

**Advancing Digital Opportunities to Promote Technology (ADOPT)  
2.0 Program**

Version 1.0

**November 26, 2024**

## Table Of Contents

ADVANCING DIGITAL OPPORTUNITIES TO PROMOTE TECHNOLOGY (ADOPT) 2.0 PROGRAM	4
Executive Summary .....	4
EQUIPMENT DISTRIBUTION PROGRAM GUIDELINES .....	5
Program Overview .....	5
Eligibility .....	6
Public Comment Period.....	8
Applicant Response Period.....	8
Key Project Data.....	8
Project Details .....	9
Executive Summary - Publicly Posted .....	10
Community Partners, Roles And Letters Of Commitment.....	10
Justification For The Project.....	11
Addressing A Critical Need Within the Community.....	11
Adoption And Digital Inclusion Efforts .....	12
Service Partners .....	12
Project Plan And Milestones.....	12
Budget Requirements.....	12
Sustainability and Long-Term Impact.....	15
Application Evaluation Criteria.....	15
Scoring Criteria.....	15
Compliance.....	16
PUBLIC WI-FI PROGRAM GUIDELINES.....	19
Program Overview .....	19
Eligibility .....	20
Public Comment Period.....	21
Applicant Response Period.....	23
Public Comments Compliance .....	24
Key Project Data.....	24
Executive Summary - Publicly Posted .....	25
Service Area Map - Publicly Posted .....	25
Proprietary Detailed Map Of The Proposed Area .....	25

Community Partners, Roles And Letters Of Commitment.....	25
Justification For The Project.....	26
Addressing A Critical Need Within The Community.....	27
Adoption And Digital Inclusion Efforts .....	27
Technical Project Plan.....	27
Service Partners .....	27
Network Architecture Diagram.....	28
Technical Infrastructure Proposed.....	28
Long-Term Scalability .....	28
Project Plan And Milestones.....	28
Budget Requirements.....	29
Sustainability and Long-Term Impact.....	31
Application Evaluation Criteria.....	31
Scoring Criteria.....	31
Compliance.....	32
COMMON PROGRAM ATTRIBUTES.....	35
Grant Timeline .....	35
Unique Entity Identifier (UEI) .....	36
Application Process.....	36
Outcome Evaluation and Metrics.....	37
Program Inquiries – Quiet Period .....	37
Financial And Legal Requirements .....	37
Applicant Interview .....	38
Funds Disbursement.....	38
Project Extensions.....	38
Compliance.....	39
KEY DEFINITIONS.....	40

# **ADVANCING DIGITAL OPPORTUNITIES TO PROMOTE TECHNOLOGY (ADOPT) 2.0 PROGRAM**

## **Executive Summary**

The Kansas Office of Broadband Development (KOBD) under the Kansas Department of Commerce was established to help ensure all Kansans have the opportunity to live, work, learn and compete in a global economy by improving universal access to quality, reliable and affordable broadband. In support of the Kansas Digital Equity (DE) Plan published on January 22, 2024, the KOBD created and launched a series of programs to advance key tenants of the Digital Equity Plan, including the improvement of broadband availability across Kansas, increased access to and adoption of affordable broadband service, and expansion of access to affordable devices with accommodating technical support. As discussed in the Digital Equity Plan, over 153,000 Kansans lack subscriptions to high-speed internet due to inadequate infrastructure, affordability, or inability to access devices, digital skills knowledge, and support. This is particularly applicable within covered populations. This program builds on the initial ADOPT and DOCK initiatives to address key areas of Kansans' needs identified within the Digital Equity Plan. As such, KOBD is launching the Capital Projects Fund (CPF) Advancing Digital Opportunities to Promote Technology (ADOPT) 2.0 program which is an effort to improve access to affordable equipment and reliable free public Wi-Fi to unserved and underserved public spaces.

The Advancing Digital Opportunities to Promote Technology (ADOPT) 2.0 program information is captured in two separate sections as documented below:

- Equipment Distribution Program
- Public Wi-Fi Enablement Program

The Equipment Distribution Program will seek subrecipients to procure, distribute, manage, maintain and technically support internet-connected devices targeted to Kansans in need. The Public Wi-Fi program will seek subrecipients that can deliver free Wi-Fi solutions to unserved or underserved public spaces for end users to consume. A total of \$10.7 million will be allocated to support both equipment and public Wi-Fi sub-programs, with funding awarded to applications that best align with the program guidelines. Separate sections outlined within this document will describe the solutions being requested, program guidelines and application requirements for each capability.

# EQUIPMENT DISTRIBUTION PROGRAM GUIDELINES

## Program Overview

The Advancing Digital Opportunities to Promote Technology (ADOPT) 2.0 program has been established by KOBD to award Capital Project Fund (CPF) grant dollars to eligible entities to make devices available to individuals who do not subscribe to broadband connectivity due to lack of devices and equipment. For qualifying individuals, the program makes devices such as computers, laptops, and tablets available through a no-cost, short or long-term loan programs administered by eligible entities. The primary objective of this program is to award funding to eligible entities to distribute no-cost devices and equipment (computers, laptops and tablets) to critical need individuals who lack devices and equipment. Eligible entities (i.e. subrecipients) will retain ownership of the devices throughout the project period. Key program information is as follows:

- Total program funding available: Up to \$10.7M in grant awards will be available across both sub-programs for applications best meeting the program guidelines
- Solicitation date: December 11, 2024
- Application window: Eight (8) weeks
- Targeted award date: June 16, 2025
- Project period: December 1, 2024, through September 30, 2026
- Maximum individual award: \$500,000
- Minimum applicant match: 2% of total project cost
- Minimum co-investment amount: 1% of total project cost
- Funding source: Coronavirus Capital Projects Fund (CPF), established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021.
- KOBD reserves the right to distribute funds geographically to ensure Kansans can equally benefit from the program
- Governing Compliance Reference:
  - Uniform Guidance (2 CFR Part 200) applies to this program, including the Property Standards, Cost Principles and Single Audit Act requirements. Additionally, 2 CFR 200.471 and 2 CFR 200.216 identify specific telecommunications and video surveillance costs that are unallowable
  - US Treasury Guidance: Guidance For the Coronavirus Capital Projects Fund for States, Territories & Freely Associated States 2021 and Coronavirus Capital Projects Fund Compliance and Reporting Guidance for States, Territories, and Freely Associated States, August 2024
- Investments in equipment must be carried out in ways that comply with applicable federal laws, including Public Law 115-232, Section 889 of the John S. McCain National Defense Authorization Act (NDAA) of 2019. It contains prohibitions on the use of 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. The subrecipient will be required to certify that it shall not provide or procure to the State of Kansas or any agency thereof any covered telecommunications equipment either in whole or in part of any product or during the commission of any service

See “Common Program Attributes” section for program requirements applicable to both the Public Wi-Fi and Equipment Distribution sub-programs.

## Eligibility

Subrecipients must have a demonstrated ability to administer a device distribution program. All device distribution projects will be required to enable work, education, and health monitoring to ensure that it meets the critical needs of the community/individuals to be served. Projects must meet all of the following criteria:

1. The Capital Project invests in capital assets designed to directly enable work, education, and health monitoring
2. The Capital Project is designed to address a critical need that resulted from or was made apparent or exacerbated by the COVID-19 public health emergency
3. The Capital Project is designed to address a critical need of the community to be served by it

Subrecipients must have an effective asset management plan and/or system to track project property that must include, but is not limited to, the following:

- The ability to inventory all devices and equipment (computers, laptops and tablets) that are part of the project contained in a readily accessible database. Each device or equipment entry must at minimum contain the make and model, an associated serial number, date of purchase, unit purchase price, location of project property, date of warranty expiration, estimated life of use (or replacement date), applicable disposition approval/methodology/date, and fair market value determination at the date of disposition. See specific property records requirements listed in 2 CFR Part 200 Subpart D, 200.313
  - The ability to tag all equipment and devices with property tags or install asset management software on the device. Each tag should contain a unique identifier to track the device in the inventory
  - A surveillance capability to track the location of all loaned devices
- Note: The applicant needs to demonstrate the capacity to implement the program but does not need to have the software and / or inventory management systems and tool in place prior to award

Included in the asset management plan/system, each applicant should demonstrate that the following policies and procedures are in place and enforced:

- Device Inspection: Upon device return it should be inspected immediately using manufacturer guidelines. Any damage should be immediately identified and reported to the local program administrator and corrective action taken in accordance with the user agreement. All devices should be inspected for normal operation on a regular basis as recommended by the manufacturer
- Updates and Repairs: All devices should have firmware and software updates run on a regular basis. Any damaged or unusable equipment may be replaced for the end user. Subrecipient must provide KOBD with a description of their standard operating procedures/policies related to end user device repair/replacement
- A device that has not had firmware or software updates should not be placed in rotation for a user to check-out. A cleaning schedule should be established to maintain optimal working conditions
- Check-in/Check-out: Detailed procedures must be developed for check-in and check-out of devices. This process should cover the signing of the user agreement, and the system must track the date and time the device was borrowed and returned. Ideally, the system will also send reminders to the user about the return date. Late returns should have an associated non-monetary penalty
- Information Security: When a device is returned, steps should be taken to remove all user data. Subrecipients must take reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information. This includes information the Federal agency or State of Kansas designates as sensitive or other

information the State of Kansas or subrecipient considers sensitive and is consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality

- Safeguarding: Devices should be held in a locked and secured location with limited access
- Applicant confirms device ownership and disposal requirements – devices will be the property of the subrecipient
- Upon program termination or end of the useful life of the equipment, subrecipients shall properly dispose of equipment in accordance with 2 CFR 200.312

All funding awarded must be implemented and used within the State of Kansas. However, organizations based outside of Kansas are eligible to submit applications as long as the awarded funds benefit Kansas communities.

### Eligible Project Costs

The following are eligible costs within the project:

- Personnel / Payroll (is only for the purpose of delivering / supporting the program)
- Professional and Contracted Services
- Supplies, Materials and Software
- Capital Expenditure / Outlay
- Other Operating Costs (travel, software subscription, participant support costs, etc.)
- Program support costs not to exceed 10% of the total subrecipient award (those costs tied directly to the delivery of a particular project or service, undertaken by the subrecipient to achieve an outcome intended by the funding program such as costs to refurbish devices prior to deployment)

### Ineligible Project Costs

The following are ineligible costs within the project which include, but are not limited to the following:

- Costs associated with completing the application in accordance with 2 CFR 200 Subpart E – Cost Principles
- Administrative costs (operating costs such as expenses in support of day-to-day operations of the subrecipient organization)
- Payments of interest or principle toward outstanding debt instruments, other debt service costs incurred prior to March 15, 2021, and fees or issuance costs of new debt are categorized as ineligible
- 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
- Short term operating leases
- Costs for broadband services received
- Costs to support or oppose collective bargaining. This does not affect the ability to use funds to comply with 41 C.F.R. 60-1.4
- Entertainment events and certain promotional costs per 2 CFR 200.421, 432, and 438

If there are any questions about cost eligibility, please contact KOBD.

