

Bipartisan Infrastructure Law Section 40101(d)

Formula Grants to States and Indian Tribes for Preventing Outages and Enhancing the Resilience of the Electric Grid (Grid Resilience Grants)

PREPARING AND SUBMITTING YOUR APPLICATION



Presentation Topics

- What is an ALRD?
 - ALRD basic information
 - Where to find requirements, forms, etc.
- Registration & Pre-application Requirements
- Required Application Documents
- How to Submit an Application
- Frequently Asked Questions (FAQs)

What is an ALRD?

The Administrative and Legal Requirements Document (ALRD) outlines the requirements and provides guidance to States and Indian Tribes for preparation of formula grant applications in response to Section 40101(d) of the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL).

An ALRD is being used for this formula grant opportunity instead of a Funding Opportunity Announcement (FOA).

ADMINISTRATIVE AND LEGAL REQUIREMENTS DOCUMENT



Department of Energy (DOE)
Grid Deployment Office (GDO)
National Energy Technology Laboratory (NETL)

BIL – PREVENTING OUTAGES AND ENHANCING THE RESILIENCE OF THE ELECTRIC GRID FORMULA GRANTS TO STATES AND INDIAN TRIBES

Announcement Number: DE-FOA-0002736
Announcement Type: Initial
Assistance Listing Number: 81.122, Electricity, Research, Development and Analysis

The purpose of this Administrative and Legal Requirements Document (ALRD) is to provide guidance to States¹ and Indian Tribes² for preparation of Formula Grant applications submitted in response to Section 40101(d) of the Infrastructure Investment and Jobs Act (IIJA),³ also known as the Bipartisan Infrastructure Law (BIL).

Issue Date:	July 6, 2022
Due Date for Applications:	September 30, 2022 / 11:59 PM ET

Registration Requirements

¹ The term "States" includes herein all 50 States, U.S. Territories, and the District of Columbia.
² The term "Indian Tribe" herein has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304; see also 42 U.S.C. 18701(z)).
³ Infrastructure Investment and Jobs Act (IIJA), Pub. L. No. 117-58 (Nov. 15, 2021), Sec. 40101(d) (codified at 42 U.S.C. 18711(d)), available at <https://www.congress.gov/bills/117/congress/117th-congress/house-bill/3684/text>.

ALRD – Basic Information

The DOE National Energy Technology Laboratory (NETL) will award and administer your grant agreement on behalf of the DOE Grid Deployment Office (GDO).

For your application, you will need to identify the:

- Sole authorized applicant on behalf of the State or Indian Tribe (refer to requirement for Head of Government Letter or Tribal Council Resolution)
- Principal Investigator (the technical project manager) and
- Business Point of Contact

Where can I find the application requirements?

ALRD Section IV – ALRD Response/Application Information provides the required information and documents needed to apply for a formula grant.

The ALRD is available here: [Section 40101\(d\) Formula Grants to States & Indian Tribes | netl.doe.gov](https://www.netl.doe.gov/section-40101-d-formula-grants-to-states-and-indian-tribes)

SECTION 40101(D) FORMULA GRANTS TO STATES & INDIAN TRIBES

Under Section 40101(d) Formula Grant Program of the [Bipartisan Infrastructure Law \(BIL\)](#), the Department of Energy will provide grants to States (including U.S. Territories) and Indian Tribes to improve the resilience of their electric grids. States and Indian Tribes may further allocate funds to “eligible entities”, as defined by Section 40101(d). These grants offer a unique opportunity to advance the capabilities of States and Indian Tribes, and their communities, to address not only current, but future resilience needs. The requirements of this formula grant program are defined within Section 40101(d) of the BIL. Section 40101(d) stipulates that DOE allocate funding annually through grants to States and Indian Tribes according to a formula that includes such parameters as population, land area, and the historical precedence for experiencing disruptive events. The resulting formula allocation for the first year of the program is provided below. Additionally, the Administrative and Legal Requirements Document (ALRD) and associated documents and links below provide eligible applicants with program and application information and requirements.

