

DRAFT #4

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Idaho Broadband Advisory Board Idaho Capital Projects Fund (ARPA) Broadband Infrastructure Grant Application

Program Guidelines

The Idaho Broadband Advisory Board is committed to improving access to broadband infrastructure for Idahoans and recognizes that affordable, accessible and reliable high-speed broadband is one of the most critical infrastructure challenges facing Idahoans. To address this digital divide, the Idaho Broadband Advisory Board releases guidelines for the Idaho Capital Projects Fund (ARPA) Grant Program.

The Board reserves the right to modify these guidelines, in its sole discretion, in furtherance of program priorities or the best interests of the State of Idaho. Any modifications to these guidelines will be posted on the Board's website and stakeholders will be notified. Additionally, any modifications to these timelines after the receipt of an application will be sent directly to those applicants for their consideration.

1. Program Description

Under the [American Rescue Plan Act of 2021 H.R. 1319](#), established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021 (ARPA) Congress created the [Coronavirus Capital Projects Fund \(Capital Projects Fund\)](#) and directed the U.S. Department of the Treasury (Treasury) to award funds to States under the Capital Projects Fund (CPF)

ARPA appropriated \$10 billion to Treasury to provide payments to States, territories, freely associated states, and Tribal Governments “to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to the Coronavirus Disease (COVID-19).”

The CPF allows for investments in high-quality broadband infrastructure in communities where the COVID-19 public health emergency highlighted that access to high-quality internet can enable work, education, and health access, and that individuals and communities that lack affordable access to such high-quality internet are at a marked disadvantage. Additionally, Treasury prioritizes that investing in broadband for communities sensitive to or that have historically experienced these inequities will be critical for improving digital equity and opportunity, especially in the case of communities that currently lack access to the affordable, reliable, high-quality broadband internet that is necessary for full participation in school, healthcare, employment, social services, government programs, and civic life is crucial for their success.

Grants under the Idaho CPF [Grant program](#) will follow federal guideline priorities outlined by Treasury as well as priorities outlined by the [Idaho Broadband Advisory Board's Broadband Strategic Plan](#).

Per Treasury requirements, funds must be expended by December 31, 2026. Treasury may, in its sole discretion, grant extensions to the period of performance upon request from the State of Idaho.

2. Funding Availability for CY2023

Under CPF, Treasury allocated \$125 million to the State of Idaho, which will be under oversight of the Idaho Broadband Advisory Board. The Board will award grants via a competitive grant application [process in furtherance of the ~~that complies with~~](#) priorities outlined in the [Idaho Broadband Advisory Board's Broadband Strategic Plan](#) to entities that commit to improving broadband infrastructure to underserved and unserved locations in Idaho.

3. [Timelines Grant Schedule](#)

- a. [Grant Open for Applications submission opens](#): Monday, March 27, 2023 @ Noon MDT
- b. [Grant Window Closes Application Deadline](#): Monday, April 24, 2023 @ Noon MDT
- c. Public Comment and Challenge Period Opens: Wednesday, May 3, 2023 @ Noon MDT
- d. Public Comment and Challenge Period Closes: Wednesday, May 17, 2023 @ Noon MDT
- e. Applicant rebuttal period will run for 3 business days from online posting of challenges.
- f. Grant [Application](#) Review Period: May 18-June 8, 2023
- g. Presentation of Shortlist to Idaho Broadband Advisory Board: June 2023
- h. Grant Awards [Announced](#): July 2023
- i. Period of Performance for Projects ends December 31, 2026.

The Board reserves the right to modify the timelines above prior to the issuance of grant awards. Any modifications to these timelines will be posted to the Board's website and stakeholders will be notified. Additionally, any modifications to these timelines after the receipt of an application will be sent directly to those applicants for their consideration.

4. Definitions

- a. Administration Costs: the costs of administering the Capital Projects Fund [grant funding](#) by a [grantee Recipient](#), providing technical assistance to potential [Subrecipients subgrantees](#), and complying with grant administration and audit requirements.

