

Bipartisan Infrastructure Law (BIL) - Section 40101(d)

NOTICE OF FUNDING OPPORTUNITY Round 2

SEC. 40101: Preventing Outages & Enhancing the Resilience
of the Electric Grid

Sec. 40101(d): Grants to States and Indian Tribes



Program Purpose

- The purpose of this presentation is to provide guidance for the preparation of subgrant applications to be submitted to the KCC in response to Section 40101(d) of the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL).
- Under this Program, the Department of Energy (DOE) provides grants to States to improve resilience of their electric grid against disruptive events.
- The primary goals of the Program are to demonstrate measurable improvements in energy resilience, to invest in modernized grid infrastructure and to create good-paying jobs, with a focus to investments and improvements impacting rural, underserved and disadvantaged communities.

DOE Grant Award Overview

- The Award:
 - The KCC received notification of award for the second round of funding for an amount equal to \$6,489,249 for federal fiscal year 2024.
- Payment Procedures:
 - Payments will be made by advances.
 - The KCC may request as frequently as required to meet needs to disburse funds for the Federal share of project costs.
 - Requests for payment should be made on the same day, or as close a possible, as disbursement of funds for project costs.

DOE Grant Award Overview, Cont.

- Cost Match:
 - Cost Match is calculated as a percentage of the Federal funds, not the Total Project Cost.
 - The KCC's required cost match is 15%.
 - Eligible entities performing projects are required to provide a 100% cost match plus excess funds to cover the KCC cost match.
 - However, an eligible entity selling less than 4,000,000 MWh per year are required to provide a one-third cost match plus excess funds to cover the KCC cost match.
 - By accepting federal funds, the eligible entity performing a project is liable for the cost match on total expenditures incurred, even if the project is terminated early or is not funded to its completion.

DOE Grant Award Overview, Cont.

- Resilience Project and Subaward Notification:
 - For all proposed resilience projects for subawards, the KCC must notify the DOE in writing prior to the execution of a subaward agreement and the KCC cannot proceed with the subaward until it receives written notification from the DOE that the information concerning the project is adequate.
 - The KCC cannot execute a proposed project or issue subawards for projects without DOE review and written determination of adequacy of the project. No work may begin on a proposed project prior to receipt from DOE of written determination of adequacy.

DOE Grant Award Overview, Cont.

- Major Project Reporting Requirements:
 - Initially, the KCC must provide DOE a Project Management Plan (PMP) which establishes project budget and cost, timeline of project milestones and technical performance baselines.
 - Quarterly thereafter this PMP will be updated to include details showing progress toward goals.
 - Annually, the KCC must provide DOE an Annual Program Metrics and Impact Report detailing baseline impact metrics, current year impact metrics, job creation and training and community engagement events.
 - Subaward recipients will be required to provide reportable data to the KCC in a timely manner prior to the quarterly and annual report deadlines.

Project Management Plan/Quarterly Progress Report

Project Management Plan and Quarterly Progress Report	
FY 2023	
July 1 - September 30 (Q4)	
DOE Grant Agreement Number	DE-GD0000017
Project ID Number	Project 1
Project Organization or Subawardee	
Project Title	
Project Performance Period Start Date (mm/dd/yyyy)	
Project Performance Period End Date (mm/dd/yyyy)	
Project State/Territory	Kansas
Project Location 5-Digit Zip Code(s) <small>Use commas to separate entries.</small>	
Benefitted Community 5-Digit Zip Code(s) <small>Use commas to separate entries.</small>	
Benefitted Community Census Tract(s) <small>Use commas to separate entries. Census tract numbers are 11 digits and can be found here: https://screeningtool.geoplatform.gov</small>	
Subaward Business POC	
Subaward Business Address	
Subaward Congressional District(s) <small>Reference: https://www.census.gov/mycd/</small>	
Subaward Project Manager/Lead (name)	
Is this work being performed by a subawardee that qualifies as a Section 40101(d)(6) defined small utility?	Select one.
Number of customers (i.e., meters) served by the entity performing the project:	
Number of customers (i.e., meters) that are expected to see benefits from the project:	
Bill 40101(d) Category of Subawardee: <small>Review the list and delete all categories that do not match your role as a Subawardee in this project. Do not add any other categories or text unless approved by DOE.</small>	<ul style="list-style-type: none"> * Distribution Provider * Electric Grid Operator * Electricity Generator * Electricity Storage Operator * Fuel Supplier * Transmission Owner/Operator * Other (as approved by DOE)
Bill 40101(d) Category of Work: <small>Review the list and delete all categories of work that are not related to the work that you will do during this project. Do not add any other categories or text unless approved by DOE.</small>	<ul style="list-style-type: none"> * Adaptive Protection Technologies * Advanced Modeling Technologies * Battery-Storage Components: Use of DERs for Enhancing System Adaptive capacity During Disruptive Events * Battery-Storage Components: Use or Construction of DERs for Enhancing System Adaptive capacity During Disruptive Events * Fire-resistant Technologies and Fire Prevention Systems * Hardening of Power Lines, Facilities, Substations, or Other Systems * Microgrids: Use of existing DERs for Enhancing System Adaptive Capacity During Disruptive Events * Monitoring and Control Technologies * Reconductoring of Power Lines with Low-Sag, Advanced Conductors * Relocation of Power Lines * Replacement of Old Overhead Conductors & Underground Cables * Undergrounding of Electrical Equipment * Utility Pole Management * Vegetation and Fuel-Load Management * Weatherization Technologies and Equipment * Other (as approved by DOE and noted in Project Description below)

