

West Virginia's Broadband Investment Plan

GigReady2 Implementation Program Overview May 10, 2023

This Webinar Will Be Recorded



DISCLAIMERS

- The GigReady Program will use funding allocated to the State of West Virginia under the American Rescue Plan Act (ARPA). Program parameters are subject to ARPA, U.S. Treasury Rules, and other federal and state requirements.
- Visit broadband.wv.gov and the U.S. <u>Treasury's website</u> for additional information.



KEY DOCUMENTS TO REVIEW AND UNDERSTAND

DOCUMENTS HAVE BEEN PUBLISHED OR WILL BE SHORTLY AFTER PROGRAM LAUNCH

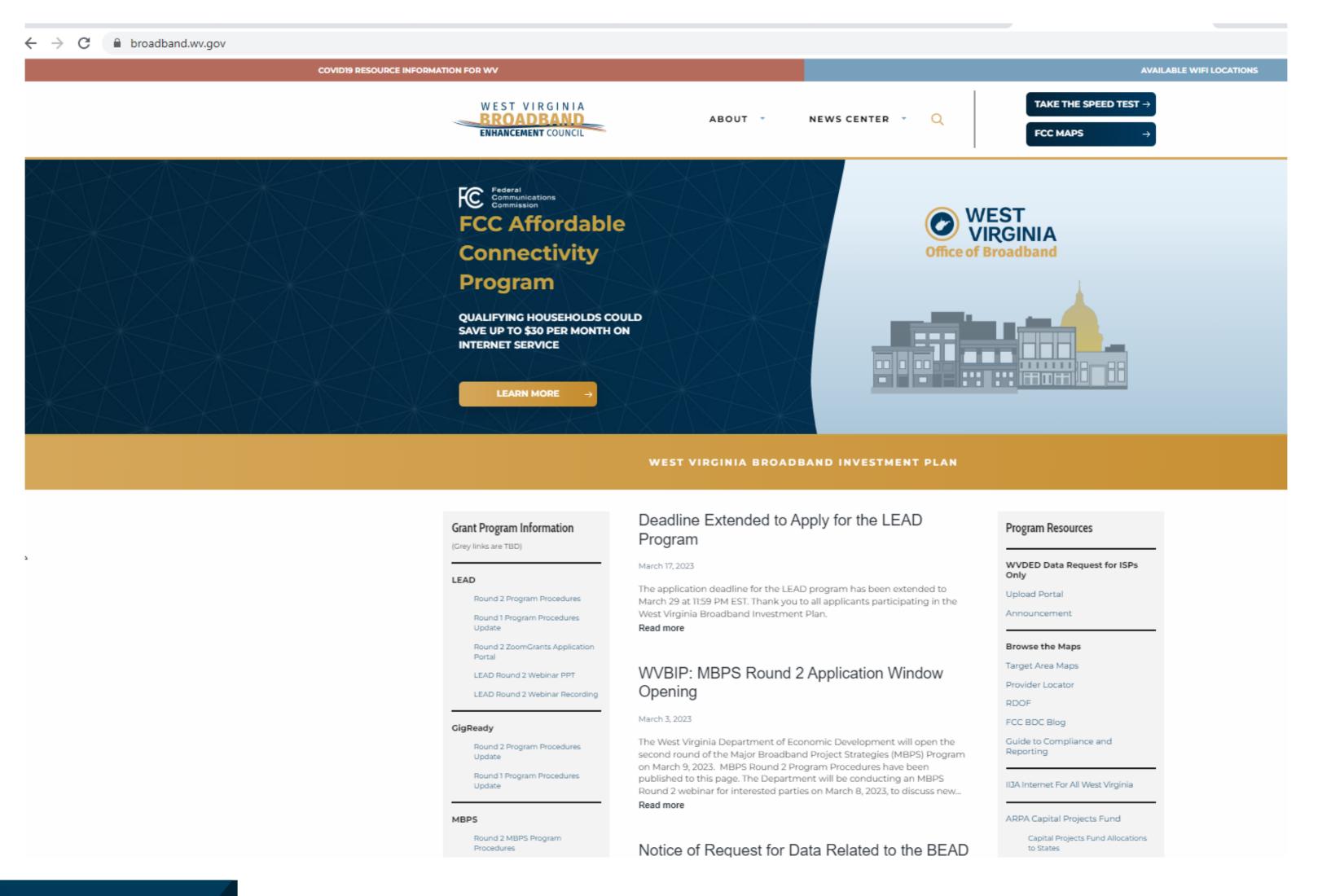
- 1. Program Procedures
- 2. Guide to Reporting and Compliance Obligations for West Virginia ARPA Broadband Investment Plan Recipients
- 3. Target Area Maps
- 4. Application questions and required documents template in ZoomGrants Online Application

Applicants should also read and understand U.S. Treasury Rules and Guides for ARPA Funding.



WV ARPA Broadband Investment Plan

https://broadband.wv.gov/







GIGREADY2 PROGRAM

PROGRAM PURPOSE

- A state incentive for local governments and organizations to pool some of their ARPA allocations or other local funding to help expand broadband infrastructure
- \$25M from West Virginia's Capital Projects Fund (CPF) and State and Local Fiscal Recovery Funds (SLFRF) ARPA allocation has been targeted to this round of GigReady



ELIGIBLE ENTITIES

APPLICANTS MUST BE LOCAL OR REGIONAL PUBLIC ENTITIES

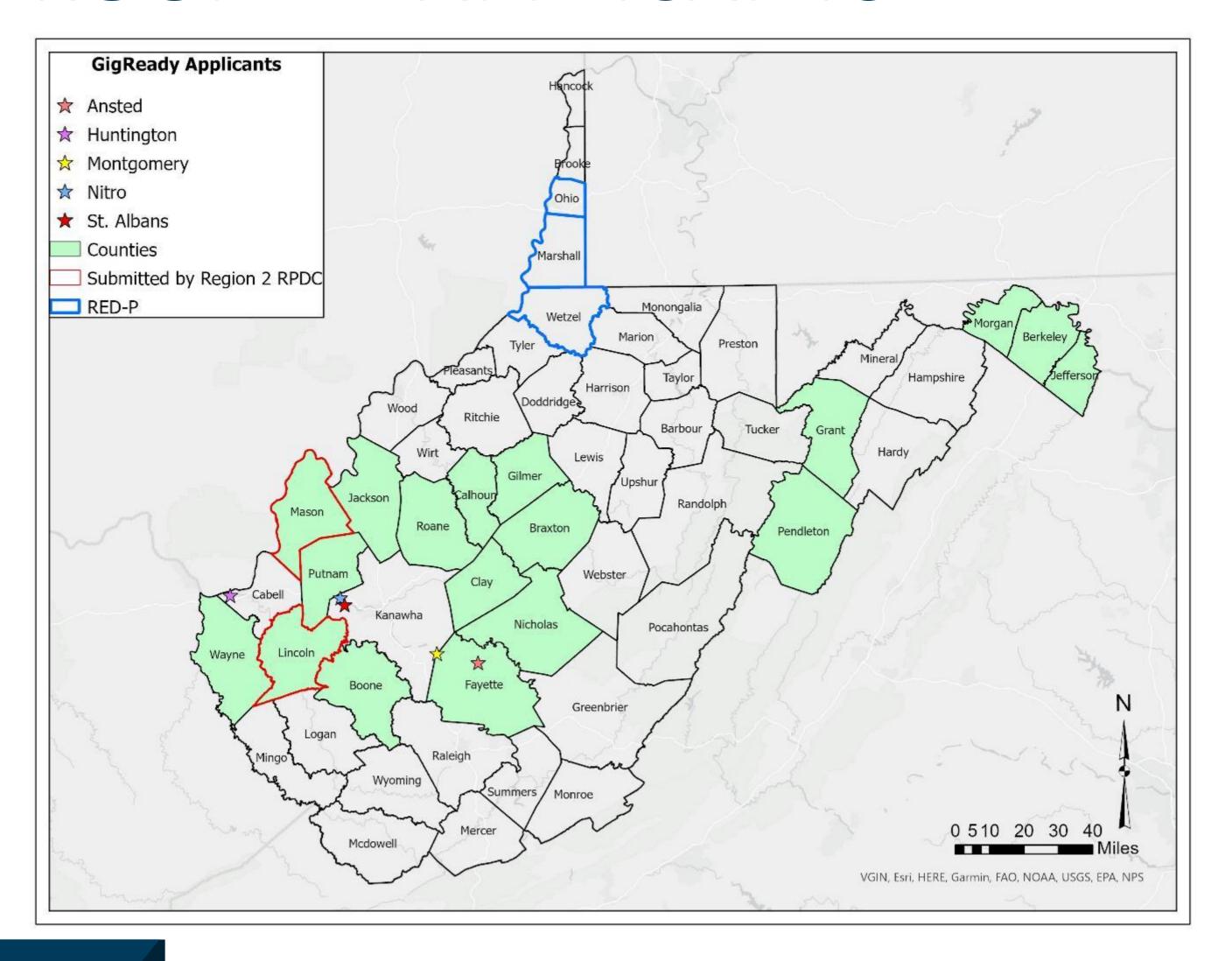
Applicants must be a unit of local government that

- (1) Applied to the GigReady program first announced by WVDED in 2021, and
- (2) Who is partnering with an ISP

Applicants must propose an implementation project that was the subject of a prior GigReady Technical Assistance Application in the first round of the program.



GIGREADY ROUND 1 APPLICANTS





APPLICATION TIMELINE

April 4, 2023

ProgramAnnouncement

June 7, 2023

Pre-ApplicationDeadline



Online Application Opens July 26, 2023

Full Application
 Deadline



ELIGIBILITY CRITERIA

KEY REQUIREMENTS AND PREFERENCES FOR IMPLEMENTATION FUNDING

Last-Mile, Unserved Project Focus

- Projects must extend <u>last-mile</u> service to unserved addresses in Target Area addresses.
- Targeted addresses are estimated to have no access to internet service with speeds of at least 25/3 Mbps and are not in an area with an existing state, federal, or locally funded project to deliver broadband service of at least 25/3 Mbps speed.
- Service by satellite providers or mobile wireless networks does not count.
- Projects are encouraged to reach "end of the line" unserved addresses.

Speeds

- Projects with speeds of at least 1000/500 Mbps are preferred.
- Project must have speeds of at least 100/20 Mbps, scalable to 100/100 Mbps.

Timeline

- Project must be completed within 24 months of award.
- 6-month extensions permitted for delays not caused by the applicant.

Cost

• Proposed project costs must be reasonable and proportional to the difficulty of the project.

Affordability

• Applicants will be required to participate in the FCC's Affordable Connectivity Program (ACP).



ADDITIONAL ELIGIBILITY CRITERIA

PROJECTS MUST DEMONSTRATE VIABILITY TO RECEIVE FUNDING

- Sufficient operating scale
- Technically feasible
- Financially sustainable
- Strong governance and management structure
- Experience and capacity of the managers, partners, and vendors selected to build and operate the resulting project



GRANT-ELIGIBLE EXPENDITURES

ELIGIBLE PROJECT ACTIVITIES AND COSTS INCLUDE:

- One-time capital expenditures made after the date of the grant award announcement
- Facilities necessary to deliver last-mile broadband service to unserved addresses
- Grant funds provided on a reimbursement basis
- Match must pay for grant-eligible expenses

Carefully review the Program Procedures and Guide for additional important details!



CALCULATING MATCH

MINIMUMS FOR GIGREADY PROGRAM ROUND 2

Applicants must provide match equal to 25% of eligible project costs

- Additional match may be provided by Applicant or committed by an ISP partner
- Match must be spent on allowed expenditures



PROJECT MATCH

MINIMUM MATCH AND ADDITIONAL MATCH

- Applications must provide the minimum match.
- Applicants are encouraged to provide additional match. Additional match above the minimum provides points during project scoring.
- No contingent sources or in-kind contributions are allowed as match.



WAIVERS

APPLICANTS MAY SEEK WAIVERS IN TWO AREAS

Construction Timeline

- Must identify alternative timeline ending ASAP and not later than 12/31/2026
- Must explain circumstances not under applicant control that make 24-month timeline infeasible

Matching Funds

- May ask to provide less than the required minimum
- Must explain why it is infeasible for applicant to provide minimum match
- Must document efforts to obtain matching funds



WAIVERS

WAIVERS MUST HAVE GOOD CAUSE

Waivers may be granted upon a determination that:

- It is in the best interest of the state,
- It furthers goal of expanding broadband service in West Virginia, and
- The proposed project would not be feasible or advisable without the requested waiver.

Applications seeking and not receiving a waiver may become ineligible.

The Department may prioritize funding applications not requesting a waiver over those that do.



SCORING CRITERIA FOR IMPLEMENTATION FUNDING OF VIABLE PROJECTS



Technical/Operational (up to 100 points total)

Project Readiness (up to 30 points)

Operational Readiness (up to 30 points)

Speed of Proposed Services (up to 40 points)



Financial (up to 100 points total)

Cost-Efficiency (up to 40 points)

Matching Funds (up to 30 points)

Financial Resiliency (up to 30 points)



Broadband Development Impact (up to 100 points total)

Affordability (up to 20 points)

Community Impact (up to 80 points)



Priority will go to those projects that score well in all three categories.

TECHNICAL / OPERATIONAL

Project
Readiness

Completion of preliminary engineering

Attainment of necessary permits, right-of-way access, and easements

Completion of necessary pole and conduit licenses

Operational Readiness

Experience of leadership team and strength of governance model

Strength of support from key vendors, contractors, and partners, including the degree to which agreements are in place

Maturity of operating systems and processes that will support the project

Gig Speed

The ability of the proposed project to serve customers at a gigabit speed



FINANCIAL

Cost	
Efficiency	7

Cost relative to the difficulty of the project

Metrics like cost per mile or cost per premise passed

Factors like low density, extensive make-ready, unavoidable underground construction

Matching Funds

Commitment of proposed matching sources

The amount of matching funds provided, over and above the minimum of 25%

Financial Resiliency

Financial sustainability of the project under adverse assumptions



BROADBAND DEVELOPMENT IMPACT

Affordability

How low are residential prices?

Is there a discounted service for low-income consumers that is fully covered by the ACP subsidy?

Community Impact Factors

The project is in an area of low or moderate income, high poverty, high unemployment or economic distress

The project supports a credible plan to increase broadband adoption and improve digital literacy in the affected communities

The project supports a major economic development initiative identified by a regional planning or development council or economic development authority

The project supports or implements a recent broadband planning initiative in a county or region

The project is coordinated with or builds upon other nearby projects that will provide greater regional benefit

The project has strategic partnerships involved in the proposed project, for example, electric utilities, universities, and federal, state, or local agencies

The project addresses Targeted premises in a region of the state with high need but relatively few funded projects

The project supports adopted state plans or priorities not otherwise addressed by other prioritization factors





TARGET AREA ADDRESSES

CLASSIFICATIONS

The Program defines projects and eligibility for funding at the address level.

 Based on statewide address data developed by the West Virginia Statewide Addressing and Mapping System

Two classes for grant applicants:

- Targeted Addresses estimated not to have current access to terrestrial internet service of 25/3 Mbps and not in an area with existing state, federal, local funding.
- Other Addresses



MAP RESOURCES FOR GRANT APPLICATIONS

The Target Area Address set can be found in ZoomGrants under "Proposed funded service area maps" in the "Document" tab.

Target Address Map

Downloadable data – Target Addresses

- Shapefile
- Feature Geodatabase
- CSV

Applicants should use the Target Address Layer to generate sets of addresses passed or covered by proposed projects.

Application Summary Information

Pre-Application

Application Questions

Proposed Services

Documents

Your Pre-Application must be submitted AND approved before continuing.

Documents

Instructions Show/Hide

Documents marked Required must be uploaded in order for the application to be submitted. Use documents available as download ter also be used for downloading the Target Area Address Set.

Documents Requested *

Proposed funded service area maps. Files submitted as shapefiles or geodatabase are preferred.

Use the following link to download the Target Area address data.

Download template: MASV Link

GigReady2 Program Workbook with tabs for Budget Detail, Budget Summary, Funding Sources and Match, Budget Breakdown, Key Project Data and Addresses Passed. Use provided template and address data from https://broadband.wv.gov/

Download template: GigReady Round 2 Program Workbook

Existing network: If interconnected with an existing network, show the applicant's existing fiber or cable network routes within the municipalities, and site & coverage info of adjacent existing wireless sites. *REQUIRED IF INTERCONNECT TO EXISTING*

Download template: MASV Link

Project Plan and timeline with major milestones showing that the proposed project can be completed within 24 months of award. The plan should include any major contingencies in the plan.

