly returned, via an ASAP credit, to the account from which the advanced funding was withdrawn. Advances shall be for periods not to exceed 30 days.

Funds that have been withdrawn through ASAP may be returned to ASAP via the Automated Clearing House (ACH) or via FEDWIRE. The ACH or FEDWIRE transaction may only be performed by the Recipient's financial institution. Full or partial payments

received by a Payment Requestor/Recipient Organization may be returned to ASAP. All funds returned to the ASAP system will be credited to the ASAP Suspense Account. The Suspense Account allows the Regional Financial Center to monitor returned funds and ensure that they are credited to the correct ASAP account. Returned funds that cannot be identified and classified to an ASAP account will not be accepted and will be returned to the originating depository financial institution (ODFI).

It is essential that the Payment Requestor/Recipient Organization provide its financial institution with ASAP account information (ALC, Recipient ID and Account ID) to which the returned funds are to be credited. Additional detailed information can be found at: http://www.fms.treas.gov/asap/pay-return2.pdf

There is a 10-day deadline for the head of the organization to initiate recipient enrollment upon receipt of ASAP registration notification. Failure to comply could subject the award to a change in the method of payment to reimbursement only.

This award has the following control or withdrawal limits set in ASAP:

Phase 2 Reserves $1,147,467.00 (50 percent of federal funds) will be unavailable until either after FirstNet has consulted with the State-designated contact about the matters listed in the Act, including defining coverage needs, user requirements, and network hardening and resiliency requirements, and advises the National Telecommunications and Information Administration (NTIA) it is ready for the commencement of data collection or when NTIA requests a revised budget from recipients for second phase activities. Upon approval of the revised budget, the recipient will be eligible to engage in Phase 2 activities and access the Phase 2 Reserves. Engagement in Phase 2 activities with federal or non-federal funds will be considered unallowable under the grant until the revised budget has been approved and this special award condition has been lifted.

7. Baseline/Expenditure Plan

Within 30 calendar days of the Grants Officer signature in the Financial Assistance Award document (CD450), the Recipient shall submit to NTIA a Baseline/Expenditure Plan for the entire performance period. This plan provides NTIA insight into specific activities the Recipient will accomplish over the three-year award period. It identifies "Milestone Activity Categories" (e.g., stakeholder meetings, training sessions) that reflect the types of activities that Recipients will undertake. Recipients should provide short descriptions of their specific plans for relevant Milestone Activity Categories (e.g., hold quarterly governance meetings), identify the number of activities they plan to conduct in each quarter of the award period, and forecast federal and non-federal spending, by cost category, for each quarter of the award period.

8. Budget Revisions

Changes to the program budget from the final approved application will be considered on a case-by-case basis and should be made in accordance with the pre-approval requirements established in 15 C.F.R. § 24.30. When requesting approval for budget revisions, the recipient shall submit a Budget Information for Non-Construction Project form (SF-424A) and provide any supporting documentation requested by the Grants Office or Program Office for the purpose of understanding the proposed changes. Consistent with DOC Standard Terms and Conditions, budget revisions must receive pre-approval in writing from the Grants Office and Program Office for:

a. Transfers of funds among direct cost categories (as listed in the SF-424A) when the cumulative amount of such direct costs transfers exceed 10 percent of the total federal and non-federal funds authorized
b. Transfers of funds of any amount into a cost category that has $0 in the current approved budget (Recipients are not authorized to create new budget categories within an approved budget unless the Grants Officer has provided prior approval)
c. Transfers of funds of any amount into or out of the "Indirect" cost category.

9. Disallowed Costs

Funds awarded under the State and Local Implementation Grant Program (SLIGP) may not be used for activities related to site preparation, broadband deployment, installation, construction, or the acquisition of equipment used to provide wireless broadband services. Please note that ineligible costs with SLIGP federal funds are also ineligible to meet matching requirement. All expenses must be allowable, allocable, reasonable, and necessary to the SLIGP project.

10. Eligible Pre-Award Expenses

Reasonable proposal preparation costs and pre-award expenses, which include costs related to preparing an application and any pre-award costs for states and territories to participate in FirstNet technical assistance workshops where consultation activities occur, may be reimbursed, if they are incurred after the publication date of the Federal Funding Opportunity (FFO) notice and prior to the date of the issuance of the grant award from NTIA. All lobbying costs and contingency fees are not reimbursable from SLIGP funds. Any expenses that will be claimed as pre-award expenses must be approved by the Grants Office.

11. Matching Funds:

Recipient shall provide, from non-federal sources, not less than 20 percent of the total project cost. . Matching funds can be in the form of either cash or in-kind contributions

consistent with 15 CFR § 24.3 and 24.24. The Recipient may be asked to provide supporting documentation upon request from the Grants Officer or NTIA.

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, and the U.S. Virgin Islands.

12. Indirect Costs

Reasonable indirect costs can be included if the recipient has a negotiated indirect cost rate agreement (NICRA) with the federal government (or will apply for a NICRA) and the costs are included as a line item in the applicant's budget. Indirect costs are overhead costs for basic operational functions that are incurred for common or joint objectives and cannot be identified specifically within a particular project. Indirect costs can be included in both the federal and non-federal cost shares, as long as the method of calculation is clear. The federal share of the indirect costs may not exceed 25 percent of the total direct costs for the project.

Recipients must have a NICRA with a cognizant federal agency at the time of award and documentation of the NICRA must be received by the Grants Office within 90 days of award. If such a rate does not exist, the recipient has 90 days from the award start date to submit an Indirect Cost Rate proposal to the funding bureau. The recipient shall provide the Grants Office with a copy of the transmittal letter or identify alternative sources of matching funds.

