**STATE OF MONTANA**

**DEPARTMENT OF ADMINISTRATION**

**Governor Steve Bullock**

**John Lewis, Director**

**9-1-1 GRANT PROGRAM**

**APPLICATION GUIDELINES**

**For 2018-2019 Biennium**

**A. INTRODUCTION**

**1. Statement of Purpose**

The 9-1-1 grant program is a state-funded program created by the 2017 Legislature. The program’s legislative purpose (Section 10-4-306, MCA) is to support the implementation, operation, and maintenance of 9-1-1 systems, equipment, devices, and data.

**2. Program Funding (*Section 10-4-304, MCA*)**

Per 10-4-201 MCA, a fee of 25 cents a month per access line on each subscriber in the state is imposed for the 9-1-1 grants provided in 10-4-306 MCA. Telecommunication providers collect the 25 cents a month from their subscribers in their monthly billing for services. The providers are required to remit all collected 9-1-1 fees to the Montana Department of Revenue on or before the last day of the month following the end of each calendar quarter (10-4-204 MCA). The Department of Revenue then deposits the remitted funds into the 9-1-1 grant program account established in 10-4-304(2)(b).

It is estimated that approximately ***$X.X*** million annually will be collected and deposited in the 9-1-1 grant program account. In addition, on July 1, 2018 ***$XX.X*** million will be initially transferred into the 9-1-1 grant program account. All funds will be available for grants to be awarded to private telecommunications providers and certified local government entities that host public safety answering points.

**3. Program Contact**

9-1-1 Grant Program

1400 8th Avenue

P.O. Box 200113

Helena, MT 59620-0113

Phone: (406) 444 - 2420

Fax: (406) 444 - 0165

Website: <http://sitsd.mt.gov/PublicSafetyCommunications>

*The Montana Department of Administration does not discriminate in the admission to, access to, or operations of its programs, services, or activities. Individuals, who need aids or services for effective communications or other disability-related accommodations in the programs and services offered, are invited to make their needs and preferences known. Please provide as much advanced notice as possible for requests.*

**B. PROGRAM GLOSSARY OF TERMS**

**Certified Local Government Entity** -

**Department** – Montana Department of Administration provide for in Title 2, Chapter 15, Part 10 MCA.

**Eligible Private Telecommunications Provider** – A private telecommunications provider that provides wireline or wireless 9-1-1 telecommunication services in the State of Montana and which collects Montana 9-1-1 fees from its customers and remits all collected fees to the State of Montana.

An eligible private telecommunications provider is an eligible recipient of a 9-1-1 grant through a cooperative endeavor with a certified local government entity that hosts a public safety answering point. All eligible private telecommunications provider that are applying for a 9-1-1 grant need to address local, regional and statewide competition and how any grant award would affect competing providers in their application.

**In-kind Contribution** – A contribution of donated time and effort, real and personal property, and goods and services. This type of match is not considered as part of the grant match for a 9-1-1 grant.

**MCA** – Montana Code Annotated

**Private Telecommunications Provider** – A wireline provider that is a public utility, a cooperative telephone company, or any other entity that provides telephone exchange access services in Montana (10-4-101(20) MCA) or a wireless provider that is an entity, as defined in 35-1-113 MCA, that is authorized by the Federal Communications Commission (FCC) to provide facilities-based commercial mobile radio service within Montana (10-4-101(28) MCA).

**Project Site** – The location in Montana within a local government jurisdiction at which the 9-1-1 grant funds will be expended.

**Resolution** – A formal resolution authorizing an eligible local government entity to submit a grant application or a formal resolution of support for an application to be submitted by an eligible private telecommunications provider. A resolution is required before grant funds can be committed by the Department.

**Start Date** - Typically, the effective date of the grant contract is the date that the application is approved by the Department. However, in exceptional cases, the Department may consider an earlier start date if formally requested by the applicant and a rationale for the request is submitted and approved by the Department.

**C. ELIGIBLE APPLICANTS**

Eligible applicants include:

* Eligible private telecommunications providers; and
* Certified local government entities.

NOTE: The Department will not award funding to:

* any private telecommunications provider, or local governmental entity that is currently in default of the conditions of any contract previously executed by the Department.
* any private telecommunications provider that is under any ***action*** by the Department of Revenue
* any private telecommunications provider that is under any ***action*** by a regulatory body, including the Federal Communications Commission and/or the Montana Public Service Commission.

