

Alabama Capital Projects Fund – Phase 2  
Application



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**Alabama Capital Projects Fund – Phase 2  
Application**

Applicants **must use the following application form**, 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 a loss of points or the rejection of the application.

The Alabama Capital Projects Fund – Phase 2 (CPF 2) 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. The projects supported by the CFP 2 will be designed to address a critical need that resulted from or was made apparent or exacerbated by the COVID-19 public health emergency. Applicants should review the *Alabama Capital Projects Fund – Phase 2 Application Guide*, *Alabama Capital Projects Fund – Phase 2 Program Guide*, *Alabama Capital Projects Fund – Phase 2 Frequently Asked Questions*, *Alabama Capital Projects Fund – Phase 2 Rating Criteria*, and Treasury’s federal Capital Projects Fund guidance for more information and relevant definitions for completing this application.

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.

**CPF 2 Application**

A. Applicant Information

\*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.

**Note:** Each CPF 2 applicant must obtain a Unique Entity Identifier (UEI) from the federal System for Award Management (SAM) and provide its UEI to ADECA as part of this application. **No entity may receive a CPF 2 subaward from ADECA until the entity has provided its UEI to ADECA.**

Each successful CPF 2 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 CPF 2 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.

## B. Project Description

This section is worth up to 35 points. Up to 25 points will be awarded to applicants based on their answers to the questions below. In addition, up to 10 bonus points will be awarded to applicants applying for service areas where the existing connection to the internet provides capacity for transmission at an average speed per customer of less than 25/3 Mbps. Points will be awarded based on verifiable information. ADECA may request additional documentation from applicants to verify application information. For more information about completing this section and how it will be scored, please see the *Alabama Capital Projects Fund – Phase 2 Application Guide* and *Alabama Capital Projects Fund – Phase 2 Rating Criteria*.

Please complete the project description sections below.

1. Provide a detailed discussion of the proposed project area, including boundaries, number of households, businesses, and any community anchors (libraries, schools, police and fire stations, hospitals, etc.). The applicant shall also identify if the project area is located within an unincorporated area and provide information demonstrating how the area meets the definitions of both a rural area and an unserved area.

The applicant shall discuss how this project will address a critical need in the communities this project will serve and how the project will directly enable work, education, and health monitoring for the residents of the community.

If the project includes non-contiguous areas that are separated by more than 20 miles, please discuss how the needs of each community may differ and how the project will benefit each community.

ADECA may request that applicants include additional broadband serviceable locations in the proposed project.

Please complete the following table for the proposed project:

Number of Households to be Served	
Number of Businesses to be Served	
Number of Community Anchors to be Served	

ADECA will determine if the applicant is eligible for the 10 bonus points for applying for service areas where the existing connection to the internet provides capacity for transmission at an average speed per customer of less than 25/3 Mbps.

**Note:** Generally, applicants may establish that the proposed project is in a rural area and in an unserved area by using the Alabama Broadband Map located here: <https://broadband.alabama.gov/broadband-maps/>.

Applicants are **strongly encouraged to conduct a field review to determine whether an area is served or may become served**. If an area is identified as unserved at the time of the application but becomes served prior to the execution of a CPF 2 subaward agreement for the project, the project may not be eligible for funding.

- Discuss the percentage of currently unserved broadband serviceable locations that will have access to symmetrical speeds of 100/100 Mbps or faster as a result of the proposed project. Projects proposing to serve all currently unserved locations in the relevant geographic area will receive the most consideration in this category. Please explain the applicant's basis for such determination, such as the Alabama Broadband Map.
- Please complete the following table for the proposed project. The grant amount requested cannot exceed 80 percent of the total project cost or \$5 million, whichever is less. Any subaward under the CPF 2, 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.

Total Project Cost	\$
Total Grant Amount Requested (no more than \$5 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)	\$

4. Provide the number of route miles that will be constructed to complete the proposed project in the box below:

Route Miles	
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5. Complete the following table that explains the proposed service, technology type, advertised download and upload speeds, and monthly price (non-promotional). More rows may be added as necessary. The table must include at least one service offering providing symmetrical speeds of 100/100 Mbps or faster. In accordance with current Treasury guidance, the table must also include at least one service offering eligible for support under the Federal Communications Commission’s Affordable Connectivity Program (ACP).

