GRANT ANNOUNCEMENT

COVID-19 Movie Theater Grant Program

Issued: Tuesday, October 13, 2020

Applications Due:

2:00PM CST, Monday, October 26, 2020

Grant Announcement
COVID-19 Movie Theater Grant Program

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ATTACHMENTS	
ATTACHMENT A	GRANT ATTESTATION (pdf)
ATTACHMENT B	IRS Form W-9

1.0 GENERAL INFORMATION

1.1 Introduction

The purpose of this document is to provide eligible Wisconsin movie theater operators with information to prepare and submit a grant application. The State as represented by the Department of Administration (DOA), Division of Enterprise Operations (DEO) intends to use the results of this Grant Announcement to establish one or more grant agreements. DOA intends to award up to $10 million in grants through this Announcement. Funding for this assistance is provided to Wisconsin by the Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act.

1.2 Granting Agency

This Grant Announcement is issued by DOA/DEO which is the sole point of contact for the State of Wisconsin during the selection process. The person responsible for managing the grant process is:

Linn Schifano, Grant Administrator
Department of Administration
Division of Enterprise Operations
101 East Wilson Street, 6th Floor
P.O. Box 7867
Madison, WI 53707-7867

Email: DOACOVIDMovieTheaterGrants@wisconsin.gov

The agreement(s) resulting from this Grant Announcement will be administered by the Wisconsin Department of Administration.

1.3 Electronic Communication

The ongoing COVID-19 public health emergency and related disruptions require this program to accept documentation electronically and may result in amendments to the grant process or documentation in accordance with changes to guidance issued by public health or other authorities.

1.4 Definitions

Applicant	The legal entity that will enter into a Grant Agreement with the Department in the event of an award.
Movie Theater Operator	A person or organization that operates a permanent movie theater in Wisconsin. See section 4.1 for other requirements.
Department	Department of Administration.
State	State of Wisconsin

1.5 Clarifications and/or Revisions to the Grant Announcement

If an applicant discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in this Grant Announcement, the applicant should notify immediately the above-named individual of such error and request modification or clarification of the Grant Announcement. If it becomes necessary to provide additional clarifying data or information, or to revise any part of this Grant Announcement, revisions/amendments and/or supplements will be posted to the Program website.

DOA may accept questions during a scheduled webinar, presentation or by email to: DOACOVIDMovieTheaterGrants@wisconsin.gov.

Questions posed to the Grant Administrator will be published in a question and answer document on the Program website only after DOA has had the opportunity to formulate response(s). All applicants are encouraged to check the Program website on a regular basis for posted questions and answers.

Each application shall stipulate that it is predicated upon the requirements, terms and conditions of this Grant Announcement and any supplements or revisions thereof.

1.6 Reasonable Accommodations

The Department will provide reasonable accommodations, including the provision of informational material in an alternate format, for qualified individuals with disabilities upon request. Any applicant in need of reasonable accommodations should contact the Grant Administrator, Linn Schifano via email at DOACOVIDMovieTheaterGrants@wisconsin.gov.

1.7 Calendar of Events

Listed below are specific and estimated dates/times of actions related to this Grant Announcement. The actions with specific dates must be completed as indicated unless otherwise changed by the State. If the State finds it necessary to change any of these dates and/or times, it will do so by issuing an amendment(s) to this Grant Announcement. There may or may not be formal notification issued for changes to target dates and times.

EVENT	DUE DATE
Eligible Expense Incurred Period	March 1, 2020 through December 30, 2020
Grant Announcement Issue Date	Tuesday, October 13, 2020
Webinar	Monday, October 19, 2020 (tentative)
Applications Due	**Monday, October 26, 2020 at 2:00 PM CST**
Notification of Award Issue Date	November 2020 (estimate)
Grant Agreement Execution	November 2020 (estimate)
Final Report Due	February 1, 2021

1.8 Grant Agreement Term

The Grant Agreement shall be effective on the execution date and shall be in force until all eligible activities are completed and all required documents are submitted to DOA. Expenses must be incurred between March 1, 2020 and December 30, 2020.

1.9 Final Report Required

Grantees shall submit a final report to the Department no later than February 1, 2021 summarizing the use of funds and describing the impact on the grantee. The Department shall supply a final report document for completion by grantees.