Formula Grants to States and Indian Tribes for Preventing Outages and Enhancing the Resilience of the Electric Grid

- ▶ [Link to ALRD FedConnect Page for BIL Section 40101\(d\) Formula Grants to States and Indian Tribes for Preventing Outages and Enhancing the Resilience of the Electric Grid](#)
- ▶ [Link to ALRD Application Forms and Templates](#)
- ▶ [Allocation of Grant Funds to States and Indian Tribes](#)
- ▶ [Data Sources for 40101\(d\) Formula Grant Allocations](#)
- ▶ [Frequently Asked Questions \(FAQs\) issued July 8, 2022](#)

Where can I find the grant application forms?

Application forms, templates and instructions are available here:

[Section 40101\(d\) Formula Grant Application Forms and Templates | netl.doe.gov](https://netl.doe.gov/section-40101(d)-formula-grant-application-forms-and-templates)

SECTION 40101(D) FORMULA GRANT APPLICATION FORMS AND TEMPLATES

Download individual forms and templates for application

- ▶ [SF-424 - BIL 40101\(d\)](#)
- ▶ [SF-424 Instructions](#)
- ▶ [SF-LLL Disclosure of Lobbying Activities](#)
- ▶ [SF-LLL Instructions](#)
- ▶ [Environmental Questionnaire](#)
- ▶ [Pre-Award Information Sheet](#)
- ▶ [Program Narrative Template](#)
- ▶ Note that a Head of Government Letter or Tribal Council Resolution is also required as part of the application, appointing the applicant as the sole entity within the State or Indian Tribe to apply for, receive, and administer the award. No template is provided nor is a specific format required for this.

Download all forms and templates needed to submit application

- ▶ [Download all Files](#)

[Back to BIL Grid Resilience](#)

Registration and Pre-Application Requirements

There are several one-time actions (meaning if you've done it before, you don't need to do it again) that must be completed before submitting an application in response to this ALRD:

- Register with System of Awards Management (SAM)
- Obtain a Unique Entity Identifier (UEI)
- Register with Fed Connect
- **Electronic Signatures:** Acknowledgement of award documents by the Grantee's authorized representative through electronic systems used by the Department of Energy, including FedConnect, constitutes the Grantee's acceptance of the terms and conditions of the award. Acknowledgement via FedConnect by the Grantee's authorized representative constitutes the Grantee's electronic signature.

Registration and Pre-Application Requirements

Systems of Award Management (SAM.gov)

Applicants must register with the SAM at <https://www.sam.gov> prior to submitting an application in response to this ALRD.

- Designating an Electronic Business Point of Contact (EBiz POC) and obtaining a special password called an MPIN are important steps in SAM registration.
- If the applicant currently has an active SAM.gov registration, it does not need to do this step again. That registration will apply to this ALRD.
- The applicant must maintain an active SAM.gov registration with current information at all times during which it has an active Federal award or an application under consideration.

Registration and Pre-Application Requirements

Unique Entity Identifier (UEI)

- Applicants must obtain an UEI from the SAM to uniquely identify the entity. The UEI is available in the SAM entity registration record.
- Subawardees/subrecipients at all tiers must also obtain an UEI from the SAM and provide the UEI to the award Recipient before the subaward can be issued.
- If the applicant has already obtained a UEI for another Federal grant, it does not need to do this step again. That UEI may be used for this ALRD.
- *(The UEI replaces the DUNS number that was previously required for Federal grants)*

Registration and Pre-Application Requirements

FedConnect (www.fedconnect.net)

- Applicants must register with FedConnect to submit applications in response to the ALRD, to submit questions, and to receive the resulting grant award.
- For more information regarding the registration process for FedConnect, review the *FedConnect Ready, Set, Go!* Guide at [FedConnect Ready Set Go.pdf](https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect_Ready_Set_Go.pdf)
(https://www.fedconnect.net/FedConnect/Marketing/Documents/FedConnect_Ready_Set_Go.pdf)
- If the applicant has already registered in FedConnect for another Federal grant, it does not need to do this step again.