**Applicants should note that, given the uncertainty about continued funding for the ACP, guidance from Treasury regarding the ACP may change. In the event the ACP expires, and a replacement program is not designated by Treasury, ADECA will share additional guidance with CPF 2 participants as it becomes available.**

Service	Technology Type	Advertised Download Speed (Mbps)	Advertised Upload Speed (Mbps)	Monthly price (non-promotional)

6. In accordance with current Treasury guidance, CPF 2 subrecipients must participate in federal programs that provide low-income consumers with subsidies on broadband internet access services upon project completion (including, at a minimum, the ACP). CPF 2 subrecipients will be required to allow subscribers in their funded service area(s) to utilize the ACP for their project service offerings upon project completion.

Discuss any plans the applicant has to offer services that are affordable to customers in its target markets within the proposed funded service area(s), including relevant pricing data, service characteristics, non-recurring costs, data caps, and average service fees in the communities to be served. Such discussion should include a description of the applicant’s ACP offerings, plans to advertise and promote discounted service offerings under the ACP, plans to offer and promote additional low-income and low-cost programs beyond ACP, affordability and subsidy programs offered by third-party organizations, demographic and socioeconomic descriptions of the proposed funded service area(s), or plans to conduct outreach or participate in community events regarding affordable service offerings.

**Applicants should note that, given the uncertainty about continued funding for the ACP, guidance from Treasury regarding the ACP may change. In the event the ACP**

**expires, and a replacement program is not designated by Treasury, ADECA will share additional guidance with CPF 2 participants as it becomes available.**

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.

Name of Licensed Professional Engineer	License Number and State

The preliminary technical evaluation shall include:

- a. A discussion of the applicant’s resiliency plans for the proposed project.
- b. A detailed description of how the proposed infrastructure will deliver service that reliably meets or exceeds symmetrical 100/100 Mbps speeds to all potential end users in the project area (see *Alabama Capital Projects Fund – Phase 2 Application Guide* for more details).
- c. A map in GIS format indicating cable routing that depicts the detailed information described in item b above, including locations to be served. For a wireless network, provide in GIS format an RF map indicating base station locations and signal levels in each proposed spectrum band and the locations to be served.
- d. A logical network design drawing showing the number, type, and make and model of major components (backhaul, routers, switches, multiplexers, interfaces) that depicts the detailed description provided above.
- e. A project cost estimate, which shall include construction costs, any “make ready” costs, and costs associated with easements and permits (see *Alabama Capital Projects Fund – Phase 2 Application Guide* for more details).
- f. A detailed project timeline demonstrating planning, implementation, and completion of the proposed project within two years or an extended timeframe requested by the applicant due to project complexity, subject to federal program deadlines (see *Alabama Capital Projects Fund – Phase 2 Application Guide* for more details).

**Note:** CPF 2 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.

- g. A map of the proposed project area shown as a polygon (see *Alabama Capital Projects Fund – Phase 2 Application Guide* for more details).

- h. A discussion of the applicant’s procedures for complying with any federal, state, or local permitting, environmental, and historic preservation 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.
- 8. 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.
- 9. Discuss the applicant’s technical and managerial capabilities to complete the proposed project within two years of the CPF 2 subaward or requested extended timeframe (see *Alabama Capital Projects Fund – Phase 2 Application Guide* for more details).
- 10. Indicate whether the applicant assesses charges for attaching to its poles.

Yes       No

If yes, provide the applicant’s average pole attachment rates charged to an unaffiliated entity in the table below (does not apply to a utility as defined under Ala. Code § 37-4-1(7)a):

Average Pole Attachment Rate	

- 11. 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.
- 12. 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.
- 13. 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.

C. Application Budget

Please complete the project budget sections below. For more information about completing this section, please see the *Alabama Capital Projects Fund – Phase 2 Application Guide*.

1. Itemize eligible project expenses. ***Eligible project expenses generally shall be limited to construction and construction-related costs of broadband infrastructure***, in accordance with applicable law, CPF 2 program materials, and Treasury and ADECA guidance. Please see the *Alabama Capital Projects Fund – Phase 2 Application Guide* for more details.

**Note:** Applicants may breakout materials and labor costs **or** use a lump sum for construction/installation.

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

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 CPF 2. CPF 2 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 CPF 2, 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.