2.0 PREPARING AND SUBMITTING AN APPLICATION

2.1 General Instructions

The review and selection of a grantee(s) and the grant agreement will be based on the information submitted in the grantee's application. Failure to respond to each of the requirements in the Grant Announcement may be the basis for rejecting an application. Elaborate applications (e.g. expensive artwork), beyond that sufficient to present a complete and effective application are not necessary or desired.

2.2 Incurring Costs

The State of Wisconsin is not liable for any cost incurred by applicants in replying to this Grant Announcement.

2.3 Submitting the Application

(1) Applicants MUST submit one (1) electronic application by no later than Monday, October 26, 2020 at 2:00 PM Central Time.

(2) Applicants must submit one (1) electronic copy of Attachments A and B by no later than Monday, October 26, 2020 at 2:00 PM Central Time by email to:

DOACOVIDMovieTheaterGrants@wisconsin.gov

Application materials will be posted to the program website by Friday, October 16, 2020.

An applicant must submit only one (1) application for all eligible properties for which it requests funding under this Grant Announcement. Do NOT submit multiple applications or an application for each property or screen.

Applications must be received by the specified time stated above. All applications will be timestamped by the State email system. Receipt of an application in the State email system constitutes receipt of an application by DEO for the purposes of this Grant Announcement. The State may provide confirmation of application receipt by request.

DOA will not accept applications by mail, hand delivery or facsimile machine (fax).

2.4 Application Organization and Format

All applications shall adhere to the form, format and organization of the application. The application contains the following sections. All sections are required. The application is available on the program website and contains further instructions. Any alteration of the forms or attachments is prohibited and may result in disqualification of the application.

Section 1	Applicant Information
Section 2	Financial Need
Section 3	Movie Theater Profile and Locations
Attachment A	Attestations and Required Signature
Attachment B	IRS Form W-9

2.5 Multiple Applications

Multiple applications from an applicant are not allowed. Reminder: An applicant must submit only one (1) application for all eligible properties for which it requests funding under this Grant Announcement. Do NOT submit multiple applications or an application for each property or screen.

2.6 Withdrawal of Applications

Applications shall be irrevocable until grant agreement award unless the application is withdrawn. Applicants may withdraw an application, in writing, at any time by submitting a written request that is signed by an authorized representative of the applicant to the Grant Administrator. If a previously submitted application is withdrawn prior to the application submission due date and time, the applicant may submit another application on or before the Grant Application submission due date and time.

3.0 APPLICATION SELECTION AND AWARD PROCESS

3.1 Preliminary Evaluation

Applications will be reviewed initially to determine if Eligibility Requirements (Section 4.0) are met. Failure to meet Eligibility Requirements will result in rejection of the application. If all applicants do not meet one or more of the Eligibility Requirements, the State reserves the right to continue the evaluation of the

applications and to select the application(s) which most closely meets the requirements specified in this Grant Application as allowed by law.

3.2 Application Review

Accepted applications will be reviewed by program staff and other subject matter experts as needed. Applicants may **not** contact any DOA or other state agency official or employee except the person identified in Section 1.2 of this Grant Announcement. Accepted applications will be considered against the criteria stated in Section 3.3.

3.3 Review Criteria

Applications will be reviewed against the following criteria:

1. Financial need	Yes/No
2. Qualifying expenditures	Yes/No
3. Wisconsin movie theater locations	Yes/No

3.4 Right to Reject Applications and Negotiate Grant Agreement Terms

The State reserves the right to reject any and all applications. The State reserves the right to negotiate the terms of the grant agreement(s) that result from this Grant Application, including the award amount, with the selected applicant prior to entering into a grant agreement. If grant agreement negotiations cannot be concluded successfully with the awarded applicant(s), the State may negotiate a grant agreement with the next highest scoring applicant(s).

3.5 Award Amounts

Grant amounts will likely be an average of approximately $13,000 per eligible movie theater screen in Wisconsin owned and operated by the applicant. The State reserves the right to amend awards in accordance with objectives of the program and available funding.

3.6 Method of Award

The State will compile the final review of each application (see section 3.3). The State intends to award multiple grant agreements. Awards will be based upon qualifying responsive and responsible application(s).

3.7 Notification of Award

All applicants who respond to this Grant Announcement will be notified in writing of the State's award of one or more grant agreements that result from this Grant Application.