Project Management Plan/Quarterly Progress Report

BASELINE BUDGET AND INCURRED COST							
Budget Category	Total Approved Project Budget		Prior Cumulative Incurred Cost		Incurred Cost During Reporting Period		Total Cumulative Incurred Cost
	Federal	Non-Federal	Federal	Non-Federal	Federal	Non-Federal	Federal
Personnel							\$0
Fringe Benefits							\$0
Travel							\$0
Equipment							\$0
Supplies							\$0
Construction							\$0
Other							\$0
Contractual	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Name (list all other contracts \$25,000 or more)</i>							
<i>Name (list all other contracts \$25,000 or more)</i>							
Sum of individual contracts under \$25,000							
Sub-Total Direct Charges	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Indirect Charges							
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$0

MILESTONE TABLE				
Milestone	Milestone Title	Completion Date		Status
		Planned	Actual	
PM1.1	Project Start (e.g., Award Contract)			Select status.
PM1.2	Planning Complete			Select status.
PM1.3	Design Complete			Select status.
PM1.4	Regulatory Approval Obtained (including NEPA & Required Permits)			Select status.
PM1.5	Equipment / Materials Purchased			Select status.
PM1.6	Construction / Installation Started			Select status.
PM1.7	Construction / Installation 50% Complete (define milestone marker here)			Select status.
PM1.8	Construction / Installation 100% Complete			Select status.
PM1.9	Project Complete / Closed-Out			Select status.

Project Management Plan/Quarterly Progress Report

BUILD METRICS (Information about project attributes)				
Metric (select from list)	Type (character lim: 300)	Goal Value	Progress	
			Value During Reporting Period	Cumulative Value for Project Duration
Miles of distribution lines of vegetation clearing				

RISK MANAGEMENT LOG				
Risk	Likelihood (High, Medium, Low)	Impact (High, Medium, Low)	Potential Impact	Mitigation Strategy
Permitting and regulatory approvals may delay implementation of project.	Select one.	Select one.		
Supply chain issues may impact availability of equipment causing project delays.	Select one.	Select one.		
Weather or other factors delay implementation.	Select one.	Select one.		
Unforeseen cost overruns.	Select one.	Select one.		
<i>*Add additional rows as needed</i>	Select one.	Select one.		
	Select one.	Select one.		
Provide additional explanation of Risk Impacts and Mitigation Strategies (if needed)				

Project Management Plan/Quarterly Progress Report

Categories	Table of Possible Build Metrics
Distribution modifications	Miles of new distribution lines
	Miles of distribution lines undergrounded
	Miles of distribution lines of vegetation clearing
	Miles of distribution lines reconducted
	Miles of distribution lines with other upgrades (specify in "Type" field what was upgraded)
	Number of distribution poles inspected
	Number of distribution poles replaced
	Number of distribution poles with other upgrades (specify in "Type" field what was upgraded)
Hardened Generation	Capacity rating of hardened generation (MW) - photovoltaics
	Capacity rating of hardened generation (MW) - wind
	Capacity rating of hardened generation (MW) - diesel
	Capacity rating of hardened generation (MW) - natural gas
	Capacity rating of hardened generation (MW) - coal
	Capacity rating of hardened generation (MW) - nuclear
	Capacity rating of hardened generation (MW) - hydropower
	Average annual electricity produced of hardened generation (MWh) - photovoltaics
	Average annual electricity produced of hardened generation (MWh) - wind
	Average annual electricity produced of hardened generation (MWh) - diesel
	Average annual electricity produced of hardened generation (MWh) - natural gas
	Average annual electricity produced of hardened generation (MWh) - coal
	Average annual electricity produced of hardened generation (MWh) - nuclear
	Average annual electricity produced of hardened generation (MWh) - hydropower

