# Alabama Anchor Institution/Middle-Mile Program Application and Application Guide



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### Alabama Anchor Institution/Middle-Mile Program Application and Application Guide

The Alabama Department of Economic and Community Affairs (ADECA) is issuing a solicitation for subaward applications for grants to support the deployment of middle-mile broadband infrastructure to anchor institution facilities (such as higher education, rural hospital, government, and public safety facilities) with an identified need for service, while facilitating the deployment of last-mile broadband infrastructure in unserved areas of Alabama through the Alabama Anchor Institution/Middle-Mile Program (AIMM or AIMM Program).

Applicants must use the AIMM Program Application form in this document, complete it in its entirety, and label attachments as instructed. The application must include all supporting documentation at the time of submission. Failure to comply with these requirements may result in loss of points. ADECA may contact applicants for additional information and/or clarifications regarding their AIMM Program applications.

The AIMM Program is supported by federal funding from the U.S. Department of the Treasury (Treasury) and is subject to both federal and state law and guidance. Applicants should review this Alabama Anchor Institution/Middle-Mile Program Application and Application Guide as well as the Alabama Anchor Institution/Middle-Mile Program Guide, Alabama Anchor Institution/Middle-Mile Program Frequently Asked Questions, Alabama Anchor Institution/Middle-Mile Program Rating Criteria, and Treasury's guidance regarding the federal American Rescue Plan Act of 2021 (ARPA) State and Local Fiscal Recovery Funds (SLFRF) that support the AIMM Program for more information and relevant definitions for completing the application. If an applicant has any questions regarding this Alabama Anchor Institution/Middle-Mile Program Application and Application Guide, it should contact ADECA by email at broadband.fund@adeca.alabama.gov.

#### Overview

Through the AIMM Program, ADECA intends to make necessary investments in broadband infrastructure resulting in the construction and operation of middle-mile fiber networks providing service to anchor institutions (Anchors or Anchor Institutions) with an identified need and facilitating last-mile broadband deployment and operations in unserved areas, thereby supporting the improvement and expansion of broadband network access to the citizens of Alabama. Through the AIMM Program, ADECA intends to fund projects that will deliver world-class fiber optic infrastructure to Anchor Institutions that are currently inadequately served and reduce the vulnerability of critical Anchor facilities while also bringing fiber closer to unserved last-mile locations, enabling better last-mile deployment economics and outcomes.

This Alabama Anchor Institution/Middle-Mile Program Application and Application Guide is intended to enable eligible applicants to apply for funds from the AIMM Program, pursuant to Alabama Act 2023-1, which appropriated ARPA SLFRF funding for this program and was signed into law by Governor Kay Ivey on March 16, 2023. In accordance with Alabama Act 2023-1, up to \$245 million was delegated from the Alabama Department of Finance to ADECA's Alabama Digital Expansion Division through a Memorandum of Agreement for the administration and implementation of the AIMM Program. Consistent with the Alabama

Connectivity Plan adopted by the Alabama Digital Expansion Authority (ADEA) and the presentation regarding this AIMM Program, as approved by resolution by the ADEA and incorporated in the Alabama Connectivity Plan in June 2023, ADECA plans to use this ARPA SLFRF fund allocation for projects resulting in the deployment of fiber connectivity to Anchor Institutions with an identified need that also demonstrate plans for how the new fiber would be used to facilitate last-mile deployment.

For the purposes of the AIMM Program, an Anchor or Anchor Institution may include an entity, such as a school, library, health clinic, health center, hospital or other medical provider, government/public safety entity, institution of higher education, public housing organization, or community support organization that relies on broadband for its own operations and/or facilitates substantial use of broadband service by members of the public, including vulnerable populations such as low-income individuals, unemployed individuals, children, the incarcerated, and aged individuals. Applicants should contact ADECA by email at <a href="mailto:broadband.fund@adeca.alabama.gov">broadband.fund@adeca.alabama.gov</a> with any questions regarding whether a location is an Anchor Institution under the AIMM Program.

For the purposes of the AIMM Program, an unserved area is any rural area in which there is not at least one provider of terrestrial broadband service that is either (a) offering a connection to the internet providing 100/20 Mbps or higher speeds or (b) required under the terms of another state or federal grant to provide a connection to the internet providing 100/20 Mbps or higher speeds within the same or similar timeframe of projects of similar complexity or scale awarded during the AIMM grant cycle. Terrestrial broadband service includes wireline or fixed wireless service and does not include cellular or satellite service.

The AIMM Program's goal is the deployment of interconnected middle-mile broadband facilities throughout Alabama that will: (a) deliver connectivity to Anchor Institutions and (b) create new opportunities for connections to unserved last-mile locations. Treasury has emphasized that AIMM-funded middle-mile projects should have commitments in place to support new and/or improved last-mile broadband services. By meeting the connectivity needs of both the Anchor Institutions and of last-mile Internet Service Providers (ISPs), this program will efficiently use public funds to address broadband public policy goals. One way to achieve this goal is coordinating an AIMM Program application with a parallel application for the Alabama Capital Projects Fund, ADECA's federally-funded grant program to support the deployment of last-mile broadband infrastructure in unserved areas of Alabama.

ADECA will grant AIMM subawards only to applicants that propose projects that will be designed to provide: (a) at least one service offering that is capable of delivering broadband services that reliably meet or exceed symmetrical <a href="https://linear.com/1/16bps">1/1 Gbps</a> speeds to Anchor Institutions with an identified need and (b) middle-mile broadband services that can support last-mile broadband services that reliably meet or exceed symmetrical <a href="https://linear.com/100/100 Mbps">100/100 Mbps</a> speeds.

ADECA welcomes AIMM subaward applications from a wide range of entities. Eligibility and scoring criteria are described in this document. An applicant may submit more than one application; however, each project must have a separate application and budget. Each project must stand alone in meeting the AIMM Program requirements.

In the event that ADECA does not receive enough exceptional, responsive applications to exhaust the funds available for AIMM Program grants, remaining funds may be reallocated to ADECA's last-mile broadband grant programs in accordance with applicable law and guidance. An exceptional application is one in which the final score achieved, with or without remediation or curing, is no less than 75 percent of the total possible score.