## Public Comment Period

To ensure transparency and the best use of taxpayer funds, the application and selection process will include a three (3) week public comment period followed by a two (2) week applicant response period. This process is intended to allow providers, elected officials, and constituents to either express support or inform KOBD of any issues or concerns with an application or its proposed services/service areas. All comments expressing concern collected during the public comment period will be considered “challenges” and are subject to public disclosure. Public comment submitters will be deemed as “challengers”.

## Applicant Response Period

Upon completion of the public comment period, KOBD will notify each applicant of such challenge(s). The applicant shall have two (2) weeks after notification to provide any supplemental information regarding the challenged application to KOBD (known as Applicant Response Period). KOBD will evaluate the information submitted in a challenge and will not award a grant if the information submitted is credible.

## Key Project Data

The applicant must provide key project data and performance indicators during the application submission period which will include, but not be limited to the following:

- Primary organization contacts and contact information
- Total project amount, grant funds requested
- Applicant match and co-investment match
- Location(s) where subrecipient plans to distribute devices
- Impacted “critical need” communities
- Economically Distressed area: Identify if the enabled area is within an economically distressed region. KOBD will consider an area economically distressed if either the 2022 per capital BEA PCPI or PCMI metric is below the 80% threshold. See Key Definitions section for the list of all Kansas counties that qualify as economically distressed
- Covered population: Identify if covered populations will benefit from the proposed project. Covered populations include aging individuals; incarcerated individuals, other than individuals who are incarcerated in a Federal correctional facility; veterans; individuals with disabilities; individuals with a language barrier, including individuals who - (i) are English learners; and (ii) have low levels of literacy; individuals who are members of a racial or ethnic minority group; and individuals who primarily reside in a rural area
- Planned outreach activities
- Types and quantities of devices distributed (laptops, tablets, desktop computers, etc.)
- Expenditures (devices to be purchased/to be refurbished)
- Estimated total number of individuals using devices
- Number and types of digital literacy training and other support services to be provided to enable the use of devices
- Project start and end date
- IRS Determination Letter for 501c(3) status
- Last year filed tax returns/Form 990
- Current Year Agency Budget
- Project Budget
- Project Plan and Milestones



- List of Management Staff
- Sample of Acceptable Use Policy and Agreement Form (between subrecipient and program participant)
- Narrative explaining the number and types of digital literacy trainings and other support services expected to be provided to enable use of the devices including number of individuals who attend or make use of the trainings and support services
- Measurement of the project's effectiveness and impact through data collection such as digital literacy skills impact (surveys/assessments/testimonials)

### **Additional Reporting Metrics:**

After receiving an award, subrecipients may be requested to provide reporting content at, or prior to project closeout, including but not limited to, the following:

- Geographic Reach: Areas or communities served by the program
- Training and Support: Number of recipients who receive training on using the computers and the type of support provided
- Success Stories: Success stories or testimonials from beneficiaries that illustrate the program's impact
- Budget Utilization: How the grant funds are used accompanied by periodic financial reports
- Community Engagement: Report on outreach efforts and the level of community engagement achieved
- Long-Term Impact: Monitor the sustained use of computers and their contribution to recipients' socio-economic well-being over time
- Challenges and Adaptations: Any challenges faced during implementation and how the organization adapted its strategies to address them

Final reporting metrics requirements will be communicated post award. KOBD reserves the right to modify the reporting requirements throughout the program period.

### **Project Details**

The applicant will be required to provide content describing the project proposal contained in the project details section. The Project Details must include:

- A description of the partners involved, and anticipated improvements
- Goals of the project and community need to include: the targeted population, whether the solution is within an economically distressed area, and identification of the compelling need
- The critical need that the project is addressing
- The community engagement strategies to reach and support the target population
- An explanation of how the organization plans to identify and verify qualifying organizations, households or individuals
- How the organization plans to raise awareness of the program
- A concise summary of the applicant's organization, detailing its history, mission, and primary objectives
- The organization's experience and capacity in implementing equipment distribution programs and providing digital literacy and skills training to individuals and/or communities. Note: The applicant needs to demonstrate the capacity to implement the program but does not need to have the software and / or inventory management systems and tool in place prior to award

- A description of any existing partnerships or collaborations with other organizations or stakeholders that can enhance the program's impact. Note: Each party's commitment and role in the project should be fully explained

## Executive Summary - Publicly Posted

In addition to providing key project data, the applicant will also be required to provide an Executive Summary of the project. The Executive Summary will be publicly posted on the KOBD website post application window closing. The Executive Summary must include the following:

- Goals of the project
- Scope of the project including number of devices to be distributed, total project cost, applicant match, and co-investment match
- Equipment distribution program needs addressed
- Community partners and stakeholders involved
- The intended impact of distributing qualifying equipment (laptops, tablets, desktop computers, etc.)
- A description of the location (City(ies), County(ies), etc.) receiving the benefit
- The short and long-term benefits to the community

The Executive Summary will be publicly posted after the application window is closed. **It is the applicant's responsibility not to share or publish confidential or non-public information in this section of the application.**

## Community Partners, Roles And Letters Of Commitment

### Narrative

Applicants will be required to provide a narrative describing any community partners associated with the project's planning, promotion, adoption, or use, including a description of each party's commitment and role in the project. Applicants must include any community anchor institutions (CAI) such as municipalities, chambers of commerce, economic development organizations, educational institutions, healthcare organizations, libraries, public safety, or other CAIs, along with businesses, non-profits, and other community stakeholders supporting the project.

### Letters Of Commitment and Letters Of Support

Applicants must provide letters of support outlining the explicit support and role of committed partners, and letters of support as indicated. A letter of commitment may also be provided if the community wishes to further invest in the project.

### *Letters of Commitment*

Letters of commitment should document the community partner organization sponsoring the letter and the commitment scope. Community project partners must include the following details in the letter of commitment:

- Dated letter with official organization's logo at top of letterhead
- The type of commitment being made to the project
- The partner's experience and/or ability to complete the specific service/role in the project
- Ability to complete the role within the performance period
- Approving person's signature authorizing the commitment

### *Letters of Support*

Letters of support should document the author and the organization they represent, if applicable. Each letter of support should include the following:

- Dated letter with official organization's logo at top of letterhead
- Dated letter of the individual's name and address, if not a sponsoring organization
- Why the person and/or organization is in support of the project
- Approving person's signature authorizing the support
- Signature block and signature of the individual's name, if not a sponsoring organization

### **Justification For The Project**

Applicants must provide a narrative to justify the need for the project and relevant data indicators to support the effort. The applicant should provide evidence to make a compelling case for the project relative to the proposed service area. This information should include the following:

- A description of how the project addresses the critical need of the community to be served. See "Addressing A Critical Need Within The Community" section below for further details
- Details describing the impact of making devices available to individuals who do not subscribe to broadband connectivity due to lack of devices and equipment

### **Addressing A Critical Need Within the Community**

A project must be designed to address a critical need in the community, specifically to make devices available to individuals who do not subscribe to broadband connectivity due to lack of devices and equipment. Targeted populations with a critical need for the project include those that do not have access to the resources or services that are provided by the project, whether because of the physical absence or insufficiency within the community of the type of resources provided by the project. Applicants will be required to define the critical need within the community and how the project will address the critical need.

#### **Eligible "Critical Needs"**

In keeping with EO 13985 "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government", KOBD will be targeting those individuals who have experienced, and still experience, disproportionately poor work, education, and health outcomes in part due to lack of access to equitable resources and opportunities. The "critical need" for this program is defined as a lack of access to devices in economically distressed communities preventing subscription to broadband connectivity. KOBD will consider any available data to validate critical needs including, but not limited to, documentation of existing broadband internet service performance and pricing; federal and/or state collected broadband data, user speed test results; federal and/or state collected data (American Community Survey, US Department of Commerce, NTIA's indicators of Broadband Need Map, or the US Department of HUD's Qualified Census Tracts, related to internet use, device ownership, income, and poverty); interviews with community members and business owners; reports from community organizations; and any other data they deem relevant. Access to broadband is NOT a requirement for this program.

The ADOPT 2.0 program seeks to address those in "critical need" of access to devices and equipment necessary for Internet connectivity by partnering with eligible entities who serve those identified as having a "critical need". Critical need determination may be based on participation in Federal income assistance programs, such as free and reduced lunch, supplemental security income, social security disability income, supplemental nutrition assistance program (SNAP), project based rental assistance, Medicaid, Veterans

pension and survivor benefits, Affordable Connectivity Program, Pell grant programs for college students, and other public assistance programs as determined applicable by KOBD. Subrecipients will be required to prioritize individuals with no device over those receiving devices through other programs (schools, etc.).

### Adoption And Digital Inclusion Efforts

Adoption is a vital aspect of the success of these projects. Applicants will be asked to describe activities planned to increase adoption awareness. Applicants are encouraged to partner with community organizations and non-profits to identify individuals who do not subscribe to broadband connectivity due to lack of devices and equipment. Applicants must include the following in their narrative:

- Describe any activities planned to increase adoption awareness
- Describe any resources the applicant will be contributing to the adoption efforts (i.e., digital literacy training, marketing campaigns, etc.)

### Service Partners

Applicant must describe any service partners or subcontractors associated with the project's deliverables related to the project, including each partner's role in the project. The service partner description should include the following for each partner:

- Service partner organization and address
- Service partner point of contact authorizing the support
- The type of support/contribution being made to the project
- The partner's experience and/or ability to complete the specific service/role in the project
- Ability to complete the role within the performance period

### Project Plan And Milestones

The applicant must provide a project plan in .xls format that includes details relevant to each stage of the project and milestones for each phase of the project. Project milestones should cover the entire period of the project and align with the proposed project budget. The project timeline should include major project activities, including proposed start dates, benchmarks, and end dates. At a minimum, the plan should incorporate the following tasks:

- Project planning
- Equipment procurement
- Equipment receipt
- Equipment distribution
- Training venue preparation (if applicable)
- Training curriculum development (if applicable)
- Training availability
- Outreach
- Monitoring program outcomes

A template will be provided for applicants to provide requested specific project information and milestones.