- b. Community Anchor Institution (CAI): an entity such as a school, library, health clinic, health center, hospital or other medical provider, public safety entity, institution of higher education, public housing organization, or community support organization.
- c. Broadband: wide bandwidth communication transmissions allowing high speed internet access with an ability to simultaneously transport multiple signals and traffic types at a minimum transmission speed of one hundred (100) megabits per second for downloads and twenty (20) megabits per second for uploads.
- d. Broadband Infrastructure: networks of deployed telecommunications equipment, conduit, and technologies necessary to provide broad band and other advanced telecommunications services to wholesalers or end users, including but not limited to private homes, businesses, commercial establishments, schools, or public institutions.
- e. Broadband provider: any entity that (a) provides broadband services, including but not limited to a telecommunications provider, cable service provider, broadband provider, cellular provider, political subdivision that provides broadband services, electric cooperative that provides broadband services, electric utility that provides broadband services, state government entity that provides broadband services, tribal government that provides broadband services, or internet service provider; or (b) builds broadband infrastructure, including but not limited to a port, nonprofit organization, or private-public partnership established for the purpose of expanding broadband in the state.
- f. Broadband Service: deployed internet access service with 100/100Mbps speeds (required by Treasury).
- g. Government Facilities: includes, but is not limited to, public safety facilities, City Hall, parks, civic and community centers, courthouses, state agencies and public infrastructure facilities.
- h. Last Mile Infrastructure: serves as the final leg connecting the broadband service provider's network to the end-user's on-premises telecommunications equipment.
- i. Middle Mile Infrastructure: links a broadband service provider's core network infrastructure to last-mile infrastructure.
- j. Open Access Network: an arrangement in which the grantee offers nondiscriminatory access to and use of its middle-mile network on a wholesale basis to other providers seeking to provide broadband service to end-user locations, at ~~just and~~ reasonable and competitive wholesale rates for the useful life of the network assets.
- k. Qualifying Challenger: a company, firm, corporation, partnership, entity, political subdivision or association that provides existing broadband service at speeds of 100/100Mbps and is in compliance with all FCC broadband data reporting requirements.

- l. Rural Areas: defined as areas where the population is less than 25,000.
- m. Unserved Locations: locations without access to reliable broadband service of 25/3Mbps.
- n. Underserved Locations: locations without access to reliable broadband service of 100/20Mbps.

5. Eligible Applicants

Eligible applicants for this program are incorporated business or partnership, [an Idaho](#) nonprofit organization^s, limited liability company, incorporation, cooperative entity that provides broadband services, an Idaho local or tribal government, or [Idaho](#) political subdivisions. Examples include telecommunications provider, electric cooperative and local government entities.

Multiple applications from an eligible entity will be accepted. Applications with multiple service providers must provide documentation from all parties demonstrating how the parties will collaborate to connect all locations within the project area. For example, if two internet service providers want to partner on a project, documentation on company letterhead will be required, outlining the nature of the partnership. Applicants are not required to partner with a local jurisdiction or private internet service provider; however, it is encouraged.

Similarly, applicants must provide letter(s) of support from the communities impacted by the grant project area. Letters could come from the county, city, tribal government, schools, libraries, hospitals, businesses, etc.

6. Eligible Project Areas

Pursuant to Treasury guidelines for CPF, eligible project areas are unserved areas in Idaho in which delivery points (locations) have no wireline access to broadband service or have no access to services operating with a download speed of at least 25 megabits per second download and upload speed of at least 3 megabits per second with low latency. An underserved area is the area of Idaho in which serviceable locations (businesses, households, farm buildings, etc.) receive broadband service above the threshold of 25/3Mbps, but do not have access to wireline broadband service at 100 megabits download and 20 megabits per second upload with low latency.

Projects must connect to the premise^(s) to be eligible for grant funding or be capable of providing service to the location within 10 days of a request at no additional cost to the subscriber (i.e. hookup fees and connections fees must be covered by the grantees).