#### **AIMM Application Workshop/Application Process**

ADECA will hold an AIMM Program application workshop at 11:00 am on Friday, August 11, 2023. An online version of the workshop and questions and answers from the workshop will be posted on the ADECA website after the workshop at <a href="https://adeca.alabama.gov/broadband-webinars-and-workshops/">https://adeca.alabama.gov/broadband-webinars-and-workshops/</a>. The workshop will be held at 401 Adams Avenue, Montgomery, Alabama, 36104 in the 7<sup>th</sup> Floor Auditorium. The meeting will be held both in-person and virtually.

ADECA will accept AIMM applications <u>beginning on August 14, 2023</u>, and <u>applications must be submitted no later than 11:59 p.m. (Central) on October 13, 2023</u>. Any applications received by ADECA after the deadline will not be considered. Applications shall be submitted in PDF format, except where otherwise noted in this document, by email to <u>broadband.fund@adeca.alabama.gov</u>. If application documents are too large to submit via email, please contact ADECA at least 10 days prior to the application submission due date to request a secure link for uploading application documentation.

#### **Eligible Applicants**

Generally, an entity is eligible to apply for an AIMM grant if it is a cooperative, corporation, limited liability company, partnership, non-profit, other private business entity, or unit of government that <u>currently</u> provides middle-mile, last-mile, or Anchor Institution broadband services. Entities that represent a collaboration among multiple entities – including consortia – are also eligible to apply for an AIMM subaward, so long as a single, qualified entity serves as lead bidder and accepts all of the obligations and responsibilities of the subaward agreement. Additionally, at least one member of the collaborative entity must currently provide middle-mile, last-mile, or Anchor Institution broadband services.

In addition, if an applicant is a last-mile broadband service provider, it must also submit, within the one-year period preceding the awarding of an AIMM grant, its broadband service availability information to Alabama's broadband mapping program to be eligible for an AIMM grant. Such entities must 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 should they receive an AIMM grant.

For more information on AIMM Program applicant eligibility, please refer to the *Alabama Anchor Institution/Middle-Mile Program Guide*.

#### **Project Selection/Reimbursement**

Applications for eligible AIMM Program projects will be evaluated as described herein and in accordance with the *Alabama Anchor Institution/Middle-Mile Program Rating Criteria*. ADECA

will select applicants for AIMM grants based on the applicant's score and ADECA's evaluation of all supporting documentation. The number of applicants receiving grants will be determined based on the funds available and the total amount of eligible applications received. ADECA may request amended projects and/or offer reduced grant participation to successful applicants.

ADECA will grant AIMM subawards only to applicants that propose projects that will be designed to provide: (a) at least one service offering that is capable of delivering broadband services that reliably meet or exceed symmetrical <a href="1/1/4/1/4">1/1 Gbps</a> speeds to Anchor Institutions with an identified need and (b) middle-mile broadband services that can support last-mile broadband services that reliably meet or exceed symmetrical 100/100 Mbps speeds.

AIMM Program subrecipients normally must complete their projects within two years of the subaward grant or an extended timeframe requested by the subrecipient in its application and approved by ADECA. If a subrecipient demonstrates that a project is progressing, it may request an extension of the project term for delays beyond its control, subject to ADECA program deadlines. AIMM Program subrecipients will be required to adhere to federal and state reporting requirements, including but not limited to reporting on the progressive completion of their projects on a quarterly and annual basis until closeout. If a subrecipient fails to demonstrate sufficient project progress or complete a project within the two-year deadline (or within an extended timeframe approved by ADECA), ADECA may revoke the AIMM grant in part or in its entirety and rededicate the funds to a new subrecipient.

AIMM Program subrecipients will receive grant funds in the form of reimbursement of actual eligible expenses incurred by the subrecipient through progress payments that will be established as part of the subaward agreement. ADECA will condition the release of any grant funds on the subrecipient's satisfaction of all subaward agreement requirements, including all project reporting and closeout obligations. Applicants are advised that additional, mandatory requirements for subrecipients will be included in the AIMM subaward agreement, including but not limited to requirements related to compliance with applicable terms and conditions of the ARPA, regulations governing the expenditure of funds distributed from the ARPA, and interpretative guidance that Treasury/ADECA has issued or will issue governing the expenditure of funds distributed from the ARPA.

For more information on AIMM Program project selection and reimbursement, please refer to the *Alabama Anchor Institution/Middle-Mile Program Guide*.

#### Alignment with Alabama Capital Projects Fund

Given the value of middle-mile fiber that connects Anchor Institutions, it is intended that the same fiber will serve as a platform for last-mile broadband network investment to serve residential and business customers in the areas surrounding the Anchor facilities. As a result, ADECA anticipates that many applicants will choose to apply for ADECA's Alabama Capital Projects Fund (CPF) last-mile broadband grant program along with the AIMM Program. The AIMM Program and the CPF are designed to enable coordination of last-mile and middle-mile construction projects. ADECA intends to work with applicants in both programs to allow for coordination and efficiency in public expenditures. As a result, if an AIMM Program application

is referenced as part of a proposed CPF project, AIMM Program applicants will provide the name of both the CPF project/application and the applicant in their AIMM applications.

#### **Size and Scale of AIMM Applications**

AIMM grants may not exceed \$30 million and the proposed match amount must be at least 20 percent of the total cost of the proposed project. However, AIMM Program applicants are encouraged to submit applications requesting grants in a range of sizes and ADECA anticipates that the average grant request will be less than \$10 million. Please be advised that AIMM grants exceeding \$10 million will trigger additional federal labor reporting requirements for the subrecipient (please see the *Alabama Anchor Institution/Middle-Mile Program Guide* for more information).

Regardless of size, each AIMM application shall detail how the applicant proposes to connect one or more Anchors that are located in proximity to each other – thus enabling new service to those Anchors and expansion of middle-mile to areas where it can support last-mile goals. ADECA welcomes applications proposing projects of all sizes, ranging from smaller applications for lateral construction to a single Anchor to larger applications that propose to cost-effectively connect many unserved Anchors in a region to middle-mile networks.