### Budget Requirements

All applicants are required to submit a budget narrative that describes in detail and provides justification for each budget line item. Specific documentation listed below will be requested during the application process:

- A detailed Project Budget, including the requested grant amount

- A detailed Bill of Material, including equipment and device details
  - A detailed Agency Budget
  - Vendor quotes for hardware and software purchases included in the project
- Note: All vendor quotes must be valid within 3 months of submitting this application

Project budget and financial submission requirements are detailed below and include the following:

- Budget Narrative
  - Provide explanation of costs that correspond with the information included in the project budget spreadsheet
  - The necessity and basis for costs
  - Reflect only allowable costs consistent with project scope
- Project Budget
  - All applicants must complete and submit a budget using the provided Budget Template, located on the program website ensuring that the minimum applicant match and co-investment match are reflected within the template
  - Submissions that do not meet the minimum applicant match and co-investment match may not be reviewed
- Bill of Materials
 

All applicants must complete and submit the Bill of Materials worksheet provided within the Budget Template spreadsheet including, but not limited to the following:

  - Line-item detail of budget costs
  - Equipment and device vendor name and model number for each type of device and / or specified equipment
  - Labor costs
  - Ancillary items for successful project implementation
- Bank Verification Letter
  - All applicants must provide a bank verification letter that proves there are sufficient funds for the applicant match amount
  - Applicants may provide other acceptable proof demonstrating sufficient funds are available as noted below:
    - Companies (Public or Private) providing a bond rating from Moody's, Standard and Poor's, or Fitch of Investment Grade at the time an application is submitted
    - Companies may provide financial information of parent organization if audited financials for operating subsidiary are not available. Parent organization must still provide a bank verification letter on behalf of the applicant
  - Local government organizations or agencies may provide a signed letter of commitment from the organizational leader stating that funds have been secured in lieu of a bank verification letter
- Current Annual Income Statement
  - The last full year of applicant's income statement
- In-Kind Validation
  - Applicant must verify that matching funds include an in-kind match (see note below)
  - If matching funds include an in-kind match, the applicant must provide documentation that validates the in-kind match being submitted with the project

Note: In-kind match valuations must not exceed 75% of the required applicant match. All reimbursement claims for in-kind contributions will be evaluated for reasonableness. KOBD and the

Kansas Department of Commerce will ultimately have the discretion to determine if an in-kind contribution is acceptable or not.

### Minimum Applicant Match

KOBD is implementing a minimum 2% applicant match model for the ADOPT 2.0 Program. The minimum applicant match percentage is based on the total project cost. The 2% minimum applicant match is intended to encourage equipment distribution to individuals who do not subscribe to broadband connectivity due to lack of devices and equipment. Applicant match calculations are listed in the **example** below:

- Total project cost = \$100,000
- Applicant match = 2% x \$100,000 = \$2,000

Additional points may be awarded during the grant evaluation period if applicants provide incremental matching funds beyond the 2% match. An **example** of an applicant providing incremental matching funds beyond the minimum applicant match is below:

- Minimum applicant match is 2% of total project cost, per program guidelines
- Applicant decides to match at a 7% total project cost value
- Incremental points will be awarded for the additional 5% of total project cost matched by the applicant

### In-Kind Match

Applicant matching funds may include an in-kind match of up to 75% of the total applicant match. In-kind matching funds from applicants must be in compliance with 2 CFR 200.306 (Cost Sharing) which provides guidance for eligible and ineligible in-kind matches. For federal grants or federal broadband funding, applicant must check with federal funding source to determine allowability.

All in-kind matches require valuation documentation and are subject to KOBD's approval.

### Minimum Co-Investment

The KOBD highly encourages partnerships between non-profit organizations, applicants and co-investment sponsors in order to identify gaps in broadband infrastructure and establish community priorities. KOBD is implementing a minimum 1% co-investment match model for the ADOPT 2.0 Equipment Distribution Program. Co-investment funds demonstrate community partnership, involvement, overall support and capture the degree of need for equipment distribution projects. Co-investors are defined as individuals or organizations within the benefitted community, other than the applicant, who commit funds to the project. Eligible sources of co-investment funds can be from private entities, local and/or county governments, eligible state programs or other contributors (examples: local ARPA funds, County Commission grants, private sector investments, non-profit contributions, etc.). For this program, co-investment funds do not offset the applicant's match amount and are in addition to the required applicant match funds. Co-investment amounts are calculated as a percent of the total project cost as listed in the **example** below:

- Total project cost = \$200,000
- Co-investment = 1% x \$200,000 = \$2,000

Additional points may be awarded if co-investors provide incremental funds beyond the 1% match. An **example** of a co-investor providing incremental matching funds beyond the minimum co-investment match is below:

- Minimum co-investment match is 1% of total project cost per program guidelines
- Co-investor decides to match at a 4% total project cost value
- Incremental application scoring points will be awarded for the additional 3% of total project cost matched by the co-investor

### Calculating Requested Grant Funds

Grant funds requested must be calculated to determine the overall grant request within the application. The requested grant funds amount is derived from the total project cost and then subtracting the applicant match and co-investment match from the total project cost. See the **example** below:

- Total project cost = \$200,000
- Minimum **applicant** match =  $2\% \times \$200,000 = \$4,000$
- Minimum **co-investment** match =  $1\% \times \$200,000 = \$2,000$
- Calculating the requested grant funds:  $\$200,000 - \$4,000 - \$2,000 = \$194,000$

The requested grant funds value will need to be used when developing the project budget template.

### Sustainability and Long-Term Impact

Applicants will be required to provide details regarding program sustainability beyond the program period as listed below:

- Detail plans for follow up and ongoing support, maintenance and training for recipients
- Explain how the program will contribute to long-term digital equity, digital inclusion, digital literacy and skill improvements within the community
- Explain if and how the organization plans to sustain the program beyond the grant period

### Application Evaluation Criteria

KOBD will evaluate applications based on projects that optimize stewardship, accountability and effectiveness of public dollars through collective investment and include:

- Addresses a critical need
- Anticipated impact (devices deployed)
- Organizational capacity
- Organizational history in equipment / device distribution
- Cost reasonableness
- Demographics
- Partnerships
- Collaboration with municipal/county/state organizations and/or agencies
- Co-investment partnership projects involving local municipalities, community anchor institutions, and/or matching dollars

### Scoring Criteria

Application evaluation criteria are mapped into Programmatic and Financial scoring categories. Scoring category weightings are listed in the table below:

Scoring Category	Weighting
Programmatic	60%
Financial	40%

Applications will be scored based on the overall quality of the application, capabilities of the applicant to effectively initiate, implement, manage, monitor, report on program goals, objectives, and performance criteria as outlined in Project Details, outreach, implementation, monitoring, and disposition plans.

## Compliance

KOBD will provide a collaborative partnership and overall support for the Advancing Digital Opportunities to Promote Technology (ADOPT) 2.0 Program subrecipients by performing subrecipient monitoring and offering technical support related to reporting and compliance requirements, as listed in the following paragraphs.

### Subrecipient Monitoring by KOBD

KOBD will perform onsite or other project reviews as indicated to ensure subrecipient compliance with authorized use of funds and grant terms. Types and frequency of subrecipient monitoring required will be determined based upon the outcome of the subrecipient risk assessment and requirements outlined in the grant.

### Material Project Changes

KOBD acknowledges that changes in the overall implementation plan may be required once a project begins due to unforeseen circumstances. Material project changes must be disclosed to KOBD immediately and reported on the monthly report, prior to implementation. **Examples** of material changes include, but are not limited to, the following:

- Project scope
- Project duration
- Electronics manufacturer and model number changes from budget, (for computer equipment
- Software vendor, application and/or version number changes
- Individual budget line-item variances greater than 10% of the original budget
- Total project budget variances greater than 10% of original budget

Upon receipt of material project change notification information, KOBD will review the potential project changes. The changes must be approved by KOBD prior to awardee implementing changes. Changes to the implementation plan without advanced KOBD notification and approval may result in a reduced budget and/or clawback actions. If there is any doubt about materiality of the potential project changes, awardees must engage KOBD to determine materiality. Failure to engage KOBD to determine materiality prior to change implementations may also result in a reduced budget and / or clawback actions. Expenditures incurred without prior approval of KOBD may be deemed unallowable and will not be reimbursed.

### Closeout Reporting

Closeout reporting will be required within 45 days of project completion. Project completion and submission of the closeout report are required prior to final payment. Closeout reporting includes, but is not limited to, the following:



- Validation that the device distribution project has been completed and that devices have been provided to those in critical need communities as specified in the application
- Subrecipients will be required to submit aggregate geographic and socio-economic data on those participating in the project
- Subrecipients will be required to submit data on device distribution by type, actual vs. planned, disposed of, as well as training programs offered and participation and any improvements and or anecdotal data on program effectiveness and impact
- Subrecipients must complete/submit required financial documents, legal agreements, and reports
- KOBD reserves the right to amend the scope of grant awards or partially fund applications
- Number and types of digital literacy training and other support services to be provided to enable the use of devices
- Project effectiveness and impact (surveys and testimonials)

### Conflict of Interest

Subrecipients must disclose in writing to KOBD or Treasury, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 CFR 200.112.

### Fraud, Waste, and Abuse

All subaward requirements, including definitions provided by law, regulation, Treasury guidance or the like, and any additional guidance provided by the Office of Recovery shall apply to the Subrecipient. KOBD will monitor subrecipients to ensure subawards are used for authorized purposes, in compliance with federal statutes, regulations, and terms and conditions of the subaward to mitigate risk of fraud, waste, or abuse.

Any item or expenditures found by auditors, investigators, and or other authorized representatives of the Office of Recovery, the United States Department of Treasury, or other federal or state instrumentality to be improper, unallowable, in violation of federal or state law or terms of the subaward Agreement, or involving any fraudulent, deceptive, or misleading representations or activities of the Subrecipient must be reported.

Any funds used for unauthorized purposes must be returned to KDC prior to final closeout of the project.

### Accountability

The subrecipient shall create, maintain, and preserve sufficient records to demonstrate their compliance with the requirements of this program. The subrecipient shall provide all required records to KOBD promptly upon written request. KOBD requests may include, but may not be limited to, the following:

- Documentation related to required audit activities. The project may be subject to state and/or federal audits during and after the project period. If a field audit is required due to program guidelines non-compliance, subrecipient shall pay for the field audit, subject to KOBD's discretion
- Data contributing to key performance indicators measuring impact of the project
- A disposition of physical property/assets if equipment was purchased in support of the project
- At KOBD's discretion, annual reports through the program period, documenting the following:
  - Total number of devices distributed and respective model numbers
  - Locations and organization name where the devices were distributed to
  - The subrecipient's documented results of measuring the project's effectiveness and impact through data collection (key performance indicators, surveys, etc.)

- A brief narrative explaining the number and types of digital literacy trainings and other support services provided, including the number of individuals who attend or make use of the trainings and support services
- Participant feedback regarding the impact of the program
- Any curricula and content used to train digital literacy and skills development

Subrecipients are required to retain all records not less than five (5) years after all CPF funds have been expended or returned to US Treasury or through December 31, 2031, whichever is later.