After a Notice of Award is made, copies of the accepted applications may be made available for public inspection in accordance with applicable Wisconsin law.

4.0 ELIGIBILITY REQUIREMENTS

This section is NOT scored. (0 points). Eligibility determinations by DOA are final.

4.1 Eligible Applicant

Eligible movie theater operator shall meet all of the following requirements:

1. be a sole proprietorship, partnership, corporation, limited liability company or joint venture that owns and operates movie theater properties in Wisconsin,
2. if an entity registered with the Wisconsin Department of Financial Institutions, have one of the following statuses as of the Grant Announcement closing date: "restored to good standing", "incorporated/qualified/registered," "organized," or "registered,"

3. must conduct operations within Wisconsin and eligible locations must be permanent movie theater locations operating within the state,
4. must not have any current tax delinquency with the Wisconsin Department of Revenue at the time of application
5. must be in operation since at least September 1, 2019.

4.2 Ineligible Applicants

1. Organizations that have received funding through another State of Wisconsin CARES Program may be ineligible or may not be eligible for the full benefit of this program based on receipt of funds through other programs.
2. Temporary or “pop-up” movie theater locations or screens.
3. Adult or pornographic movie theaters.
4. Other organizations which are not explicitly eligible in section 4.1 as determined by DOA.

4.3 Eligible Use of Funds

All use of funds shall be compliant with applicable provisions of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act and Program provisions, including, but not limited to, the following:

- are necessary expenditures incurred or revenues lost due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19),
- are expenses incurred or revenues lost by the applicant organization between March 1, 2020 and December 30, 2020,
- are expenses incurred or revenues lost in Wisconsin or in direct support of the movie theater’s operations in Wisconsin,
- were not reimbursed and are not under consideration for reimbursement of another program.

4.4 Ineligible Uses

Funds may not be requested for expenses reimbursed from any other program. Additional ineligible uses include, but are not limited to, fees incurred submitting an application, taxes (except sales taxes on eligible expenses), and other uses ineligible under the CARES Act.

5.0 ELIGIBILITY REVIEW

This section is reviewed for compliance on a yes/no basis.

Complete Section 2: Eligibility Checklist

The purpose of this section is to provide the State with a basis for determining an applicant’s need and reimbursable expenditures. Applicants shall mark or complete all sections.

5.1 Financial Need

Check yes or no to the following questions relative to the financial need experienced by the movie theater operator resulting from the COVID-19 pandemic and public health emergency.

- Did the movie theater operator experience revenue losses from March 1, 2020 to December 30, 2020 compared to the same period in 2019 as a result of the COVID-19 pandemic and public health emergency?
- Did the movie theater operator incur unbudgeted and unplanned expenses from March 1, 2020 to December 30, 2020 as a result of the COVID-19 pandemic and public health emergency?

5.2 Qualifying expenditures

Check the following categories of unbudgeted and unplanned expenses incurred by the movie theater operator resulting from the COVID-19 pandemic and public health emergency.

- Facilities costs to make improvements necessary to provide social distancing and other COVID-19 safeguards for employees, patrons and the public.
- Personnel costs necessary to provide social distancing and other COVID-19 safeguards for employees, patrons and the public.
- Cleaning, sanitizing and other costs of COVID-19 mitigation in public areas and facilities.
- Purchases of services or equipment to facilitate telework by employees.
- Expenses to engage with patrons virtually.
- Other expenses demonstrated as having resulted from COVID-19 (consult DOA prior to submitting application).

6.0 PROPERTY INFORMATION

This section is NOT scored. (0 total points)

Complete Section 3: Property Profile and Locations. Provide information for each eligible property for which eligible expenses were incurred by the applicant between March 1, 2020 and December 30, 2020.

Property Name	Street	City	County	Number of Screens
ABC Cinema (example)	101 Main St	Madison	Dane	6
DEF Cinema (example)	2 Water St	Appleton	Outagamie	10
GHI Cinema (example)	201 Elm St	Superior	Douglas	8

7.0 ATTESTATIONS AND REQUIRED SIGNATURES: APPLICANT AUTHORIZED REPRESENTATIVE

This section is NOT scored. (0 total points)

Complete Attachment A. Attestations and Required Signature.

All components are required.