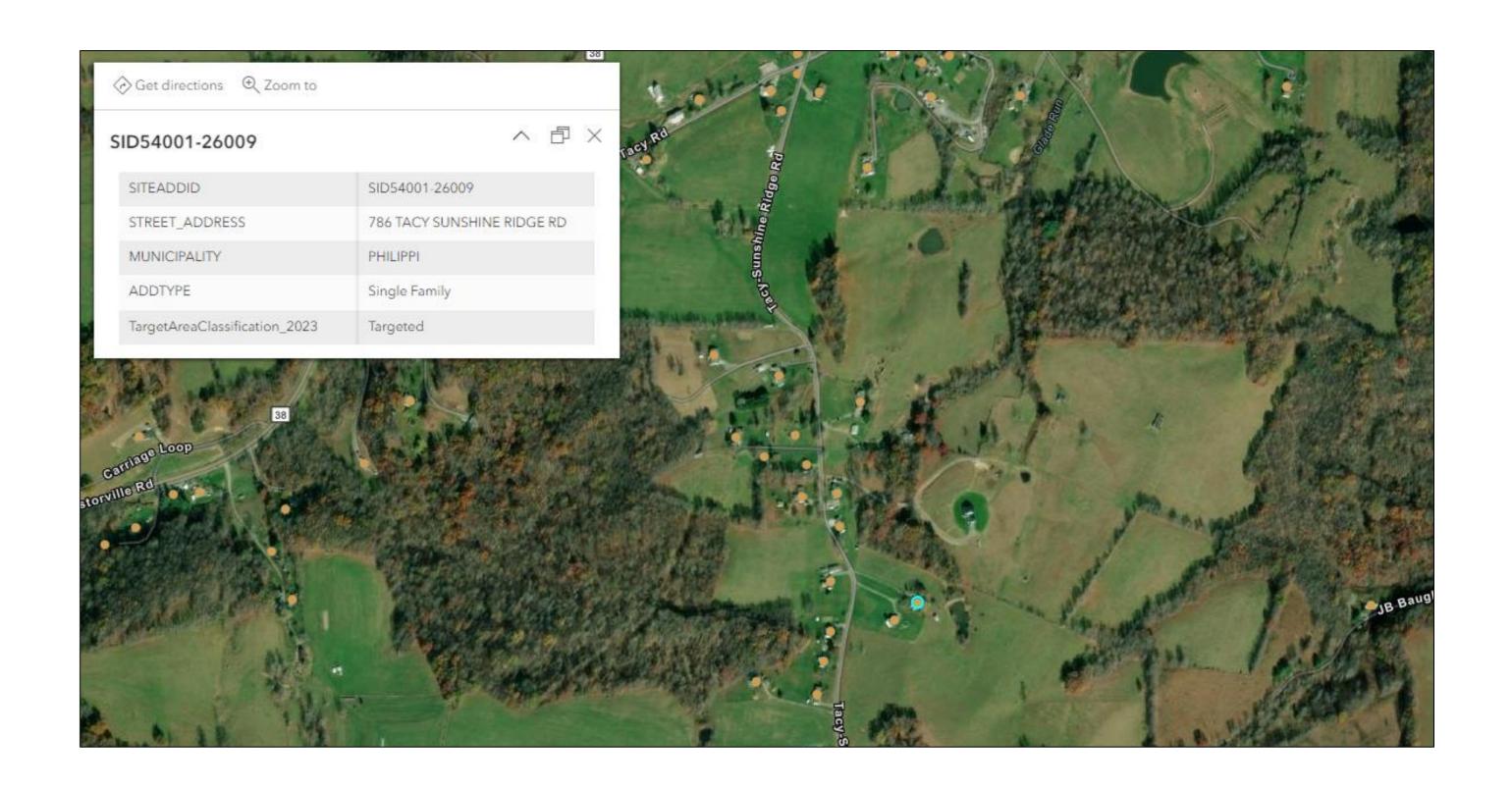
High-level network design. Designs submitted must include all new routes needed to connect to the applicant's existing network. If network includes wireless, upload add'l required files. Files must be submitted as GIS layers. **REQUIRED SUBMISSION**



MAP RESOURCES FOR GRANT APPLICATIONS

ADDRESS TYPES

- Several classifications have been removed to filter only broadband serviceable structures.
- Some locations may not be broadband serviceable due to inaccurate classifications.



Not all address types are classified appropriately e.g., single family home classified as an "accessory building." No personal information is associated with these locations.



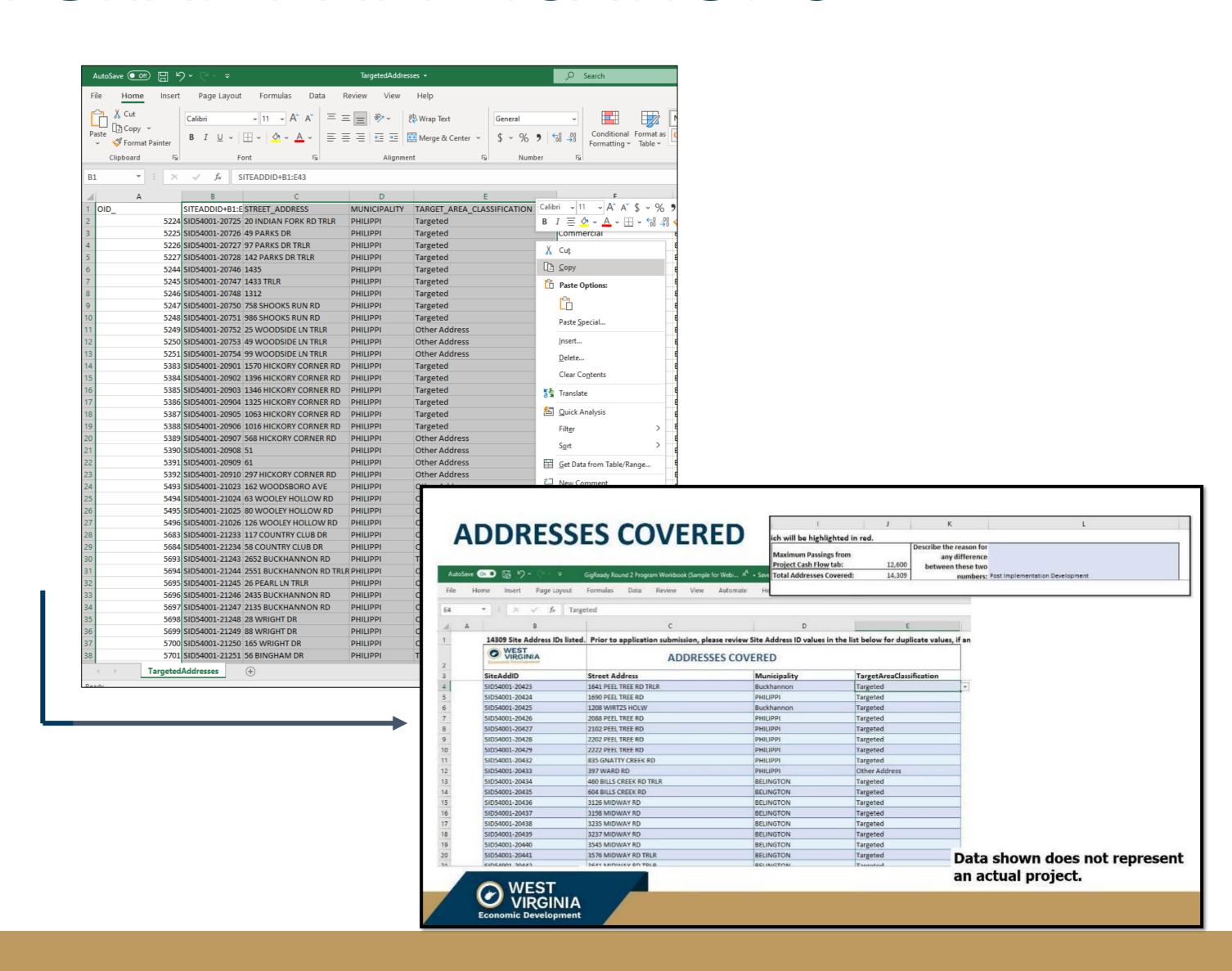
MAP RESOURCES FOR GRANT APPLICATIONS

DOWNLOADING THE DATA

After analyzing the targeted addresses, applicants must copy the tabulated data into the Budget and Pro Forma Template.

Required Fields:

- SITEADDID
- STREET ADDRESS
- MUNICIPALITY
- TARGET AREA CLASSIFICATION





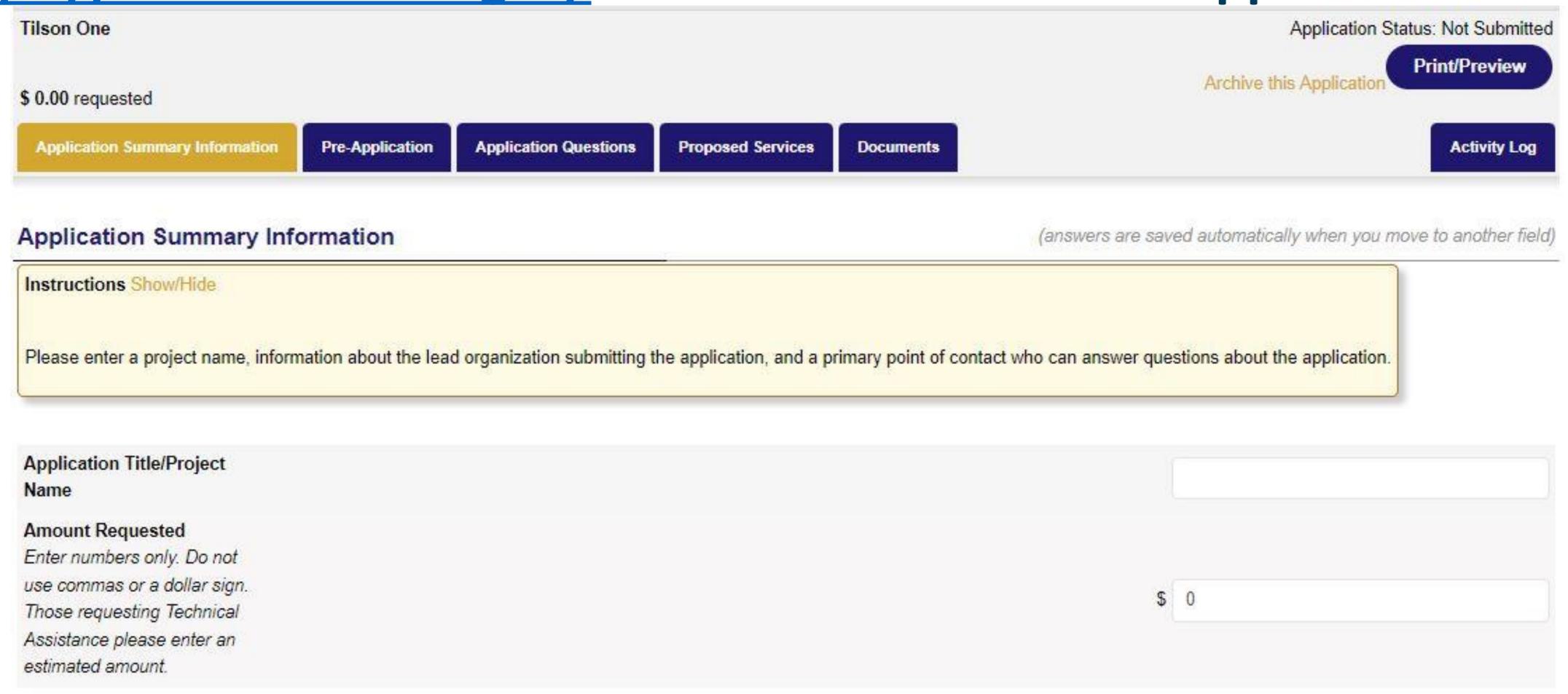


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https://broadband.wv.gov/ Click on "Online Grant Application"

WEST VIRGINIA Conomic Development wered by ZoomGrants**	Stay logged in? (Admins and Review	ssword
	Search	S
/irginia Department of Economic Development	New ZoomGr	ants™
n Programs	How do I do this? Accoun	t
	Email	
Open Programs	Password	
You must be logged in to start a new	application. First Name	
GigReady Round 2 7/26/2023 - Organizations Only Preview	Last Name	
	Account Type Organ	ization Account
	If you already have a Login Here as an ZoomGrants of	an account, existing





Applicant Information



Applicant Information		
First Name		
Last Name		
Telephone		
Email	tilsonexample@tilsontech.com	
Organization Information	(changes to this data will be reflected on all other applications for this organization)	
Organization Legal Name/Entity Name (Should match SAM.gov)	Tilson One	
Address 1	1234 Main St.	
Address 2		
City	Any Town	
State/Province	WV	
ZIP+4/Postal Code	19333	
Country	United States Edit Address	
Telephone	304-555-5555	
Fax (optional)		
Website (optional)	broadbandxyz.com	
Primary Point of Contact		
First Name	Fake	
Last Name	Admin	
Title	TESTING	
Email	admin@tilsontech.com	



Collaborators Collaborators can only edit application data (answers). They cannot submit, archive, or delete this application.	sontech.com
TESTING Email Collaborators Collaborators an only edit application data (answers). They cannot submit, archive, or delete this application.	
Collaborators Collaborators Collaborators can only edit application data (answers). They cannot submit, archive, or delete this application.	
Collaborators Collaborators can only edit application data (answers). They cannot submit, archive, or delete this application.	sontech.com
Collaborators can only edit application data (answers). They cannot submit, archive, or delete this application.	
	Status
Application	
Email Address Add to Additional Contacts (below) First Name Last Name Title	Invite



Application Summary Information Pre-Application Application Questions Proposed	Services Documents Activity Log
Your Pre-Application must be submitted AND approved before continuing.	
Pre-Application	(answers are saved automatically when you move to another field)
Pre-Application Status	Undecided /Not Submitted Pre-Application deadline: 6/7/2023 Submit Pre-Application
Ask a Pre-Application Question	
1. Applicant name: Maximum characters: 255. You have 255 characters left.	
2. Applicant address:	
Maximum characters: 255. You have 255 characters left.	
3. Primary Point of Contact Name:	
Maximum characters: 255. You have 255 characters left.	
4. Primary Point of Contact Email:	
Maximum characters: 255. You have 255 characters left.	



5. Prim	ary Point of Co	ntact Telephone Number:	
Maximum	characters: 255. You ha	ve 255 characters left.	
6. Is th	e proposed imp	lementation project the subject of a previous GigReady Technical A	Assistance application?
0	Yes		
0	No		
7. Does	s the applicant h	ave any prior default or significant violations under any federal, sta	ate, or local broadband expansion funding program, or any suspension or debarment as a vendor by the State of West Virginia or any Federal agency within three years?
0	Yes		
0	No		
8. Will	the proposed ne	twork provide services of at least 100/20 Mbps, upgradable to 100/	100 Mbps, and not more than 100 ms latency?
0	Yes		
0	No		
9. List	all municipalitie	s, counties, and regional consortia participating in the proposal.	
Maximum	characters: 65000. You	have 65000 characters left.	



WV ARPA Broadband Investment Plan – Grants Portal

https://broadband.wv.gov/ Click on "Online Grant Application"

10. Does the Applicant have a partnership agreement with a private ISP?	
Maximum characters: 65000. You have 65000 characters left.	
11. ISP Partner Name	
Organization Legal Name/Entity Name (Should match SAM.gov)	
Maximum characters: 255. You have 255 characters left.	
12. If yes, describe the partnership agreement between the applicant and the private ISP.	
Is a signed agreement in place? Is the agreement drafted? etc.	
Maximum characters: 65000. You have 65000 characters left.	



13. Describe how the project will be managed by one or more public entities or by a private partner, and the governance structure overseeing the management and operations of the resulting projects prior to receiving					
implementation funding. Applications must include a sufficient partnership agreement with a private ISP that is consistent and will implement	nent the proposed gov	ernance and management structure.			
Maximum characters: 85000. You have 85000 characters left.					
14. Will the proposed project primarily serve Targeted Addresses?					
O Yes					
O No					
Documents Requested *	Required?	Uploaded Documents *			
Identify the Targeted Addresses included in the proposed project using the provided template. Download template: GigReady Round 2 Pre-Application Targeted Addresses	Required	-none- Upload			
* ZoomGrants™ is not responsible for the content of uploaded documents.					