# PUBLIC WI-FI PROGRAM GUIDELINES

## Program Overview

The objective of the Capital Projects Fund (CPF) Advancing Digital Opportunities to Promote Technology (ADOPT) 2.0 program administered through the KOBD is to provide access to free high-quality, reliable public Wi-Fi based broadband in Kansas. Public Wi-Fi applications will be accepted with priority given to applications that address unserved and economically distressed areas which have a compelling need for free Wi-Fi based broadband services that bridge critical access gaps to support quality of life considerations. Applicants are expected to engage community leaders and stakeholders in the development of projects that will benefit Kansas citizens and communities. Key information for the program is as follows:

- Total program funding available: Up to \$10.7M in grant awards will be available across both sub-programs for applications best meeting the program guidelines
- Solicitation date: December 11, 2024
- Application window: Eight (8) weeks
- Targeted award date: June 16, 2025
- Project period: December 1, 2024, through September 30, 2026
- Maximum individual award: \$1,000,000
- Minimum applicant match: 5% of the total project cost
- Minimum co-investment amount: 2% of total project cost
- Funding source: Coronavirus Capital Projects Fund (CPF), established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021.
- KOBD reserves the right to distribute funds geographically to ensure Kansans can equally benefit from the program
- Governing Compliance Reference:
  - Uniform Guidance (2 CFR Part 200) applies to this program, including the Property Standards, Cost Principles and Single Audit Act requirements. Additionally, 2 CFR 200.471 and 2 CFR 200.216 identify specific telecommunications and video surveillance costs that are unallowable
  - US Treasury Guidance: Guidance For the Coronavirus Capital Projects Fund for States, Territories & Freely Associated States 2021 and Coronavirus Capital Projects Fund Compliance and Reporting Guidance for States, Territories, and Freely Associated States, August 2024
- Investments in Capital Projects must be carried out in ways that comply with applicable federal laws, including Public Law 115-232, Section 889 of the John S. McCain National Defense Authorization Act (NDAA) of 2019. It contains prohibitions on the use of 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. The subrecipient will be required to certify that it shall not provide or procure to the State of Kansas or any agency thereof any covered telecommunications equipment either in whole or in part of any product or during the commission of any service
- “Public Wi-Fi” is defined as Wi-Fi solutions that are capable of delivering qualifying broadband speeds serving a specific geographic area with user end points connecting directly to the public Wi-Fi infrastructure

See “Common Program Attributes” for program requirements applicable to both the Public Wi-Fi and Equipment Distribution sub-programs.

## Eligibility

Subrecipients must have a demonstrated ability to design, implement and operate a free Public Wi-Fi service. All free Public Wi-Fi projects will be required to enable work, education, and health monitoring to ensure that it meets the critical needs of the community/individuals to be served. Projects must meet all of the following criteria:

1. The Capital Project invests in capital assets designed to directly enable work, education, and health monitoring
2. The Capital Project is designed to address a critical need that resulted from or was made apparent or exacerbated by the COVID-19 public health emergency
3. The Capital Project is designed to address a critical need of the community to be served by it

## Speed Guidelines

Subrecipients must offer a speed of at least 100/20 Mbps within the entire proposed service area. Solutions that support speeds greater than 100/20 Mbps, including symmetrical speeds, will be scored higher.

## Eligible Locations and Solutions

The purpose of the grant is to facilitate free public Wi-Fi broadband access to unserved public areas with demonstrated need. Unserved is defined as designated locations or geographic areas that are without a fixed, terrestrial connection supporting at least 100 Mbps download and 20 Mbps upload speeds. Geographic areas that are unserved as defined by the Federal Communications Commission Broadband Data Collection tool are qualified to be served by the free public Wi-Fi solution. The enabled free public Wi-Fi services are not intended to be used as backhaul solutions enabling wireline last mile or inside wire distribution capabilities within a building. Applications proposing solutions using the public Wi-Fi services as backhaul/transport to enable wireline-based solutions will be disqualified. Additionally, the enabled solution is not intended to provide commercial, revenue generating services for ISPs and will not impact any FCC Broadband Data Collection location ID status within the proposed service area. The Wi-Fi infrastructure investment is intended to support a free public wi-fi service for the duration of the federal interest period (December 31, 2034) as applicable to infrastructure equipment per US Treasury SLFRF and CPF Supplementary Broadband Guidance, dated May 17, 2023.

## Eligible Project Costs

Eligible public Wi-Fi infrastructure broadband project expenses are expenses directly related to the deployment of a qualified broadband project, including 5% of pre-project development costs and uses, data gathering, feasibility studies, engineering design, work related to environmental, historical, and cultural reviews, and permitting. All remaining pre-project costs are eligible under matching funds. Eligible costs also include materials, supplies, equipment, and construction of “Public Wi-Fi” solution expenses. Indirect labor costs (fringe/benefits, travel, meals, lodging, paid time off, etc.) are also eligible. Grant expenses must be incurred, and funds *expended* during the project period per the official grant agreement. Funds may be used for costs incurred after December 1, 2024, subject to approval. All funds must be expended by September 30, 2026.

Applicants will be requested to organize eligible project costs into the eligible project cost categories within the project budget template as listed below:

- Personnel / Payroll
- Professional and Contracted Services
- Supplies, Materials and Software

- Capital Expenditure / Outlay
- Other Operating Costs (travel, software subscription, participant support costs, etc.)

### Ineligible Project Costs

Ineligible costs include, but are not limited to:

- Costs associated with completing the application in accordance with 2 CFR 200 Subpart E – Cost Principles
- Administrative costs (such as expenses in support of day-to-day operations of the subrecipient organization)
- Payments of interest or principle toward outstanding debt instruments, other debt service costs incurred prior to March 15, 2021, and fees or issuance costs of new debt are categorized as ineligible
- 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
- Acquisition of spectrum licenses
- Operating expenses
- Short-term operation leases
- Maintenance expenses related to the project
- Inside wiring that physically connects the network to the end user via cabling
- Infrastructure not directly connected to a public Wi-Fi based solution
- Long-term capital asset purchases/leases, although cost allocation for use during the project period will be considered on a case-by-case basis
- Costs to support or oppose collective bargaining. This does not affect the ability to use funds to comply with 41 C.F.R. 60-1.4
- Entertainment events and certain promotional costs per 2 CFR 200.421, 432, and 438

In general, ineligible costs are those expenses incurred by subrecipients in support of the day-to-day operations of their organization. Gifts, awards, ceremonies or celebratory decorations, meals, food, refreshments and entertainment are ineligible costs for the project. Costs associated with completing the application are also ineligible in accordance with 2 CFR 200 Subpart E – Cost Principles. Indirect costs are ineligible as the grant funds are targeted for direct project costs.

### Public Comment Period

To ensure transparency and the best use of taxpayer funds, the application and selection process will include a three (3) week public comment period followed by a two (2) week applicant response period. This process is intended to allow internet service providers, elected officials, and constituents to either express support or inform KOBD of any issues or concerns with an application or its proposed service area. All comments expressing concern collected during the public comment period will be considered “challenges” and are subject to public disclosure. Public comment submitters will be deemed as “challengers.”

### Public Comments Regarding Service Areas With Projects Underway

For geographic areas where projects are already underway, the public comment shall contain information demonstrating that the challenger has begun construction activities. The challenger must submit proof that work has started on a project in the applicant’s proposed service area. The challenger must submit the following evidence to prove that a competing broadband project is underway include:

- The minimum/maximum public Wi-Fi speeds that are currently available in the proposed project service area
  - Planning and/or engineering plans and associated drawings
  - Permitting requests (applicable if permitting is required)
  - Generated bill of materials
  - Purchase orders for equipment on the bill of materials
  - Invoices for engineering or construction activities for building the public Wi-Fi solution in proposed service area
  - A map in .kmz format detailing the project underway service area containing the following:
    - Polygon defining the service in which the broadband solution is being placed
    - Fiber or other physical media routes specified within the service area polygon
    - Tower and Wi-Fi radio equipment placement
- Note: No other format other than .kmz will be accepted. Failure to provide the map in .kmz format will disqualify the public comment
- Using the project area map submitted by the applicant, a map indicating where the protested serviceable area is within the proposed project area
  - Heat maps (if applicable) indicating received signal strength indicator (RSSI) in the challenged area

Additional evidence demonstrating that the project is underway may be provided to bolster the Challenger's public comment. Evidence submitted will be subject to Kansas Open Records Act (KORA) and federal Freedom Of Information Act disclosure laws with information requests to be evaluated by Kansas Department of Commerce's legal team on a case-by-case basis. By submitting a public comment, Challenger is committing that the stated project will complete no later than twelve (12) months after the date the public comment was submitted under the program and would be fully funded by the challenger and that the project will provide a broadband network in the proposed project area with access to the internet at speeds equal to or greater than 100 Mbps for downloading and 20 Mbps for uploading.

#### Public Comments Regarding Service Area With Projects Planned But Not Underway

For proposed service areas where projects are planned, but not underway, the public comment shall contain information demonstrating that the challenger has begun the planning phase of the project. If these conditions are met, the KOBD will consider denying the applicant's proposal. However, to do so, the public comment from the challenger must include the following information for consideration:

- The minimum/maximum public Wi-Fi speeds that are currently available in the proposed project service area
- Planning and/or engineering plans and associated drawings
- Generated bill of materials
- A map in .kmz format detailing the planned project service area containing the following:
  - Polygon defining the Wi-Fi service in which the broadband solution is being placed
  - Fiber or other physical media routes specified within the service area polygon
  - Tower and Wi-Fi radio equipment placement

Note: No other format other than .kmz will be accepted. Failure to provide the map in .kmz format will disqualify the public comment.

- Using the project area map submitted by the applicant, a map indicating where the protested serviceable polygon area(s) are within the proposed project area
- Heat maps (if applicable) indicating received signal strength indicator (RSSI) in the challenged area

Additional evidence demonstrating that project planning is underway or complete may be provided to bolster the Challenger's public comment. Evidence submitted will be subject to Kansas Open Records Act (KORA) and federal Freedom Of Information Act disclosure laws with information requests to be evaluated by Kansas Department of Commerce's legal team on a case-by-case basis. By submitting a public comment, Challenger is committing that the stated project will complete no later than eighteen (18) months after the public comment was submitted under the program and would be fully funded by the challenger and that the project will provide a broadband network in the proposed project area with access to the internet at speeds equal to or greater than 100 Mbps for downloading and 20 Mbps for uploading.