The potential to apply for both smaller and larger AIMM grants is intended to increase the number of applicants for this program, increase competition among applicants for proposed project areas, and make feasible applications from smaller applicants – including Alabama-based companies – that may not be able to apply for an opportunity that requires construction across large areas of Alabama. Applicants may submit multiple AIMM applications in order to focus individual applications locally or regionally on Anchors that are located in proximity to each other. AIMM Program applicants are also encouraged to consider a local and/or regional focus for their proposed projects so as to avoid the high costs of connecting Anchors that are not located in proximity to each other, recognizing that cost-effectiveness and last-mile impact will be critical elements of project scoring.

#### **Eligible Project Costs**

Subrecipient project costs eligible for reimbursement generally will be limited to construction and construction-related costs of broadband infrastructure, in accordance with applicable law, AIMM Program materials, and Treasury/ADECA guidance. Some examples of eligible project expenses include: (a) the costs of repair, rehabilitation, construction, improvement, and acquisition of broadband infrastructure for the project; (b) costs of long-term leases (i.e., for terms greater than one year) of facilities required to provide broadband service for the project (including indefeasible right-of-use agreements and capital leases); and (c) personnel costs related to project deployment.

By contrast, subrecipient operating costs for the project, including but not limited to short-term operating lease costs, are not eligible for reimbursement. Subrecipient indirect costs also are not eligible for reimbursement. In addition, subrecipient costs for the project incurred before or after the term of the AIMM subaward agreement will not be eligible for reimbursement. AIMM grant funds may not be used for research and development costs and may not be used to cover costs

that have been or will be reimbursed - or otherwise paid - by other federal or state funding sources.

Additional information on eligible and ineligible AIMM project expenses may be found in the *Alabama Anchor Institution/Middle-Mile Program Guide*. AIMM participants should contact ADECA by email at <a href="mailto:broadband.fund@adeca.alabama.gov">broadband.fund@adeca.alabama.gov</a> with any questions regarding the eligibility of AIMM project expenses.

#### **AIMM Program Application**

Applicants must use the AIMM Program Application form below, complete it in its entirety, and label attachments as instructed. The application must include all supporting documentation at the time of submission. Failure to comply with these requirements may result in loss of points.

Applicants **should not** include confidential information in their applications. Applications are subject to public records requests in accordance with the Alabama Open Records Law and other applicable laws.

A. <u>Applicant Information</u>
*Project Name:
Applicant Legal Name:
Mailing Address:
Name and Title of CEO:
Name and Title of Contact:
Phone Number and Email of Contact:
Unique Entity Identifier:
*Please include the name of the county or counties and city (if applicable) where the project is located in the project title.
Is this AIMM Program application referenced as part of a proposed Alabama Capital Projects
Fund (CPF) project? Yes $\square$ No $\square$
If yes, please complete the following:
Name of CPF project/application
Name of CPF applicant

**Note:** Each AIMM Program applicant must obtain a Unique Entity Identifier (UEI) from the federal System of Award Management (SAM) and provide its UEI to ADECA as part of this application. **No entity may receive an AIMM subaward from ADECA until the entity has provided its UEI to ADECA.** More information on obtaining a UEI and SAM can be found at <a href="https://sam.gov/content/entity-registration">https://sam.gov/content/entity-registration</a>.

Each successful AIMM Program applicant will be required to complete and submit the Beason-Hammon Alabama Taxpayer and Citizen Protection Act Certification, a complete copy of its E-Verify Memorandum of Understanding, the State of Alabama Disclosure Statement, the Signatory Authority Form, and other documentation and certifications required by federal and state law.

Additionally, each successful AIMM Program applicant must register in the Alabama Buys eProcurement Portal, be eligible for federal grants, and obtain and maintain an active registration in SAM. The Taxpayer ID number, entity name, and entity address must match across all documents and with the information in Alabama Buys.

The following table outlines the evaluation criteria for AIMM Program applications:

Criterion	Points
Anchor Institution Connectivity: Demonstration that the proposed project will connect Anchor Institutions with an identified need for service with infrastructure capable of providing services of at least 1 Gbps symmetrical speeds	45
Facilitation of Last-Mile Connectivity: Demonstration that the proposed project will facilitate last-mile deployments in unserved areas and how the project has the potential to improve broadband service to locations in unserved areas by supporting last-mile services providing at least 100 Mbps symmetrical speeds	25
Last-mile benefits in more than 50% unserved census blocks: Demonstration that the proposed project will provide last-mile benefits in census blocks that are more than 50 percent unserved based on the data shown on the Alabama Broadband Map	10
Last-mile benefits in more than 80% unserved census blocks: Demonstration that the proposed project will provide last-mile benefits in census blocks that are more than 80 percent unserved based on the data shown on the Alabama Broadband Map	20
<b>Applicant capabilities</b> : Demonstrated performance, experience, and capabilities, including on similarly-sized projects of the same sort	35
Cost effectiveness	25
Other program priorities	15
Total	175 points

Each of these scoring factors is described in more detail below.

#### B. Project Description

This section is worth up to 100 points. Points will be awarded based on verifiable information only and ADECA may request additional documentation from applicants to verify application information.