8.0 SPECIAL GRANT AGREEMENT TERMS AND CONDITIONS

8.1 Funds reimbursement and recordkeeping

No expenses may be reimbursed from another funding source. If the organization later receives funding from another source that is used to reimburse any expenditure that was previously reimbursed through this program, the organization will notify the Department of Administration, withdraw the claimed expenditure to the extent covered by another source, and (a) utilize the funds for other eligible expenses sufficient to cover the payment received for the withdrawn expenditure during the program period, or (b) repay the amount to the Department of Administration.

The organization has and will maintain for at least five years records sufficient to demonstrate that the expenses were compliant with applicable CARES Act provisions.

8.2 Order of Precedence

In the event of grant agreement award(s), the contents of the Grant Announcement (including all attachments), Grant Announcement addenda and revisions, and the application of the successful applicant(s), and additional terms agreed to in writing by DOA and the applicant(s) shall become part of the grant agreement. Failure of the successful applicant(s) to accept these as a contractual agreement may result in a cancellation of award. The following priority for grant agreement documents will be used if there

are conflicts or disputes:

1. CARES Act provisions
2. Applicable State of Wisconsin statutes and regulations.
3. The terms of the resulting grant agreement.
4. The terms of the applicant's response as accepted by the State.
5. The terms of the Grant Application as amended.

8.3 Grant Agreement

A grant agreement between the grantee and DOA will cover the period of performance, payment requirements, document requirements, reporting requirements, and budget. Grant agreements cover a pre-determined period after the date DOA signs the contract. Applicants must agree to abide by applicable state and federal rules and regulations.

8.4 Public Disclosure

Copies of the application materials will be made available for public inspection in accordance with applicable Wisconsin law.

8.5 Compliance with the Federal CARES Act

The organization is solely responsible for demonstrating that payments it receives under the Program meet the eligibility requirements set forth under this document, state law, federal law, and federal guidance. The organization will hold the Department of Administration and the State harmless for any audit disallowance related to the eligibility of costs or revenues, irrespective of whether the audit is ordered by federal or state agencies or by the courts, and will be solely responsible for repaying the ineligible amounts (plus any assessed interest, costs, or fees) to the State or the federal government.

8.6 Miscellaneous

The State of Wisconsin reserves the right to audit any grantee. The organization will cooperate and provide any relevant information or records requested by the Department of Administration, any of its authorized representatives, the State of Wisconsin Legislative Audit Bureau or the Department of the Treasury Office of Inspector General at any time relating to the expenses.

8.7 CARES Act Funding

The Program utilizes federal funds provided under the CARES Act. The Department of Administration provides the following information regarding the source of funds:

Federal Award Identification Number: N/A
Federal Award Date: N/A
CFDA #: 21.019, Coronavirus Relief Fund
Federal Awarding Agency: Department of the Treasury
Total Amount of the Federal Award: $1,997,294,785.80
Amount of Federal Funds Obligated by this Award: Refer to Allocation Amount
Total Amount of Federal Funds Obligated: Refer to Allocation Amount
Research & Development: No
Indirect Cost Rate: N/A

8.8 Indemnity

By providing funds to the organization, the State assumes no liability for any acts or omissions of the organization or any of its officers, employees, contractors, or agents which are in any way related to the costs for which the organization seeks funding. The organization will indemnify and hold harmless the Department of Administration and the State and all of its officers, agents and employees from all suits, actions or claims of any character brought for or on account of any injuries or damages received by any

persons or property resulting from the operations of the organization, or of any of its contractors, in performing the activities for which the organization seeks funding.

8.9 Nondiscrimination

As required by Wis. Stat. § 16.765, the institution will not discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), Wis. Stats., sexual orientation as defined in s. 111.32 (13m), Wis. Stats., or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the institution will take affirmative action to ensure equal employment opportunities. The institution will post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the State of Wisconsin's nondiscrimination law.

Pursuant to 2019 Wisconsin Executive Order 1, the institution will hire only on the basis of merit and will not (and did not) discriminate against any persons performing any work for which funding is sought on account of their military or veteran status, gender identity or expression, marital or familial status, genetic information or political affiliation.

8.10 Subawards

Subawards, transfer of funds to another organization (except as payment of eligible services or goods) or use of funds for grantmaking is not permissible.