#### Public Comments For Areas Where Free Public Wi-Fi Service Already Exists

KOBD will require a challenger submitting a challenge to provide speed test results in the proposed project area in which the provider submitting the challenge states that free public Wi-Fi broadband service is currently available at minimum speeds of 100/20 Mbps. Such speed test results shall be provided in a way that documents the speed test provider, downstream and upstream speed results, the latitude/longitude of where the speed test was conducted, and associated latency. Additional attributes to provide may be prescribed by KOBD, at their discretion. Where 100/20 Mbps or higher service exists, the public comment should include the following:

- Survey or date and time-stamped speed test data in the designated area from no earlier than December 1, 2024
- A map in .kmz format detailing the proposed service area containing the following:
  - Polygon defining the service in which the public Wi-Fi infrastructure has been placed
  - Fiber routes connected to the public Wi-Fi equipment within the service area polygon
  - Tower and Wi-Fi radio equipment placement

Note: No other format other than .kmz will be accepted. Failure to provide the map in .kmz format will disqualify the public comment.

Submissions must provide the data source and/or methodology used to develop this information. Any proprietary information must be labeled as such so that it may be kept confidential, to the extent KORA and FOIA disclosure laws allow. Information submitted will be subject to the Kansas Open Records Act (KORA) and federal Freedom Of Information Act disclosure laws with information requests to be evaluated by the Kansas Department of Commerce's legal team on a case-by-case basis.

#### Other Public Comments

Other public comments include any other feedback from citizens within the community wishing to express support of, or to document concerns regarding an application or its proposed service area. Challengers submitting a public comment challenge expressing concerns regarding an application are encouraged to provide as much fact-based data to support the challenge.

#### Applicant Response Period

Upon completion of the public comment period, KOBD will notify each applicant of such challenge(s). The applicant shall have two (2) weeks after notification to provide any supplemental information regarding the challenged application to KOBD (known as Applicant Response Period). The KOBD will evaluate the information submitted in a challenge and the associated applicant response and will not award a grant if the challenge information submitted is credible.

## Public Comments Compliance

In instances where KOBD denies an application for a grant based on a “Planned But Not Underway” or “Project Underway” challenge, KOBD reserves the right to implement the following actions, in full or in varying degrees, including but not limited to:

- The right to require a bond, Letter of Commitment (LOC) or financial guarantee from challenger submitting the challenge, prior to application denial, to ensure project completion
- If the challenger or challenger party does not provide broadband internet service to the proposed project area of the “planned but not underway” public comment category within eighteen (18) months, the challenger or challenger party may not be able to challenge any grant application or apply for any grant programs within the State of Kansas for the following two fiscal years, starting from the end of the eighteen (18) month period
- If the challenger or challenger party does not provide broadband internet service to the proposed project area of the “project underway” public comment category within twelve (12) months of the submitted public comment, the challenger may not be able to challenge any grant application or apply for any grant programs within the State of Kansas for the following two fiscal years, starting from the end of the twelve (12) month period

## Key Project Data

The applicant must provide key project data when developing the application, including, but not limited to:

- Primary Organizational Contacts (Project and Technical)
- Project Name (Organization Name + Geographic Identifier)
- Total Project Amount, Grant Funds Requested, and Matching Amount
- Proposed Target Reach
- City(ies) and County(ies) impacted
- Projected download and upload speeds of the proposed project
- Type of technology solution and scalability
- Unserved area: Identify if the solution will provide free public Wi-Fi to an unserved area. Defined as a designated geographic area that is without a fixed, terrestrial connection supporting at least 100 Mbps download and 20 Mbps upload speeds
- Economically Distressed area: Identify if the enabled area is within an economically distressed region. KOBD will consider an area economically distressed if either the 2022 per capital BEA PCPI or PCMI metric is below the 80% threshold. See Key Definitions section for the list of all Kansas counties that qualify as economically distressed
- Covered population: Identify if covered populations will benefit from the proposed project. Covered populations include aging individuals; incarcerated individuals, other than individuals who are incarcerated in a Federal correctional facility; veterans; individuals with disabilities; individuals with a language barrier, including individuals who - (i) are English learners; and (ii) have low levels of literacy; individuals who are members of a racial or ethnic minority group; and individuals who primarily reside in a rural area
- Co-investment amount
- Proposed infrastructure type
- Proposed download/upload speed
- Anticipated impact: description of general area to be enabled



## Executive Summary - Publicly Posted

In addition to providing key project data, the applicant will also be required to provide an Executive Summary of the project. The Executive Summary will be publicly posted on the KOBD website post application window closing. The Executive Summary must include the following:

- Goals of the project
- Scope of the project including number of Wi-Fi radios installed, total project cost, applicant match, and co-investment match
- Needs addressed
- Community partners and stakeholders involved
- The intended impact of free public Wi-Fi service availability within the proposed service area
- A description of the location (City(ies), County(ies), etc.) receiving the benefit
- The short and long-term benefits to the community

The Executive Summary will be publicly posted after the application window is closed. **It is the applicant's responsibility not to share or publish confidential or non-public information in this section of the application.**

## Service Area Map - Publicly Posted

The public service area map must document the proposed service area. The public map should be in .kmz format and zipped with the Public Proposal. The public map will reflect all details that need to be disclosed for the public comment phase of the program, including:

- An outlined shaded service area of the proposed area to be served
- Any fiber route(s) that will be used to enable the public Wi-Fi infrastructure. (use yellow for new fiber routes; red for existing fiber routes, with opacity of the shaded proposed service area at 50%)
- A legend defining all unique data points on the map
- Public Wi-Fi Map (.kmz): Provide an RF prediction map depicting the location of the transmitter and its footprint. The map should only indicate coverage areas where RF readings support a minimum of 100 / 20 Mbps

## Proprietary Detailed Map Of The Proposed Area

The applicant must provide a private map that will reflect all details of the public map, plus other proprietary information needed by KOBD to fully evaluate the application of the proposed service area and must include the following:

- In addition to the PUBLIC MAP provided earlier, the applicant must provide a detailed PRIVATE/PROPRIETARY map in .kmz format
- This map must include a polygon of the desired geography to be covered by the project. The map should also include the following:
  - locations of base station equipment, Wi-Fi radios, antennas, and towers

## Community Partners, Roles And Letters Of Commitment

### Narrative

Applicants will be required to provide a narrative describing any community partners associated with the project's planning, promotion, adoption, or use including a description of each party's commitment and role in the project. Include any community anchor institutions (CAI) such as municipalities, chambers of commerce, economic development organizations, educational institutions, healthcare organizations, libraries,

public safety, or other CAIs, along with businesses, non-profits, and other community stakeholders supporting the project.

### Letters Of Commitment

Applicants are expected to provide letters of commitment outlining the explicit support and role of committed partners, and letters of support as indicated. A letter of commitment may also be provided if the community wishes to further invest in the project. Each letter should include the following:

- Dated letter with official organization’s logo at top of letterhead
- Body of letter identifying the partner relationship and the role of the organization in the project
- Approving person’s signature authorizing the commitment

Letters of commitment from the applicable project partners must include the following additional details:

- Planning, Engineering, and/or Construction partners
  - Validated that they are engaged with the project
  - Confirmation of their ability to complete their specific service/role in the project within the performance period
- Co-Investment partners
  - Co-investment funding source
  - The amount of co-investment
  - The specific broadband infrastructure program they are applying the co-investment funds to (i.e., the name of this program)
- Financial partners
  - Bank verification that the applicant has sufficient funds available to provide the minimum applicant match amount for the project
  - Letter must include minimum applicant match amount

### Letters of Support

Applicants are expected to provide letters of support outlining the explicit support and role of partners, and letters of support as indicated. Letters of support should document the author and the organization they represent, if applicable. Each letter of support should include the following:

- Dated letter with official organization’s logo at top of letterhead
- Dated letter of the individual’s name and address, if not a sponsoring organization
- Why the person and/or organization is in support of the project
- Approving person’s signature authorizing the support
- Signature block and signature of the individual’s name, if not a sponsoring organization

### Justification For The Project

Applicants must provide a narrative to justify the need for the project and relevant data indicators to support the effort. Provide evidence to make a compelling case for the project relative to the proposed service area. This information should include the following:

- A description of how the project addresses the critical need of the community to be served. See “Addressing A Critical Need Within The Community” section below for further details
- A description of the proposed service area, including whether the area is unserved or economically distressed, serves a covered population, or if a specific, compelling need exists
- Details describing lack of access to a high-speed broadband connection

## Addressing A Critical Need Within The Community

A project must be designed to address a critical need in the community to be served. Unserved areas with a critical need for the project include those that do not have access to the resources or services that are provided by the project, whether because of the physical absence or insufficiency within the community of the type of resources provided by the project, or because access to those resources is unaffordable, resulting in impediment(s) to participation in work, education, and health monitoring that were caused or exacerbated by the COVID-19 public health emergency.

## Adoption And Digital Inclusion Efforts

Adoption is a vital aspect of the success of these projects. Applicants will be asked to describe activities planned to increase adoption awareness. Applicants are encouraged to partner with local housing agencies, community organizations and non-profits to identify unserved public areas in need of internet connectivity. Applicants must include the following in their narrative:

- Describe any activities planned to increase adoption awareness
- Describe any resources the applicant will be contributing to the adoption efforts (i.e., digital literacy training, marketing campaigns, etc.)

## Technical Project Plan

The Technical Project Plan details the technical elements of the proposed solution. Applicants will need to provide a technical summary of the project, the service partners engaged to complete the project, a detailed network architecture diagram showing all equipment and physical connections involved in enabling the services as well as a Bill of Material documenting each line item and associated cost. The applicant's solution must support Wi-Fi 7 technology with backwards compatibility with previous Wi-Fi standards. Required details to be submitted within each technical project plan section are listed in the following paragraphs.

### Technical Project Summary

Applicants must provide a technical summary of the proposed project including:

- Overview of proposed improvements and scope of the project
- Explanation of why this area was chosen and is unlikely to be served without grant funding
- Explanation of factors contributing to cost
- The maximum speed offered and expected latency
- Wi-Fi version being implemented

A template will be provided for the applicant to provide the requested information.

## Service Partners

Applicant must describe any service partners or subcontractors associated with the project's deliverables related to the project, including each partner's role in the project. The service partner description should include the following for each partner:

- Service partner organization and address
- Service partner point of contact authorizing the support
- The type of support/contribution being made to the project
- The partner's experience and/or ability to complete the specific service/role in the project

- Ability to complete the role within the performance period

## Network Architecture Diagram

A network architecture diagram is required to be submitted and must include the public Wi-Fi design. As such, applicants must provide the following on the network architecture diagram:

- At a minimum, the diagram must include network connection point/connection, Wi-Fi version (or versions supported) to the end user, access points, repeaters, router(s) types, physical media connecting access point to upstream radios, and towers/antenna systems
- Provide a comprehensive high-level, network architecture diagram for the project and upload a single .pdf or .zip file

## Technical Infrastructure Proposed

Applicants must provide a detailed technical description of the proposed project including the physical medium and all devices used to enable the solution.