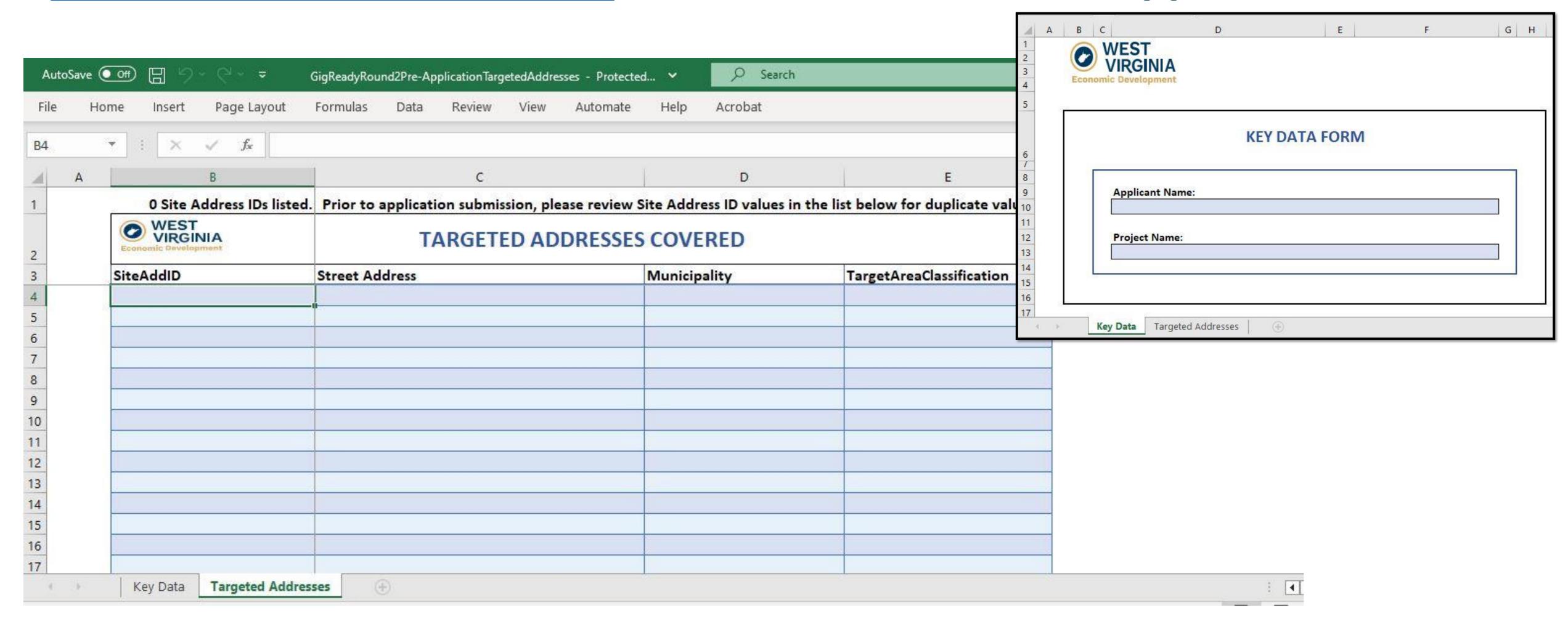
This Pre-Application section must be submitted and Approved by the Administrator (not ZoomGrants) before you can fill out the rest of the application.

Click the Submit Pre-Application button at the top or bottom of this tab to submit this section to be reviewed.



WV ARPA Broadband Investment Plan – Grants Portal

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\$ 0.00 requested											
Application Summary Information	Pre-Application	Application Questions	Proposed Services	Documents							Activity Log
Your Pre-Application must be submi	itted AND approved t	before continuing.									
Application Questions									(answers are saved	l automatically when	you move to another field)
Describe any proposed tiers or contract, and bundled service off Upload supporting documents if ned	erings (Internet with	h voice or video, etc.)	ss customers that the	Program should consi	der, other than those li	isted in the Proposed S	ervices tab. This may in	clude additional ser	vice tiers, promotion	al prices, prices ava	ilable with a term
Maximum characters: 6000. You have 6000											
2. Describe policies and charges Upload supporting documents, if ne	cessary, on the Docu		iding standard drop le	engths and charges for	r long drops.						
Maximum characters: 6000. You have 6000	characters left.										



3. Identify the network technolo	gy standard or standards to be used in the proposed netw	vork.	
Check all that apply			
GPON EPON NG-PON2 XGS-PON Active Ethernet DOCSIS 3.0 DOCSIS 3.1 LTE Unlicensed Wireless Other			
4. Identify the split ratio(s) to be For PON Networks only, others and Maximum characters: 255. You have	used on the proposed facilities. swer "N.A." characters left.		
5. Describe the proposed source of the proposed project.	es of funding for the proposed project other than grant fur	nds from the Program or match from the applicant. Identify if any matching	g funds are from loans or backed by loan guarantees specifically backed or secured by the assets or revenues
Maximum characters: 6000. You have 6000	characters left.		
Maximum characters: 8000. You have 6000	characters left.		



	las the applicant currently secured all the proposed sources of match described in this application?	
	nsider both match pledged by the applicant(s) and match to be provided by third parties.	
0	Yes	
0	No	
7. Desci	escribe any key partners or vendors that the project will use in the design, construction, and operation	of the project prior to receiving implementation funding, or the plan for obtaining these partners or vendors.
Maximum c	mum characters: 6000. You have 6000 characters left.	
	Describe the broadband development impact and community impact of the project, such as increasing boad letters of support from units of local government, regional planning and development councils, or other com	
Maximum d	mum characters: 6000. You have 6000 characters left.	



9. Can you	u commit to offering a serv	ice of at least 25/3 Mbps with no	data caps to qualified end	users that would be fully sub	sidized under the required affor	dability programs?
US Treasu	ry requires participation in th	ne FCC's Affordable Connectivity Pro	gram (ACP) affordability pro	ogram in funded areas, and will	require participation in a similar at	fordability program after ACP runs out.
0	Yes					
0	No					
10. Descri	be how you would use lab	or standards such as prevailing w	age agreements and loca	hire provisions.		
Maximum char	acters: 65000. You have 65000	characters left.				
11. Descri	be how you would comply	with all applicable federal and sta	ate environmental laws.			
Maximum char	acters: 65000. You have 65000	characters left.	//			



12. Describe how you would co	omply with quarterly reporting requirements includir	ng, but not limited to, project and expenditure reports and performance reports.
Maximum characters: 65000. You have 6500	00 characters left.	
13. If your initially proposed ser	rvice performance is limited to 100 Mbps download	by 20 Mbps upload, describe how the infrastructure and service are scalable to symmetrical 100 Mbps service.
Maximum characters: 65000. You have 6500	00 characters left.	

Previous

Next



Application Summary Information

Pre-Application Questions

Proposed Services

Proposed Services

Documents

Proposed Services

Proposed Services

(answers are saved automatically when you move to another field)

Instructions Show/Hide

Applicants that have not identified these at the time of application will be expected to identify them through the technical assistance process. Enter "Unknown" if requested information is not known at the time of

Proposed Residential Services

application.

Identify up to four proposed residential internet service tiers. Include the highest performance tier typically offered to residential users and the most affordable tier typically offered to residential users. Pricing provided should be for stand-alone (unbundled) Internet service and non-promotional. The "Data Cap" should be any level of cumulative usage in a month above which users (i) cannot continue to use the service, (ii) may only receive service with reduced performance ("throttling"), or (iii) incur extra charges for continued use. "Recurring Fees and Surcharges" should include all fees and surcharges not required by a governmental authority to be charged to the customer; include fees intended to recover from or pass through to the end user government assessments on the service provider.

Tiers	Download Speed	Upload Speed	Typical Maximum Latency	Data Cap (if no Mo cap, enter NA)	onthly Recurring Charge	Recurring Mandatory Equipment Charges	Other Recurring Fees and Surcharges	Non-recurring Service Activation or Equipment Fees	Charge for Use above Data Cap	Additional Usage Associated with Charge for Use above Data Cap
Tier					\$/month	\$/month	\$/month §		\$/month	
1	Mbps	Mbps	ms	GB/month						GB
Tier					\$/month	\$/month	\$/month §	5	\$/month	
2	Mbps	Mbps	ms	GB/month						GB



Proposed Residential Services

Identify up to four proposed residential internet service tiers. Include the highest performance tier typically offered to residential users and the most affordable tier typically offered to residential users. Pricing provided should be for stand-alone (unbundled) Internet service and non-promotional. The "Data Cap" should be any level of cumulative usage in a month above which users (i) cannot continue to use the service, (ii) may only receive service with reduced performance ("throttling"), or (iii) incur extra charges for continued use. "Recurring Fees and Surcharges" should include all fees and surcharges not required by a governmental authority to be charged to the customer; include fees intended to recover from or pass through to the end user government assessments on the service provider.

Tiers	Download Speed	Upload Speed	Typical Maximum Latency	Data Cap (if no N cap, enter NA)	Monthly Recurring Charge	Recurring Mandatory Equipment Charges	Other Recurring Fees and Surcharges	 Charge for Use above Data Cap	Additional Usage Associated with Charge for Use above Data Cap
Tier					\$/month	\$/month	\$/month	\$ \$/month	
1	Mbps	Mbps	ms	GB/month					GB
Tier					\$/month	\$/month	\$/month	\$ \$/month	
2	Mbps	Mbps	ms	GB/month					GB
Tier					\$/month	\$/month	\$/month	\$ \$/month	
3	Mbps	Mbps	ms	GB/month					GB
Tier					\$/month	\$/month	\$/month	\$ \$/month	
4	Mbps	Mbps	ms	GB/month					GB

Proposed Small Business Services

Identify up to four proposed small business internet service Include the highest performance tier typically offered to small business users and the most affordable tier typically offered to small business users. Pricing provided should be for stand-alone (unbundled) Internet service and non-promotional. The "Data Cap" should be any level of cumulative usage in a month above which users (i) cannot continue to use the service, (ii) may only receive service with reduced performance ("throttling"), or (iii) incur extra charges for continued use. "Recurring Fees and Surcharges" should include all fees and surcharges not required by a governmental authority to be charged to the customer; include fees intended to recover from or pass through to the end user government assessments on the service provider.



Application Summary Information

Pre-Application

Application Questions

Proposed Services Documents

Activity Lo

Your Pre-Application must be submitted AND approved before continuing.

Documents

Instructions Show/Hide

Documents marked Required must be uploaded in order for the application to be submitted. Use documents available as download template when provided (download, complete and reattach). For files that exceed 4 MB, please attach a link using the template on the first row. This portal will also be used for downloading the Target Area Address Set.

Documents Requested *	Required?	Uploaded Documents *	
Proposed funded service area maps. Files submitted as shapefiles or geodatabase are preferred.		-none-	Upload
Use the following link to download the Target Area address data.			
Download template: MASV Link			
GigReady2 Program Workbook with tabs for Budget Detail, Budget Summary, Funding Sources and Match, Budget Breakdown, Key Project Data and Addresses Passed. Use provided template and address data from	Required	-none-	Upload
https://broadband.wv.gov/			
Download template: GigReady Round 2 Program Workbook			
Existing network: If interconnected with an existing network, show the applicant's existing fiber or cable network routes within the municipalities, and site & coverage info of adjacent existing wireless sites. *REQUIRED IF INTERCONNECT TO		-none-	Upload
EXISTING*			
Download template: MASV Link			
Project Plan and timeline with major milestones showing that the proposed project can be completed within 24 months of	Required	-none-	Unload
award. The plan should include any major contingencies in the plan.		-none-	Upload
High-level network design. Designs submitted must include all new routes needed to connect to the applicant's existing network. If network includes wireless, upload add'l required files. Files must be submitted as GIS layers. **REQUIRED		-none-	Upload
SUBMISSION**			

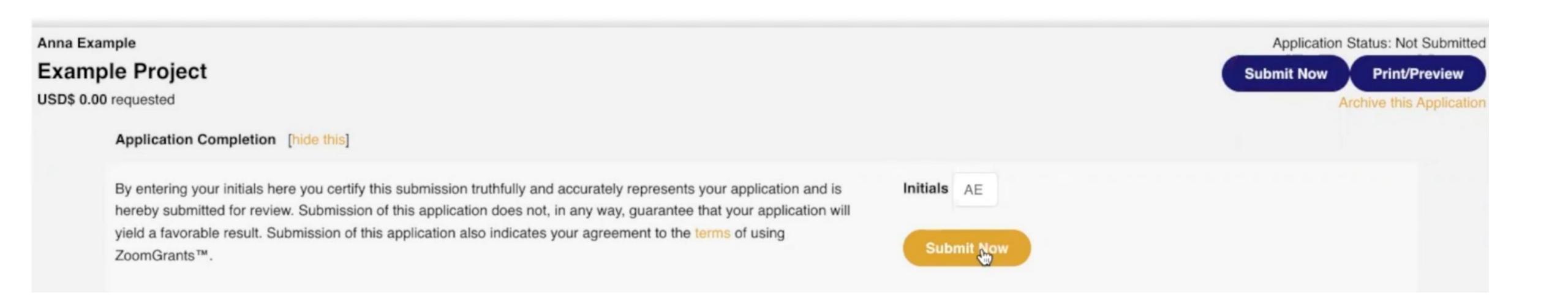


Documents describing any reduced-price tiers proposed by the applicant for low-income customers.	-none-	Upload
Documents describing any other proposed tiers or service offerings for residential or business customers that the Program should consider.	-none-	Upload
Documents describing policies and charges governing non-standard installations, including standard drop lengths and charges for long drops.	red -none-	Upload
Letters from units of local government, regional planning and development councils, or other community organizations Requi supporting and describing the need for and benefit of the proposed project.	red -none-	Upload
Identify if any matching funds are from loans or backed by loan guarantees specifically backed or secured by the assets or revenues of the proposed project.	-none-	Upload
If the use of licensed spectrum is proposed, document applicant's permitted use of the spectrum.	-none-	Upload
Optional supplemental information.	-none-	Upload
If seeking a waiver to projects being completed within 24 months, identify an alternative timeline for the project, and the		
circumstances not under the control of the applicant that would make the project infeasible to complete within 24 months.	-none-	Upload
If seeking a waiver to the minimum matching funds requirement, or to allow funds not provided by the applicant as match,		
identify why it is infeasible to not provide matching funds and document efforts made to obtain matching fund commitments.	-none-	Upload
Information about out of state operations and subscriber base if partner lacks existing West Virginia operations.	-none-	Upload



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https://broadband.wv.gov/ Click on "Online Grant Application"