Annual Program Metrics and Impact Report

ANNUAL PROGRAM METRICS AND IMPACT REPORT

Project ID Number <small>(Please make sure the project number aligns with the project numbers listed in the quarterly progress report)</small>	Project 1
Project Organization or Subawardee	
Project Title	
Project Performance Period Start Date (mm/dd/yyyy)	
Project Performance Period End Date (mm/dd/yyyy)	
Project Status	Select Project Milestone Here

BASELINE IMPACT METRICS (performance measures)															
Impact Metric (select from list)	Outage Type (select from list)	Does outage data include Major Event Days (MED)?	Coverage (select from list)	Metric Type (char lim: 300)	Outage Type (char lim: 100)	Coverage Type (char lim: 100)	Baseline (Before Project Implementation) <small>Please ONLY enter values for the 5 years preceding this Fiscal Year Report</small>								
							2017 Value	2018 Value	2019 Value	2020 value	2021 Value	2022 Value	2023 Value	2024 Value	2025 Value

CURRENT FISCAL YEAR IMPACT METRICS (performance measures)									
Impact Metric (select from list)	Outage Type (select from list)	Does outage data include Major Event Days (MED)?	Coverage (select from list)	Metric Type (char lim: 300)	Outage Type (char lim: 100)	Coverage Type (char lim: 100)	Progress (During Project Implementation)		
							Value	Start Date of Data Collection (mm/dd/yyyy)	End Date of Data Collection (mm/dd/yyyy)

Annual Program Metrics and Impact Report

Impact Categories	Possible Impact Metrics
Outages	Largest outage cause
	Number of outages
	Hours to repair outages
	System Average Interruption Duration Index (SAIDI)
	Customer Average Interruption Duration Index (CAIDI)
	System Average Interruption Frequency Index (SAIFI)
	Customer Average Interruption Frequency Index (CAIFI)
	Number of individual customers with more than 5 interruptions
	Number of individual customer outages that extend beyond 24 hours
	Number of critical services with outages that extend beyond 24 hours
	Hours of unmet load
	Average hours to restore 50% of customers
	Average hours to restore 90% of customers
	Average hours to restore 100% of customers
Damages	Outage recovery cost (\$)
	Hours line loading exceeded normal rating
	Number of poles damaged (specify pole type in "Type" field)
	Feet of conductor replaced (specify conductor type in "Type" field)
	Number of electrical components damaged (specify in "Type" field)
Customers Benefitted	Number of residential customers benefitted by project
	Number of commercial customers benefitted by project
	Number of industrial customers benefitted by project
	Number of customers that provide community services/emergency centers benefitted by project (specify service in "Type" field)
	Number of customers that provide communication services benefitted by project (specify service in "Type" field)
	Number of customers that provide energy supply benefitted by project (specify service in "Type" field)
	Number of customers that provide transportation services benefitted by project (specify service in "Type" field)
	Number of customers that provide water services benefitted by project (specify service in "Type" field)
	Number of customers that provide food services benefitted by project (specify service in "Type" field)
	Other (insert necessary info in "Metric Type" field)

Outage Type
N/A
All Causes
Vegetation
Animal
Vehicle
Tornado
Thunderstorm
Hurricane
Derecho
Flooding
Wildfire
Earthquake
Ice/Snow Storm
Operator Error
Equipment Failure
Extreme Heat
Extreme Cold
Other Storm
Other (insert necessary info in "Outage Type" field)

Includes MED?
No, adjusted Only
Yes, MED Only
Yes, all outages
N/A

Coverage
Full service territory
Feeder coverage area
Substation coverage area
Specific facility/facilities
Other (insert necessary info in "Coverage Type" field)

Annual Program Metrics and Impact Report

WORKFORCE DEMOGRAPHICS								
Gender	Number of employees working on project	Number of trainees in project specific programs	Race	Number of employees working on project	Number of trainees in project specific programs	Ethnicity	Number of employees working on project	Number of trainees in project specific programs
Male			American Indian or Alaska Native			Hispanic or Latino		
Female			Native Hawaiian or Other Pacific Islander			Not Hispanic or Latino		
Non-Binary			Asian			No Designation		
Other			Black or African American			Veteran Status	Number of employees working on project	Number of trainees in project specific programs
No Designation			White			Veteran		
Disability Status	Number of employees working on project	Number of trainees in project specific programs	Other			Not a Veteran		
Has Disability			No Designation			Other Protected Veterans		
Does Not Have Disability			From Disadvantaged Communities (DACs)	Number of employees working on project	Number of trainees in project specific programs	No Designation		
Disability Status Unknown								
No Designation								

COMMUNITY ENGAGEMENT ACTIVITIES	
Metrics	Select from List
Does this project operate under a negotiated Community Benefits Agreement?	
Is a Community Based Organization part of the project leadership?	
Did this project get approval of tribal governments with authority over impacted areas?	
Does this project operate under Memorandums of Understanding with Community-Based Organizations?	
Did this project get letters of support or any other indication that they are engaging in consent-based planning?	
Did this project engage Citizen Advisory Committees?	
Did a representative of the Community Based Organization or Community Advisory Committee review and approve this report?	