## Long-Term Scalability

KOBD is interested in making long-term broadband investments that are scalable while accelerating high-speed broadband service deployment to Kansans. As such, both the infrastructure serving the public Wi-Fi as well as the wireless radios themselves will be evaluated for long term scalability. A minimum 100/20 Mbps speed is required with the desire to be able to scale the implemented platform to symmetric 1 Gbps+ within the public Wi-Fi service area. The public Wi-Fi solution must utilize technologies that will support consistent and reliable 100/20 Mbps solutions to each user within the geographic area enabled. The applicant's solution must support Wi-Fi 7 technology with backwards compatibility with previous Wi-Fi standards.

Applicants must upload evidence to demonstrate the scalability and capabilities of the proposed project's technology. Include current technology levels, speed capabilities, ability to upgrade, and expected latency levels. Scalability and future-proofing are defined as the ability to achieve the following with little to no future capital investment:

- Increased speed capability to the Wi-Fi access points
- Increased subscriber speed
- Increased Wi-Fi coverage
- Support for higher connected device counts
- Reduced latency

## Project Plan And Milestones

The applicant must upload a project plan in .xls or .pdf format that includes details relevant to each stage of the project and milestones for each phase of the project, covers the entire project period, and aligns to the proposed project budget. At a minimum, the plan should incorporate the following:

- Preconstruction Planning - Engineering
- Permitting - Leasing - Licensing
- Construction
- Equipment Installation
- Project Implementation
- Adoption and Marketing Outreach
- Operational Validation Plan

A template will be available on the KOBD program site.

## Budget Requirements

Applicants must provide project budget and financial information in the form of a budget narrative and budget and bill of materials as stated in the following paragraphs:

- Budget Narrative
  - Provide explanation of costs that correspond with the information included in the project budget spreadsheet
  - The necessity and basis for costs
  - Reflect only allowable costs consistent with project scope
- Project Budget and Bill of Materials
  - Provide a project budget and bill of materials according to the appropriate infrastructure template. All applicants must complete and submit a budget using the provided Budget Template, located on the program website. The bill of materials must include all infrastructure, equipment, wiring, wireless radios, antennas, towers, and associated equipment needed to implement the public Wi-Fi solution. Ensure that the required applicant match and co-investment are reflected within the template. Submissions that do not meet the minimum required applicant match may not be reviewed
  - Equipment vendor name and model number provided for each type of device and / or specified piece of equipment
  - Provide a bank verification letter that proves there are sufficient funds for the minimum required applicant match amount
  - Applicants may provide other acceptable proof demonstrating sufficient funds are available noted below:
    - Companies (Public or Private) providing a bond rating from Moody's, Standard and Poor's, or Fitch of Investment Grade at the time an application is submitted
    - Companies may provide financial information of parent organization if audited financials for operating subsidiary are not available. Parent organization must still provide a bank verification letter on behalf of the applicant
  - Local government organizations or agencies may provide a signed letter of commitment from the organizational leader stating that funds have been secured in lieu of a bank verification letter
  - Last full year of applicant's income statement
  - Applicant must verify that matching funds include an in-kind match (see note below)
    - If matching funds include an in-kind match, the applicant must provide documentation that validates the in-kind match being submitted with the project

Note: In-kind match valuations must not exceed 75% of the required project match. All claims for reimbursement for in-kind contributions will be analyzed using criteria similar to the program descriptions available here and claims for in-kind contributions should be reasonable. KOBD and the Kansas Department of Commerce will ultimately have the discretion to determine if an in-kind contribution is acceptable or not.

## Minimum Applicant Match

KOBD is implementing a minimum 5% applicant match model for the CPF DCT Public Wi-Fi Program. The minimum applicant match percentage is based on the total project cost. The 5% minimum applicant match is intended to encourage investment in unserved areas with a special focus on enabling

socioeconomically disadvantaged populations. Applicant match calculations are listed in the **example** below:

- Total project cost = \$1,000,000
- Applicant match = 5% x \$1,000,000 = \$50,000

Additional points may be awarded during the grant evaluation period if applicants provide incremental matching funds beyond the 5% match. An **example** of an applicant providing incremental matching funds beyond the minimum applicant match is below:

- Minimum applicant match is 5% of total project cost, per program guidelines
- Applicant decides to match at a 9% total project cost value
- Incremental application scoring points will be awarded for the additional 4% of total project cost matched by the applicant

### In-Kind Match

Applicant matching funds may include an in-kind match of up to 75% of the total applicant match. In-kind matching funds from applicants must be in compliance with 2 CFR 200.306 (Cost Sharing) which provides guidance for eligible and ineligible in-kind matches. For federal grants or federal broadband funding, applicant must check with federal funding source to determine allowability.

All in-kind matches require valuation documentation and are subject to KOBD's approval.

### Minimum Co-Investment

The KOBD highly encourages partnerships between non-profit organizations, applicants and co-investment sponsors in order to identify gaps in broadband infrastructure and establish community priorities. KOBD is implementing a minimum 2% co-investment match model for the ADOPT 2.0 Public Wi-Fi Program. Co-investment funds demonstrate community partnership, involvement, overall support and capture the degree of need for public Wi-Fi projects. Co-investors are defined as individuals or organizations within the benefitted community, other than the applicant, who commit funds to the project. Eligible sources of co-investment funds can be from private entities, local and/or county governments, eligible state programs or other contributors (examples: local ARPA funds, County Commission grants, private sector investments, non-profit contributions, etc.). For this program, **co-investment funds do not offset the applicant's match amount and are in addition to the required applicant match funds.** Co-investment amounts are calculated as a percent of the total project cost as listed in the **example** below:

- Total project cost = \$1,000,000
- Co-investment = 2% x \$1,000,000 = \$20,000

Additional points may be awarded if co-investors provide incremental funds beyond the 2% match. An **example** of a co-investor providing incremental matching funds beyond the minimum co-investment match is below:

- Minimum co-investment match is 2% of total project cost per program guidelines
- Co-investor decides to match at a 7% total project cost value
- Incremental application scoring points will be awarded for the additional 5% of total project cost matched by the co-investor

### Calculating Requested Grant Funds

Grant funds requested must be calculated to determine the overall grant request within the application. The requested grant funds amount is derived from the total project cost and then subtracting the applicant match and co-investment match from the total project cost. See the **example** below:

- Total project cost = \$1,000,000
- Minimum **applicant** match = 5% x \$1,000,000 = \$50,000
- Minimum **co-investment** match = 2% x \$1,000,000 = \$20,000
- Calculating the requested grant funds: \$1,000,000 - \$50,000 - \$20,000 = \$930,000

The requested grant funds value will need to be used when developing the project budget template.

### Sustainability and Long-Term Impact

Applicants will be required to provide details regarding program sustainability beyond the program period as listed below:

- Detail plans for follow up and ongoing support for the free Public Wi-Fi solution
- Explain how the program will contribute to long-term digital equity, digital inclusion, digital literacy and skill improvements within the community
- Explain if and how the organization plans to sustain the free public Wi-Fi solution beyond the grant period

### Application Evaluation Criteria

KOBD will evaluate applications based on projects that optimize stewardship, accountability and effectiveness of public dollars through collective investment and include:

- Projects that address a critical public Wi-Fi broadband need within the community
- An unserved area as defined in the definitions section of these guidelines
- An economically distressed area or a covered population (as described and measured in “Key Definitions” section)
- Ability to serve 100/20 Mbps speeds within the proposed service area
- Scalability beyond 100/20 Mbps
- Latency less than 100 milliseconds
- Cost reasonableness
- Demographics
- Technical viability
- Partnerships
- Municipal and/or County projects that are part of a local strategic broadband plan
- Minimum applicant match and associated applicant match value
- Minimum co-investment match and partnerships involving local municipalities, community anchor institutions, non-profits, service provider and applicant

### Scoring Criteria

Application evaluation criteria are mapped into Programmatic, Technical and Financial scoring categories. Scoring category weightings are listed in the table below:

Scoring Category	Weighting
Programmatic	50%
Technical	30%
Financial	20%

Applications will be scored based on the overall quality of the application, capabilities of the applicant to effectively initiate, implement, manage, monitor, report on program goals, objectives, and performance criteria.

### Compliance

KOBD will provide a collaborative partnership and overall support for Advancing Digital Opportunities to Promote Technology (ADOPT) program subrecipients by performing subrecipient monitoring and offering technical support related to reporting and compliance requirements, as listed in the following paragraphs.

#### Subrecipient Monitoring by KOBD

KOBD will perform onsite or other project reviews as indicated to ensure subrecipient compliance with authorized use of funds and grant terms. Types and frequency of subrecipient monitoring required will be determined based upon the outcome of the subrecipient risk assessment and requirements outlined in the grant.

#### Material Project Changes

KOBD acknowledges that changes in the overall implementation plan may be required once a project begins due to terrain challenges, equipment discontinuations, permitting delays or unforeseen circumstances. Material project changes must be disclosed to KOBD immediately and reported on the monthly report, prior to implementation. Examples of material changes include, but are not limited to, the following:

- Wi-Fi access points placed outside the defined project area
- Fiber segments extended to Wi-Fi access points being added or removed from original plan
- Any fiber / facilities placement extending outside the defined project area
- Changes to overall architecture proposed in the application
- Electronics manufacturer and model number changes from original bill of material
- Changing fiber placement approach for fiber segment being extended to Wi-Fi access points (i.e. – from buried to aerial fiber placement)
- Total project budget variances greater than 10% of original budget

Upon receipt of material project change notification information, KOBD will review the potential project changes. The changes must be approved by KOBD prior to awardee implementing changes. Changes to the implementation plan without advanced KOBD notification and approval may result in a reduced budget and/or clawback actions. If there is any doubt about materiality of the potential project changes, awardees must engage KOBD to determine materiality. Failure to engage KOBD to determine materiality prior to change implementations may also result in a reduced budget and / or clawback actions. Expenditures incurred without prior approval of KOBD may be deemed unallowable and will not be reimbursed.

#### Closeout Reporting

Closeout reporting will be required within 45 days of project completion. Project completion and submission of the closeout report are required prior to the final payment. Closeout reporting includes, but is not limited to, the following:



- Validation that the public Wi-Fi project build has been completed. This will provide service in the designed proposed service area, and service level speeds specified in the application
- Subrecipients will be required to submit speed test, latency, and network performance validation upon completion of the project within various areas of the proposed service area
- Speed tests demonstrating at least 100 Mbps download and 20 Mbps upload will be required in the proposed service area geography to ensure the required speeds are delivered
- KOBD will require validation of as-built drawings versus the initial .kmz map submitted with the application through field validation
- If discrepancies exist between the original project scope and as-built results, KOBD may invoke a third-party contractor of KOBD's choosing to validate results at the subrecipient's expense
- Address(es) or latitude / longitudinal coordinates at which public Wi-Fi equipment will be installed
- Public Wi-Fi device type(s) installed
- For each device type installed, provide:
  - Total number of devices purchased and installed
  - Total expenditure
- A brief narrative explaining the number and types of digital literacy trainings and other support services provided to enable use of the Wi-Fi service, including the number of individuals who attend or make use of the trainings and support services
- The subrecipient's documented results of measuring the project's effectiveness and impact through data collection (surveys, etc.)
- The required financial documents, legal agreements, and reports

The KOBD reserves the right to amend the scope of grant awards or partially fund applications.