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Help.ZoomGrants.com

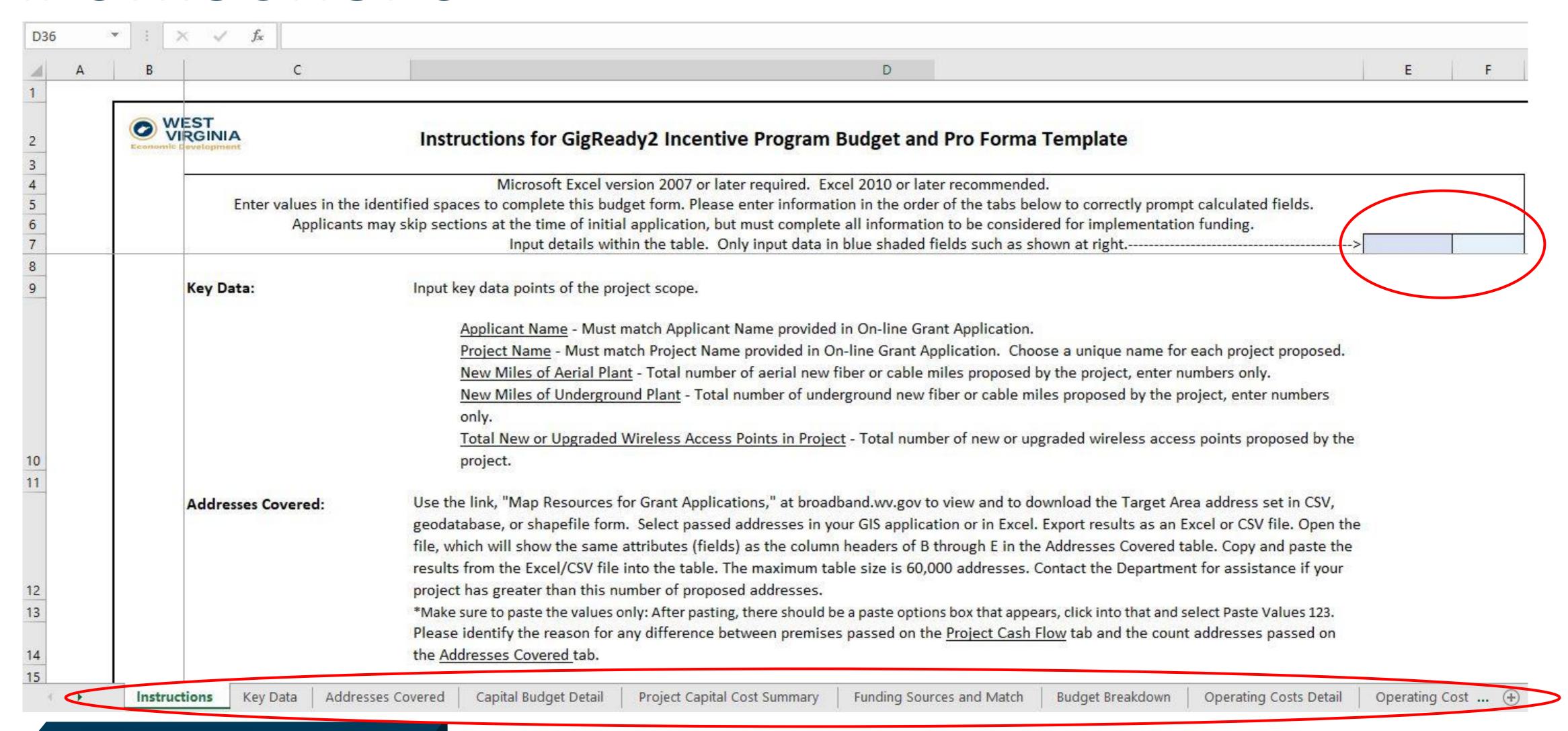
Questions@ZoomGrants.com

866-323-5404 x2



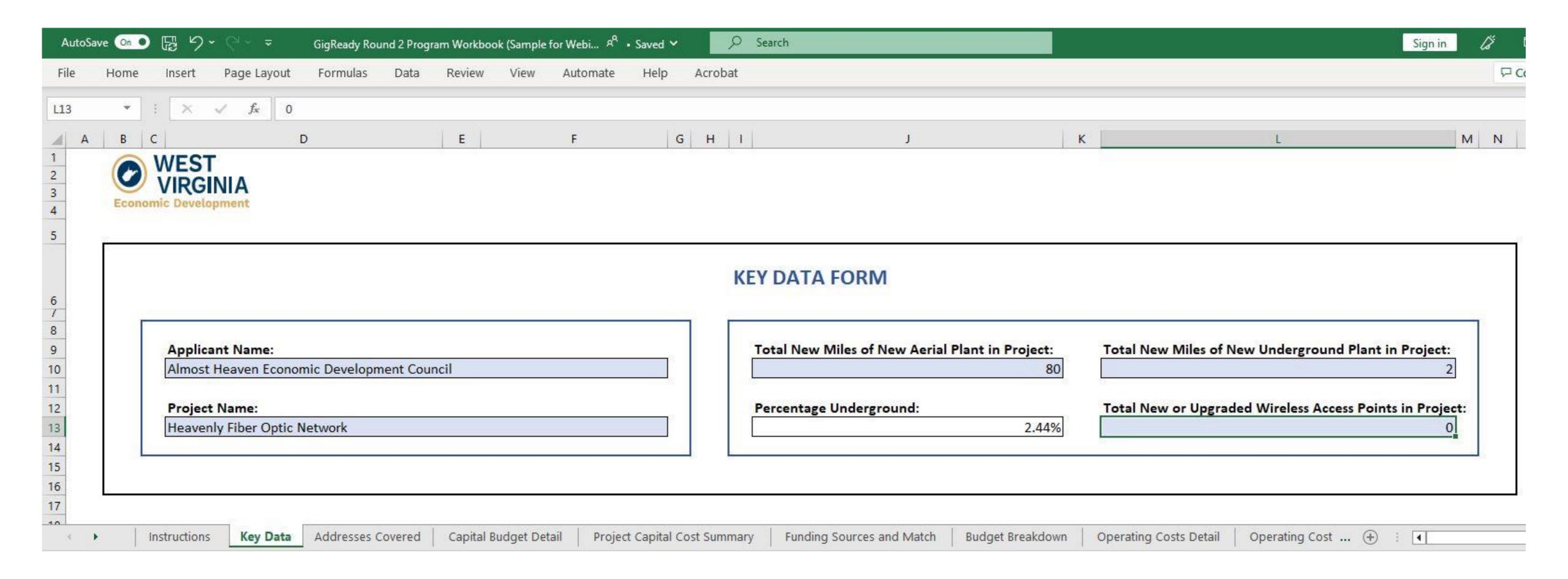


INSTRUCTIONS





KEY DATA





ADDRESSES COVERED

ich will be highlighted in red. Describe the reason for Maximum Passings from any difference Project Cash Flow tab: 12,600 between these two GigReady Round 2 Program Workbook (Sample for Webi... A Save Total Addresses Covered: 14,309 numbers: Post Implementation Development

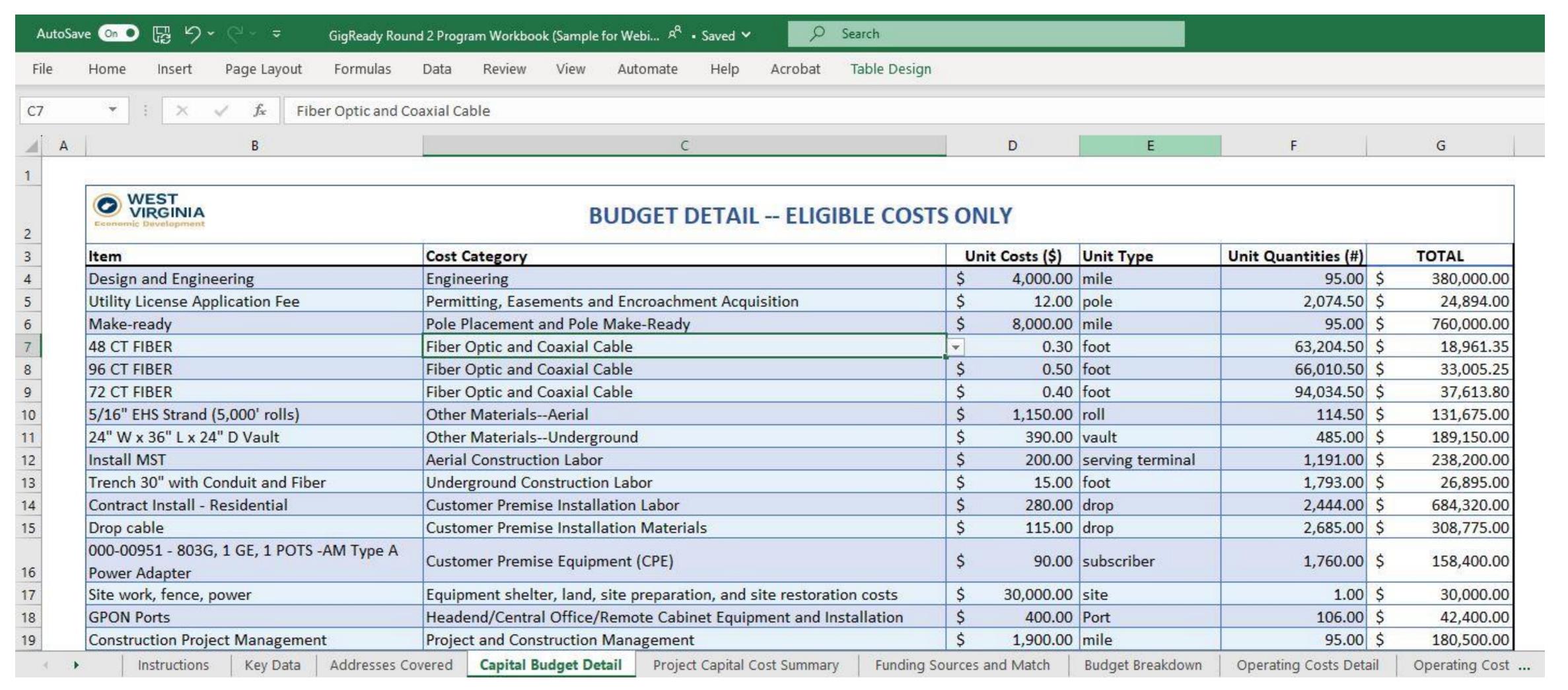
211	▼ : × ✓ f _x Targe	ř.	Y	
А	В	C	D	E Control of the Cont
	14309 Site Address IDs listed.	Prior to application submission, ple	ase review Site Address ID values	in the list below for duplicate values
	WEST	ADDRESS	SES COVERED	
	Economic Development	ADDRES	SES COVERED	
	SiteAddID	Street Address	Municipality	TargetAreaClassification
	SID54001-20423	1641 PEEL TREE RD TRLR	Buckhannon	Targeted
	SID54001-20424	1690 PEEL TREE RD	PHILIPPI	Targeted
	SID54001-20425	1208 WIRTZS HOLW	Buckhannon	Targeted
	SID54001-20426	2088 PEEL TREE RD	PHILIPPI	Targeted
	SID54001-20427	2102 PEEL TREE RD	PHILIPPI	Targeted
	SID54001-20428	2202 PEEL TREE RD	PHILIPPI	Targeted
1	SID54001-20429	2222 PEEL TREE RD	PHILIPPI	Targeted
	SID54001-20432	835 GNATTY CREEK RD	PHILIPPI	Targeted
	SID54001-20433	397 WARD RD	PHILIPPI	Other Address
	SID54001-20434	460 BILLS CREEK RD TRLR	BELINGTON	Targeted
	SID54001-20435	604 BILLS CREEK RD	BELINGTON	Targeted
	SID54001-20436	3126 MIDWAY RD	BELINGTON	Targeted
8	SID54001-20437	3198 MIDWAY RD	BELINGTON	Targeted
	SID54001-20438	3235 MIDWAY RD	BELINGTON	Targeted
	SID54001-20439	3237 MIDWAY RD	BELINGTON	Targeted
	SID54001-20440	3545 MIDWAY RD	BELINGTON	Targeted
)	SID54001-20441	3576 MIDWAY RD TRLR	BELINGTON	Targeted
	SID54001 20442	26/1 MIDWAY DD TOLD	DELINIGTON	Targeted





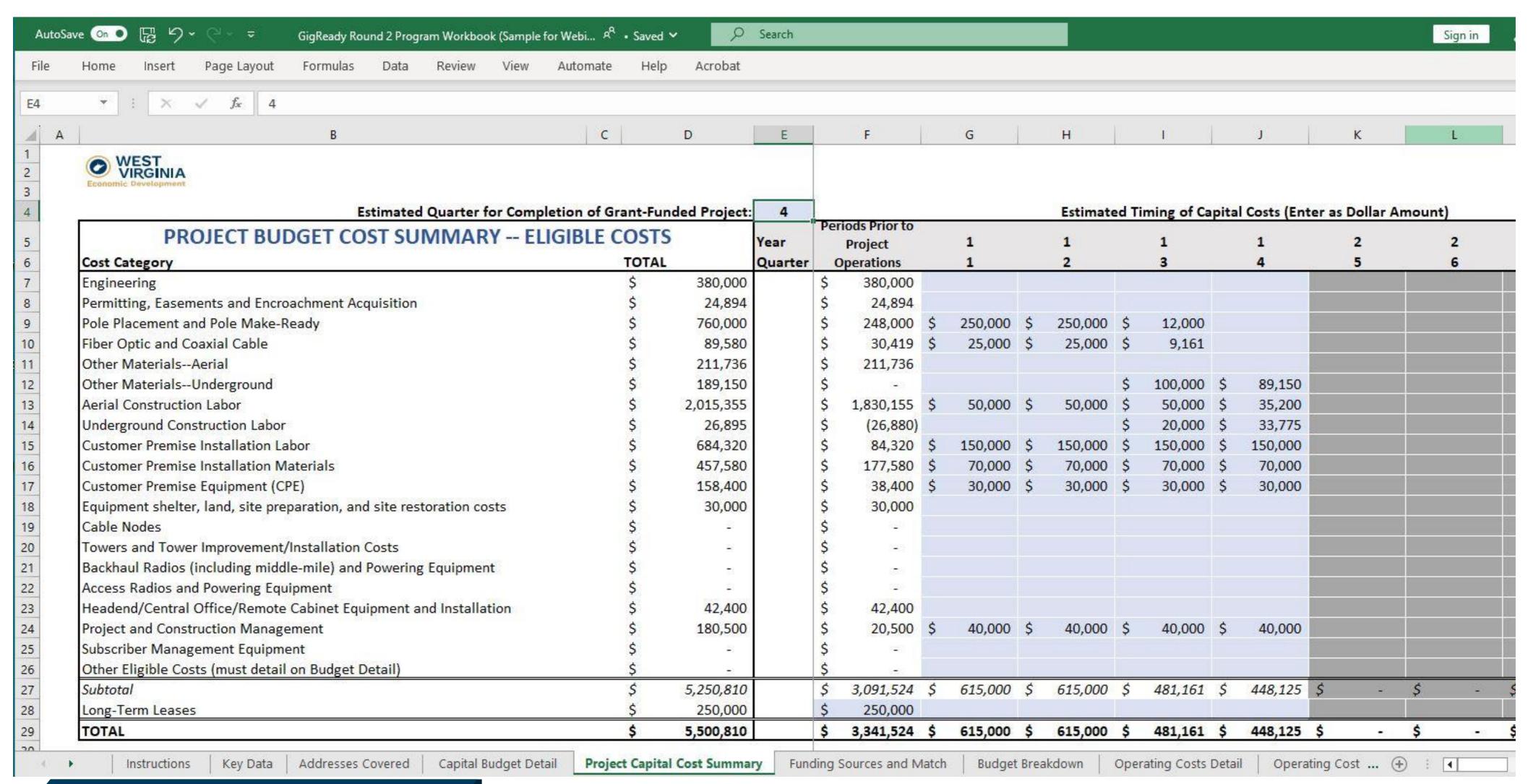
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BUDGET DETAIL



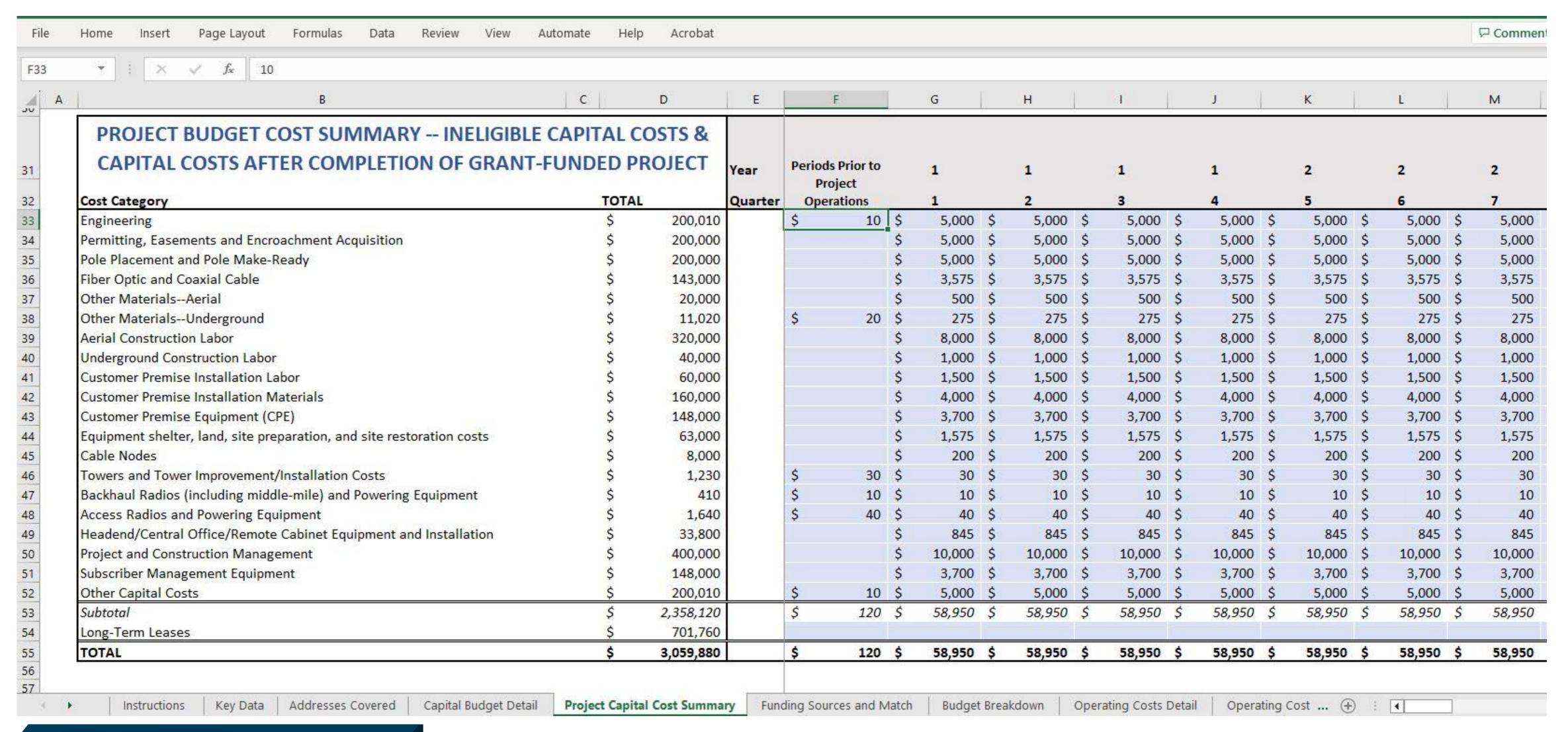


PROJECT BUDGET COST SUMMARY (ELIGIBLE COSTS)