10/7/2024

Kansas Corporation Commission

Build America, Buy American (BABA)

- To the greatest extent practicable, all equipment and products purchased with funds made available under this award should be American-made.
- The KCC must ensure that the Buy America Requirement flows down to All subawards and that the subawardees and subrecipients comply.
- When necessary, applicants may apply for, and DOE may grant, a waiver from the BABA Requirement.
- More information about DOE BABA requirements can be found at: <https://www.energy.gov/management/build-america-buy-america>

Davis-Bacon Requirements

- All laborers paid by funds made available under this award shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Davis-Bacon Act (DBA).
- The KCC must ensure that the Davis-Bacon Requirement flows down to all subawards and that the subawardees and subrecipients comply.
- DOE intends to make payroll documentation software available for assistance in complying with these requirements.

Subaward Application Requirements

- Applications and all required documentation must be submitted online using the Kansas Infrastructure Hub Submittal Portal.
 - Applicants will need to create a free Submittable account.
 - Deadline for submission is 5pm CT on January 9, 2025.
 - An application must be made for each proposed project.
 - The KCC anticipates that interviews with applicants to clarify or expound on issues concerning proposed projects may occur once a submission is received.

Subaward Application Requirements, Cont.

- Applicant Information to be provided:
 - Entity name, type (grid operator, storage operator, etc.), address, project manager name and contact information, UEI number, FEIN, IRS W-9, financial statement and audit.
 - Verification of eligible entity size and documentation of annual sales in 2023.
 - All entities that sold less than 4,000,000 MWh in 2023 must submit a formal letter certifying that the entity is part of the Small Utility Set Aside class. All entities must upload documentation of actual sales for 2023.

Subaward Application Requirements, Cont.

- Project Description and Scope (scoring - 20 points):
 - Project name and type.
 - Project narrative
 - Detailed explanation of project's use of grant funds.
 - Eligible projects are listed in the Notice of Funding Opportunity, however, for this funding round the KCC will give preference to a) monitoring and control technologies, b) utility pool management, c) hardening of power line, facilities, substations and other systems, and d) the replacement of old overhead conductors and underground cables.
 - Certification that project is not one currently being funded.

Subaward Application Requirements, Cont.

- Need for Funding (scoring – 20 points):
 - Explanation of applicant's ability to finance project and resulting impact of project to overall financial condition.
 - Whether project funds will be used in rural, underserved or disadvantaged communities.
 - Historical and expected post project metrics of resilience and reliability.
 - Customers impacted by project.

Subaward Application Requirements, Cont.

- Complete Budget and Narrative (Scoring 10 points):
 - Award amount requested and matching funds to be provided.
 - Budget Narrative with expected expenditures required for the success of the project and information regarding matching funds and timeline for their use.
 - Cost matching commitment letter upload from entity committing to meet the cost matching as required.
 - Project Budget either filled in online or uploaded.

Subaward Application Requirements, Cont.

- Project Timeline (Scoring 15 points):
 - Provide a detailed timeframe with milestones toward completion of the project.
- Bids and Estimates (Scoring 10 points):
 - Provide copies of bids and/or estimates received for the project and attach any engineering reports that are relevant for the project as well as quotes for services.

Subaward Application Requirements, Cont.

- Community Benefit (Scoring 25 points):
 - Measurable improvements in the resilience and/or reliability of the grid and impact, either direct or indirect, in rural, underserved or disadvantaged communities.
 - Description of job growth and job training opportunities in rural, underserved or disadvantaged communities.
 - Confirmation that applicant will comply with Davis-Bacon Act and Buy American requirements.
 - Confirmation that applicant will file an environmental questionnaire for each work area if required.

Scoring Matrix

- Project Description and Scope: 20 points
- Need for Funding: 20 points
- Complete Budget and Narrative: 10 points
- Project Timeline: 15 points
- Bids and Estimates: 10 points
- Community Benefit: 25 points

Final Details

- Please see Notice of Funding Opportunity document and other documents pertaining to this Program on the KCC website in the Resilience Formula Grant link for a more detailed explanation of the Program and the application requirements.
 - <https://www.kcc.ks.gov/kansas-energy-office/formula-grant-for-preventing-outages-and-enhancing-the-resilience-of-the-electric-grid>
- Please email any questions concerning the application. The KCC has posted FAQ's on the KCC website behind the Resilience Formula Grant link.

Contact Information

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