D. Technical Assistance

Previously unsuccessful Alabama Broadband Accessibility Fund (ABAF) or CPF Phase 1 applicants that received technical assistance from ADECA regarding their prior application may receive up to 10 additional points in this category for their CPF 2 application. For more information about completing this section and how it will be scored, please see the *Alabama Capital Projects Fund – Phase 2 Application Guide* and the *Alabama Capital Projects Fund – Phase 2 Rating Criteria*.

1. Was this project previously submitted under ABAF or CPF Phase 1?

Yes  No

2. If yes, did you receive technical assistance from ADECA?

Yes  No

3. If yes, please describe how you incorporated the technical assistance recommendations from ADECA into this project application.

E. Other Program Priorities

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. This section is worth up to 100 points. Each question is worth up to 10 points. For more information about completing this section and how it will be scored, please see the *Alabama Capital Projects Fund – Phase 2 Application Guide* and *Alabama Capital Projects Fund – Phase 2 Rating Criteria*.

Does this project seek to leverage grant funds through private investment?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	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?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.
*Does this project serve locations with demonstrated community support, including, but not limited to, documented support from local government?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.

<p>Is this project the most cost effective and technically efficient in that it proposes to serve the highest number of unserved homes, businesses, and community anchor points for the least grant fund cost and best level of service, emphasizing projects including the highest broadband speeds (at least symmetrical speeds of 100/100 Mbps)?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>	<p>If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.</p>
<p>Does this project provide material broadband enhancement to hospitals, clinics, and other medical facilities located in rural areas?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>	<p>If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.</p>
<p>Does this project support local libraries in this state for the purpose of assisting the libraries in offering digital literacy training pursuant to state library and archive guidelines?</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>	<p>If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.</p>
<p>Does this project commit to improving the adoption rate of broadband services by offering programs to households that meet guidelines established by ADECA, Treasury, or other funding sources, including, but not limited to, special service rates, internet-enabled devices that meet the needs of the user, and digital skills training?</p> <p>The applicant should describe any additional low-cost broadband service and enabled device options that will be offered to customers served by this project that go beyond or will complement the applicant's participation in any federal programs that provide low-income consumers with subsidies on broadband internet access services, including the ACP.</p> <p>Additional consideration will be given for applicants that provide qualifying households with a CPF 2 service offering at no cost to end users through the ACP.</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>	<p>If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.</p>

<p><b><u>Applicants should note that, given the uncertainty about continued funding for the ACP, guidance from Treasury regarding the ACP may change. In the event the ACP expires and a replacement program is not designated by Treasury, ADECA will share additional guidance with CPF 2 participants as it becomes available.</u></b></p>			
<p>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?</p> <p>Documentation of certification does not include self-certification as provided in SAM.gov.</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>	<p>If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.</p>
<p>Does the proposed project include any plans to address the critical needs of residents in underrepresented and historically disadvantaged rural and unserved areas, including but not limited to any plans to support community broadband adoption projects or community anchors? In addition, discuss whether the applicant has engaged in any outreach or coordination activities with the communities to be served by the proposed project, including any historically disadvantaged populations.</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>	<p>If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.</p>
<p>Will the applicant prioritize strong labor, workforce development/continuity, and local hiring practices and hiring of workers from historically disadvantaged communities during the proposed project? If yes, provide information and descriptions of any plans to:</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>	<p>If yes, include an explanation and documentation in a file titled Other Program Priorities Attachment.</p>

<ul style="list-style-type: none"> <li>• Hire project employees directly or through a third party.</li> <li>• Enter into a project labor agreement or other pre-hire collective bargaining agreement.</li> <li>• 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.</li> <li>• Require professional certifications and/or in-house training, registered apprenticeships, or labor-management partnership training programs.</li> <li>• Put policies and procedures in place to ensure contractors and subcontractors meet high labor standards.</li> <li>• Partner with unions, community colleges, or community-based groups.</li> <li>• Minimize risks of labor disputes and disruptions that would jeopardize the timeliness and cost-effectiveness of the project.</li> <li>• 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.</li> <li>• Prioritize local hires for the project.</li> <li>• Adopt a community benefit agreement for the project.</li> </ul>			
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**\*Note:** Matching fund commitments by a local entity (i.e., municipality/county) must be described in a resolution that is adopted by the local entity. Applicants must submit this resolution as an attachment to the application. Local entities that commit match funding for a project must also enter into a Memorandum of Understanding with ADECA. In addition, an

applicant may seek bonus points by demonstrating a commitment to serve a community through a project or supported partnership that supplements and complements the applicant’s project proposal to deploy broadband to the area. The applicant should include a letter from the community documenting any community projects and support for the proposed project.