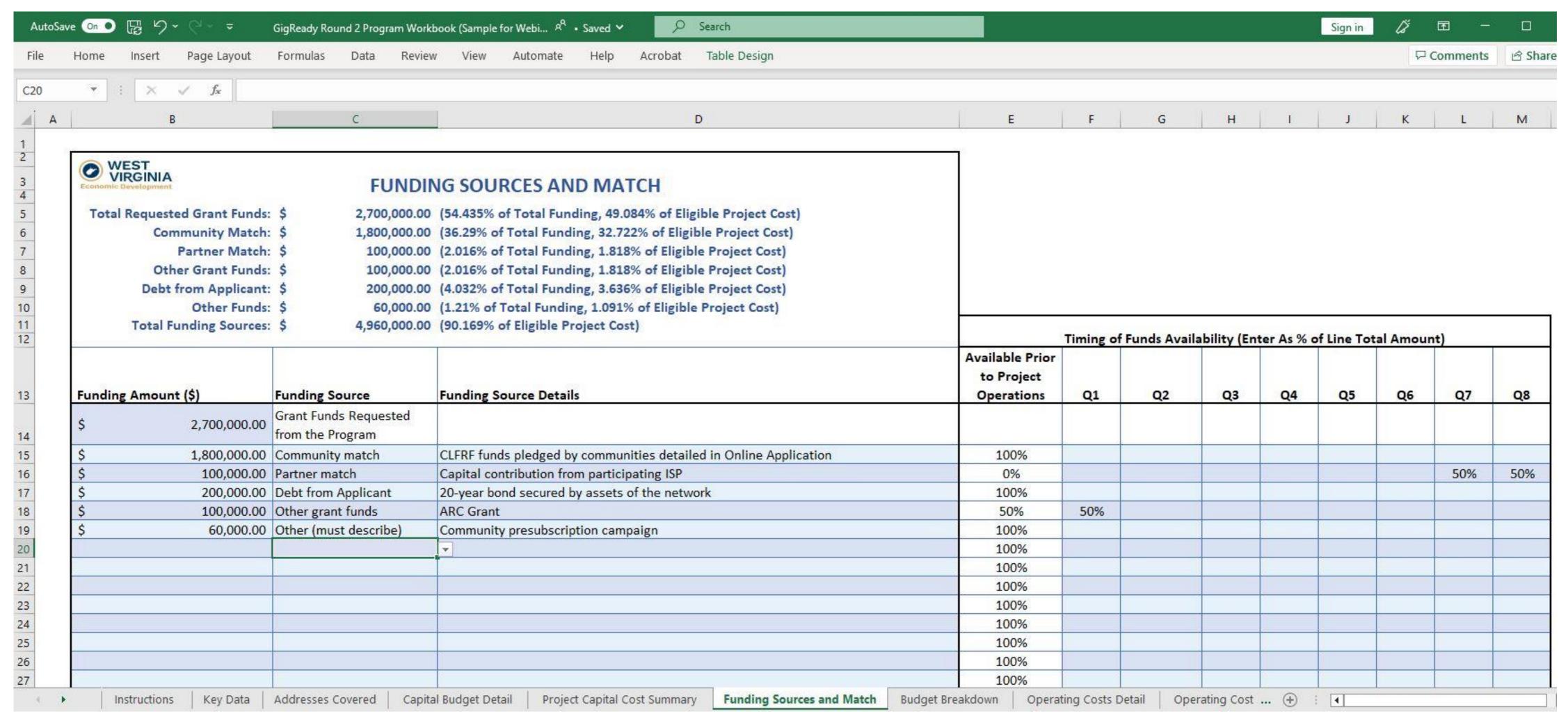


PROJECT BUDGET COST SUMMARY (INELIGIBLE COSTS)



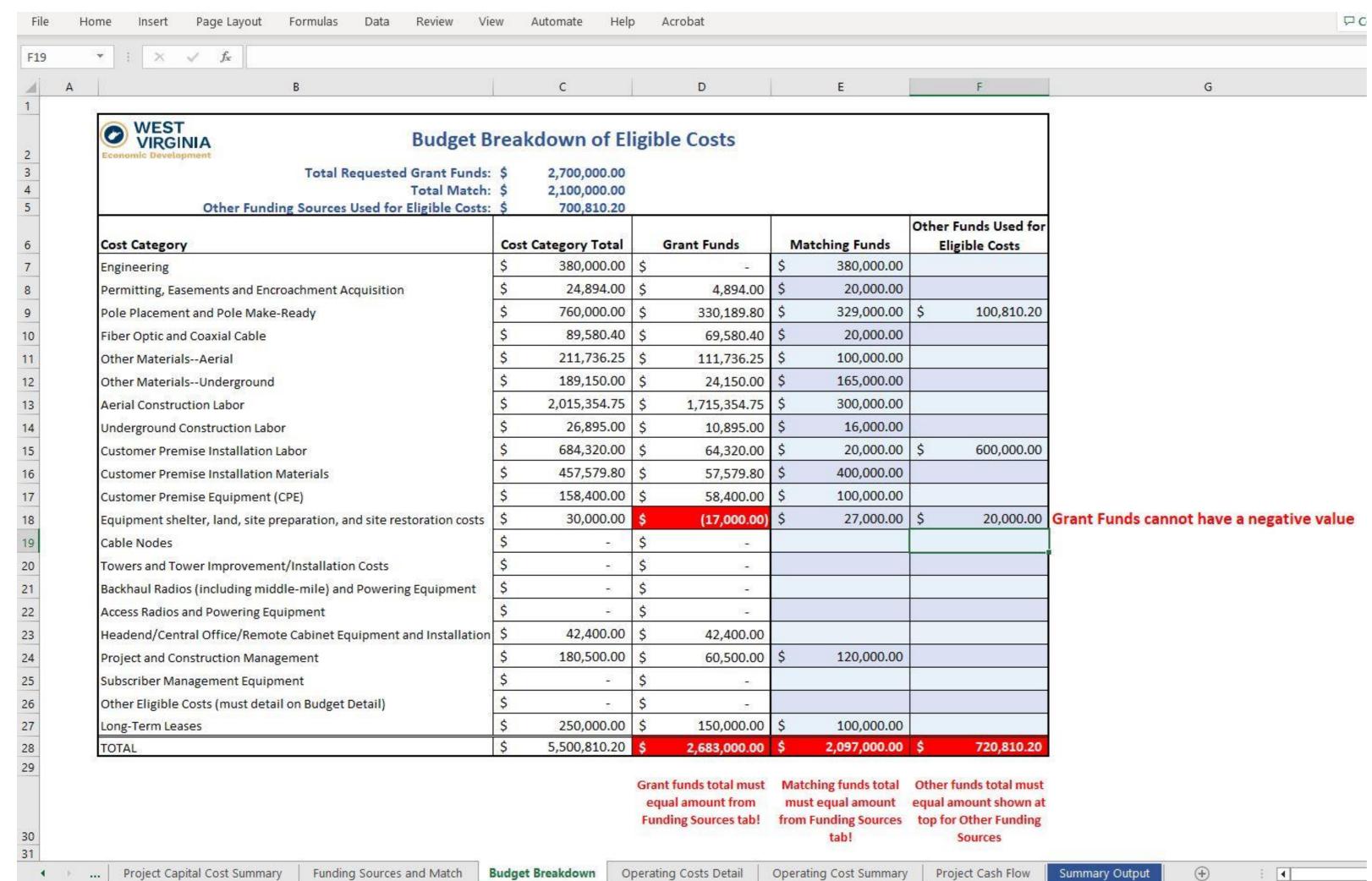


FUNDING SOURCES AND MATCH





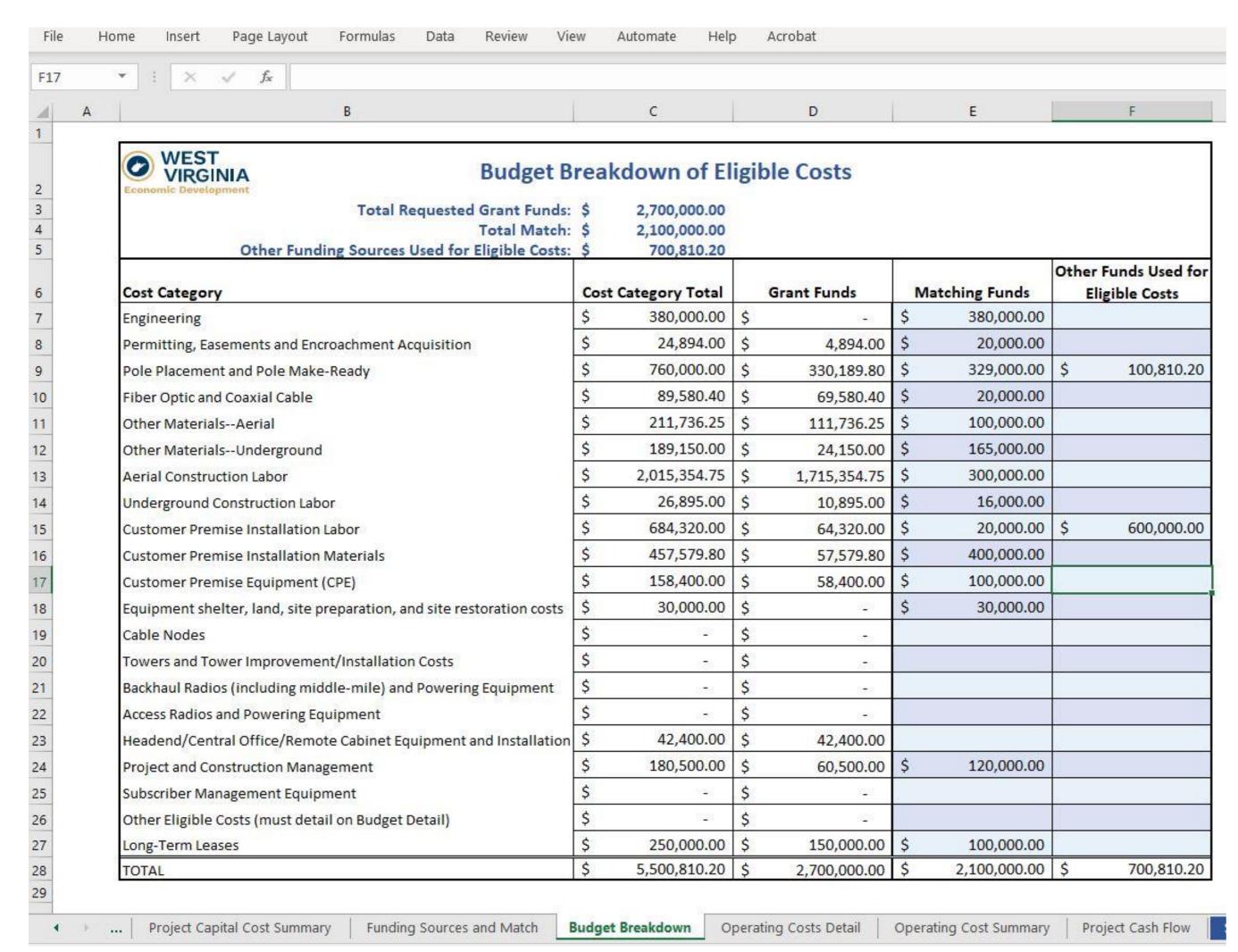
BUDGET BREAKDOWN (INCORRECT)



Validation requires entered values in Grant, Matching, and Other Funds



BUDGET BREAKDOWN (CORRECT)



Validation requires entered values in Grant, Matching, and Other Funds

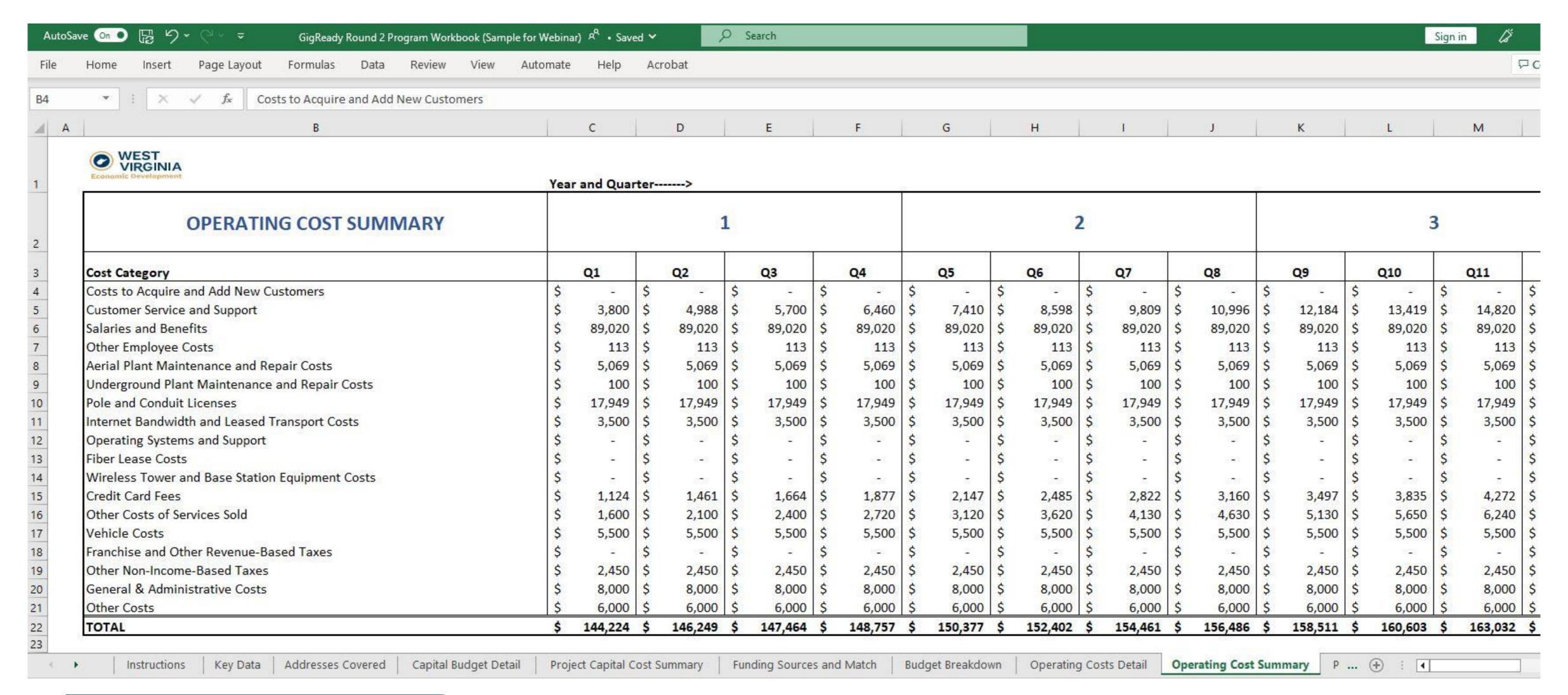


OPERATING COST DETAIL

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WEST VIRGIN	NIA OP	ERATING COST DETAIL				1	l						2							
Item		Cost Category	2	Q1		Q2	Q	3	Q4		Q5		Q6	Q7		Q8		Q9		Q10
					_				4			_			- 4		_		-	7
20	aintenance & Repair	Aerial Plant Maintenance and Repair Costs	\$	5,069	\$	5,069	-	5,069	\$ 5,069		0.00000	- T	5,069 \$	5,06		5,069		The second second		5,00
	OSP Maintenance & Repair	Underground Plant Maintenance and Repair Costs	\$	100	\$ ¢	100	A		\$ 100		100	\$	100 \$	100000000000000000000000000000000000000	00 \$	100		100	1000	10
	twork Employees	Salaries and Benefits	\$	21,450	\$ ¢	21,450	di .	1,450	\$ 21,450		21,450	>	21,450 \$	21,45	-	21,450	1000	21,450	100	21,4
Field Employe	7	Salaries and Benefits	>	24,570	ç	24,570 113	\$ 24	4,570 : 113 :	\$ 24,570 \$ 113		24,570 113	100	24,570 \$ 113 \$	24,57	13 \$	24,570 113		24,570		24,5
Employee Too Pole Attachm		Other Employee Costs Pole and Conduit Licenses	¢	113 17,949	ç	17,949	ې د ۱:		\$ 17,949	-	17,949	Contract of	17,949 \$	17,94		17,949		113 17,949	10.000	17,9
Leased Trans		Internet Bandwidth and Leased Transport Costs	ç	3,500	¢	3,500		3,500	\$ 3,500	-		1000	3,500 \$	3,50	- 12	3,500		3,500		3,50
5.00	oort Contracts	Customer Service and Support	¢	3,800	¢	4,988	-	5,700	\$ 6,460	100	7,410	1343V	8,598 \$	9,80	120	10,996	2 174183	12,184	MARKE.	13,41
	Service vendors	Other Costs of Services Sold	¢	1,600	¢	2,100	-	2,400			3,120		3,620 \$		30 \$	4,630		5,130		5,65
Employee Cor	PRODUCT OF CONTRACT OF STATE O	Salaries and Benefits	\$	30,000	\$	30,000		0,000	\$ 30,000		30,000	000	30,000 \$	30,00		30,000	1000	30,000		30,00
Sales Commis		Costs to Aquire and Add New Customers	Ś	3,000	\$	3,000		3,000	\$ 3,000		3,000	10000	3,000 \$	3,00	5 C C C C C C C C C C C C C C C C C C C	3,000		3,000	817-1-15	3,00
Employee Ber		Salaries and Benefits	\$	10,000	\$	10,000	11	0,000	\$ 10,000	- 17	10,000	1000	10,000 \$	10,00		10,000	1000	10,000	100	10,00
	Contributions	Salaries and Benefits	\$	3,000	\$	3,000		3,000	\$ 3,000		3,000	100	3,000 \$	50,6500		3,000		3,000		3,00
Insurance		General & Administrative Costs	Ś	1,500	\$	1,500			\$ 1,500	-	1,500	COLUMN TO SERVICE STATE OF THE PARTY OF THE	1,500 \$	1000000	100	1,500	100000	1,500	1000	1,50
Legal Fees		General & Administrative Costs	\$	500	\$	500	-	500		-	500	10.0	500 \$		00 \$	500	1000	500		50
Office Supplie	es	General & Administrative Costs	\$	200	\$	200	\$	200		\$	200	\$	200 \$	20	00 \$	200	\$	200	\$	20
Payment in Li	eu of Taxes	Other Non-Income-Based Taxes	\$	1,000	\$	1,000	\$	1,000	\$ 1,000	\$	1,000	\$	1,000 \$	1,00	00 \$	1,000	\$	1,000	\$	1,00
Rent		Other Costs	\$	6,000	\$	6,000	\$	6,000	\$ 6,000	\$	6,000	\$	6,000 \$	6,00	00 \$	6,000	\$	6,000	\$	6,00
Repair & Mai	ntenance costs	General & Administrative Costs	\$	1,500	\$	1,500	\$	1,500	\$ 1,500	\$	1,500	\$	1,500 \$	1,50	00 \$	1,500	\$	1,500	\$	1,50
Utility Costs		General & Administrative Costs	\$	1,500	\$	1,500	\$	1,500	\$ 1,500	\$	1,500	\$	1,500 \$	1,50	00 \$	1,500	\$	1,500	\$	1,50
Advertising C	osts	Costs to Aquire and Add New Customers	\$	3,000	\$	3,000	\$	3,000	\$ 3,000	\$	3,000	\$	3,000 \$	3,00	00 \$	3,000	\$	3,000	\$	3,00



