Alabama Broadband Accessibility Fund

2023 Program Guide



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The Alabama Department of Economic and Community Affairs (ADECA) shall accept Alabama Broadband Accessibility Fund (ABAF) applications within a 60-90-calendar day grant window that it shall establish; however, when necessary to meet the requirements of other funding sources, a grant window of 30 days may be established by ADECA. Applications for eligible projects shall be evaluated according to a scoring system developed by ADECA that incorporates the priorities listed in the Alabama Broadband Accessibility Act, with grant awards published as soon as possible, but not more than 60 calendar days after expiration of the filing window. For more information about application requirements, please visit the ABAF website at <https://adeca.alabama.gov/grant-application-and-implementation/>.

**Grant Program Requirements**

Prior to the opening of an application window, ADECA will accept letters of intent. Every applicant must submit a letter of intent and include the applicant’s contact information and the proposed project area. The letters of intent will be posted on the ADECA website and publicly available to promote coordination between applicants and with existing Internet Service Providers regarding potentially overlapping service areas.

Grants issued by ADECA shall be conditioned upon compliance with the terms of the grant agreement but shall not otherwise be revocable. To view the current sample grant agreement, please visit <https://adeca.alabama.gov/grant-application-and-implementation/>.

Grants shall be paid within 30 days upon ADECA receiving written certification of the completion of the project and evidence of compliance with the terms of the grant as prescribed by ADECA, including but not limited to the Reporting and Project Closeout Requirements discussed below.

All successful applicants will be required to complete and submit the Beason-Hammon Alabama Taxpayer and Citizen Protection Act Certification, a complete copy of their E-Verify Memorandum of Understanding, the State of Alabama Disclosure Statement, and the Signatory Authority Form. Additionally, all recipients must register in the State of Alabama Accounting and Resource System (STAARS) Vendor Self Service (VSS).

All eligible projects will be scored based on the rating criteria established by ADECA. The current criteria can be found at <https://adeca.alabama.gov/grant-application-and-implementation/>. The number of projects funded will be determined by the funds available and the total amount of requests made. ADECA may request amended projects and/or offer reduced grant participation.

Eligibility

An eligible applicant is a cooperative, corporation, limited liability company, partnership, or other private business entity or unit of government that **currently** provides broadband service.

Individual grants awarded by ADECA normally may only be awarded for projects in unserved areas. In addition, eligible projects under ABAF may include:

* Middle mile projects, where the applicant demonstrates that the project will connect other service providers eligible for grants under ABAF with broadband infrastructure further upstream in order to enable the providers to offer broadband service to end users; provided that such eligible projects may include projects in an unserved area or a rural area that does not meet the definition of an unserved area but otherwise meets the requirements for an eligible project, for which the grant applicant demonstrates, by specific evidence, the need for greater broadband speeds, access, capacity, resiliency, or service which is not being offered by an existing service provider.
* Projects to provide broadband service to a specific hospital, health care facility, public school, public safety, or economic development site in a rural area that does not meet the definition of an unserved area but otherwise meets the requirements for an eligible project, for which the grant applicant demonstrates, by specific evidence, the need for greater broadband speeds, access, capacity, resiliency, or service which is not being offered by an existing service provider.

Funding

Individual grants awarded by ADECA may not exceed the lesser of: (a) 80 percent of the total project costs or (b) $5,000,000. Any award of state funds, when combined with other forms of state or federal support or assistance dedicated to the project, other than interest-bearing loans, may not exceed 90 percent of the total project costs.

Grants may be given to any qualified entity that meets the service criteria for expenditures (e.g., speed, latency, eligible area). Not less than 40 percent of funds appropriated for ABAF grants shall be utilized in unincorporated areas of the state. Further, grants awarded for middle mile and anchor institution projects shall not exceed 40 percent of the total ABAF funds appropriated for grants on an annual basis.

Implementation

Recipients will be required to provide quarterly and other reports demonstrating progressive completion of the project until closeout. Grants for projects not showing progress may be rescinded. The Quarterly Report Checklist and Template as well as the Final Report Checklist and Template are available on the ABAF website at <https://adeca.alabama.gov/grant-application-and-implementation/>.

Additionally, recipients receiving bonus points in the application are subject to further reporting and/or documentation requirements to demonstrate achievement of the outcomes for which the bonus points were awarded.