- Up to 45 points will be awarded to applicants based on their answers to the questions below regarding Anchor Institution Connectivity.
- Up to 25 points will be awarded to applicants based on their answers to the questions below regarding Facilitation of Last-Mile Connectivity.
- Up to 10 points will be awarded to applicants who demonstrate, through their answers to the questions below regarding Facilitation of Last-Mile Connectivity, that the proposed project will provide last-mile benefits in census blocks that are more than 50 percent unserved based on the data shown on the Alabama Broadband Map. The number of points awarded will be based on the calculation of the number of census blocks that are more than 50 percent unserved that are traversed by the proposed project and for which the applicant commits to offer an interconnection point for last-mile providers, divided by the total number of fiber route miles proposed for the project, per the following table:

Qualifying blocks per fiber route mile	Number of points awarded
Over 0.2	10
Over 0.15 to 0.2	7.5
Over 0.1 to 0.15	5
0.05 to 0.1	2.5

• Up to 20 points will be awarded to applicants who demonstrate, through their answers to the questions below regarding Facilitation of Last-Mile Connectivity, that the proposed project will provide last-mile benefits in census blocks that are more than 80 percent unserved based on the data shown on the Alabama Broadband Map. The number of points awarded will be based on the calculation of the number of census blocks that are more than 80 percent unserved that are traversed by the proposed project and for which the applicant commits to offer an interconnection point for last-mile providers, divided by the total number of fiber route miles proposed for the project, per the following table:

Qualifying blocks per fiber route mile	Number of points awarded
Over 0.2	20
Over 0.15 to 0.2	15
Over 0.1 to 0.15	10
0.05 to 0.1	5

**Note:** Applicants must use the Alabama Broadband Map (<a href="https://broadband.alabama.gov/broadband-maps/">https://broadband.alabama.gov/broadband-maps/</a>) to demonstrate the percentage unserved for each census block.

Additional information regarding how to address these areas is described below.

- 1. Anchor Institution Connectivity: Demonstrate how the proposed project will connect Anchor Institutions with an identified need for service with infrastructure capable of providing service that reliably meets or exceeds symmetrical 1 Gbps speeds. The applicant shall discuss how the proposed project will result in the deployment of middle-mile broadband infrastructure capable of providing 1 Gbps symmetrical or faster speeds to all Anchor Institutions that are part of the proposed project.
  - The applicant shall identify the number of Anchor Institutions that will be directly connected to the proposed middle-mile network.
  - The applicant shall provide evidence of an identified need for at least 1 Gbps symmetrical fiber service to the Anchor Institutions proposed to be served, including any letters of support and commitment or other evidence of interest from Anchor Institutions for the proposed services offered by the project. A sample Anchor Institution letter of support and commitment is included as Appendix A to this document. This sample is not intended to be the sole format by which an Anchor Institution can demonstrate support for a proposed project, but rather provide an illustration of how support can be shown.
  - The applicant may also provide evidence of commitments by last-mile ISPs or the applicant itself to provide services to Anchor Institutions requesting/using the proposed project infrastructure.
  - Note: If applicable, the applicant must discuss whether the proposed project involves deploying broadband infrastructure to an Anchor Institution that already has access to service providing 1 Gbps symmetrical or faster speeds. If so, the applicant shall demonstrate, by specific evidence, that the proposed project is designed to address an identified need for additional broadband investment that is not met by existing commitments, necessitating an additional fiber optic connection to the Anchor Institution.

- 2. Facilitation of Last-Mile Connectivity: Demonstrate how the proposed project will facilitate last-mile deployments capable of providing service that reliably meets or exceeds symmetrical 100 Mbps speeds in unserved areas. The applicant shall discuss how the proposed project will facilitate the deployment of last-mile broadband infrastructure capable of providing 100 Mbps symmetrical or faster speeds in currently unserved areas and explain the applicant's basis for such determination, such as the Alabama Broadband Map.
  - The proposed project does not need to serve unserved areas exclusively, but the
    applicant must demonstrate how the proposed project will help facilitate broadband
    infrastructure deployment that would enable a last-mile service provider, including
    the applicant, to serve surrounding residential and business locations and to generally
    improve last-mile opportunities and outcomes.
  - The applicant shall provide documentary evidence demonstrating how its proposed project will facilitate last-mile infrastructure deployment as well as any plans to partner with last-mile ISPs, including any letters of support and commitment or other evidence of interest from ISPs for the proposed services offered by the project. A sample ISP letter of support and commitment is included as Appendix B to this document. This sample is not intended to be the sole format by which an ISP can demonstrate support for a proposed project, but rather provide an illustration of how support can be shown.

While many types of partnerships will be considered, proposed projects that demonstrate coordination with ISPs that are applying for last-mile grant funding through the CPF, or where the applicant itself is applying for last-mile grant funding through the CPF, shall be deemed to have met this documentation threshold.

- Other methods for demonstrating a proposed project's facilitation of last-mile connectivity include:
  - Committing to last-mile broadband investment in the same area as the proposed project
  - Committing to open access wholesaling of service to ISPs as part of the proposed project
  - Showing that the applicant's proposed placement, type, frequency, and usefulness
    of interconnect facilities (e.g., huts, handholes, and regeneration locations) for the
    proposed project will enable last-mile ISP use of the middle-mile infrastructure,
    including in unserved areas
  - O Demonstrating connectivity to existing middle-mile infrastructure and describing the ways in which the new infrastructure, when connected to existing networks, will support last-mile operations and deployment, including in unserved areas

3. Please complete the following table for the proposed project:

Number of Anchor Institutions that will be served by the proposed project	
Number of households that could be served by the proposed project	
Number of businesses that could be served by the proposed project	
Number of interconnection points that will be placed as part of the proposed project	
Number of interconnection points that will be placed as part of the proposed project in census blocks that are more than 50% unserved based on the Alabama Broadband Map	
Number of interconnection points that will be placed as part of the proposed project in census blocks that are more than 80% unserved based on the Alabama Broadband Map	

4. Please complete the following table. AIMM grants may not exceed \$30 million and the match amount must be at least 20 percent of the total cost of the proposed project. Any AIMM grant, when combined with other forms of state or federal support or assistance dedicated to the proposed project, other than interest-bearing loans, may not exceed 90 percent of the total cost of the project. The 20 percent match obligation represents the minimum required for consideration for AIMM funding. Applicants are encouraged to commit additional match and will receive a higher score for including additional match commitments in their applications.