Applicants must provide an affidavit attesting to this [requirement](#). [Subrecipients](#) [Grantees](#) are also required to participate in the Affordability Connectivity Program (ACP).

Per guidelines from Treasury, when evaluating unserved and underserved areas, grant [recipients](#) [applicants](#) may take into account a variety of factors including whether users

actually receive internet service at or above the speed thresholds at all hours of the day, whether factors other than speed such as latency or jitter, or deterioration of the existing connections make their ~~user~~ customer experience unreliable, and whether the existing service is being delivered by legacy technologies such as copper telephone lines (typically using Digital Subscriber Line technology) or early versions of cable system technology (DOCSIS 2.0 or earlier), and other factors related to the services to be provided by Broadband Infrastructure Projects. Recipients Grantees may consider the actual experience of current broadband customers when making their determinations; and whether there is a provider serving the area that advertises or otherwise claims to offer broadband at a given speed is not dispositive.

7. Ineligible Project Areas

Pursuant to Treasury guidelines for CPF, the State of Idaho and Idaho Broadband Advisory Board will not fund projects where locations currently have reliable wireline broadband service of at least 100/20Mbps. Additionally, the State of Idaho ~~may~~ will not fund projects where locations will be connected to high-speed broadband service by other federal or state grants that will deliver high speed wireline service greater than 100/20Mbps. This includes FCC grant programs Rural Development Opportunity Fund (RDOF), USAC (E-Rate), USDA Reconnect, NTIA BIP, Tribal Broadband Connectivity Program, the 2020 State of Idaho Cares Act Grant, and the 2021 Idaho Broadband Fund: CARES Act Broadband Grant.

The State will retain the right to remove those serviceable locations from the proposed project area that are considered funded by other state and federal programs.

8. Program Priorities

- a. Underserved and unserved locations in Idaho.
- b. Priority consideration may be given to projects that leverage greater amounts of funding for a project from other private and/or public sources. To obtain a broadband grant, the applicant must provide the funding, not covered by the grant, with matching funds.
- c. Priority consideration to projects that provide open access.
- d. Scalable technology for future needs will be given priority to the best value and the number of households with the highest technology possible. Where it's possible, preferential points will be given for:
 - i. Symmetrical application of gig speed; and
 - ii. Fiber to the premises.
- e. Projects that connect a greater number of locations at the most economical cost.
- f. Locations in Idaho where students and educators do not have reliable access to broadband as defined as speeds less than 100/20Mbps as well as libraries, schools, and institutions of higher learning without access to fiber broadband infrastructure defined as 1Gbps/1Gbps.

- g. A high priority of this grant is engagement with the impacted community. The Applicant should work with the local community to identify an innovative means of providing a public benefit that addresses the community's needs and includes as a component of the proposed project, a long-term public benefit to the impacted community relating to tele-health, work and/or education.
 - i. To be ~~written into~~ included with the application:
 - 1. Local letters of support from governing bodies, businesses or individuals.
 - a. Descriptions and examples should include:
 - i. Provide service to previously unserved or underserved Community Anchor Institution(s) (libraries, police and fire stations, city/county buildings, public safety buildings, hospitals, healthcare facilities, and educational institutions).
 - ii. Serve an economically distressed area.
 - iii. Digital literacy training.
 - iv. Low-income assistance.
 - v. Partner with or establish co-working space.
 - vi. Activities planned to increase adoption.
 - vii. Open access.
 - viii. Fiber to the premises (FTTP).
- h. List of stakeholders and partners involved in the grant project and their roles.
- i. Show how the project is located in an economically distressed area of the state as measured by indices of unemployment, poverty, or population loss. Show how it is unlikely to be served without grant funding. Include an explanation of terrain, population and affordability issues.
- j. Government and Community Facilities without access to fiber infrastructure as defined as 1Gbps/1Gbps. This includes public safety facilities, City Hall, parks, civic and community centers, public infrastructure facilities.
- k. Projects that promote and implement Dig Once Principles in building out broadband infrastructure.
- l. Projects that enable remote work, distance learning, and telehealth adoption and access.
- m. Projects that can demonstrate increased potential economic diversification through enhanced connectivity.