OPERATING COST SUMMARY



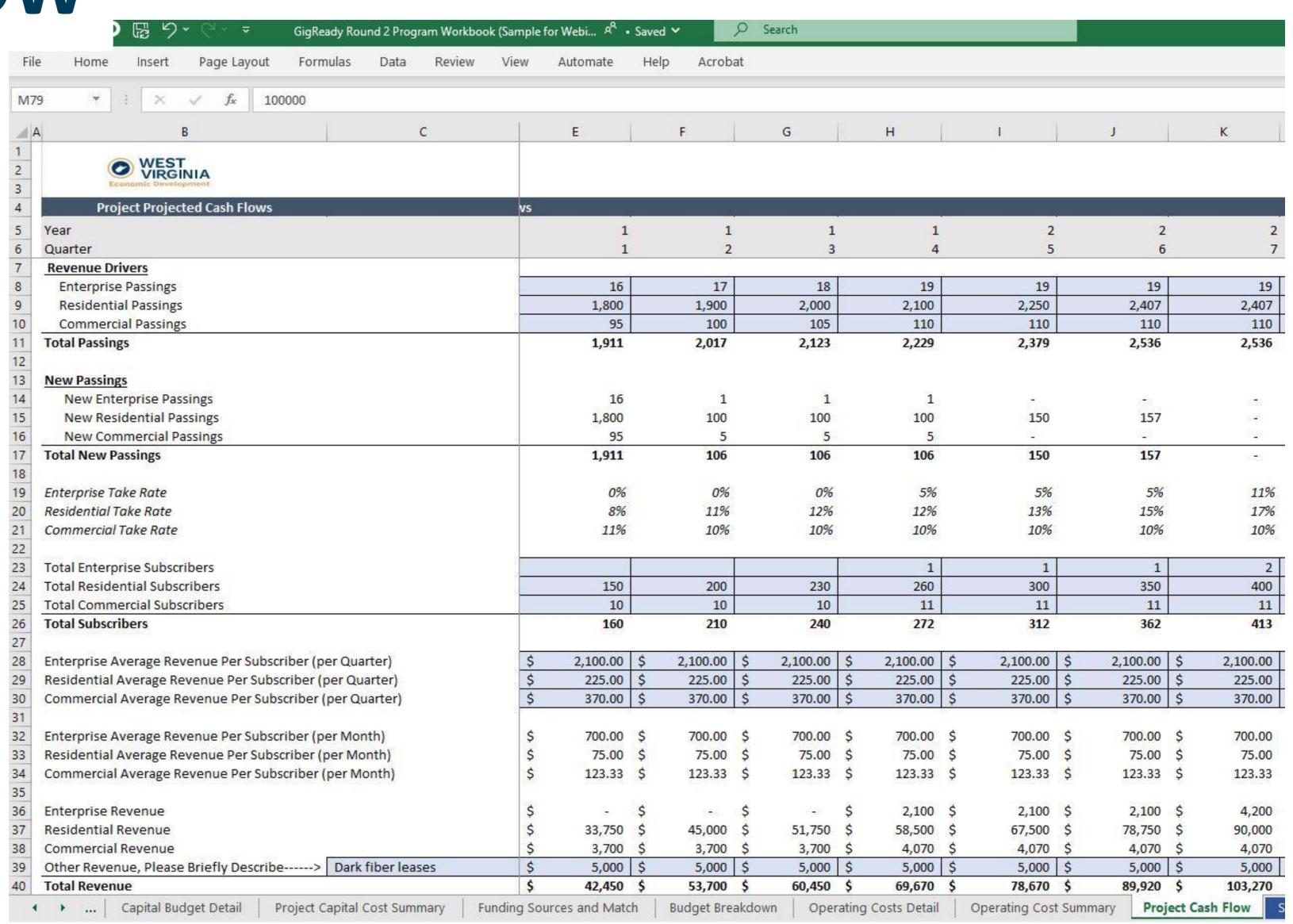


PROJECT CASH FLOW

Enter information needed to calculate revenue and take-rate:

- Addresses passed
- Subscribers
- Revenue per subscriber
- Other revenue





PROJECT CASH FLOW, CONTINUED

Enter information about cash flows not entered on other tabs:

- Interest expenses and debt repayment
- Grant funds, debt proceeds, and other capital sources received after the first 2 years of operation
- Operating subsidies
- Income taxes



/ear		2		2		2	3	3
Quarter		6		7	{	3	9	10
Operating Expenses		(\$152,402)		(\$154,461)	(\$156,486)	(\$158,511)	(\$160,603
Net Operating Income	\$	(62,482)	\$	(51,191) \$	(41,966) \$	(32,741) \$	(19,383
Net Operating Income Margin		-69.49%		-49.57%	-36.64%	ó	-26.03%	-13.73%
nterest Expense	\$	(2,406)	\$	(2,386) \$	(2,367	\$	(2,346) \$	(2,326
ncome Taxes	\$	(250)	\$	(250) \$	(250	\$	(250) \$	(250
Program Grant Funds Requested 49.08% of Eligible Project Costs	ċ	(C)	\$	- s	24	\$	- \$	12
Program Grant Funds Requested 49.08% of Eligible Project Costs	3		ð	. ,	-	,	- 3	
Other Grant Funds	\$	1923	\$	- \$	26	\$	10,000 \$	10,000
Operating Subsidy, Please Briefly Describe> Local initial operating subsidy	\$	70,888	\$	59,577 \$	50,333	\$	41,087 \$	27,709
Net Income	\$	5,750	\$	5,750 \$	5,750	\$	15,750 \$	15,750
Capital Expenditures	\$	(58,950)	\$	(58,950) \$	(58,950) \$	(58,950) \$	(58,950)
Cumulative CapEx	\$	(5,604,630)	\$	(5,663,580) \$	(5,722,530) \$	(5,781,480) \$	(5,840,430
Unlevered Free Cash Flow	\$	(53,200)	\$	(53,200) \$	(53,200) \$	(43,200) \$	(43,200
Cumulative FCF	\$	(2,660,335)	\$	(2,713,535) \$	(2,766,735	10000	(2,809,935) \$	(2,853,135
Capital Lease Payments	\$	878	\$	- \$	惡	\$	(21,930) \$	(21,930)
ssuance of Debt	\$	192	\$	- \$	<u> 2</u> g	\$	5,000 \$	5,000
Repayment of Debt	\$	(1,563)	\$	(1,583) \$	(1,603	\$	(1,623) \$	(1,643
Levered Free Cash Flows	\$	(54,763)	\$	(54,783) \$	(54,803)) \$	(61,753) \$	(61,773)
Other Capital Sources	\$	191 SUIS - 201 S	\$	50,000 \$	50,000	\$	100,000 \$	100,000
								*
Community Match	\$	1020	ċ	- \$	E0 000			
Partner Match (Including Secured Debt) Other Funds, Please Briefly Describe> Damange Claims	\$	957 829	\$	50,000 \$	50,000	\$	100,000 \$	100,000

SUMMARY OUTPUT

41	Other Key Project Metrics			_
42		- Si		
43	Total Grant Request Amount:	\$	2,700,000	49.08% of Eligible Project Cost
44	Total Non-Grant (Matching) Funds:	\$	2,800,810	50.92% of Eligible Project Cost
45	Total Community Funds:	\$	2,000,000	500ge 500g
46	Total Eligible Project Costs:	\$	5,500,810	
47	Total Addresses Covered:		14,309	
48	Targeted Addresses Covered:		7,042	
49	Grant Amount Per Targeted Address:	\$	383.41	
50	Total Matching Funds Per Covered Address:	\$	195.74	1
51	Total Eligible Cost Per Covered Address:	\$	384.43	
52	Total New Miles of New Plant in Project:	-	82	
53	Total Cost Per Mile of New Plant:	\$	67,083	
54	Addresses Covered Per Mile of New Plant		174.50	



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2	WEST VIRGINIA																						
3	Economic Development																						
4	Summary Cash Flow (\$T)	-																					
5	Year		is Prior to Operations		1		2		3		4		5		6		7		8		9		
5	Average Subscribers	Froject	Орегасіонз		221		388		597		803		954	1	,108		1,233		1,435		3,113		5,22
7	Revenue			Ś	226	Ś	386	Ś	594	Ś	833	7.00	052	7.6	,468	7.00	1,903	Ś	2,408	Ś	4,260	Ś	6,54
3	Operating Expenses			\$	(587)	\$		\$	(648)	\$	(682)			-		\$	(750)	\$	(782)	-	(1,053)		1,39
9	Net Operating Revenue			\$	(360)		(227)	100.00	(54)	\$	152		-	\$	738	1000	1,153	\$	1,626	\$	3,206	1000	5,14
0	Net Operating Revenue Margin				-159%		-59%		-9%		18%		33%		50%		61%		68%		75%		79
1	Interest Expense	\$	(3)	\$	(10)	\$	(10)	113	17000000	\$	(9)	\$	(9)		(8)		(8)	\$	1777335		(7)	11 - 11	500
-	Taxes	\$	(0)	\$	(1)	\$	(1)	\$	182 23	\$	(1)	\$	(1)		(1)		(1)	\$	(1)	\$	(1)	\$	
-	Capital and Operating Subsidies	\$	1,690	\$	1,598	\$	279	\$	127	\$	52	\$		\$	52	\$	52	\$	52	\$	52	\$	2000
-	Net Income (inc. Operating Subsidy)	\$	1,687	\$	1,227	\$	41	\$	63	\$	194		388	\$	781		1,196		1,670		3,251	1000	5,1
-	Capital Expenditures	\$	(3,092)	- 100	(2,395)	\$	(236)	\$	(236)	\$	(236)	28 24	-	\$		\$	(236)	\$	(236)	\$	(236)	\$	(2:
5		, c	(1,404)		(1,168)		(194)	\$ 6	(173)		(42)		153	¢ /2	546	\$ /	960		1,434		3,015		4,9
0	Cumulative FCF Capital Lease Payments	¢	(1,404) (250)		(2,3/2)	5	(2,767)	\$ ((88)	\$ 1.	(88)	7772	350	1777	(88)	17000	(88)	4	(88)	222	(88)	127	8,0
	Issuance (Repayment) of Debt	\$	200	\$	(6)	\$	(6)	4	13	4	13	\$	100 A STATE OF	\$	12	4	12	\$	12	4	11	4	(5
	Levered FCF	Ś	(1,454)	\$	(1,174)	_	(201)	Ś	(247)	Ś	(117)	Ś	1000	Ś	470	Ś	885	-	1,358	Ś	2,938	Ś	4,81
1	Capital Sources	\$	1,860	\$	-	\$	100	\$	400	\$	400	•		\$	400	\$	400	\$	400	\$	400	\$	40
2	Net Cash	\$	406	\$	(768)	\$	10 P. C. C. C. C.	\$	(716)	\$	(433)	\$	45	\$	915	\$:	2,200	\$	3,957	\$	7,296	\$1	2,50
3					030 03		0.00																
4	Take Rate Data																						
5	Year				1		2		3		4		5		6		7		8		9		
6					19		19		19		19	-00	19	-5	50		120		200		360	19	60
7	Year End Residential Passings				2,100		2,407		2,407		2,407	2	,500	2	2,500		3,500	ii.	6,000		8,000	1	10,00
	Year End Commercial Passings				110		110		110		110		110		400		800		1,200		1,600		2,00
9	Enterprise Take Rate				5.3%		10.5%		21.1%		42.1%	15	7.9%	1/1	0.0%		91.7%		75.0%		55.6%		40.0
1	Residential Take Rate				12.4%		18.7%		27.0%		33.2%		6.8%		0.4%		29.7%		25.0%		43.8%		56.0
2	Commercial Take Rate				10.0%	_	10.0%		27.3%		54.5%	-	4.5%	100	0.0%	_	15.0%		13.3%	_	12.5%		12.0
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4	Year End Enterprise Subscribers				1		2		4		8		30		70		110		150		200		24
5	Year End Residential Subscribers				260		450		650		800		920	1	,010		1,040		1,500		3,500	8	5,60
6	Year End Commercial Subscribers				11		11		30		60		60		80		120		160		200		24
7											82000	300	200	- 35	(T_0)		(19 <u>0</u> 1000		1285098		10000		52510
8	Total Subscribers				272		463		684		868	_	010		,160		1,270		1,810	-	3,900		6,08
9	Blended Take Rate				12.2%		18.3%		27.0%		34.2%	38	3.4%	3	9.3%	2	28.7%		24.5%		39.2%		48.3



POST-AWARD REPORTING AND MONITORING

OVERSIGHT OF PROJECTS AFTER AWARD WILL BE AS IMPORTANT AS SELECTION OF PROJECTS

- Submission of network designs and as-builts
- Review of expenses and requests for reimbursement
- Progress reporting to meet state and federal obligations
- Field audits to verify constructed plant completeness and quality
- Participation in state broadband mapping



Carefully review the Guide to Reporting and Compliance Obligations for West Virginia ARPA Broadband Investment Plan Subrecipients!

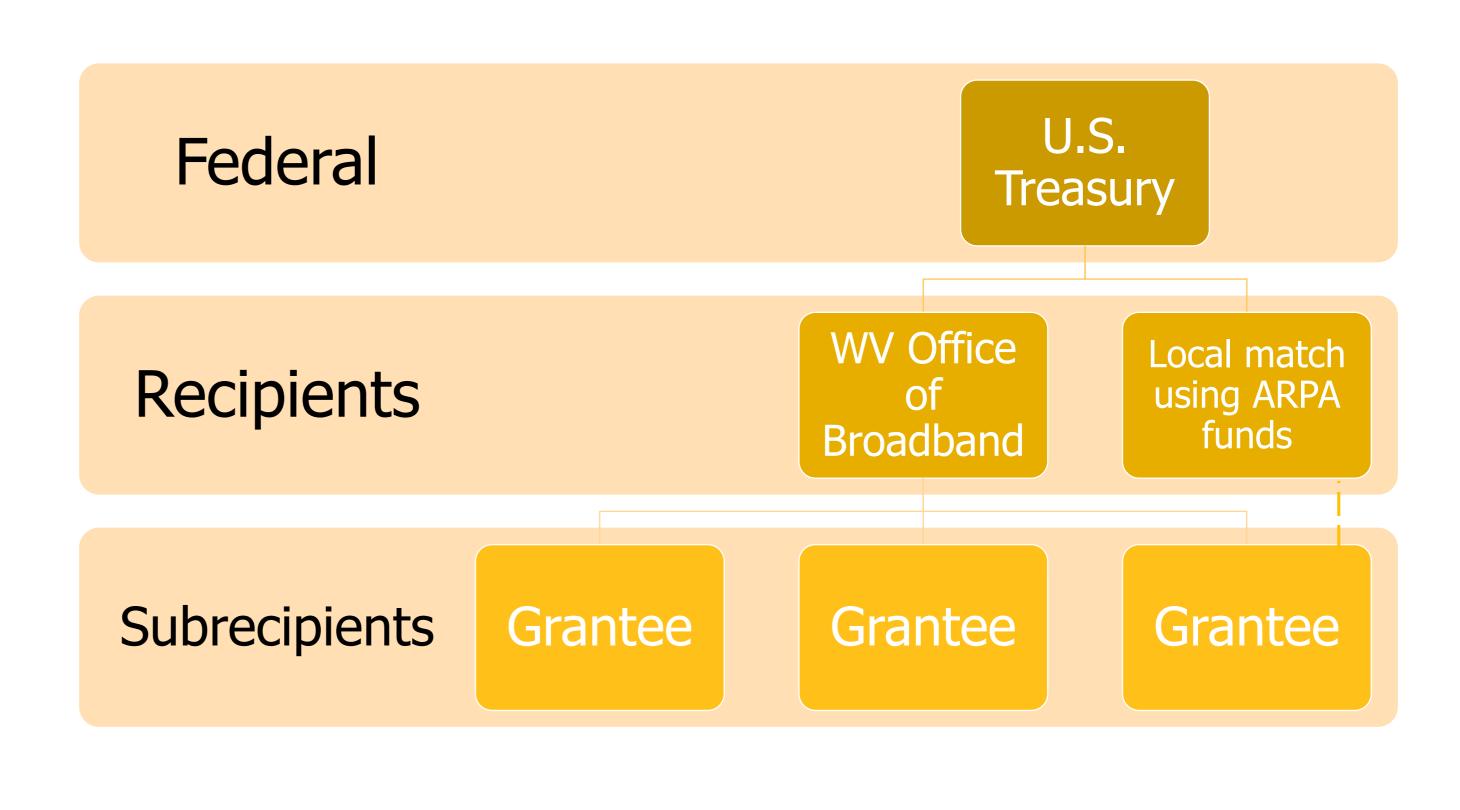


RECIPIENTS AND SUBRECIPIENTS

SUBRECIPIENTS HAVE FEDERAL AND STATE OBLIGATIONS

Subrecipients/grantees must:

- Comply with
 - terms and conditions of award
 - statutory/regulatory requirements, and
 - Treasury's requirements for subrecipients
- Provide the Office of Broadband with any and all information requested, so that it may report to the Treasury





COSTS MUST BE REASONABLE AND ALLOCABLE

In general, under the Federal Uniform Guidance, Costs must be:

- (1) Necessary and Reasonable for the performance of the Federal award;
- (2) Be incurred specifically for the Federal award;
- (3) Be adequately documented

West Virginia GigReady program requirements are sometimes more specific:

- Indirect costs are not reimbursable.
- Operating expenses are ineligible.
- Internal administrative activities are ineligible.