Total Project Cost	\$
Total Grant Amount Requested (no more than \$30 million)	\$
Total Match Amount (include applicant and other funding sources)	\$
Total Match Percentage (at least 20% of Total Project Cost)	0.0%
Amount of Total Match from Other Funding Sources (e.g., other state/federal grants or local entity match)	\$

5. Provide the following data regarding the number of route and strand miles that will be constructed or leased to complete the proposed project in the boxes below:

Route Miles to be Constructed	
Number of Fiber Strands to be Constructed for Each Route Mile	
Route Miles to be Leased	
Number of Fiber Strands to be Leased for Each Route Mile	

- 6. Please complete the project description sections below. Any additional documentation can be included in a separate electronic file submitted with the application titled Project Description.
  - a. A description and map of the proposed routes and areas traversed by the proposed middle-mile project, the proposed interconnection points for the fiber, and the Anchor Institutions that will be connected directly by the middle-mile network or by partner ISPs providing last-mile connections. Maps shall be in shapefile formats.
  - b. A description and map of the unserved areas and other Anchor Institutions within proximity to the proposed routes and areas traversed by the proposed middle-mile project, and the source of information by which those areas are identified. A focus should be on unserved areas and Anchor Institutions in census blocks that are more than 50 percent unserved and/or more than 80 percent unserved based on the Alabama Broadband Map.
  - c. A discussion of the proposed service tiers, including internet service speeds, pricing levels, data caps, and other terms and conditions to be offered to Anchor Institutions, either directly by the applicant or by partner ISPs. The discussion must identify at least one service offering that is capable of delivering broadband services that reliably meet or exceed symmetrical 1/1 Gbps speeds to Anchor Institutions. The symmetrical 1/1 Gbps speed benchmark represents the minimum required for consideration for AIMM funding. AIMM Program applicants are encouraged to provide faster broadband speeds and will receive a higher score for demonstrating the ability to provide faster broadband speeds in their applications.

The discussion should reference any letters of support and commitment or other evidence of interest from Anchor Institutions that will rely on services offered over the network. In addition, the discussion should include any plans to address future network usage and the applicant's ability to upgrade the network to support increased demand from Anchor Institutions.

d. A discussion of how last-mile broadband service needs will be met by the proposed project. This discussion must include documentation demonstrating how the proposed

project will facilitate last-mile service that is capable of delivering broadband services that reliably meet or exceed symmetrical 100/100 Mbps speeds to households and businesses, such as by indicating that the applicant intends to serve last-mile networks with the proposed project infrastructure or by reference to any letters of support and commitment or other evidence of interest from ISPs that will use the middle-mile infrastructure to deploy last-mile services.

7. Provide a preliminary technical evaluation of the proposed project certified by a currently licensed Professional Engineer. Identify the Professional Engineer providing the preliminary technical evaluation of the proposed project in the table below. The Professional Engineer is not required to be licensed in Alabama to provide the preliminary technical evaluation of the proposed project.

Name of Licensed Professional Engineer	License Number and State

The applicant should review the Fiber Construction Standards set forth in Appendix A of the *Alabama Anchor Institution/Middle-Mile Program Guide* when completing the preliminary technical evaluation of the proposed project. The preliminary technical evaluation shall include:

- a. A detailed description, including a high-level network drawing showing major components, of how the proposed infrastructure will deliver service that reliably meets or exceeds symmetrical 1/1 Gbps speeds to the Anchor Institutions included in the proposed project. The description will identify where interconnection points will be placed, how the infrastructure will facilitate last-mile deployment, and how the network will be connected to sufficient backhaul infrastructure/existing middle-mile infrastructure to support the proposed project services.
- b. A project cost estimate, which shall include construction costs, any "make ready" costs, and costs associated with easements and permits. This discussion will describe any special conditions that the applicant expects will contribute to greater than average costs for certain items, such as major water crossings, hard rock areas, etc. Any cost estimate contingency shall not exceed 15 percent of total project costs.
- c. A detailed project timeline demonstrating planning, management, and completion of the proposed project within two years (or an extended timeframe requested by the applicant due to project complexity, subject to ADECA program deadlines). An applicant requesting an extended timeframe must provide a specific explanation of the proposed project's complexity, including any particular challenges presented by project infrastructure deployment. If an increased project completion timeframe is approved by ADECA, it will be included in the AIMM subaward agreement for the project.

- d. A map of the proposed project area showing all routing, Anchor Institution connections, and locations for interconnection points. Maps shall be in a shapefile format.
- e. A discussion of the applicant's procedures for complying with any federal, state, or local permitting and environmental laws applicable to the proposed project, including a discussion of any easement and/or permitting requirements for the proposed project area, including any easement and/or permitting requirements that will necessitate coordination with the Alabama Department of Transportation or tribal authorities.
- f. A discussion of the applicant's commitments regarding maintenance of the fiber infrastructure to critical Anchors, such as health care and public safety entities.
- g. An assessment of the risks to the proposed project and how the applicant plans to mitigate those risks in the event it receives an AIMM subaward, so as to meet AIMM Program goals and the applicant's subaward agreement commitments.

#### C. Applicant Capabilities

**This section is worth up to 35 points.** Points will be awarded based on verifiable information only and ADECA may request additional documentation from applicants to verify application information.

- 1. Discuss the applicant's technical and managerial capabilities to complete the proposed project within two years of the AIMM subaward (or requested extended timeframe). This discussion will include a description of any applicant experience with similarly-scaled broadband deployment projects as well as federal and state grant-funded broadband deployment projects. This discussion also will include a description of the applicant's fiber broadband design and construction experience and ability to provide high-quality broadband services.
- 2. AIMM Program subrecipients that provide service to households using AIMM-supported broadband infrastructure must, for as long as the AIMM-supported broadband infrastructure is in use, either participate in the Federal Communications Commission's Affordable Connectivity Program (ACP) through the lifetime of the ACP or otherwise provide access to a broad-based affordability program to low-income consumers in the proposed service area of the broadband infrastructure that provides benefits to households commensurate with those provided under the ACP through the lifetime of the ACP. In addition, AIMM Program subrecipients that enter into agreements with ISPs to use their AIMM-supported broadband infrastructure to provide service to households must require such ISPs, for as long as they use AIMM-supported broadband infrastructure, to either participate in the ACP through the lifetime of the ACP or otherwise provide access to a broad-based affordability program to low-income consumers in the proposed service area of the broadband infrastructure that provides benefits to households commensurate with those provided under the ACP through the lifetime of the ACP.