9. Challenge Process

- a. The State will post all ~~completed~~ submitted applications to the Idaho Department of Commerce websites for review by the public. Applications cannot identify any information as confidential or otherwise not available to the public.

- b. To submit a challenge, a qualifying challenger must submit geospatial files (shapefiles or kmz files to the specifications mentioned in this grant) that outline where existing service delivers broadband speeds of 100/100Mbps.
- c. All challenges will be posted in the same manner as all submitted applications.
- d. All applicants will have 3 business days for the rebuttal of posted challenges.
- e. The burden of proof rests with the challenger to demonstrate by clear and convincing evidence that an applicant or project is ineligible for funding. Discretionary decisions by the Board, such as scoring and priority of projects, shall not be subject to challenge.
- f. Adjudication of challenges will be conducted and determined by the Idaho Broadband Advisory Board and review committee.

10. Application Requirements **Data Submission**

- a. All applicants must submit shapefiles or kmz files containing polygon(s) of the project area and **all locations** (houses, farms, schools, businesses, healthcare facilities, etc.) in the project area that will be served by the broadband service that will can deliver 100/100 Mbps. Further, the applicant must include all Community Anchor Institutions that will be connected by fiber broadband service of 1Gbps/1Gbps. Failure to submit this documentation will result in the grant not being considered for funding.
- b. All project grant files will be shared on the State of Idaho's GIS broadband map as well as challenges. These geographic information system (GIS) files will be shared on the State GIS website along with the resulting challenges.
- c. Every application shall include the following:
 - i. Data relevant to the proposed project area including the number of prospective broadband recipients customers that will be served as a result of the project including cost per location served. Data points should be tied to specific locations and be geo-coded for consideration as part of the application.
 - ii. Proof of participation in ACP (possibly a signed attestation), if applicable.
 - iii. Provide a detailed description of broadband service options offered by the applicant to the end-user, ensuring affordable options. Detailed descriptions are required of any low-cost service option in addition to the ACP stipends given directly to consumers. *Up to 10 points will be taken away from applicants who fail to demonstrate affordability*, if applicable.
 - iv. Each Project must include a GIS compatible file that will be shared on the Idaho Broadband Map.
 - 1. This map must include a shaded polygon of the proposed project area.

2. All serviceable locations impacted by the proposed project (including households, businesses, farms, and community anchor institutions).
 3. For all those serviceable locations, the file must indicate the broadband speed that will be capable of being delivered to that location. (examples of this are available in the packet).
 4. Be compatible with the [FCC Broadband Data Collection](#) and the Serviceable Location Fabric.
- v. Grant Budget Template (include any equipment purchase/rental/lease and justification for any capital costs outside of infrastructure. These costs may not be eligible if they cannot be substantiated for the project.)
 - vi. Broadband service option sheet for end-users, if applicable.
 - vii. Project Schedule Form.
 - viii. ARPA Certification: Attesting the project meets requirements outlined by the Capital Projects Fund including how the project is designed to directly impact work, education and health monitoring.
 - ix. ARPA Certification: Attesting that the project will be designed to address a critical need that results from or was made apparent or exacerbated by the COVID-19 health emergency.
 - x. ARPA Certification: Attesting that the project is designed to address a critical need in the community to be served by it.
 - xi. Attestation that the project will comply with federal laws where applicable.
 - xii. For projects with a total cost of \$5 million or more, applicants must agree to provide a certification with respect to Title 40, United States Code, Chapter 31, Subchapter IV (commonly known as the “Davis-Bacon Act”) as well as demonstrate fair labor practices.
 - xiii. Letters of Support
 - xiv. Letters demonstrating project match.
 - xv. Proof of service provider(s) participation in the [Affordable Connectivity Program](#).
 - xvi. Completed CPF Environmental Questionnaire.
 - xvii. Any applicable sit plan, studies, or photographs.
 - xviii. Idaho Department of Commerce reserves the right to request additional information if the submitted information is deemed insufficient or unclear.