Required Application Documents

- Program Narrative (required sections, format, template)
 - Public Notice & Hearing
- Head of Government Letter or Tribal Council Resolution
- SF-424 (Application for Federal Assistance)
- Environmental Questionnaire
- SF-LLL (Disclosure of Lobbying Activities)
- Pre-Award Information Sheet

Required Application Documents

Section IV – ALRD Response/Application Information

Submission	Components	Format	File Name
Full Application (PDF, unless stated otherwise)	SF-424	Form	Applicant Name SF424.pdf
	Program Narrative	Word or PDF	Applicant Name Program Narrative.doc or .pdf
	Environmental Questionnaire	PDF	Applicant Name Env.pdf
	SF-LLL Disclosure of Lobbying Activities	Form	Applicant Name SF-LLL.pdf
	Head of Government Letter or Tribal Council Resolution	PDF	Applicant Name Head of Government.pdf or Applicant Name Tribal Council Resolution.pdf
	Pre-Award Information Sheet	Word	Applicant Name Pre-Award Info.doc

Required Application Documents

- All of the forms and templates you need to apply for Section 40101(d) Formula Grant to States and Indian Tribes are available here: [Section 40101\(d\) Formula Grant Application Forms and Templates | netl.doe.gov](https://netl.doe.gov/Section40101(d)FormulaGrantApplicationFormsandTemplates)
- If you have trouble downloading individual forms and templates from that site (due to the version of Adobe you have not being able to open fillable forms in your browser), it might be easier to click on “**Download all Files**”
 - This will give you an option to open a zip folder by clicking on “**open file**” in new box in upper right corner of browser, then save to your computer, or when the box opens, simply drag the folder icon and drop the folder onto your desktop. The zip folder contains all of the required forms and templates.

Program Narrative

- The Program Narrative is intended to convey the strategy the State or Indian Tribe will use for making grid resilience investments with the Section 40101(d) grant funds and for documenting the impacts of those investments.
- DOE anticipates that the Program Narrative will be between 5 and 15 pages, depending upon the grant amount (allocation) and complexity of resilience strategies.
- The Program Narrative requirements and a Program Narrative template are provided in the ALRD, and the template is also provided on [Section 40101\(d\) Formula Grant Application Forms and Templates | netl.doe.gov](#)
- Save the information in a single file named (APPLICANT NAME PROGRAM NARRATIVE.pdf). Example:
 - Wyoming Program Narrative.pdf

Program Narrative

The Program Narrative must include:

- **Objectives and Metrics:** 3-5 objectives and associated metrics that the applicant intends to apply for guiding their resilience investment decisions.
- **Criteria:** Description of the criteria used for selecting and determining the awards to eligible entities.
- **Methods:** Description of the methods the applicant anticipates using for soliciting, awarding, distributing funds and monitoring outcomes (i.e., metrics).
- **Funding Distribution:** Description of the proposed funding distributions and categories of recipients of the subgrants to be provided to eligible entities.
- **Equity Approach:** Description of the plan that the State or Indian Tribe will employ to ensure their proposed project will incorporate 1) quality jobs, 2) community benefits and 3) diversity, equity, inclusion and accessibility.
- **Technical Assistance and Administration:** Description of how the State or Indian Tribe intends to utilize up to 5 percent of Federal grant funds for project administration and technical assistance.
- **Public Notice and Hearing:** Description of the notice and public hearing process and outcomes, including the number and types of organizations that attended. (Attach or append copy of Public Notice to the Program Narrative.)