To the extent applicable to the proposed project, discuss any plans the applicant has to meet the ACP requirements described above, including the ISP partner affordability

obligations. In addition, discuss any plans by the applicant or by its ISP partners using the proposed project network to offer last-mile services that are affordable to customers within the proposed funded service area(s), including any relevant ACP or other low-cost offerings, pricing data, service characteristics, non-recurring costs, data caps, and average service fees in the communities to be served.

- 3. Discuss any applicant plans to prioritize strong labor, workforce development/continuity, and local hiring practices and hiring of workers from historically underserved communities for the proposed project. This discussion will include information and descriptions of any plans to:
  - a. Provide wages at prevailing rates or otherwise support fair wages and benefits that will secure an appropriately skilled workforce in the context of the local or regional labor market.
  - b. Hire project employees directly or through a third party.
  - c. Enter into a project labor agreement or other pre-hire collective bargaining agreement.
  - d. Ensure the project has access to a sufficient supply of appropriately skilled and unskilled labor to ensure high-quality construction throughout the life of the project.
  - e. Require professional certifications and/or in-house training, registered apprenticeships, or labor-management partnership training programs.
  - f. Put policies and procedures in place to ensure contractors and subcontractors meet high labor standards.
  - g. Partner with unions, community colleges, or community-based groups.
  - h. Minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the project.
  - i. Provide a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, including descriptions of safety training, certification, and/or licensure requirements for all relevant workers.
  - j. Prioritize local hires for the project.
  - k. Adopt a community benefit agreement for the project.

In addition, discuss whether the applicant has been found by any authority to have violated any federal, state, or local labor or employment laws in the two years prior to the application submission.

- 4. Discuss whether the applicant has policies and procedures in place to report potential noncompliance with federal, state, and local laws, potential conflicts of interest, and potential waste, fraud, and abuse related to federal and state grants.
- 5. Discuss how the applicant will take all necessary affirmative steps to solicit and use small and minority businesses, women's business enterprises, and labor surplus area firms, including placing qualified businesses and entities on solicitation lists, actively soliciting qualified businesses and entities whenever they are potential sources, and establishing delivery schedules and contract requirements to encourage participation of qualified businesses and entities.
- 6. Discuss any partners, contractors, or subcontractors associated with the proposed project and describe each party's role in the proposed project. In addition, discuss whether the proposed project involves broadband networks owned, operated by, or affiliated with local governments, nonprofits, and/or cooperatives. Finally, discuss whether the proposed project involves any public/private partnerships.

#### D. Cost Effectiveness

This section is worth up to 25 points. Please complete the sections below, which will be reviewed in light of the cost-effectiveness of the proposed project.

Itemize eligible project expenses. Eligible project expenses generally will be limited to construction and construction-related costs of broadband infrastructure, in accordance with applicable law, AIMM Program materials, and Treasury and ADECA guidance. Operating costs and indirect costs for the project are not eligible for reimbursement. In addition, costs for the project incurred before or after the term of the AIMM subaward agreement are not eligible for reimbursement. AIMM grant funds may not be used for research and development costs and may not be used to cover costs that have been or will be reimbursed – or otherwise paid – by other federal or state funding sources. Any additional expenses associated with the project, but not part of the proposed budget, should be included in the narrative.

When completing the proposed project budget table below, applicants may break out material and labor costs or use a lump sum for construction and installation. Do not complete both without prior approval from ADECA.

<b>Budget Category</b>	<b>Total Cost</b>	Grant Amount	Match Amount
Engineering/Design			
Permitting			
Make-Ready Costs			
Construction/Installation			
Or			
Materials			
Labor			
Contingency			
Other (please specify)			
Total			

Successful AIMM Program applicants including contingency costs in their proposed project budgets will be required to submit amended project budgets reallocating contingency costs to line-item expenses eligible for reimbursement as part of the AIMM subaward agreement process.

- 2. Provide a breakdown of the proposed project budget, showing the applicant's expected project expenses for each year until project completion.
- 3. Discuss the applicant's necessary financial resources to:
  - a. Sustain service to the proposed project area (business model), including planning and capacity for future network growth as well as any take rates, revenue projections, financial analyses, and pro forma statements for the proposed project;
  - b. Provide adequate project financing, including leveraging private investment; and
  - c. Ensure financial stability and viability for the duration of the proposed project.

Any additional documentation can be included in a separate electronic file submitted with the application titled Project Budget Attachment.

4. Describe any funds that will be used by the applicant to complete the proposed project that are from sources other than the AIMM Program. AIMM subaward funds may not be used to cover costs that have been or will be reimbursed, or otherwise paid, by other federal or state funding sources. Any subaward under the AIMM Program, 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 cost.

#### E. Other Program Priorities

This section is worth up to 15 points, with each question worth up to 5 points. Please answer each of the following questions either "YES" or "NO." For each "YES" answer, provide a brief narrative and any supporting documentation in a separate electronic file submitted with the application titled Other Program Priorities Attachment. Any claims that cannot be verified will

receive zero points in our scoring system. ADECA may request additional documentation from applicants to verify application information. "NO" answers will receive zero points in our scoring system.