11. Workforce

- a. ~~One of the requirements contained in~~ 2 C.F.R. 200, Appendix II ~~says~~ **requires** all contracts made by a **Recipient grantee** or **Subrecipient subgrantee** in excess of \$100,000 that involve employment of mechanics or laborers **must** include a

provision for compliance with certain provisions of the Contract Work Hours and Safety Standards Act, 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. Part 5).

12. Grant Administration

- a. Grantees must administer and are responsible for their own grants. Grantees can designate another entity to manage their grant. If a grantee is utilizing another entity to manage their grant, they must provide a contract or agreement between the parties, or an approved resolution from a local governing body.
- b. The procurement of goods and services purchased with or reimbursed by funding must comply with all laws applicable to the recipient grantee including, where applicable:
 - Idaho Code Title 54, Chapter 19 – Public Works Contractors.
 - Idaho Code Title 67, Chapter 23 – Design Professional Qualification-Based Selection.
 - Idaho Code Title 67, Chapter 28 – Purchasing by Political Subdivisions.
 - Idaho Code Title 67, Chapter 92 – State Procurement Act.

Note: Work that can be completed in-house by grantees and subgrantees, that are private companies, are exempt from Idaho Procurement laws, processes and regulations.
- c. Prior to disbursement of any funds, the recipient grantee and the Idaho Department of Commerce Broadband Advisory Board shall execute a Grant Agreement.
- d. Resulting Grant Agreements will include terms consistent with these application guidelines, applicant project proposals, applicable state and federal laws and the contracting policies for the State of Idaho. Additionally, At its sole discretion, the Idaho Broadband Advisory Board or the Idaho Department of Commerce may establish ~~special conditions~~ additional terms in the Grant Agreement in furtherance of the program priorities or best interests of the State requiring additional reporting, documentation, or program priorities.
- e. All grantees, subgrantees and/or contractors actively working in local or State's rights-of-way must be in compliance with Idaho Public Works laws, regulations and licensure. Proof of licensure may be required.
- f. Grant funds shall be disbursed with progress as milestone payments. Milestone payments MUST be associated with project progress points identified through contract negotiations or by the Idaho Broadband Advisory Board during awards. Recipients Grantees are required to submit documentation verifying terms of the Grant Agreement to the Idaho Department of Commerce and verify that milestones have been completed before the Idaho Department of Commerce will release funds to the subgrantee.

- g. Projects must reach substantial completion before December 31, 2026. Substantial completion is defined as the date for which the Project can fulfill the primary operations that it was designed to perform, delivering services to end-users. At substantial completion, service operations and management systems infrastructure must be operational. ~~Recipients-Grantees~~ may request extensions beyond this timeframe to the extent that factors outside of the ~~Recipient grantees~~'s control have impacted project delivery timelines. Treasury will only approve extension requests on a case-by-case basis.

13. Auditing

- a. ~~Recipients Grantees~~ and ~~Subrecipients subgrantees~~ may be subject to audit or review by the Treasury Inspector General and Government Accountability Office as well as the Idaho Broadband Advisory Board and Idaho Department of Commerce.

14. Application of Uniform Guidance

- a. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200 apply to the Capital Projects Fund grant, except for any provisions Treasury may determine are inapplicable to an award and subject to such exceptions as may be otherwise provided by Treasury. If applicable, a grantee ~~recipient~~ must comply with Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act.

15. Noncompliance

- a. In the event of a ~~Recipient's grantee's~~ noncompliance with applicable law or Capital Projects Fund program requirements or guidance, Treasury may impose additional conditions on the receipt of additional Capital Projects Fund funds by the ~~Recipient-grantee~~, terminate further payments from the Capital Projects Fund, seek the repayment of previous Capital Projects Fund payments, or take other available remedies pursuant to 2 C.F.R. 200.339. Additionally, see Section 18.c.