Head of Government Letter or Tribal Council Resolution

- The purpose of this document is to verify to DOE that the applicant is the sole authorized applicant on behalf of the State or Indian Tribe and has the authority to apply for, receive, and administer the resulting grant agreement, including providing the required cost match.
- Indian Tribes may submit either a Head of Government Letter or a Tribal Council Resolution (whichever is customary).
- Save this document as APPLICANT NAME HEAD OF GOVERNMENT.pdf or APPLICANT NAME TRIBAL COUNCIL RESOLUTION.pdf. Examples:
 - Florida Head of Government Letter.pdf
 - Birch Creek Tribe Tribal Council Resolution.pdf

SF-424 (Application for Federal Assistance)

- The SF-424 is the standard application used for all Federal grants and cooperative agreements.
- This form contains basic applicant information, location, point of contact, etc.
- An instruction sheet is provided on the same web page where the form is posted.

The image shows a screenshot of the SF-424 Application for Federal Assistance form. The form is titled "Application for Federal Assistance SF-424" and includes a "View Burden Statement" link and OMB Number: 4040-0004 with an expiration date of 12/31/2022. The form is divided into several sections:

- 1. Type of Submission:** Radio buttons for Preapplication, Application (checked), and Changed/Corrected Application.
- 2. Type of Application:** Radio buttons for New (checked), Continuation, and Revision.
- 3. Date Received:** A text input field.
- 4. Applicant Identifier:** A text input field.
- 5a. Federal Entity Identifier:** A text input field.
- 5b. Federal Award Identifier:** A text input field.
- 6. Date Received by State:** A text input field.
- 7. State Application Identifier:** A text input field.
- 8. APPLICANT INFORMATION:**
 - a. Legal Name:** A text input field.
 - b. Employer/Taxpayer Identification Number (EIN/TIN):** A text input field.
 - c. Organizational DUNS:** A text input field.
 - d. Address:** Fields for Street1, Street2, City, County/Parish, State (dropdown), Province, Country (dropdown, set to USA: UNITED STATES), and Zip / Postal Code.
 - e. Organizational Unit:** Fields for Department Name and Division Name.
 - f. Name and contact information of person to be contacted on matters involving this application:** Fields for Prefix (dropdown), First Name, Middle Name, Last Name, Suffix (dropdown), Title, Organizational Affiliation, Telephone Number, Fax Number, and Email.

SF-424 (Application for Federal Assistance)

Section 18 – Estimated Funding

18. Estimated Funding (\$):	
* a. Federal	
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	

- The “**a. Federal**” funding will be the Year 1 Allotment for your State or Indian Tribe
- Year 1 formula allocations are provided here: [Section 40101\(d\) Formula Grants to States & Indian Tribes | netl.doe.gov](https://www.netl.doe.gov/Section40101(d)FormulaGrantsToStates&IndianTribes)
- The “**b. Applicant**” funding will be the 15% cost match on the Year 1 Federal allotment
- All other funding fields (c, d, e and f) will be \$0

Note that the required cost match provided by eligible entities performing resilience projects will be captured when you provide the resilience project and subaward notification (post-award)

Environmental Questionnaire

- The NEPA Environmental Questionnaire you submit with your grant application will address only the technical assistance and administrative activities.
 - The initial award will only authorize the technical assistance and administrative activities
 - Resilience projects and associated subawards must be approved individually post-award, and will require separate Environmental Questionnaires.
- Technical assistance and administrative activities are “Group A” activities.
- For the initial grant application, once you complete *Section II Questionnaire*, you may check the Group A box, then proceed directly to *Section III Certification by Proposer* and sign the form.

Complete this section

Check this box

Read this !

12/3/2014

NETL F 451.1-1/3
Revised: 12/3/2014
Reviewed: 12/3/2014
(Previous Edition Obsolete)

U.S. DEPARTMENT OF ENERGY

ENVIRONMENTAL QUESTIONNAIRE

I. INSTRUCTIONS

The proposer shall prepare this Environmental Questionnaire (EQ) as accurately and completely as possible. Supporting information can be provided as attachments. The proposer must identify the location of the project and specifically describe the activities that would occur at that location. The proposer must provide specific information and quantities, regarding air emissions, wastewater discharges, solid wastes, etc., to facilitate the necessary review. In addition, the proposer must submit with this EQ a FINAL copy of the project's statement of work (SOW) or statement of project objective (SOPQ) that will be used in the contract/agreement between the proposer and the U.S. Department of Energy (DOE).