**D. ELIGIBLE USES OF FUNDS**

Per 10-4-306(2) MCA, the types and uses of 9-1-1 grant funds awarded to eligible private telecommunications providers and certified local government entities include:

* emergency telecommunications systems plan(s);
* project feasibility studies or project plans;
* the implementation, operation, maintenance and purchase of 9-1-1 systems, equipment, devices, and data; and
* the purchase of services that support 9-1-1 systems.

Funding for other uses which do not meet the stated criteria above may be eligible at the discretion of the Department. Please contact 9-1-1 grant program staff to discuss.

***Equipment Standards – All equipment, hardware and software purchased with 9-1-1 grant program funding must meet the equipment standards established in the 2018 Statewide 9-1-1 Plan.***

**Administrative Costs:** Local governments, with Department approval may utilize a portion of the 9-1-1 grant program award for eligible administrative expenses. The total project administrative expenses reimbursed with 9-1-1 grant program funds shall not exceed eight (8) percent, or a maximum of $30,000 of the total 9-1-1 grant funds awarded per project.

*Example: a funding request for 9-1-1 call taking equipment in the amount of $200,000 may include an additional request of 8% for grant administrative expenses, or $16,000 which equals a total grant funding request of $216,000. However, if an award is made, administrative expenses will not exceed 8% of eligible expenses incurred during the project.*

***NOTE: Applications which support a critical activity to move forward with a 9-1-1 system(s) project that is supported by the Statewide 9-1-1 Plan are the highest priority of the Department.***

*Any document prepared with public funds is subject to the public’s right to know (Article II, Section 9 of the Montana Constitution). Assisted entities need to sign the application form acknowledging that all documents produced with 9-1-1 grant program funding are considered public documents.*

**E. ELIGIBLE MATCH**

***Applications which include cash matching funds are a higher priority of the Department.***

Matching funds shall include new, unexpended cash funds available at the time of application that will be invested at the Montana project site by the private telecommunications company and/or local government entity that is awarded a grant. Funds must be expended within the contract period (Ex: 2 years).

It is recommended that matching funds should be $1 for $1 but should not be less than $1 for $2 (50% match) of grant funds requested.

***Expenditures made earlier than six-months before grant funding approval, without the written consent of the Department to incur project costs, will not be eligible to include as matching funds.***

**F. APPLICATION PROCEDURES**

***It is important that applicants not incur costs or obligate funds which are intended to be reimbursed by a 9-1-1 program grant prior to the date of award. Expenses incurred by applicants prior to an award date are expenses incurred at the applicant’s own risk.***

The 9-1-1 grant program application may follow the guideline’s format and provide responses to the categories of information requested below.

*NOTE: The Montana Department of Administration and the Montana Public Service Commission and the Montana Department of Revenue may share financial and tax information relating to this application.*

In addition to the Application Form **(Appendix A)**, the applicant must provide the following information:

1. **Confidentiality Agreement (Appendix B)**. This is an optional document for the business to sign.

Once information is submitted to the Department, the information is subject to the public’s right to know pursuant to Article II, Section 9 of the Montana Constitution. Written information is subject to the right of citizens to inspect and copy pursuant to §2-6-102, MCA, unless there is an individual privacy interest that clearly exceeds the merits of public disclosure.

Prior to any potentially confidential information being submitted, the company may enter into a Confidentiality Agreement and Affidavit with the Department so there is clear understanding of the rights and obligations of the company relative to protection of sensitive information. Applicants choosing to execute a **Confidentiality Agreement and Affidavit** should provide a signed and notarized original using the Department’s form included in **Appendix B.**

**G. APPLICATION REVIEW**

**Per 10-4-306 MCA, the Department shall, in consultation with the 9-1-1 Advisory Council, award competitive grants annually.**

**On a calendar year basis:**

* the 9-1-1 grant program will accept applications during the period of June 1 to September 30;
* the 9-1-1 Advisory Council will review all submitted applications and make funding recommendations to the Department by December 31; and
* the Department will make final grant awards by March 31,

**Grant Awards and Funding Levels Will Be Determined by Factors Such As:**

1. The availability of funding;
2. Support of the Statewide 9-1-1 Technology Plan;
3. Matching Funds;
4. Local participation and commitment demonstrated with matching funds, and letters of support (letters of support should be addressed to the 9-1-1 Advisory Council);
5. Location of the project;
6. The quality of the proposal;
7. The community and regional public safety need;
8. Project readiness to proceed immediately upon notification of award; and that
9. Program requirements are met.