16. Website

- a. The Idaho Commerce Broadband website will include a list of proposed grant recipients including the grant ~~recipient's applicant's~~ name, primary location, and total grant award. The proposed grant application project area or proposed coverage area and challenges will be posted to the Idaho Department of Commerce website as well as the Idaho ArcGIS website.

17. Project Costs

- a. A **Recipient grantee** may use funds to cover costs incurred during the period beginning XXX, 2023, **(this date will be the go live date of the grant program)** for one or more eligible projects.
- b. Project costs are not limited to new construction. For example, project costs can involve improvements and repairs to buildings to permit the buildings to be used for eligible purposes.
- c. Eligible Project Costs. Below is a non-exhaustive list of eligible costs:
 - i. There is no maximum **or minimum** allocation per award or project proposal. The Idaho Broadband Advisory Board will review proposals on a project-by-project basis. All projects, regardless of the amount of the allocation request, will be reviewed;
 - ~~ii. Planning, and needs assessments; permitting, planning, architectural design, engineering design, and work related to environmental, historical, and cultural reviews;~~
 - iii. Ancillary costs necessary to operationalize and put the capital assets to full use, including costs to increase broadband adoption and improve digital literacy;
 - iv. Costs associated with completing the grant or Application and Grant Plan;
 - v. Pre-project development costs and uses, including data-gathering, feasibility studies, community engagement and public feedback processes, equity assessments and planning, and needs assessments; permitting, planning, architectural design, engineering design, and work related to environmental, historical, and cultural reviews;
 - vi. Costs of repair, rehabilitation, construction, improvement, and acquisition of real property, equipment (e.g., devices and office equipment), and facilities (e.g., telecommunications equipment, including infrastructure for backhaul, middle, and last mile networks).
 - vii. Costs associated with monitoring of and reporting on Projects in compliance with Treasury requirements, including award closeout costs;
 - viii. Costs associated with collecting and measuring performance data and conducting activities needed to establish and maintain a performance management.
 - ix. Costs cannot pre-date the grant's "go live" date.
- d. Ineligible Project Costs
 - i. Acquisition of spectrum licenses.
 - ii. The purchase of heavy equipment or machinery and software systems or computer applications.
 - iii. Standard operating expenses, other than grant administration costs.
 1. Grant administration costs may not exceed the greater of five (5) percent of the total amount of the grant received, or \$25,000.

- iv. Short-term operating leases.
- v. Payment of interest or principal on outstanding debt instruments or other debt services.
- vi. Fees or issuance costs associated with the issuance of new debt.
- vii. Satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring plan in a judicial, administrative, or regulatory proceeding.
- viii. To support or oppose collective.

18. Compliance and Reporting

- a. The State of Idaho is required by Treasury to disclose the names of Capital Projects Fund ~~recipients~~ grantees and the amounts of Capital Projects Fund grants. Additionally, Treasury may disclose other information provided by the State of Idaho and subgrantees in their applications or grant plans to the public. Treasury will post this information on its website and report this information on the usaspending.gov website, which allows the public to see how the federal government has distributed COVID-19 relief funding.
- b. Projects funded by the Capital Projects Fund must comply with all applicable federal environmental laws. Generally, the National Environmental Policy Act (NEPA) does not apply to Projects funded by the Capital Projects Fund. Projects supported with payments from CPF may still be subject to NEPA review if they are also funded by or otherwise involve actions from other federal programs or agencies. Prior to funding, grantees ~~a Capital Project, Recipients~~ shall complete an environmental checklist, to be made available on the Capital Projects Fund website, to determine whether certain environmental laws apply. Additionally, federally funded projects are subject to Section 106 of the National Historic Preservation Act (of 1966) and its associated federal regulations (36 CFR 800), separate from NEPA. Consultation with the Idaho State Historic Preservation Office may be required. Information about compliance with Section 106 can be found online here.
- c. To the extent required by applicable law or any applicable claw-back policies or procedures adopted by the Board, or the terms of a resulting Grant Agreement, amounts paid or payable under each project shall be subject to claw-back policies or procedures, which may provide for forfeiture or recoupment of amounts paid or payable under the Grant Agreement. The Grant Agreement will detail and specify accountability and verification requirements, not limited to, but including, broadband infrastructure data, composition and speeds.