The complete address to send Indirect Cost Rate Proposal if NIST is identified as the cognizant agent is: National Institute of Standards and Technology at 100 Bureau Drive, Gaithersburg, MD 20899 M.S. 1650, attn.: IDC Proposal Review Team.

13. Indirect Costs Used as Cost Share

Recipients who have indirect costs approved by a NICRA that exceed 25 percent of the federal share may apply those remaining approved indirect costs towards the non-federal matching requirement.

14. Remittance of Interest Earned on Advances

Recipients shall remit any interest earned on federal advances of funds in accordance with the requirements of 15 CFR 24.21.

The complete address for remitting checks for interest earned on federal advances is Department of Health and Human Services, Payment Management System, P.O. Box 6021, Rockville, MD 20852.

Recipients that do not have electronic remittance capability should send a check to this address. In keeping with Electronic Funds Transfer rules (31 USC part 206), interest should be remitted to the Department of Health and Human Services (HHS) Payment Management System through an electronic medium such as the FEDWIR Deposit System. Electronic remittances should be in the format and should include any data that are specified by the HHS as being necessary to facilitate direct deposit in HHS' account at the Department of Treasury.

15. Match Proportionality Requirement

Pursuant to Section A.03 of the DOC Standard Terms and Conditions, the non-federal share, whether in cash or in-kind, is expected to be paid out at the same general rate as the federal share. Exceptions to this requirement may be granted by the Grants Officer based on sufficient documentation demonstrating previously determined plans for, or later commitment of, cash or in-kind contributions. In any case, the recipient must meet its cost share commitment over the life of the award.

16. Post-Award Reporting Requirements

During the period of performance, the recipient 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. All reports should be submitted electronically, unless otherwise directed by the Grant Office or Program Office.

Performance Progress Report

The quarterly performance progress reports should contain the following information: (a) a comparison of actual accomplishments during the reporting period with the goals and dates established in the Baseline/Expenditure Plan 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. A report must be submitted for each calendar quarter that the grant is active, including partial calendar quarters or when no programmatic activity occurs.

Federal Financial Report

Each quarter, Recipients must report on obligations and expenditures using the Federal Financial Report (SF-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.

Closeout Report

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

17. Publication Disclaimers

Pursuant to Section M.011 of the DOC Standard Terms and Conditions, the recipient is required to submit a copy(ies) to the funding agency and when releasing information related to a funded project include a statement that the project or effort undertaken was or is sponsored by DOC. The recipient is also responsible for assuring that every publication of material (including Internet sites) based on or developed under an award, except scientific articles or papers appearing in scientific, technical or professional journals, contains the following disclaimer

> *This [report/video/etc.] was prepared by [recipient name] using funds under award [number] from the National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce (DOC). The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the views of the NTIA, DOC, or FirstNet.*

This also applies to videos produced under DOC financial assistance awards.

18. Requirements from the SLIGP FFO Notice

The Recipient shall comply with the requirements found in The State and Local Implementation Grant Program FFO notice (2013-NTIA-SLIGP-01) under which NTIA announced grants authorized by Section 6302 of the Middle Class Tax Relief and Job Creation Act of 2012, to assist state, regional, local, and tribal governments with planning for a nationwide interoperable public safety broadband network.

19. Requirements to Change Key Personnel

Pursuant to 15 CFR 24.30(d)(3), recipient must obtain prior approval for programmatic changes regarding key persons. For the purposes of the award, Key persons include the Authorized Organizational Representative and Single Point of Contact (as designated by the Governor or the Governor's designee). The recipient shall request approval to change the individual serving in either of these positions and provide supporting documentation justifying the changes as requested by the Grants Office or Program Office.

20. Supplanting Grant

The Recipient agrees that federal funds under this award will be used to supplement, but not supplant, state or local funds for the same purpose.

21. Subawards and Subcontractors and Third Party Contributor Agreements

1. The following proposed subaward agreements identified in the approved budget ARE NOT approved at this time. See REASON below:

   a. Dane County in the amount of $162,000 covering the award period from 09/01/2013 through 08/31/2016.
   b. City of Milwaukee in the amount of $162,000 covering the award period from 09/01/2013 through 08/31/2016.
   c. Calumet Co. in the amount of $162,000 covering the award period from 09/01/2013 through 08/31/2016.
   d. Northcentral WI Regional Planning Commission in the amount of $81,000 covering the award period from 09/01/2013 through 08/31/2016.
   e. Douglas Co. in the amount of $81,000 covering the award period from 09/01/2013 through 08/31/2016.
   f. West Central WI Regional Planning Commission in the amount of $81,000 covering the award period from 09/01/2013 through 08/31/2016.

Note: There is one additional sub-award noted in the budget to be included with one of the above sub-grantees. This will be determined at a later date, and included on that agreement.

REASON: Subaward agreements in excess of $100,000 or otherwise identified by the NIST Grants Office, require prior review and approval by the Program Office and NIST Grants Office. The Recipient shall coordinate with the Program Office and/or the Grants Office to submit a FULLY EXECUTED copy of the proposed agreement to the NIST Grants Office within 60 days of receipt of its award. In addition to subaward agreement approval, the Recipient shall coordinate with the Program Office and/or the Grants Office regarding any subsequent substantive changes to the proposed agreement.

22. Pre-Award Cost

Pre-Agreement costs in the amount of $8,087 Federal Funds for Travel are acceptable only to the extent of their reasonableness and relationship to the proposed activity of this award. The approved pre-agreement costs are a portion of, not in addition to, the approved total budget.