Does this project seek to leverage grant funds through private investment?	YES	NO	If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.		
Does this project seek to leverage grant funds through extension of existing infrastructure and be the most cost effective and technically efficient in that it proposes to serve the highest number of Anchor Institutions for the least grant fund cost and best level of service, emphasizing projects including the highest broadband speeds?	YES □	NO	and doc	nclude an exp umentation ir ther Program nent.	n a file
Is the applicant a small or minority business, women's business enterprise, or labor surplus area firm and/or certified by the ADECA Office of Minority Business Enterprise or otherwise as a Disadvantaged Business Enterprise?  Documentation of certification does not include self-certification as provided in SAM.gov.	YES □	NO 🗆	If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.		n a file
F. <u>Risk Assessment Questionnaire</u> This section seeks information regarding an a requirements and applicable laws, allowing A with federal law. Applicants should answer exapplicable.	DECA to	conduct	t a risk a	ssessment in	accordance
Has your business previously received ADECA/ADED funds (for state-supported programs) or federal funds (for federal-supp programs)?		YES		NO   □	N/A
Has your business provided broadband internet access services for more than two years?		YES		NO 🗆	N/A □

Does your business receive 25% or more of its total funding through federal/state awards?	YES □	NO 🗆	N/A □
If your business previously received funds from ADECA/ADED, did your business return more than 10% of its grant allocation to ADECA/ADED at the completion of the project?	YES □	NO 🗆	N/A
Has your business ever been subject to recoupment of payments under any federal/state grant?	YES	NO 🗆	N/A □
Does your business have adequate financing available to support this project?	YES	NO 🗆	N/A □
Is your business required to conduct an annual audit or does your business otherwise conduct an audit at least annually?	YES □	NO   □	N/A □
If audit findings were cited, does your business have a corrective action plan for correcting the findings?	YES □	NO 🗆	N/A □
If yes, please explain:			
Does your business have a financial management system in place to track and record expenditures for the program?	YES □	NO   □	N/A □
Does your business have a records management and retention system that allows for the preparation of required reports and tracing of funds to each program?	YES □	NO   □	N/A □
Does your business have a property management system to track and record the acquisition and use of real property, equipment, and supplies?	YES □	NO   □	N/A □
Does your business have policies and procedures in place to obtain insurance for real property and equipment it acquires, including through self-insurance?	YES □	NO 🗆	N/A □

Does your business have policies and procedures in place to prevent the procurement and use of prohibited covered telecommunications and video surveillance services or equipment?	YES □	NO   □	N/A □
Does your business have policies and procedures in place to obtain required permits and comply with environmental, historic preservation, and other land use requirements?	YES □	NO   □	N/A □
Does your business have established effective procedures and internal controls that provide safeguards and reasonable assurances that the award will be managed in compliance with applicable law and the terms and conditions of the award?	YES □	NO   □	N/A □
Does your business have a time and accounting system to identify time and expenses associated with the project? (each project must be able to be tracked separately)	YES □	NO   □	N/A □
Is your business required to provide a budget to actual financial report to an appropriate oversight group (e.g., committee, board members, stockholders, etc.)?	YES □	NO   □	N/A □
Does your business owe any money to any division of ADECA or to the federal government under any program where it has not arranged a repayment plan?	YES	NO   □	N/A □
Has a petition been filed with respect to your business or its affiliates under the bankruptcy code in the past five years?	YES	NO 🗆	N/A □
Does your business have policies and procedures in place to allow employees to report potential noncompliance and/or waste, fraud, and abuse potentially affecting the federal award?	YES	NO   □	N/A □
Does your business plan to assign staff to the project that have worked with the business for less than one year?	YES □	NO   □	N/A □

Does your business receive proceeds directly from any federal awarding agency?	YES	NO 🗆	N/A □
Has your business received monitoring for any	YES	NO	N/A
federal/state dollars awarded?			
If so, were there any findings cited during	YES	NO	N/A
monitoring?			
Is your business on a corrective action plan from	YES	NO	N/A
monitoring?			
Does your business have any unresolved	YES	NO	N/A
questioned costs or finding of fiscal inadequacy as a result of project monitoring?			
Has your business ever been found to have violated	YES	NO	N/A
federal, state, or local labor, nondiscrimination, or equal employment opportunity laws?			
Has your business currently or previously been	YES	NO	N/A
suspended or debarred by any federal/state agency?			

#### G. Applicant Certifications and Assurances

- 1. The applicant certifies that it is eligible to apply for this subaward under federal, state, and local law.
- 2. The applicant certifies that it is a cooperative, corporation, limited liability company, partnership, non-profit, other private business entity, or unit of government that provides middle-mile, last-mile, or Anchor Institution broadband services, or a consortium or other collaborative entity eligible to apply for this subaward.
- 3. The applicant certifies that the proposed project will result in fiber optic infrastructure that is designed to provide:
  - a. At least one service offering that is capable of delivering broadband services that reliably meet or exceed symmetrical download and upload speeds of 1 gigabit per second (1/1 Gbps) to Anchor Institutions with an identified need; and
  - Middle-mile broadband services that can support last-mile broadband services that reliably meet or exceed symmetrical download and upload speeds of 100 megabits per second (100/100 Mbps).
- 4. The applicant certifies that the proposed project will be capable of providing middle-mile broadband service to support last-mile broadband services in unserved areas of Alabama,

- as defined in this *Alabama Anchor Institution/Middle-Mile Program Application and Application Guide*.
- 5. The applicant certifies that the proposed project will meet industry standards for network design, construction, maintenance, and service, including the Fiber Construction Standards set forth in Appendix A of the *Alabama Anchor Institution/Middle-Mile Program Guide*.
- 6. The applicant certifies that it has the technical, managerial, and financial capabilities to complete the proposed project within two years (or an extended timeframe requested by the applicant due to project complexity).
- 7. The applicant certifies that, to the extent it provides service to households using AIMMsupported broadband infrastructure, it will, for as long as the AIMM-supported broadband infrastructure is in use, either participate in the Federal Communications Commission's Affordable Connectivity Program (ACP) through the lifetime of the ACP or otherwise provide access to a broad-based affordability program to low-income consumers in the proposed service area of the broadband infrastructure that provides benefits to households commensurate with those provided under the ACP through the lifetime of the ACP should it receive an AIMM subaward. The applicant further certifies that, to the extent it enters into agreements with ISPs to use its AIMM-supported broadband infrastructure to provide service to households, it will require such ISPs, for as long as they use AIMM-supported broadband infrastructure, to either participate in the ACP through the lifetime of the ACP or otherwise provide access to a broad-based affordability program to low-income consumers in the proposed service area of the broadband infrastructure that provides benefits to households commensurate with those provided under the ACP through the lifetime of the ACP should it receive an AIMM subaward.
- 8. The applicant certifies that it will comply with all applicable suspension and debarment provisions set forth in 2 C.F.R. Part 180 and the Treasury's implementing regulations at 31 C.F.R. Part 19 should it receive an AIMM subaward.
- 9. The applicant certifies, to the best of its knowledge and belief, that:
  - a. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
  - b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the