19. Project Evaluation and Scoring Criteria [Total Points Available without Bonus Points = 210 (190 points for indisputable last-mile projects)].

Completed Applications satisfying the will initially be reviewed by the Idaho Department of Commerce review, followed by the to determine eligibility. Applications for eligible projects will then be reviewed, scored and prioritized by the grant review committee consisting of the Idaho Department of Commerce, State Board of Education, Idaho Department of Transportation, Idaho Commission for Libraries, Idaho Office of Emergency Management, and/or others as deemed appropriate by the Idaho Broadband Advisory Board. Thereafter, review committee recommendations will ~~then~~ be evaluated and acted upon by the Idaho Broadband Advisory Board. Applicants may also be required to present project(s) directly to the Board.

All projects scoring 80% or higher (including bonus points) will be prioritized for award of CPF grant monies. The final selection of proposals/projects with a score of 80% or above is at the discretion of the Idaho Broadband Advisory Board. The Idaho Broadband Advisory Board reserves the right to award projects in unserved, high-cost locations.

i) **Mandatory ~~P~~project requirements: Project Must Meet These Requirements.**

- a) Does the broadband provider participate in the Affordable Connectivity Program? **Y/N** Applicant will be required to submit proof that service provider participates in program. Applicants must provide a link to their website demonstrating this program is offered.
- b) Does this project comply with federal laws including the 2019 National Defense Authorization Act (NDAA)? **Y/N**
- c) List and provide all permits, easements, and right of ways already obtained or needed to complete the project including the regulatory authority involved and timeline to obtain the permit.
- d) Does the project comply with all applicable environmental laws? **Y/N**
- e) Does the project commit to fair labor standards as required by U.S. Treasury CPF guidance? **Y/N**
- f) Provide a certification that all contracts made by a Recipient grantee or Subrecipient subgrantee in excess of \$100,000 that involve employment of mechanics or laborers include a provision for compliance with certain provisions of the Contract Work Hours and Safety Standards Act, 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. Part 5).
- g) Does the project comply with the directives in the Idaho Broadband and Right-of-Way Act? (Sections 40-516 through 40-520, Idaho Code) **Y/N**
- h) Has the applicant ~~and/or subgrantees~~ contacted the appropriate federal, state, and local governments about any rights of ways, easements, or pole attachment needs associated with the proposed project? **Y/N** This includes, but is not limited to, the following: Idaho Department of Transportation, Utility Companies, Idaho

State Historical Preservation Office, federal agencies (USFS, BLM, Army Corps.) etc.

- i) Does your project impact any of the five Idaho Tribal Reservations? **Y/N**
If so, have you talked with the respective Tribal Government about your project?
Y/N
- j) At time of completion, does the broadband infrastructure project provide a broadband/service network capable of 100/100Mbps? Y/N
- ii) Project purpose and benefits. The extent to which the project will (a) facilitate deployment of high-speed broadband networks to currently unserved or underserved areas, and (b) improve affordability in unserved or underserved markets by providing last mile service. **(20 points)**
- iii) Explain how the project addresses a critical need related to distance learning, telehealth, or remote work in the community. In your response, please provide data to support your argument as well as any testimonials, letters, etc. Information should include distance to hospital or clinic, poverty or education statistics, or examples from residents in the area who cannot work from home. **(15 points)**
- iv) Explain how this project addresses a critical need for the community. Include in the response, how the project addresses future access, affordability and reliability. **(10 Points)**
- v) Explain how this project's middle-mile segment will be managed as open access, with the mission and goal of providing equal, affordable and unrestricted access to the internet. Describe how the fiber network will be open to local governments, broadband providers, community anchor institutions and state assets as well as promote competition and innovation. **(20 points)***
*Special note: this section and points will not be applied to indisputable last-mile projects.
- vi) Explain the comprehensiveness and appropriateness of the proposed technical solution for meeting the community's needs, considering the offering's capacity and performance characteristics. Reviewers will consider the proposed network's ability to serve anticipated last mile users, and to meet the increasing needs of the households, businesses, and community anchor institutions in the proposed project areas. **(10 points)**
- vii) Broadband experience and competency. Please describe successes and experience in building and operating broadband networks, maintaining project milestones and the management of staff, capacity needs and technologies. **(20 points)**