#### Conflict of Interest

Subrecipients must disclose in writing to KOBD or Treasury, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 CFR 200.112.

#### Fraud, Waste, and Abuse

All subaward requirements, including definitions provided by law, regulation, Treasury guidance or the like, and any additional guidance provided by the Office of Recovery shall apply to the Subrecipient. KOBD will monitor subrecipients to ensure subawards are used for authorized purposes, in compliance with federal statutes, regulations, and terms and conditions of the subaward to mitigate risk of fraud, waste, or abuse.

Any item or expenditures found by auditors, investigators, and or other authorized representatives of the Office of Recovery, the United States Department of Treasury, or other federal or state instrumentality to be improper, unallowable, in violation of federal or state law or terms of the subaward Agreement, or involving any fraudulent, deceptive, or misleading representations or activities of the Subrecipient must be reported.

Any funds used for unauthorized purposes must be returned to KDC prior to final closeout of the project

#### Accountability

Subrecipient shall create, maintain, and preserve sufficient records to demonstrate their compliance with the requirements of this program. The subrecipient shall provide all required records to KOBD promptly upon written request. KOBD requests may include, but may not be limited to, the following:

- Information regarding speed levels specified in the application for the duration of the grant period

- The type of technological solution installed and serving the proposed service area
- The right to recoup funding for incomplete projects or for lack of adherence to program guidelines
- The right to desk or field audit the project at any time. The project may be subject to state and/or federal audits. If a field audit is required due to program guidelines non-compliance, subrecipient shall pay for the field audit, subject to KOBD's discretion
- Subrecipients are required to retain all records for up to five (5) years after all CPF funds have been expended or returned to US Treasury or through December 31, 2031, whichever is later
- If there is a change in ownership of the property(ies) where the Wi-Fi equipment is placed, applicant will notify KOBD in the most expeditious manner
- At KOBD's discretion, annual reports through the program period, documenting the following:
  - Public Wi-Fi device type(s) installed
  - For each device type installed, provide:
    - Total number of devices purchased
    - Total expenditure
  - Total number of individuals using devices
  - A brief narrative explaining the number and types of digital literacy trainings and other support services provided to enable use of the Wi-Fi service, including the number of individuals who attend or make use of the trainings and support services
  - The subrecipient's documented results of measuring the project's effectiveness and impact through data collection (surveys, etc.)

## COMMON PROGRAM ATTRIBUTES

The following sections and associated details apply to both the Equipment Distribution and Public Wi-Fi sub-programs. Unique attributes for each sub-program are contained in each sub-program section.

### Grant Timeline

The application window will be open for eight (8) weeks. Applicant interviews for selected applications will follow public comment and applicant response windows, which will be followed by Kansas Department of Commerce leadership grant selection and award announcements. Program timelines are provided below for reference.

**Table 2: Public Wi-Fi Grant Program Timeline**

	Week #																														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29		
Advancing Digital Opportunities to Promote Technology (ADOPT) 2.0	Application Window								Public Comment Window				Applicant Response Window				Grant Evaluations					Applicant Interviews					Final Evaluations			Leadership Review	
									Grant Evaluations																						

- December 11, 2024: Grant Webinar, Program Guidelines Posted, Application Window Opens (8 weeks)
- February 5, 2025: Application Window Closes (5pm CST)
- February 13, 2025: Public Comment Window Opens (2 weeks)
- March 5, 2025: Public Comment Window Closes (5pm CST)
- March 17, 2025: Applicant Response to Public Comment Window Opens (2 weeks)
- March 28, 2025: Applicant Response to Public Comment Window Closes
- April 28, 2025: Applicant Interviews and Final Applicant Deliberations (5 weeks)
- June 3, 2025: Leadership Review (2 weeks)
- June 16, 2025: Targeted Awards Announcement

KOBD reserves the right to request additional information regarding applications throughout the application review period.

### Eligible Applicants

Eligible applicants include:

- Other levels or units of government (e.g., municipalities or counties)
- Non-profit organizations
- Tribal Governments
- Private entities
- Co-operatives
- Electric Utilities
- Other entities that build or operate broadband networks, including networks that are owned, operated by or affiliate with local governments

*Note: Eligible nonprofit organizations must have their own 501 C (3) tax status (or be a part of or chapter of a national organization that is a 501 C (3) nonprofit organization).*

Subrecipients implementing the free public Wi-Fi service will be required to provide free public Wi-Fi services within the proposed service area that directly enables work, education, and health monitoring for at least five years from the completion of the Project. Subrecipients implementing the equipment distribution solution will be required to directly enable work, education, and health monitoring activities over the useful life of the asset.

## Unique Entity Identifier (UEI)

To receive Federal funding from the Kansas Office of Broadband Development at the Kansas Department of Commerce, the applicant's organization must have an active "Unique Entity Identifier" (UEI) with the Federal System of Award Management (SAM.gov). SAM.gov is an official website of the United States government and is FREE. There is no charge to apply for a Unique Entity Identifier, register your entity, and maintain your entity registration. All applicants must have a UEI, or must have submitted to receive a UEI, prior to submitting the application. The application cannot be submitted without a UEI or one being requested. The applicant will need to ensure that the name associated with the UEI is exactly the same as the one in the Organizational Information section.

## Application Process

The KOBD will conduct an online webinar informing potential applicants of the Advancing Digital Opportunities to Promote Technology (ADOPT) 2.0 Program grant opportunity. Guidelines will be posted online for applicants to review. To apply for the grant award, applicants will be invited to submit information on an established online portal. This process will evaluate the project details, the technical project plan, and the proposed budget. Business, economic, and community development professionals and technical experts will be enlisted to review project submissions. Applicants being considered for the award will participate in a final interview to be held via an interactive meeting platform. Once the final recommendation has been developed, the Kansas Department of Commerce leadership will review and finalize the award recommendations. The applicant will be required to submit plans showing it complies with applicable employment laws and to ensure that its workforce is appropriately skilled.

## Application Submission

The application window will be open for eight (8) weeks. KOBD reserves the right to modify the program guidelines and/or application window timeframes to generate an adequate number of viable applications. The application contains three primary sections: Project Details, Technical Project Plan\*, and Project Financials. The submission will require documents designated for public posting during a public comment period. Citizens will be provided with the opportunity to comment on proposed projects during the Public Comment Period. If multiple applications provide solutions for the same geographic service area, KOBD will select the project that provides the most significant benefit to Kansans. An application guide is available on the KOBD ADOPT 2.0 webpage to assist in developing and submitting applications.

\* - Note: The Equipment Distribution program does not require a Technical Project Plan.

**ADOPT 2.0 Program Application Impact To Future Broadband Infrastructure Program Application Scores**  
Broadband Infrastructure Program Applicants eligible to apply for future broadband infrastructure programs who choose to submit viable ADOPT 2.0 program applications may be awarded bonus points in future broadband infrastructure programs. Broadband infrastructure program points may be awarded in all non-BEAD programs for the next three program periods including, but not limited to, the Broadband Acceleration Grant 2025, 2026 and 2027 programs. See definition of Eligible Broadband Infrastructure Program Applicants in the Key Definition section.

## Outcome Evaluation and Metrics

Applicants will be required to provide key data and performance indicators as listed below:

- Describe the major goals and expected outcomes of the project
- Develop and define the key performance indicators (KPIs) for the program
- How will the applicant know if the project was successful in meeting its goal(s)?

The key data and performance indicators must align to one or more of the applicable sub-bullet(s) of the five Strategy Activities identified on page 91 in the Kansas Digital Equity Strategic Plan found at the following link: <https://www.kansascommerce.gov/wp-content/uploads/2024/03/DE-PLAN-FINAL.wo-appdx.pdf>.

Applicant must demonstrate how the project's goals align to one or more of the five Strategic Activities.

## Program Inquiries – Quiet Period

In establishing a fair, open, equitable, and competitive selection process, KOBD has implemented adequate safeguards to protect the integrity of the competition, including safeguards against collusion, bias, conflicts of interest, arbitrary decisions, and other factors that could undermine confidence in the process.

As a result of establishing a robust competitive selection process, KOBD has implemented a 'Quiet Period' until the end of KOBD's ADOPT 2.0 subgrantee selection process. Eligible Entities, as defined in the Eligible Applicants section of the program guidelines, applying for ADOPT 2.0 grant funds with questions about the ADOPT 2.0 program, including but not limited to verbal or electronic communications such as text, voice calls, emails, etc., will not be responded to unless they are emailed directly to [KDC\\_broadband@ks.gov](mailto:KDC_broadband@ks.gov) or brought up during a public ADOPT 2.0 webinar hosted by KOBD.

When emailing [KDC\\_broadband@ks.gov](mailto:KDC_broadband@ks.gov), eligible entities can expect a response to appear on KOBD's website, [www.kansascommerce.gov](http://www.kansascommerce.gov), on the ADOPT 2.0 program page as a new FAQ response under the Frequently Asked Questions section. Questions posed during a public webinar hosted by KOBD can be directly responded to by KOBD staff during the webinar and responses will be posted on KOBD's website as a new FAQ response if one does not already exist. No communications will be sent out with a direct response to a question either from KOBD staff or the [KDC\\_broadband@ks.gov](mailto:KDC_broadband@ks.gov) email address.

## Financial And Legal Requirements

### Applicant Attestations

Applicants must attest to certain conditions as part of the application submission process. The required attestations are listed below:

- The grant applicant is in good financial standing with the State of Kansas
- The grant applicant is not currently involved in pending litigation in association with previous Kansas-sponsored broadband grant projects
- The grant applicant is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency

- If a private entity, the grant applicant has been operating in the State of Kansas for no less than one (1) year from the application window close date. The grant applicant has not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for the commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property
- The grant applicant is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local)
- The grant applicant has not within a three-year period preceding this application/proposal had one or more public transactions (federal, state, or local) terminated for cause or default
- Applicant is in compliance with applicable state and federal employment laws
- The grant applicant agrees that if awarded funds through the program, the grant agreement will be executed within 60 days of receipt from Commerce. If the agreement is not executed within 60 days, the Kansas Department of Commerce reserves the right to reallocate funds
- All applicants will be required to sign the Department of Commerce Confidentiality Agreement at the time of application submission

### Applicant Interview

KOBD will conduct an interview with the final grant candidates and associated partners and give them an opportunity to “make their case” on why funding should be provided for their specific application. This meeting should include organization and financial contacts, key project personnel, and partners critical to the overall success of the effort. Applicants should include co-investment partners in the interview. Participants should be prepared to speak about specific aspects of the project details, the technical project plan, the financials submitted, and the demonstrated need that supports the project. This interactive meeting will provide an opportunity for applicants to highlight key aspects of the project, the compelling needs of the project, and answer the question: “Why should the State of Kansas invest in this project?”.