II. QUESTIONNAIRE

A. PROJECT SUMMARY

- Solicitation/Project Number: _____ Proposer: _____
- This Environmental Questionnaire pertains to a: Recipient or Prime Contractor Sub-recipient or Subcontractor
- Principal Investigator: _____ Telephone Number: _____
- Project Title: _____
- Expected Project Duration: _____
- Location of Activities covered by this Environmental Questionnaire: (City/Township, County, State): _____
- List the full scope of activities planned (only for the location that is the subject of this Environmental Questionnaire).

- List all other locations where work would be performed by the primary contractor of the project and subcontractor(s). Each of the following must have an individual Environmental Questionnaire.

Subcontractor or sub-recipient	Location of activities for this project

9. Identify and select the checkbox with the predominant project work activities under Group A, B, or C

Group A

Routine administrative, procurement, training, and personnel actions. Contract activities/awards for management support, financial assistance, and technical services in support of agency business, programs, projects, and goals. Literature searches and information gathering, material inventories, property surveys; data analysis, computer modeling, analytical reviews, technical summary, conceptual design, feasibility studies, document preparation, data dissemination, and paper studies. Technical assistance including financial planning, assistance, classroom training, public meetings, management training, survey participation, academic contribution, technical consultation, and stakeholders surveys. Workshop and conference planning, preparation, and implementation which may involve promoting energy efficiency, renewable energy, and energy conservation.

STOP! If all work activities related to this project can be classified and described within categories under Group A, proceed directly to Section III CERTIFICATION BY PROPOSER. No additional information is required. If project work activities are described in either Group(s) B or C, then continue filling out questionnaire.

SF-LLL (Disclosure of Lobbying Activities)

- Prime recipients and subrecipients may not use any federal funds to influence or attempt to influence, directly or indirectly, congressional action on any legislative or appropriation matters.
- Prime recipients and subrecipients are required to complete and submit SF-LLL, “Disclosure of Lobbying Activities” to ensure that non-federal funds have not been paid and will not be paid to any person for influencing or attempting to influence any of the following in connection with the application:
 - An officer or employee of any federal agency;
 - A Member of Congress;
 - An officer or employee of Congress; or
 - An employee of a Member of Congress.

DISCLOSURE OF LOBBYING ACTIVITIES
 Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 OMB Number: 4040-0013
 Expiration Date: 02/28/2022

Review Public Burden Disclosure Statement

1. * Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. * Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. * Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> SubAwardee * Name: _____ * Street 1: _____ Street 2: _____ * City: _____ State: _____ Zip: _____ Congressional District, if known: _____		
5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime: _____ _____ _____		
6. * Federal Department/Agency: _____		7. * Federal Program Name/Description: _____ CFDA Number, if applicable: _____
8. Federal Action Number, if known: _____		9. Award Amount, if known: \$ _____
10. a. Name and Address of Lobbying Registrant: Prefix: _____ * First Name: _____ Middle Name: _____ * Last Name: _____ Suffix: _____ * Street 1: _____ Street 2: _____ * City: _____ State: _____ Zip: _____		
b. Individual Performing Services (including address if different from No. 10a) Prefix: _____ * First Name: _____ Middle Name: _____ * Last Name: _____ Suffix: _____ * Street 1: _____ Street 2: _____ * City: _____ State: _____ Zip: _____		
11. Information requested through this form is authorized by 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the bar above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure. * Signature: _____ * Name: Prefix: _____ * First Name: _____ Middle Name: _____ * Last Name: _____ Suffix: _____ Title: _____ Telephone No.: _____ Date: _____		
Federal Use Only: _____		

Authorized for Local Reproduction
 Standard Form - LLL (Rev. 7-87)

Pre-Award Information Sheet

The Pre-Award Information Sheet provides important business and financial information that will allow the DOE to process your application and establish the appropriate terms & conditions for the grant agreement.