viii) Technology type. Is the broadband infrastructure project using fiber, fixed wireless, cable or other? **(15 points)**

Technology Type	Points
Other	3
Fixed Wireless/Cable	7
Fiber	15

ix) Points are awarded based on the number of underserved and unserved locations impacted by the proposed grant project. Underserved is defined as locations without access to 100/20Mbps fixed terrestrial service, unserved is defined as locations without access to 25/3Mbps fixed terrestrial service. **(20 Points)**

Locations*	Points – 100/100Mbps
0-100	4
101-200	8
201-400	12
401-600	16
601+	20

*Locations that fall within the project scope, whether contiguously connected or otherwise.

x) Explain how the proposed project addresses priorities outlined in the Idaho Broadband Advisory Board’s Strategic Plan. This includes addressing distance learning, telehealth, public safety, economic development/business opportunities, and promotes dig once policies. Points will be awarded based on the project’s ability to address each item in detail. **(25 Points)**.

xi) Demonstrate the financial capability to complete the project within cost and by December 31, 2026. This includes the reasonableness of the proposed budget (10 points), and the project’s fiscal sustainability beyond the award period (10 points). **(20 points)**

xii) Does the proposed project include a match? Match includes financial and in-kind contributions. Points will be awarded based on a percentage of the total project costs. The Idaho Broadband Advisory Board reserves the right to waive the need for any match based on the best interests of the program. **(15 Points)**

Match	Points
0%-10%	3
11% - 30%	6
31% - 54%	9
55% - 79%	12
80%-99%	15

xiii) Does this project have support from the communities impacted by the proposed project? Please provide current (from January 1, 2023 to present) letters of support from communities (state agencies, local governments and subdivisions, tribal government, non-profits, education institutions, healthcare facilities, community organizations). Grant applicants can also submit letters from the general public. **(20 Points)**

xiv) Bonus points. Please explain each. **(5-10 points each)**

- a. Connected locations in Idaho where students and educators do not have reliable access to broadband as defined as speeds less than 100/20Mbps as well as libraries, schools, and institutions of higher learning without access to fiber broadband infrastructure defined as 1Gbps/1Gbps. **(7 points)**
- b. Projects that connect a greater number of locations at the most economical cost. **(3 points)**
- c. The applicant is Idaho based/headquartered in Idaho and/or is using Idaho labor for the construction of the broadband infrastructure project. **(7 points)**
- d. How does this broadband infrastructure project address and enhance public safety and/or cybersecurity? **(5 points)**
- e. What is the price and speed of the cheapest monthly broadband service plan offered for customers in the proposed project area? **(5 points)**

Price	Points
\$70 or less	1
\$50 or less	3
\$35 or less	5

- f. The project includes the connection of unserved Community Anchor Institutions and/or government facilities without access to 1Gbps/1Gbps symmetrical (fiber) or 200Mbps/200Mbps symmetrical (fixed wireless) service. **(7 points)**
- g. Board Discretion: the Idaho Broadband Advisory Board may award up to 10 bonus points per proposal. Consideration may be based on any of the following, but is not limited to: location, costs, number of units served, community needs, government facility connections, etc. **(10 points)**

- h. Is the project serving 80% or more unserved locations? **(5 points)**

- i. Dark fiber and/or infrastructure is provided to government facilities for government usage; this includes fiber/broadband infrastructure, but not services. **(5 points)**

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