### Funds Disbursement

The Advancing Digital Opportunities to Promote Technology (ADOPT) 2.0 Program is a reimbursement program. The KOBD will provide structured reimbursements only for validated grant expenditures submitted. Subrecipients are expected to submit supporting documentation for all project expenditures (i.e., invoices, receipts) and proof of payment to receive requested reimbursements. Non-federal contributions must be proportionally reported during the project’s period of performance and verifiable through adequate supportive documentation. Subrecipients must submit all required legal and contractual agreements/documents prior to funds disbursement. Reimbursements will be processed on a monthly basis for those subrecipients requesting reimbursement. Late or incomplete submissions may be processed for payment in the following month when sufficient documentation is not available in time to complete the reconciliation process.

### Project Extensions

Project extensions will be considered on a case-by-case basis. Should actual project costs exceed the proposed/approved budget, subrecipients will be responsible for completing the proposed project without an increase in the grant award. KOBD reserves the right to partially fund projects that are not completed during the approved project period.

## Compliance

KOBD will provide a collaborative partnership and overall support for Advancing Digital Opportunities to Promote Technology (ADOPT) program subrecipients by offering technical support related to reporting and compliance requirements, as listed in the following paragraphs.

### Adherence to Timelines

KOBD expects each subrecipient to complete their respective project on time, project extensions are discouraged. In rare cases where extensions are requested, they will be considered on a case-by-case basis. KOBD will consider the reasonableness of the request and determine whether the request is necessary.

### Monthly Reporting

In addition to periodic subrecipient meetings, KOBD will streamline reporting by providing baseline reporting templates and clear expectations for subrecipients participating in the program. The monthly reporting includes the following:

- A narrative update on the status of the project, including notification of any delays and any deviations from the approved scope of work
- A monthly budget expenditure report of the project
- A monthly .pdf containing supporting project expenditure documentation for reimbursement requested (i.e., invoices/receipts/proof of payment)
- Monthly reporting will be required. Reimbursements will also occur on a monthly basis

### Quarterly Meetings

At KOBD's discretion, subrecipients may be asked to participate in meetings with KOBD on a quarterly basis or as needed. The purpose of these meetings is to gather more in-depth information regarding the progress of the project, provide technical assistance to ensure on-time progress or provide subrecipients with updated program information.

### Single Audit Requirements

After an award, non-private organizations that expend over \$750,000 in federal funds during their most recent fiscal year are subject to a single audit. If a subrecipient is subject to a single audit, the most recent audit plus any material findings and final responsive documents must be provided to KOBD. If an organization doesn't meet the threshold, records must be made available to KOBD for review. 2 CFR 200.514 provides additional detail regarding single audit requirements and associate thresholds, if needed.

### Program Monitoring

This program is subject to monitoring in accordance with 2 CFR 200.332 and US Treasury guidance. During the application evaluation phase, and before award announcement, applicants may be asked to complete a questionnaire to assist KOBD in developing a plan to monitor the implementation of the program and the capacity of each organization to manage the federal funds. This questionnaire in no way impacts the scoring or selection of applications for award. After awards are made, KOBD will implement a plan to monitor subrecipients that may include remote or in-person meetings, desk reviews, and monitoring visits. The purpose of subrecipient monitoring is to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved [2 CFR 200.332(d)].

## KEY DEFINITIONS

### **Adoption Efforts**

Adoption goes beyond access to high-speed internet and speaks to the ability of individuals and communities to harness access for quality-of-life implications. These efforts may include digital literacy training, low-income assistance programs (for equipment and/or broadband service), partnerships with co-working or entrepreneurship organizations, awareness or marketing campaigns, service provision to community anchor institutions and/or additional programming, along with other programs designed to meet the needs of the local community.

### **Applicant Match**

At the time of application submission, the applicant must demonstrate available cash reserves in an account(s) of the applicant equal to at least the required amount specified in the sliding scale match table. Matching funds must be used solely for the Project and shall not include any financial assistance from federal sources unless there is a federal statutory exception specifically authorizing the federal financial assistance to be considered as such. An applicant must provide evidence of its ability to comply with this requirement in its application ([www.ecfr.gov](http://www.ecfr.gov)).

### **Broadband**

Broadband (or high-speed internet) access allows users to access the internet and internet-related services at significantly higher speeds than those available through “dial-up” services. Broadband speeds vary significantly depending on the technology and level of service ordered. For additional information, visit the source of this information: [Getting Broadband Q&A | Federal Communications Commission \(fcc.gov\)](#).

### **Budget and Financial Requirements**

Includes an explanation of costs that correspond with the information included in the project budget spreadsheet. The information should also explain the necessity and basis for costs and reflects only allowable costs consistent with project scope. Content must include the last year of organizations tax returns and / or 990s.

### **Co-Investment**

Any funds provided by sources other than the applicant such as local, county, and eligible state programs or other contributors.

### **Community Anchor Institution**

Community anchor institution means schools, libraries, medical and healthcare providers, public safety entities, community colleges and other institutions of higher education, and other community support organizations and agencies that provide outreach, access, equipment, and support services to facilitate greater use of broadband service by vulnerable populations, including low-income, unemployed, and the aged ([www.usac.org](http://www.usac.org)).

### **Community Support (Narrative)**

Community partners associated with the project planning, promotion, adoption - description of each party's commitment and role in the project. Include any involvement by Community Anchor Institutions (CAIs) including municipalities, chambers of commerce, economic development organizations, educational institutions, healthcare organizations, libraries, public safety, businesses, non-profits, and or other community stakeholders.



### Covered Population

Covered populations include aging individuals, incarcerated individuals, other than individuals who are incarcerated in a Federal correctional facility; veterans; individuals with disabilities; individuals with a language barrier, including individuals who (i) are English learners; and (ii) have low levels of literacy; individuals who are members of a racial or ethnic minority group; and individuals who primarily reside in a rural area.

### Critical Need – Equipment Distribution

Populations that do not have access to the resources or services that are provided by the project, whether because of the physical absence or insufficiency within the community of the type of resources provided by the project. Critical need populations are individuals who do not subscribe to broadband connectivity due to lack of devices and equipment.

### Critical Need – Public Wi-Fi Program

When access to broadband resources is unaffordable and/or unavailable, resulting in impediment(s) to participation in work, education, and health monitoring that were caused or exacerbated by the COVID-19 public health emergency.

### Economically Distressed Community

KOBD will consider an area economically distressed if either the 2022 per capital BEA PCPI or PCMI metric is below the 80% threshold. The Kansas counties meeting this definition are in the table below:

Economically Distressed Counties in Kansas			
Allen	Ellsworth	Lincoln	Riley
Anderson	Finney	Linn	Rooks
Atchison	Ford	Lyon	Russell
Barton	Franklin	Marion	Scott
Bourbon	Geary	Marshall	Seward
Brown	Graham	Mitchell	Smith
Chase	Grant	Montgomery	Stafford
Chautauqua	Greenwood	Morris	Stevens
Cherokee	Hamilton	Morton	Sumner
Clay	Harper	Neosho	Washington
Cloud	Harvey	Norton	Wichita
Cowley	Jackson	Osage	Wilson
Crawford	Jewell	Ottawa	Woodson
Dickinson	Kearny	Pawnee	Wyandotte
Doniphan	Kiowa	Reno	
Edwards	Labette	Republic	
Elk	Leavenworth	Rice	

The counties listed above can also be found at the Stats America website via <http://www.statsamerica.org/distress/distress.aspx>.

### Eligible Broadband Infrastructure Program Applicants

Eligible applicants include:

- Other levels or units of government (e.g., municipalities or counties)

- Non-profit organizations
- Tribal Governments
- Private entities
- Co-operatives
- Electric Utilities
- Other entities that build or operate broadband networks, including networks that are owned, operated by or affiliate with local governments

### **Last Mile**

Last mile refers to the network infrastructure that carries signals from the network to and from the end-user premise. Depending on the network design and density of the area served, the actual distance of the last mile can be relatively short or considerably longer than a mile.

### **Letters of Commitment / Support**

Explicit commitments and roles of committed partners and letters of support as indicated above.

### **Partnership**

A formal relationship between two or more parties that enter into an agreement for the sake of advancing broadband enablement.

### **Project**

An applicant's proposal.

### **Project Justification**

Narrative to justify the need for this project and relevant data indicators to support the effort. Narrative must include:

- Evidence to make a compelling case for the project relative to the proposed services (and target audiences)
- Detail how programs will directly enable remote work, education, and healthcare monitoring
- Description of how project addresses critical need(s) of communities to be served
- Description of proposed service area (geography) and targeted (critical need) community(ies)

### **Project Milestones**

Project plan that includes information on each stage of the project, covers the entire project period, and aligns to the proposed budget.

### **Project Plan**

Includes executive summary, narrative overview, goals, proposed target critical need communities, geographic area to be covered, partners, stakeholders, intended impact, computer introduction training to enhance device usage, proposed devices, short and long-term benefit to the target communities.

### **Project Property**

Device and / or equipment purchased with grant funds.

### **Required Applicant Match**

The percentage of funds required by the applicant for the program.

**Scalability**

The capacity to change the size or scale of the broadband architecture to achieve substantially higher speeds with minimal to no investment.

**Service Partners**

Letters of commitment/support from ISPs, partners, or sub-contractors associated with project deliverables.

**Subsidy**

Assistance program(s) that applicants are enrolled in to assist with the monthly cost of services. Federal programs include the Affordable Connectivity Program (ACP), Emergency Broadband Benefit (EBB), or Lifeline.

**Underserved**

For purposes of the CPF DCT Program, an underserved area is a group of broadband-serviceable locations that the FCC National Broadband Map show as lacking access to (i) a speed of not less than 100 Mbps for downloads; and (ii) a speed of not less than 20 Mbps for uploads, AND (iii) a speed of not more than 100 Mbps downloads; and (iv) a speed of not more than 100 Mbps for uploads.

**Unserved**

For purposes of the CPF DCT Public Wi-Fi Program, an unserved area is defined as a designated geographic area in which households, businesses and public spaces are without a fixed, terrestrial connection or free public Wi-Fi service supporting at least 100 Mbps download and 20 Mbps upload speeds, per the FCC National Broadband Map.

**Wi-Fi**

A family of wireless network protocols based on the IEEE 802.11 family of standards, which are commonly used for local area networking of devices and Internet access, allowing nearby digital devices to exchange data by radio waves.