*Note: The Department reserves the right to request additional information or accept reasonable variations from the information requirements listed on a case-by-case basis if necessary to make a funding decision, especially if the project contains unique items that may require different information than requested above.*

**Application Submittal and Deadlines:** All applications are accepted on an ***annual basis*** ***June 1 to September 30***. Applications must be submitted (postmarked if using mail) by the deadline date. Applicants can submit the application, with all attachments:

Potential applicants are encouraged to contact the Department to discuss their proposed project with 9-1-1 grant program staff. The 9-1-1 grant program will allow the applicant to present information about their project (not to exceed 10 minutes) to the 9-1-1 Advisory Council. Presentations can be done in person and/or by phone and will require the applicant to be available for questions and answers. The applicant will be notified regarding the scheduled 9-1-1 Advisory Council meeting date(s). ***Presenting to the 9-1-1 Advisory Council is not required or mandatory.***

**H. DEPARTMENT FOLLOW-UP**

1. **Award Letter** – Upon the Montana Department of Administration Director’s approval of funding a tentative award letter will be transmitted to the applicant notifying them of a tentative 9-1-1 grant funding award, or notice of application not being approved for funding. If awarded funding, this will be followed by correspondence from 9-1-1 grant program staff identifying any terms and conditions of that commitment.
2. **Contracts** – The appropriate contracts for an award include, but are not limited to: a contract between the Department and the private telecommunications company or local government entity. These contracts will include the performance criteria necessary for 9-1-1 grant funds to be expended and released. 9-1-1 grant award recipient must execute and return the grant contract within thirty (30) days of receipt of the final contract. All projects need to be ready to proceed within ninety (90) days from receipt of the final contract.

*Note: Most grant contracts will be executed for one year with an option to renew for an additional year depending upon the recipient’s performance.*

1. **Disbursement of Funds** –The Department requires approved documentation verifying eligible costs incurred by the grant award recipient. The Department reserves the right to request further documentation when, in the exercise of its judgment, such documentation is needed to confirm contract performance.

Once all start up activities are completed, and the project has reached Release of Funds status, the following items must be submitted in order to request funds:

Request for Payment Form signed and dated by the authorized Representative;

* Project Progress Report detailing progress towards achieving project milestones that were described in the application as well as describing any difficulties encountered in working towards these milestones.
* Approved documentation verifying eligible costs were incurred;
* Documentation of matching funds expended to date;

*Note: Many projects are approved on a 50% reimbursement basis. In this stipulation, half of the costs of an eligible invoice received by the Department will be paid.*

1. **Award withdrawal -** The Department reserves the right to withdraw a commitment of any 9-1-1 program grant funds for projects that have:
   1. Not provided all requested contract information within 30 days of the date on the Notice of Award, and/or;
   2. Not returned the 9-1-1 grant contract to the Department within 30 days of receipt of the final contract, and/or
   3. Are not ready to proceed within ninety (90) days of receipt of the final contract.

**I. Other Considerations**

1. **Ownership and Publication of Materials**

All information and materials generated by the proposed activity become the sole property of the State of Montana and the Contractor. The recipient will retain the right to utilize, reprint and distribute all said information and materials.

All materials developed wholly or in part by the funding provided under the Contract shall state that “The funding for the (insert name of project) was funded (in part, if applicable) by an award from the Montana Department of Administration, 9-1-1 Grant Program”.

1. **Confidentiality Agreements**

Keep in mind that once information is submitted to the Department, the information is subject to the public’s right to know pursuant to Article II, Section 9 of the Montana Constitution. The Department does have Confidentiality Agreements and Affidavit forms that applicant may complete and submit to the Department.

1. **Withholding Funds**

The Department will withhold ten percent (10%) of the total amount awarded to the Contractor until the Department verifies that all tasks outlined in the SCOPE OF WORK, the CONDITIONS ON METHOD OF REIMBURSEMENT, and the REPORTING REQUIREMENTS sections of the signed contract have been completed by the Contractor and approved by the Department.

1. **Record Keeping**

The applicant must maintain full and accurate records with respect to the project and must ensure adequate control over the records of related parties in the project. The Department requires access to such records, as well as the ability to inspect all project work, invoices, materials, and other relevant records at reasonable times and places. The award contract requires the applicant to furnish, upon the Department’s request all data, reports, contracts, documents, and other information relevant to the project.

1. **Ongoing Reporting**

The award contract specifies a periodic reporting requirement for the project. Additionally, to assist the Department with program performance reporting, the BSTF award recipient may be required to provide annual project updates for 3 years after the close of the contract.

1. **Additional Documentation**

The Department may request additional documentation, when in the exercise of its judgment such documentation is needed to confirm performance.