How to Submit Your Application

- Submit your complete application through FedConnect in accordance with ALRD *Section IV ALRD Response/Application Information*. Follow submission instructions including the guidance pertaining to:
 - Required documents
 - Content and form of documents
 - File naming convention for documents
- For more information on how to submit your application in FedConnect, review the *FedConnect Ready, Set, Go!* Guide at: [FedConnect Ready Set Go.pdf](#)
- FedConnect Support: support@fedconnect.net or 1-800-899-6665, Option 2
- DOE recommends submitting your application as soon as possible (prior to September 30) to allow you time to resolve unforeseen problems when submitting your application

Frequently Asked Questions

What are the most significant differences between the Draft ALRD, released with the Notice of Intent and Request for Information, and the final ALRD?

Please review and be familiar with the entire ALRD posted in FedConnect. As it pertains to the application process, the most notable changes are:

1. The number of documents you must submit for your application was reduced. Notably, the SF-424A and budget justification forms are no longer required.
2. The allowance of pre-award costs was clarified.
3. The Program Narrative requirements were revised.
4. Changes were made to the ALRD Section V.G – Resilience Project and Subaward/Subcontract Notification term addressing the process for submitting information post-award to DOE for resilience projects and subawards.
5. A government-generated Statement of Project Objectives (SOPO) was provided.

Also, various Terms and Conditions were updated and revised, including those pertaining to Davis Bacon Act and Buy American Act.



Frequently Asked Questions

How is the cost match computed and reflected in the application?

The State or Indian Tribe must provide a 15 percent match on the entire Federal allocation. For example, if an Indian Tribe receives a \$100,000 Year 1 allocation, it will be required to provide a \$15,000 cost match. This 15 percent cost match is what you reflect in the SF-424 (Section 18 – Estimated Funding) submitted with your application.

Resilience project subawards to eligible entities require an additional cost match (i.e., 100 percent or 1/3 for small utilities). This will be based on the individual projects/subawards, and the cost match information will be provided to NETL post-award in accordance with **ALRD Section V.G – Resilience Project and Subaward/Subcontract Notification**.



Frequently Asked Questions

When must the cost match be provided?

States, Tribes and Territories must agree that they will provide cost match, as part of the terms of the grant agreement. However, cost match should be provided/disbursed as federal funds are expended during the course of project execution and drawdown of federal funds. States, Indian Tribes, and subrecipients may utilize in-kind contributions to meet cost share, where applicable.

Frequently Asked Questions

May applicants incur costs before the award of the grant and be reimbursed through the grant when it is awarded?

ALRD Section IV.E – Pre-Award Costs addresses the allowance of pre-award costs. Pre-award costs are allowed for the technical assistance and administrative expenses; but there are restrictions and limitations that are addressed in this section of the ALRD.

Frequently Asked Questions

Do applicants need to create and submit a Statement of Project Objectives (SOPO) for the application?

No. The ALRD contains a government-generated SOPO that will be used for all resulting grant agreements under this ALRD. The SOPO is contained in Appendix A of the ALRD.

Frequently Asked Questions

How and when do States and Indian Tribes request and receive approval to proceed with resilience projects and associated subawards to eligible entities?

Grant recipients, may at any time after they receive the grant, provide notification and documentation to DOE for resilience projects and subawards. This process is described in **ALRD Section V.G – Resilience Project and Subaward/Subcontract Notification**.

Be aware that review of the documentation and required written concurrence by DOE may take considerable time and will be impacted by factors such as National Environmental Policy Act (NEPA) considerations. Please allow sufficient time for this process from when you provide the required information to DOE.



Thank you!

Information on additional webinars and support for the BIL Section 40101(d) formula grant program will be posted on [Bipartisan Infrastructure Law Grid Resilience | netl.doe.gov](https://www.netl.doe.gov) as it becomes available.