Costs that appear excessive and/or without justification and costs not considered eligible will not be reimbursed!

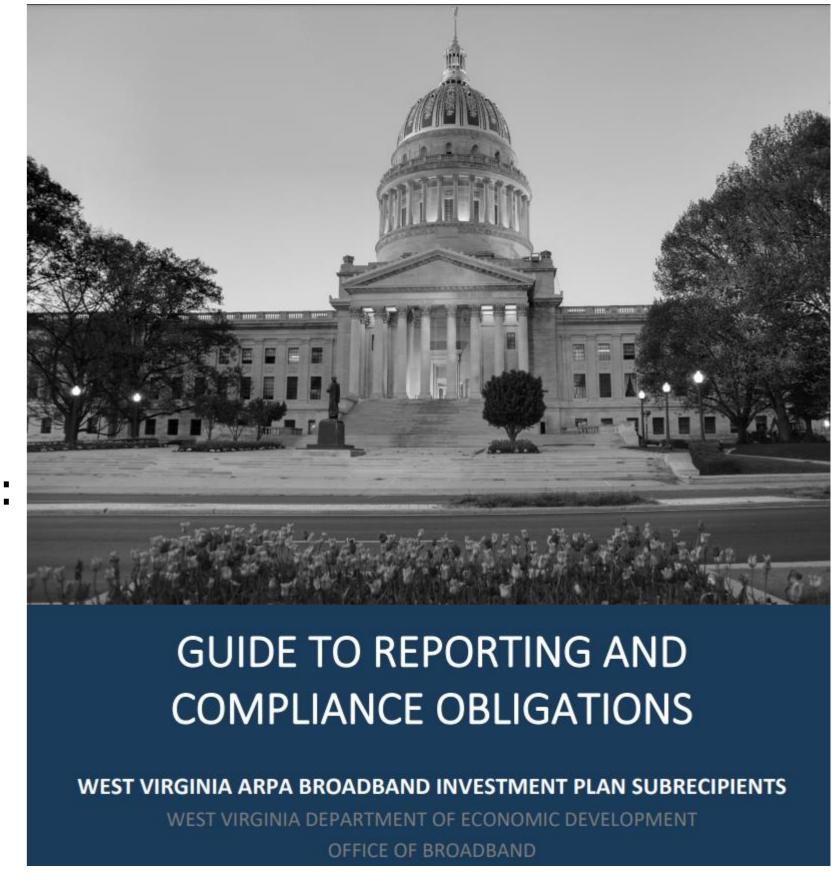


GENERAL COMPLIANCE OBLIGATIONS

Grantees should refer to the WVDED's ARPA Subrecipient Compliance and Reporting Guidance Document for Awardees, available at https://broadband.wv.gov/.

Among the compliance requirements required of Grantees:

- Annual State Broadband Reporting (W.Va. Code §31G-1A-3)
- Recordkeeping Obligations
- Submission of project data to WVDED for quarterly and annual reporting
- Internal controls/monitoring of awards
- Audit Requirements (WV Grant Transparency and Accountability Act W.Va. Code §12-4-14; 2 CFR 200 Subpart F)
- Strong Labor Practices, compliance w/ all applicable federal laws/regulations
- Labor Reporting for Projects receiving \$5M or more (CPF); over \$10M (SLFRF):
 - Certifications regarding prevailing wages for contractors/subcontractors
 - Certifications regarding Project Labor Agreements (pre-hire collective bargaining agreements)
 - Whether Projects prioritize local hires
 - Whether Projects have a Community Benefit Agreement





GENERAL COMPLIANCE OBLIGATIONS — Cont'd

Grantees should refer to the WVDED's ARPA Subrecipient Compliance and Reporting Guidance Document for Awardees, available at https://broadband.wv.gov/.

Among the compliance requirements required of Grantees:

- Civil Rights Compliance with all Federal and State laws prohibiting unlawful discrimination/violations of civil rights, for example:
 - Title IV of Civil Rights Act of 1964
 - Rehabilitation Act of 1973
 - Age Discrimination Act of 1975
- National Defense Authorization Act (2019) relating to procurement of telecommunications equipment from certain prohibited vendors (Huawei, ZTE, etc.)
- Competitive Procurement Policies (Avoidance of Conflicts of interest/disclosures of affiliated business entities (per 2 CFR 200.318(c))
- Participation in the FCC's Affordable Connectivity Program





FEDERAL ENVIRONMENTAL COMPLIANCE

APPLICABILITY

Federal Environmental Law Compliance

Awardees must comply with all applicable federal environmental laws—WVDED will provide a checklist as part of Grantee's Grant Agreement with WVDED.

Potentially applicable laws include but are not limited to:

- The Endangered Species Act
- Clean Water Act
- Clean Air Act
- National Historic Preservation Act (NHPA)
- Resource Conservation and Recovery Act (RCRA)
- National Environmental Policy Act (NEPA)



PERMITTING REQUIREMENTS

GENERAL

Grantees are responsible for complying with all applicable permitting requirements for infrastructure projects in rights-of-way, including:

- * West Virginia Division of Highways (DOH) permitting processes;
- (Dig Once, encroachment/bond permits)
- * Underlying municipal, county, state fees/permits/approvals;
- * Federal agency approvals (if within federally-designated lands)



HISTORIC PRESERVATION

NATIONAL HISTORIC PRESERVATION ACT SECTION 106

Grantees must:

- 1.) Confer with the West Virginia State Historic Preservation Office (SHPO) regarding the applicability of Section 106 of the National Historic Preservation Act to the Project;
- 2.) Submit any information required by SHPO; and
- 3.) Receive a communication from SHPO that no further action is required related to a Project before the Department will issue a notice to proceed for the Project.
- 4.) Grantees should also submit documentation of their SHPO compliance to the WVDOH.





STATE AND FEDERAL REQUIREMENTS – PUBLIC, NON-PROFIT GRANTEES

- Architect/Engineer Contracts Public grantees shall procure services in accordance with Chapter 5G of the WV State Code, and be in compliance with Uniform Guidance (2 CFR 200.318-200.327)
- Construction Contracts Public grantees are required to procure construction contracts in accordance with either Ch.5, Art. 22 or applicable state multiphase procurement statutes, and be in compliance with federal regulations Uniform Guidance (2 CFR 200.318-200.327)
- **Bonding Requirements** Different requirements for bid guarantees, performance bonds, payment bonds for construction contracts over certain thresholds.
- Recordkeeping Requirements To detail history of procurement (2 CFR 200.318(i))
- Conflicts of Interest/Transactions w/ Affiliated Entities Prohibition against, reporting conflicts, developing safeguards against (2 CFR 200.318(c))
- Prohibition on Procurement of Certain Telecommunications Services or Equipment. (2 CFR § 200.216)



PUBLIC/NON-PROFIT ENTITIES

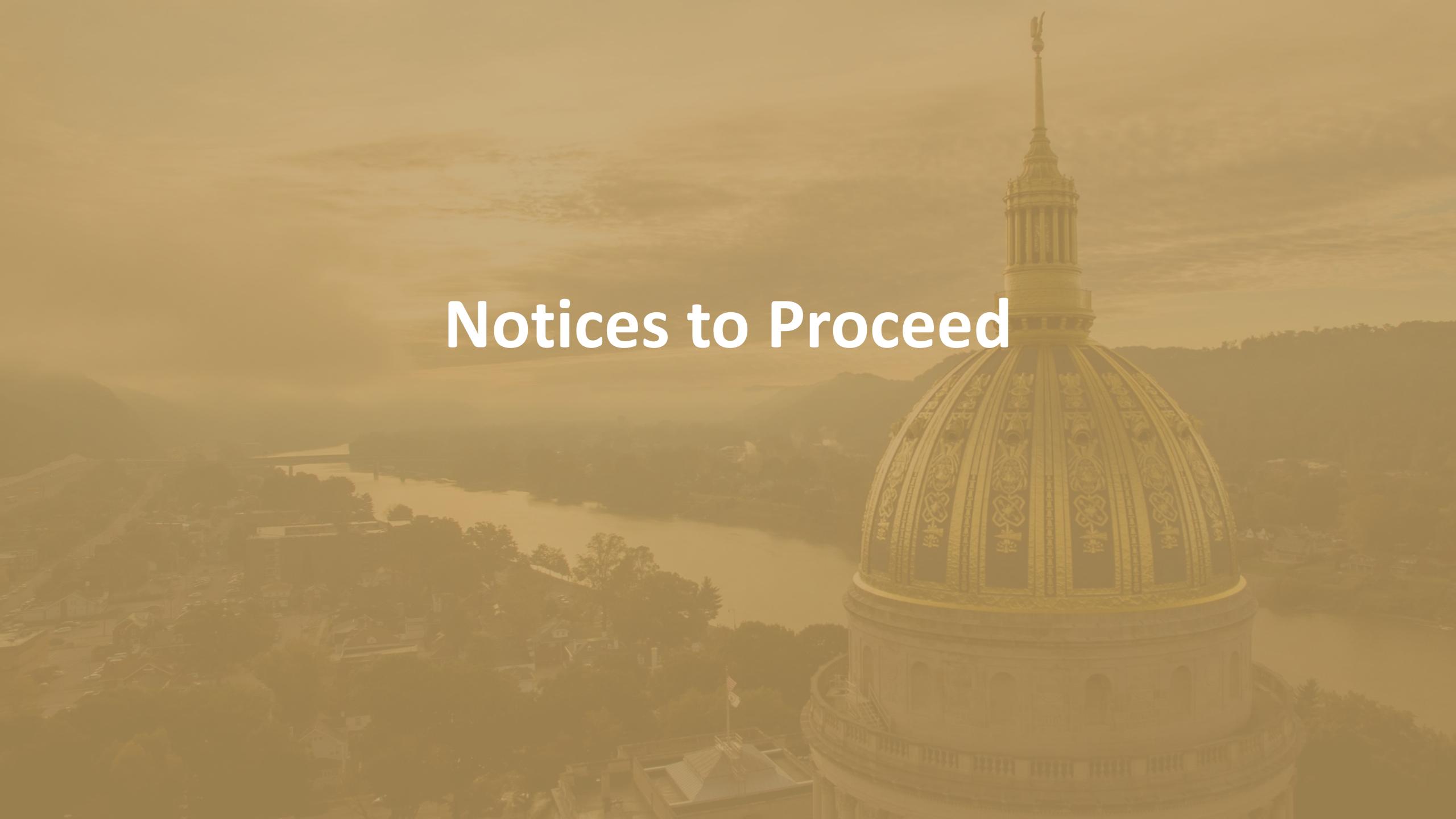
- In general, under Federal guidelines (Uniform Guidance) any public non-profit awardee must comply with the competitive procurement requirements for goods or services above \$250,000.
- 2 CFR §200.318 Non-profit, public grantees must have and use documented procurement procedures for the acquisition of property/services required under a federal award or subaward.
- 2 CFR §200.319 (Competitive Procurements)
- 2 CFR §200.320 (Methods of Procurement Informal/Formal/Noncompetitive)
- Under 200.317, non-state entities such as cities and counties must comply with 2 CFR 200.318 through 200.327 when using ARPA award funds to procure goods/services to carry out the objectives of their ARPA award.



PUBLIC, NON-PROFIT GRANTEES/SUBRECIPIENTS

- For Grantees/subrecipients other than private/for-profit entities, the provisions of the uniform guidance procurement rules (2 CFR 200.318-200.327) apply as follows:
 - 2 CFR 200.318: General procurement standards—including conflicts of interest requirements per 200.318(c)
 - 2 CFR 200.319: Open competitive procurement
 - 2 CFR 200.320: Procurement methods, sealed bids
 - 2 CFR 200.321: Contracting w/ Minority and women owned businesses
 - 2 CFR 200.322: Domestic preferences for Procurements
 - 2 CFR 200.323: Solid Waste Disposal Act compliance (Procurement of Recovered Materials)
 - 2 CFR 200.324: Cost or price analysis must be performed in connection w/ every procurement action above the Simplified Acquisition Threshold (\$250,000)
 - 2 CFR 200.325: Provision of technical specifications/procurement docs to Treasury or WVDED for review upon request.
 - 2 CFR 200.326: Bonding requirements (NOTE: State bonding requirements still apply)
 - 2 CFR 200.327: Required Contract Provisions per Uniform Guidance Appendix II





REQUEST FOR NOTICE TO PROCEED WITH EXEMPT ACTIVITIES

• Prior to construction, the WVDED requires grantees to complete a number of requirements, in a two-step Notice to Proceed process. This process includes

Step One: Notice to Proceed with Exempt Activities; and

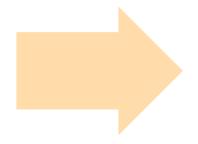
Step Two: Notice to Proceed with Construction



NOTICE TO PROCEED WITH EXEMPT ACTIVITIES

GRANTEES MUST RECEIVE THIS NOTICE BEFORE MAKING ANY ELIGIBLE EXPENDITURES

Submit "Request for Approval of Evidentiary Materials"



Receive Notice to Proceed with Exempt Activities



Awardee may begin to spend pledged match on "soft costs"

 Must include all necessary supporting documentation

 Notice will come from the WVDED, Office of Broadband

- Engineering functions and permit applications /ROW practices activities may begin
- Logistical efforts may take place



ADDITIONAL STEPS BEFORE CONSTRUCTION & GRANT FUNDING

Notice to Proceed with Exempt Activities

May begin preconstruction activities once received

May begin to spend match

Submit Engineered Design

May request grant funds for pre-construction activities, if required match is fully spent

Design is also required to request Notice to Proceed with Construction Activities

May request grant funds for construction activities <u>only</u> after also receiving Notice to Proceed with Construction

Notice to Proceed with Construction

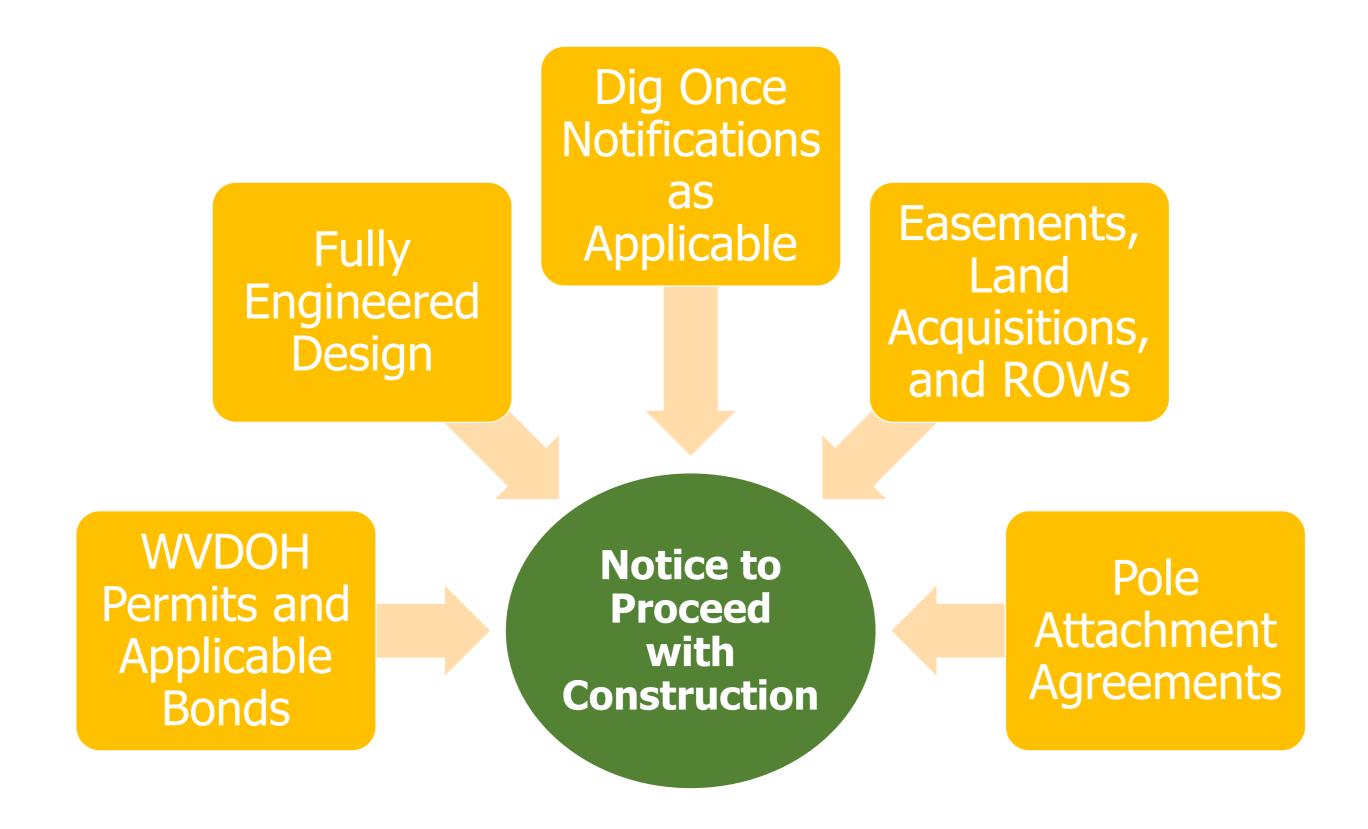
May begin construction activities once received

May request grant funds for construction activities, if required match is fully spent



REQUEST FOR NOTICE TO PROCEED WITH CONSTRUCTION (NTPC)

SUBMIT BEFORE MAKING REQUEST



Grantee must wait to receive written notice from WVDED prior to beginning construction!