- undersigned shall complete and submit Standard Form–LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- c. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
  - This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- 10. The applicant certifies that it will comply with all applicable provisions of Title V, Subtitle D of Pub. L. No. 100-690 or Pub. L. No. 111-350 (41 U.S.C. § 8101 et seq.), the Drug-Free Workplace Act of 1988, and 31 C.F.R. Part 20, should it receive an AIMM subaward.
- 11. The applicant certifies that it will comply with all applicable provisions of 2 C.F.R. Part 25, including the award term set forth in Appendix A to 2 C.F.R. Part 25, should it receive an AIMM subaward.
- 12. The applicant certifies that it will comply with all applicable provisions of 2 C.F.R. Part 170, including the award term set forth in Appendix A to 2 C.F.R. Part 170, should it receive an AIMM subaward.
- 13. The applicant certifies that it will disclose, in a timely manner, in writing to Treasury or ADECA all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. The applicant further certifies that it will comply with all applicable provisions of 2 C.F.R. Part 200, Appendix XII, should it receive an AIMM subaward.
- 14. The applicant certifies that it will comply with all applicable federal, state, and local laws related to nondiscrimination and provide all required assurances should it receive an AIMM subaward. Such laws include, but are not limited to:
  - a. Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., and the Treasury's implementing regulations, 31 C.F.R. Part 22;
  - b. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794;
  - c. Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., and the Treasury's implementing regulations, 31 C.F.R. Part 28;
  - d. Age Discrimination Act of 1975, 42 U.S.C. § 6101 et seq., and the Treasury's implementing regulations, 31 C.F.R. Part 23; and

- e. Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.
- 15. The applicant certifies that, to the extent it is a last-mile broadband service provider, it has submitted or will submit, within the one-year period preceding the awarding of the AIMM subaward, its broadband service availability information to Alabama's broadband mapping program. If applicable, the applicant further certifies that it will 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 should it receive an AIMM subaward.

Certification	
I, the undersigned, am authorized to obligate my entity and enter into agricorganization. I understand that the above certifications and assurances do funding and a subaward agreement will be executed prior to project fund further understand that, if the information provided by my organization to application is materially false or the application information cannot be verwill be awarded under this program. Finally, to the best of my knowledge certifications and assurances are true and correct.	o not guarantee is being awarded. I o ADECA in the erified, no grant funds
Signature of Applicant:	Date:
Title of Applicant:	

For more information regarding the AIMM Program, please call (334) 353-0767 or send questions to broadband.fund@adeca.alabama.gov.

### Appendix A. Sample Letter of Support and Commitment from Anchor Institution

[Anchor Institution Logo/Letterhead]

Anchor Institution physical address Anchor Institution email address

Date

Maureen Neighbors Chief, Alabama Digital Expansion Division Alabama Department of Economic and Community Affairs (ADECA) Via email: broadband.fund@adeca.alabama.gov

Dear Ms. Neighbors,

I am writing on behalf of [Anchor Institution] to express our support for the subaward application and proposed project submitted by [Applicant] to the Alabama Anchor Institution/Middle-Mile Program. We have reviewed the application, including the routing of the proposed project and proposed service offerings, and believe that this project will be valuable to our organization by giving us access to reliable, high-speed broadband services that are necessary to our work and mission.

Specifically, we require this new fiber optic broadband connectivity because [insert description of need and how the Anchor Institution will use the new connectivity.].

We look forward to working with [Applicant] to facilitate [Applicant's] construction to our facility. We further commit that we intend to procure services over the new infrastructure once they are available. We further commit to facilitate [Applicant's] efforts to use the new fiber infrastructure to facilitate last-mile expansion to unserved areas of Alabama, including by [insert description of how the Anchor Institution will support this effort, for example, by enabling Applicant to locate an interconnection point at the Anchor Institution's facility].

Please contact [Name, Title, Phone, Email] with any questions or to discuss our work with [Applicant] on this proposed project.

Sincerely,

[Signature of an Authorized Representative for Anchor Institution] Name, Title Anchor Institution Name

Address

Addiess

Phone

Email

## Appendix B. Sample Letter of Support and Commitment from Internet Service Provider

[Internet Service Provider Logo/Letterhead]

Internet Service Provider physical address Internet Service Provider email address

Date

Maureen Neighbors Chief, Alabama Digital Expansion Division Alabama Department of Economic and Community Affairs (ADECA) Via email: broadband.fund@adeca.alabama.gov

Dear Ms. Neighbors,

I am writing on behalf of [Internet Service Provider] to express our support for the subaward application and proposed project submitted by [Applicant] to the Alabama Anchor Institution/Middle-Mile Program. We have reviewed the application, including the routing of the proposed project, interconnection points, and proposed middle-mile service offerings, and believe that this project will be valuable to our organization in the following ways: [insert description].

We look forward to working with [Applicant] to facilitate [Applicant's] construction. We further commit that we intend to procure middle-mile services over the new infrastructure once they are available. We further commit that we intend to use the new fiber infrastructure to facilitate last-mile expansion to unserved areas of Alabama, including by [insert description of how the Internet Service Provider will use the new middle-mile connectivity to improve last-mile outcomes, for example, by procuring middle-mile services to support new last-mile operations funded by federal or state programs].

Please contact [Name, Title, Phone, Email] with any questions or to discuss our work with [Applicant] on this proposed project.

Sincerely,

[Signature of an Authorized Representative for Internet Service Provider] Name, Title

Internet Service Provider Name

Address

Phone

**Email** 

#### Disclaimer

This project is being supported, in whole or in part, by federal award number SLFRP2635 awarded to the State of Alabama by the U.S. Department of the Treasury.