* Recipients receiving bonus points for using vendors and subcontractors that have been certified by the Office of Minority Business Enterprise (MBE) or that are Disadvantaged Business Enterprises (DBE) are required to submit information regarding the use of such vendors and subcontractors as part of their Quarterly Reports and Final Report.
* Recipients receiving bonus points for “demonstrated community support,” as described in the ABAF Grant Application, are required to submit a resolution from a local entity (i.e., municipality/county) for committed funding and/or a letter of support from the local entity documenting a community support project as part of their application. For those funded projects that are relying on funding from a local entity, ADECA and the local entity must agree to a Memorandum of Understanding after the recipient signs the grant agreement.

Recipients will be required to continue to participate in Alabama’s broadband mapping program throughout the entire project period by providing accurate, complete, and timely responses to mapping data requests from ADECA or its contractors.

**Grant Reimbursement Requirements**

Projects must be completed within two years of the effective date of the grant agreement or within the agreed-to term as described in the grant agreement. The grant will be a reimbursement of eligible costs up to the award amount in the grant agreement. ADECA shall condition the release of any grant funds on the completion of all requirements in the grant agreement and all Reporting and Project Closeout Requirements listed below, including operational testing, when possible, to confirm the level of service proposed in the grant application and grant agreement. Such requirements shall not exceed in degree or differ in kind from testing and reporting requirements imposed on the recipient by the Federal Communications Commission (FCC), as adjusted for the service specifications in the grant agreement.

**Reporting and Project Closeout Requirements**

Recipients must complete the following Reporting and Project Closeout Requirements, including receiving notification from ADECA that all performance test results pass, before receiving reimbursement.

Quarterly Report:Recipients must provide a report to ADECA within 15 days after the last day of each calendar quarter. The Quarterly Report Checklist and Template is available on the ABAF website at [https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fadeca.alabam‌a.gov%2Fwp-content%2Fuploads%2FAlabama-Broadband-Accessibility-Fund-Quarterly-Report-Checklist-and-Template.xlsx&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fadeca.alabama.gov%2Fwp-content%2Fuploads%2FAlabama-Broadband-Accessibility-Fund-Quarterly-Report-Checklist-and-Template.xlsx&wdOrigin=BROWSELINK). The report shall include the following elements:

* A narrative description that demonstrates incremental progress toward completion of the project since the prior quarterly report or provides an explanation of why incremental progress has not been made.
* The estimated percentage of project completion.
* Any additional eligible costs incurred by the recipient since the prior quarterly report.
* The additional number of address locations where service is available since the prior quarterly report.
* The total number of address locations where service is available.
* Information regarding the recipient’s MBE/DBE status as well as the recipient’s engagement of vendors or subcontractors that are MBEs or DBEs, if applicable.
* Any additional quarterly reporting as required in the grant agreement or requested by ADECA (e.g., community support projects).

Final Report: Recipients must provide a final report to ADECA prior to receiving reimbursement. The Final Report Checklist and Template is available on the ABAF website at <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fadeca.alabama.gov%2Fwp-content%2Fuploads%2FAlabama-Broadband-Accessibility-Fund-Final-Report-Checklist-and-Template.xlsx&wdOrigin=BROWSELINK>. The report shall include the following elements:

* “**As-built” technical documentation**, certified by a licensed Professional Engineer, that verifies project completion and demonstrates that the deployed infrastructure, service area, and equipment match those in the approved grant application and grant agreement and are capable of delivering the minimum proposed speeds as described in the grant application and grant agreement consistently to all potential customers in the project area. Recipients must identify any differences between the network design in the approved grant application and grant agreement and the “as-builts,” and explain the reasons for the differences and any impacts or changes to the Project Budget in the grant agreement as a result of these differences. Recipients must also validate the performance characteristics of any deployed infrastructure and equipment that differs from the specifications in the approved grant application and grant agreement. ADECA will review these differences and will only reimburse the recipient for approved differences.
* **Service information** for the addresses within the project service area, which shall include:
	+ A GIS shapefile using polygons (no lines or points), which includes all address locations in the project service area.
	+ A table that includes the service tiers offered to each type of consumer (residential, business, and any other distinct consumer groups with their own service tier offerings), by offered download and upload speeds, including any data caps, other service details, and the non-promotional pricing offered in each tier.
* **Map update information**: After receiving the GIS shapefile of the project service area, ADECA will provide a list of addresses within the project funded service area to the recipient. Similar to the requests for Alabama Broadband Map data, the recipient shall provide the following for each address within 10 business days of receipt of addresses:
	+ Whether the address is business or residential.
	+ Maximum download speed in Mbps.
	+ Maximum upload speed in Mbps.
	+ Technology of transmission, as defined by the FCC.[[1]](#footnote-2)
	+ A list of addresses (with corresponding latitude and longitude) within the recipient’s project service area that were not included in the addresses provided by ADECA.
* **Performance Testing**: Recipients shall conduct performance testing and submit test results to ADECA according to the following process:
* ADECA will select either two random locations per census block receiving service within the recipient’s project service area or 10 random locations receiving service across the entire service area for performance testing.
* The recipient shall conduct speed and latency tests for each location selected by ADECA.
* Tests shall be conducted, at a minimum, once per hour from 6:00 PM to 12:00 AM for a minimum total of six tests per location.
* Tests shall be conducted from the premises of the selected **active subscribers** to a remote test server located at, or reached by passing through, an FCC-designated Internet exchange point (IXP), which is any building, facility, or location housing a public Internet gateway that has an active interface to a qualifying Internet Autonomous System (ASN). More information about acceptable test paths and remote server locations is available [here](https://www.usac.org/wp-content/uploads/high-cost/documents/Tools/PMM-Test-Paths-and-Remote-Server-Locations-1.pdf). Qualifying ASNs are listed in Appendix B of *Connect America Fund*, WC Docket No. 10-19, Order on Reconsideration, 34 FCC Rcd 10109,which can be found at<https://docs.fcc.gov/public/attachments/FCC-19-104A1.pdf>.
* Test results shall be recorded using the Speed Test Results Template and Latency Test Results Template included in the Final Report Checklist and Template.
* Recipients must notify ADECA verbally or in writing of the completion of testing on the same day testing is completed. Recipients must submit test results to ADECA as soon as possible, but no later than three (3) calendar days after the testing is completed.
* Test results must conform to the following Performance Testing Specifications:
* At least 80 percent of the speed test results must be at a minimum of 80 percent of the speed tiers committed to in the Grant Agreement for upload and download.
* A latency measurement under 100 milliseconds must be provided for each hour of testing.
* If none of the locations selected by ADECA subscribes to a top-tier speed offering, the recipient will include testing at a location that does subscribe to a top-tier speed offering. If there are no locations within the project area that subscribe to the top-tier service offering, the recipient will upgrade one of the locations selected by ADECA temporarily to allow for testing at the top-tier speed.
* **Completed final reimbursement request form**, using the Reimbursement Request Template included in the Final Report Checklist and Template, based on the approved budget. Recipients must identify any differences between the approved Grant Amount in the grant agreement and the final reimbursement request. The recipient must explain the reasons for the differences and the impacts or changes to the budget as a result of these differences. ADECA will review these differences and will only reimburse the recipient for approved differences. The recipient may not request reimbursement that exceeds the grant amount specified in the grant agreement or an amendment to the grant agreement.
* **Completed Minority Business Enterprise/Disadvantaged Business Enterprise Report**, using the MBE/DBE Report Template included in the Final Report Checklist and Template, providing information regarding the recipient’s MBE/DBE status as well as the recipient’s engagement of vendors or subcontractors that are MBEs or DBEs, if applicable.
* Any additional reporting as required in the grant agreement or requested by ADECA (e.g., community support projects).

Reimbursement Request Supporting Documentation Form: Recipients must complete and submit the Reimbursement Request Supporting Documentation Form, which describes the documentation supporting all eligible expenses to be reimbursed for each budget category for the project. The Reimbursement Request Supporting Documentation Form is available on the ABAF website at [https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fadeca.alabam‌a.gov%2Fwp-content%2Fuploads%2FBroadband-Reimbursement-Request-Support-Docume‌nta‌tion.xlsx&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fadeca.alabama.gov%2Fwp-content%2Fuploads%2FBroadband-Reimbursement-Request-Support-Documentation.xlsx&wdOrigin=BROWSELINK).

ABAF Closeout Form: Recipients must complete and submit an ABAF Closeout Form, which provides an overview of the project, including information related to project costs, funds requested, customers served, and contractors used. The ABAF Closeout Form is available on the ABAF website at <https://adeca.alabama.gov/wp-content/uploads/ABAF-Closeout-Form.pdf>.

1. <https://www.fcc.gov/general/technology-codes-used-fixed-broadband-deployment-data>. [↑](#footnote-ref-2)