ESSENTIAL ELEMENTS FOR NTPC

PER SCHEDULE 1.1 (PERTINENT ELEMENTS ONLY ARE LISTED)

- Submit Project Information to WVDOH District Office for Prior Review
- Preliminary Pole Attachment Data submitted to Pole Owner(s)
- Preliminary Engineering Design submitted to WVDOH and applicable jurisdictions, including counties and/or municipalities
- Final Engineering Design Submitted to WVDOH, Include Bridge Alternatives Analysis as applicable
- Final Engineering Design Submitted to WVDED
- Complete Environmental Review for WVDOH ROW Access
- Begin Acquisitions and Easements as applicable
- Complete Dig Once Notifications as applicable
- Contractor Debarment Review Certification Sam.gov
- Complete all Easements, Land Acquisitions, ROWs, and Pole Attachment Agreements as applicable
- Submit WVDOH MM109 Permit Application and Applicable Bonds:
 - Bid Bond
 - Performance Bond
 - Payment Bond
- Submit copies of all applicable permits, agreements, and clearances to WVDED (WVDOH Permit and Local Permit(s) Required).



ESSENTIAL ELEMENTS FOR NTPC (cont.)

PER SCHEDULE 1.1 (PERTINENT ELEMENTS ONLY ARE LISTED)

- Obtain Authorization to Bid by WVDED Written Authorization Required
- Advertise for Bids: Class II Legal Ad, compliance with WV Code §5-22-1 and 2 CFR 200.318-200.327, required
- Pre-Bid Meeting
- Bid Opening Date/Submit Bid Tabs, Notice of Intent to Award to WVDED (Applicable for GigReady)
- Construction Contract(s) Awarded with Grantee Approval (Applicable for GigReady)
- Pre-Construction Meeting
- Notice to Proceed Issued by Project Engineer





QUARTERLY REPORTING DATA

SPECIFIC REPORTING ITEMS

INCLUDING BUT NOT LIMITED TO:

- General identifying information
- Completion status
- Gross revenues from Federal funding
- Project-level data
 - Project technology types (Planned/Actual)
 - Total miles of fiber deployed (Planned/Actual)
 - Total number of locations served (Planned/Actual)
 - Total number of locations served, broken out by speeds (Pre and Post-ARPA investment)
 - Total number of funded locations served, broken out by type (Planned/Actual)
- Speed tiers offered and pricing
- Confirmation of provider participation in FCC Affordable Connectivity Program
- Location by location project information
 - Technology used to offer service at location
 - Location type (Residential, business, Community Anchor Institution)
 - Speed tier at location pre-ARPA investment
 - Speed and latency at location post ARPA investment (maximum download and upload speeds offered and delivered)



SPEED TEST REQUIREMENTS

PER TREASURY AND FCC GUIDANCE

- Speed and latency tests must be from customer premises of an active subscriber
- 95 percent of latency measurements must fall at or below 100 milliseconds round-trip time
- Based on FCC Orders (see links below), there are requirements for testing involving:
 - End points for testing
 - Daily Test Periods
 - At least one download test and one upload test per testing hour at each subscriber test location
 - Number of test locations (depending on number of subscribers in a state)
 - Testing Frequency: FCC requires quarterly testing for speed and latency
 - Flexibility/Choice in testing Methods

2018 FCC Order: https://www.fcc.gov/document/wcb-wtb-and-oet-adopt-performance-

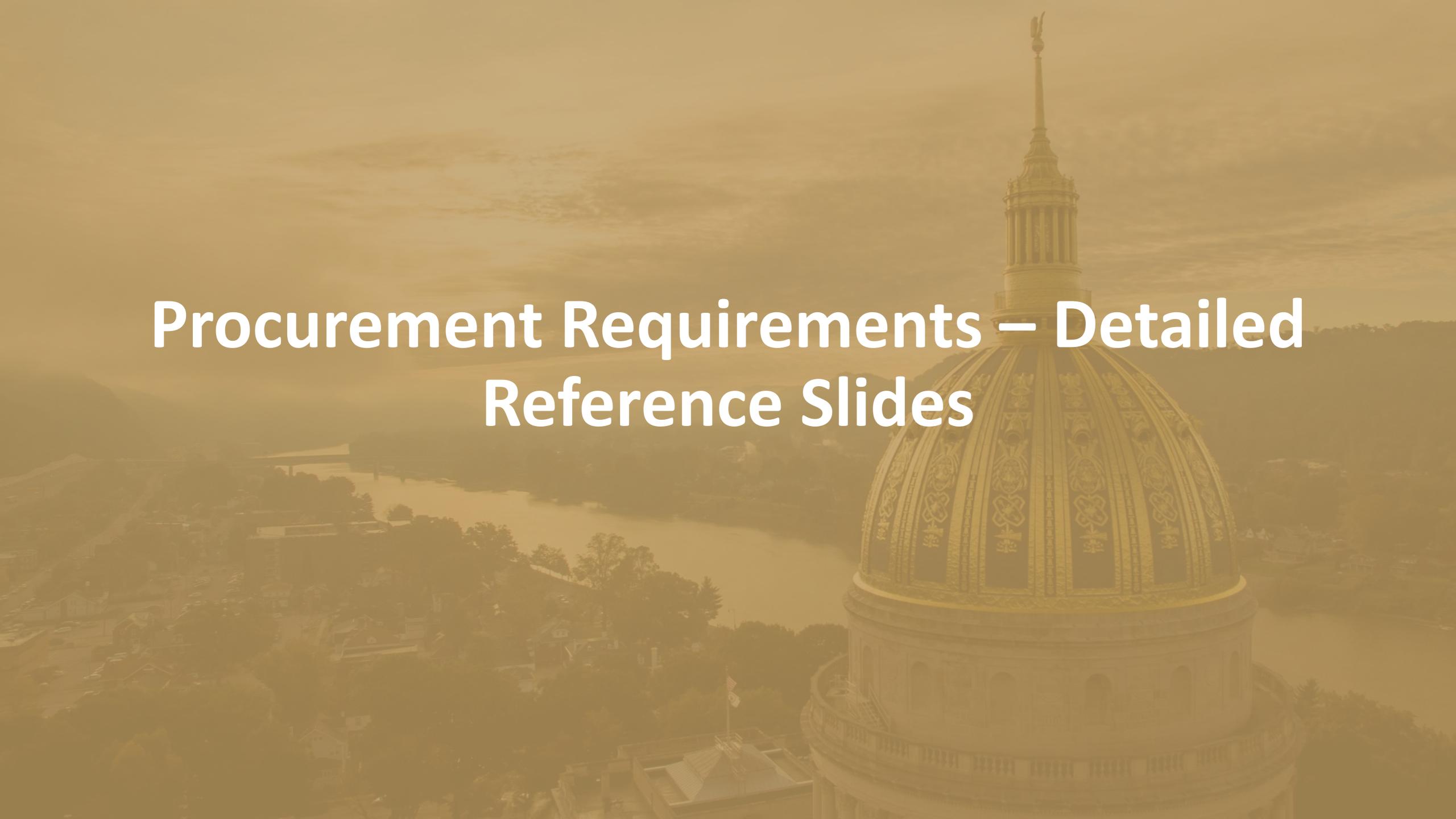
measures-caf-recipients

2019 FCC Order: https://www.fcc.gov/document/fcc-takes-steps-enforce-quality-standards-2019

rural-broadband







STATE REQUIREMENTS – PUBLIC, NON-PROFIT GRANTEES

- Architect/Engineer Contracts Public grantees shall procure services in accordance with Chapter 5G of the WV State Code, and be in compliance with Uniform Guidance (2 CFR 200.318-200.327)
- Construction Contracts Public grantees are required to procure construction contracts in accordance with either Ch.5, Art. 22 or applicable state
 multiphase procurement statutes, and be in compliance with federal regulations Uniform Guidance (2 CFR 200.318-200.327)
- For projects with an estimated value over \$25,000, Grantees shall solicit sealed bids for all construction-related contracts or supplies
- Transactions under \$25,000 whether construction-related contracts, supplies, or professional services should be procured in a manner that provides maximum open and free competition and files are to be maintained to document such activities.

NOTE: Any attempts by the Grantee to segregate the Project into sections in order to circumvent competitive procurement may be cause for termination of its Grant Agreement with the WVDED.

- For required public bids, notice shall be published as a Class II legal advertisement by the Grantee in the newspaper with the largest circulation serving the general area within a period of fourteen consecutive days with at least an interval of six full days within such period between the date of the first publication and the date of the second publication preceding the final date of submitting bids.
- The Grantee shall have available upon request for review by the Department or its designated representative, bid documents and other evidence of compliance with these procedures. The resolution of bid and contract disputes is the responsibility of the Grantee.



BONDING REQUIREMENTS

STATE REQUIREMENTS – PUBLIC, NON-PROFIT GRANTEES

- For construction or facility improvements under \$25,000, Public Grantees must follow local or State requirements relating to bid guarantees, performance bonds, and payment bonds provided that the Grantee's and State's interest is adequately protected and that such contracts can be executed in a timely manner; otherwise, bonding requirements shall be the same as for contracts exceeding \$25,000.
- If a contract or subcontract exceeds \$25,000, Consistent with 2 CFR 200.326 and W.Va. Code § 5-22-1(c), the minimum bonding and insurance requirements shall be as follows:
 - A bid guarantee from each bidder equivalent for 5% of the bid price. This bid guarantee must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
 - A performance bond on the part of the contractor for 100% of the contract price.
 - A payment bond on the part of the contractor for 100% of the contract price.



PUBLIC/NON-PROFIT ENTITIES

- In general, under Federal guidelines (Uniform Guidance) any public non-profit awardee must comply with the competitive procurement requirements for goods or services above \$250,000.
- 2 CFR §200.318 Non-profit, public grantees must have and use documented procurement procedures for the acquisition of property/services required under a federal award or subaward.
- 2 CFR §200.319 (Competitive Procurements), and 2 CFR §200.320 (Informal and Formal Procurements)
- Under 200.317, non-state entities such as cities and counties must comply with 200.318 through 200.327 when using ARPA award funds to procure goods/services to carry out the objectives of their ARPA award



PROCUREMENT RECORDKEEPING REQUIREMENTS (2 CFR §200.318)

PUBLIC, NON-PROFIT ENTITIES

- §200.318(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following:
- Rationale for the method of procurement;
- Selection of contract type;
- Contractor selection or rejection; and
- The basis for the contract price.



CONFLICTS OF INTEREST – ALL GRANTEES

Conflicts of Interest (2 CFR 200.318(c))

- As per the Grantee's Grant Agreement with the WVDED, neither the Grantees nor its officers or members, employees, or subgrantees may have an interest nor shall they acquire any interest, direct or indirect which would conflict or compromise in any manner the performance of services.
- Also, as part of its Agreement with the WVDED, the Grantee shall periodically question its officers, members and employees concerning such interests and report in detail to the Department if it discovers such an interest.
- Grantees shall establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal gain.
- Transactions with Affiliated Business Entities or Relatives:

Subrecipients/grantees will make a full disclosure in writing to the WVDED any corporation, partnership, sole proprietorship, or other business entity of any kind which is a wholly or partially owned entity of the Grantee or whose relatives supply goods or services to Grantee or work for or provide services to Grantee.



COMPETITION

2 CFR 200.319 – PUBLIC, NON-PROFIT GRANTEES

- **General Rule:** (a) All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of 200.319 and § 200.320
- 200.319(b): Contractors that develop specifications, requirements, or invitations for bids proposals must be excluded from competing for such procurements
- 200.319(c): Public, non-profits must not use statutorily or administratively imposed geographical preferences in evaluating bids except as mandated/encouraged by Federal law.
- 200.319(d): Public non-profits must (1) have written procedures for procurement transactions and clear/accurate descriptions of technical requirements of material/product/service to be procured and (2) identify all requirements offerors must fulfill and all other factors to be used in evaluating bids/proposals
- 200.319(e): All pre-qualified lists of persons/firms/products must be current, include enough sources, and potential bidders must not be precluded from qualifying
- 200.320(f): Non-competitive procurements can only be awarded in accordance with 2 CFR 200.320(c)



METHODS OF PROCUREMENT

PUBLIC, NON-PROFIT ENTITIES

Section 200.320(a) (Informal Procurement) — When the value of the procurement for property or services under a Federal award does not exceed the *simplified acquisition threshold* (SAT), as defined in § 200.1, (NOTE: typically this is \$250,000) or a lower threshold established by a public, non-profit, formal procurement methods are not required.

200.320(b) (Formal procurement) - When the value of the procurement for property or services under a Federal financial assistance award exceeds \$250,000 formal procurement methods are required.

This involves public solicitation of sealed bids, proposals (see 2 CFR 200.320(b)(1-2))



METHODS OF PROCUREMENT (Cont'd)

PUBLIC, NON-PROFIT ENTITIES

§200.320(c) – Situations where Noncompetitive procurement can be used (if one or more of the following applies):

- (1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold typically set at \$10,000;
- (2) The item is available only from a single source;
- (3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;
- (4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the public non-profit grantee; or
- (5) After solicitation of a number of sources, competition is determined inadequate.



PUBLIC, NON-PROFIT GRANTEES/SUBRECIPIENTS

- For Grantees/subrecipients other than private/for-profit entities, the provisions of the uniform guidance procurement rules (2 CFR 200.318-200.327) apply as follows:
 - 2 CFR 200.318: General procurement standards—including conflicts of interest requirements per 200.318(c)
 - 2 CFR 200.319: Open competitive procurement
 - 2 CFR 200.320: Procurement methods, sealed bids
 - 2 CFR 200.321: Contracting w/ Minority and women owned businesses
 - 2 CFR 200.322: Domestic preferences for Procurements
 - 2 CFR 200.323: Solid Waste Disposal Act compliance (Procurement of Recovered Materials)
 - 2 CFR 200.324: Cost or price analysis must be performed in connection w/ every procurement action above the Simplified Acquisition Threshold (\$250,000)
 - 2 CFR 200.325: Provision of technical specifications/procurement docs to Treasury or WVDED for review upon request.
 - 2 CFR 200.326: Bonding requirements (NOTE: State bonding requirements still apply)
 - 2 CFR 200.327: Required Contract Provisions per Uniform Guidance Appendix II



REQUIRED CONTRACT PROVISIONS FOR PUBLIC/NON-PROFIT GRANTEE CONTRACTS

Per 2 CFR 200.327 and Appendix II to Uniform Guidance required provisions:

- **Breach -** Contracts over \$250,000 must address admin/contractual/legal remedies for breach
- **Termination** Contracts over \$10,000 must address termination for cause and convenience (manner and basis for settlement)
- **Equal Employment Opportunity** Federally assisted construction contracts must include the Equal Employment Opportunity Clause (41 CFR 60-1.4)
- Davis Bacon Act compliance provision Does not apply to projects funded solely by the CPF or SLFRF programs unless funds are used in conjunction with other federal source of funds which does require compliance with Davis-Bacon (NOTE: Davis-Bacon reporting requirements still apply for projects over certain dollar amounts)
- **Copeland "Anti-Kickback" Act** Contracts must include provision for compliance with (40 USC 3145) as supplemented by 29 CFR Part 3 (DOL regulations)—Each contractor or subrecipient is prohibited from inducing any person engaged in construction of public work to give up any part of compensation to which he or she is otherwise entitled.
- Contract Work Hours and Safety Standards Act All contracts in excess of \$100,000 involving mechanics/laborers must include a provision for compliance with 40 USC 3702 (relating to work hours) and 3704 (relating to health and safety standards)



REQUIRED CONTRACT PROVISIONS FOR PUBLIC/NON-PROFIT GRANTEES CONTRACTS

• 200.327 and Appendix II to Uniform Guidance required provisions:

Clean Air Act and Fed. Water Pollution Control Act: Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal awardee to agree to comply with all applicable standards under these acts.

Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM)

Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) - Contractors that apply or bid for an award exceeding \$100,000 must file the required certification

Solid Waste Disposal Act compliance (2 CFR 200.323) (Procurement of Recovered Materials)

Prohibition on Procurement of certain telecommunications and video surveillance services or equipment. (2 CFR 200.216)

Domestic Preferences for Procurements (2 CFR 200.322)





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