A sample resolution for local entity matching funds and a sample community support letter, as well as examples of “demonstrated community support” projects, are provided in the *Alabama Capital Projects Fund – Phase 2 Application Guide*.

F. CPF 2 Risk Assessment Questionnaire

Has your business previously received ADECA/ADED funds (for state-supported programs) or federal funds (for federal-supported programs)?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Has your business provided broadband internet access services for more than two years?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Does your business receive 25% or more of its total funding through federal/state awards?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Has your business ever been subject to recoupment of payments under any federal/state grant?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Does your business have adequate financing available to support this project?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Is your business required to conduct an annual audit or does your business otherwise conduct an audit at least annually?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
If audit findings were cited, does your business have a corrective action plan for correcting the findings?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes, please explain:			

Does your business have a financial management system in place to track and record expenditures for the program?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Does your business have a property management system to track and record the acquisition and use of real property, equipment, and supplies?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Does your business have policies and procedures in place to obtain insurance for real property and equipment it acquires, including through self-insurance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Has a petition been filed with respect to your business or its affiliates under the Bankruptcy Code in the past five years?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Does your business plan to assign staff to the project that have worked with the business for less than one year?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Does your business receive proceeds directly from any federal awarding agency?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Has your business received monitoring for any federal/state dollars awarded?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
If so, were there any findings cited during monitoring?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Is your business on a corrective action plan from monitoring?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Does your business have any unresolved questioned costs or finding of fiscal inadequacy as a result of project monitoring?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Has your business ever been found to have violated federal, state, or local labor, nondiscrimination, or equal employment opportunity laws?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Has your business currently or previously been suspended or debarred by any federal/state agency?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

G. Applicant Certifications and Assurances

Please see the *Alabama Capital Projects Fund – Phase 2 Application Guide* for more details on this section.

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 broadband services.
3. The applicant certifies that any area to be served as a result of the proposed project would qualify as a Rural Area and an Unserved Area under the Alabama Broadband Accessibility Act or would otherwise be eligible for support under the Alabama Broadband Accessibility Act.
4. The applicant certifies that any customer to be served as a result of the proposed project would qualify as an End User under the Alabama Broadband Accessibility Act or is otherwise eligible for supported service under the Alabama Broadband Accessibility Act.
5. The applicant certifies that all customers to be served as a result of the proposed project will have access to an internet connection and at least one service offering that is capable of delivering broadband internet access service that reliably meets or exceeds symmetrical download and upload speeds of 100 megabits per second (100/100 Mbps). The applicant further certifies that it will provide the speed tiers committed to in the application as described in the application should it receive a CPF 2 subaward.
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. In accordance with current Treasury guidance, the applicant certifies that it participates or will participate in federal programs that provide low-income consumers with subsidies on broadband internet access services, including, at a minimum, the Affordable Connectivity Program (ACP) established by the Federal Communications Commission, should it receive a CPF 2 subaward. The applicant further certifies that it will allow subscribers in the proposed project service area to utilize the ACP for its project service offerings upon project completion should it receive a CPF 2 subaward. The applicant further certifies that it will participate in the ACP, or any successor affordability program designated by the Treasury, for the duration of any such program or until the date the project infrastructure is no longer in use, whichever is earlier, should it receive a CPF 2 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 a CPF 2 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 a CPF 2 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 a CPF 2 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 a CPF 2 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 a CPF 2 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 a CPF 2 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 it has submitted or will submit, within the one-year period preceding the awarding of the CPF 2 subaward, its broadband service availability information to Alabama’s broadband mapping program. Further, the applicant 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 a CPF 2 subaward.
16. The applicant certifies that the proposed project network design uses industry standards and practices and can support the number of locations in the application, reliably providing speeds at or above symmetrical 100/100 Mbps.

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

For more information regarding the CPF 2, please call (334) 353-0767 or send questions to [broadband.fund@adeca.alabama.gov](mailto:broadband.fund@adeca.alabama.gov).

Disclaimer

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